



**GOVERNMENT OF HARYANA**

**MANUAL**

**of**

**OFFICE PROCEDURE**

*(First Edition)*

**Part-II**

**(Page 401 to 718)**



**GENERAL ADMINISTRATION DEPARTMENT**

**December, 2022**



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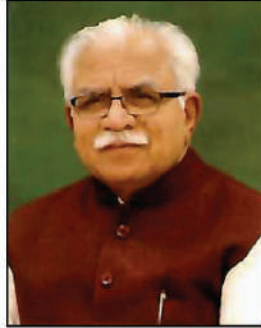
**(Page 401 to 718)**



**GENERAL ADMINISTRATION DEPARTMENT**

**December, 2022**

मनोहर लाल  
MANOHAR LAL



### MESSAGE

मुख्य मन्त्री, हरियाणा,  
चण्डीगढ़।

CHIEF MINISTER, HARYANA,  
CHANDIGARH.

Dated 20th December, 2022

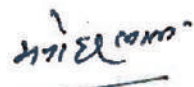
I am glad to learn that Government of Haryana in Administrative Reforms Department is bringing out a 'Manual of Office Procedure' for efficient and transparent disposal of work at Secretariat level and Head Offices levels.

Our Government is committed to maintain high degree of efficiency, transparency and skill at all levels. In order to keep pace with the changed scenario of public administration and to pursue the mandate of the State Government, various steps have been taken to liberalize the policies and procedures in public interest. Consequently, it has become necessary to remove/revise the existing provisions and procedures which have become irrelevant and redundant.

I am sure this Manual will help in the efficient and speedy disposal of work and boost the responsiveness of the administration.

I acknowledge the contribution of all officers who have significantly contributed in preparing the Manual.

My Best Wishes,

  
(Manohar Lal)





## PREFACE

The efficiency of an organisation depends largely on evolution of adequate processes and procedures. In Haryana State, till now the processes and procedures laid down in the first edition of Secretariat Instructions 1989, (which was the revised version of 1957 edition of the erstwhile Punjab Government) and the instructions issued by the different departments of State Government from time to time were being followed by all the departments for handling of office business.

2. To keep pace with changed administrative scenario and to improve efficiency in the disposal of official work, Government in Administrative Reforms Department has decided to frame a common **Manual of Office Procedure** applicable across the State. The Manual seeks to provide guidelines to the office functionaries to achieve the overall aim to increase productivity in work and make the administration more responsive.

3. This Manual is a compilation of important processes and procedures used by Government Organizations at different levels in Secretariat and Head Offices. The existing office procedures contained in the Secretariat Instructions, 1989 and in other relevant rules books have adequately been updated and included in it to ensure continual improvement in functioning to achieve excellence and efficiency in the government offices, to meet the citizens' needs to further their welfare without delay which is the ultimate object of the Government.

4. Haryana Institute of Public Administration (HIPA) was assigned with the work of preparing this Manual. The work has been completed by Shri Ram Saran, Deputy Secretary (Retd.) presently working as Principal, DTC, HIPA, Panchkula and Shri Raj Pal Nasa, HSS-I & HSAS (Retd.) presently working as OSD (Rules), General Administration Department, Haryana, under the able guidance of Dr. G. Prasanna Kumar, IAS (Retd.) former Director General, HIPA, Smt. Surina Rajan, IAS (Retd.) presently Director General, HIPA, Gurugram and Shri Vijayendra Kumar, IAS, the then Principal Secretary General Administration. They all have lent the valuable service and experience. I acknowledge their whole-hearted support and hard work for the preparation of this Manual.

5. This Manual will be an invaluable source of training and reference for those who are presently working and also for future entrants.

(Sanjeev Kaushal) IAS

Chief Secretary to Government Haryana.

## INTRODUCTION

I am pleased to note that the Administrative Reforms Department, Haryana is bringing out the "Haryana Manual of Office Procedure, 2022".

2. First Edition of Secretariat Instructions was issued in 1989. This edition was largely based on 1957 edition and prescribed procedures for the efficient functioning of Government offices.

3. The present Manual of Office Procedure, 2022 has been prepared keeping in mind the need to instill a greater sense of responsiveness, accountability, transparency and public service excellence in the Governance of the State.

4. Maximum Government and Minimum Governance is the basic tenet of public administration. To ensure transparency and accountability in Governance it is necessary to keep appropriate records not only of what has been done and how but also why it was so done and at what level it was done. To ensure speedy decision making the Manual of Office Procedure, 2022 has provided sufficient space for exercise of reasonable discretion and freedom of action within well-defined limits.

5. The Manual of Office Procedure, 2022 has been prepared in two Parts. Part I contains the Chapters dealing with **Office Procedures in general** namely, Definitions, Organizational Set Up, Functionaries and Functions, Dak - Receipt, Registration and Distribution, Fresh Receipts - Submission and Diary, File Numbering System, Noting, Drafting, Diary & Dispatch and Action thereafter, Interdepartmental References, Records Management, Knowledge Management, Treatment of Secret and Confidential Documents, Measures for Prevention of Delays, Inspections, Law & Legislative Department, Legislative Procedures, Court Cases – Institution and Defence. Part II of the Manual is a compilation of **Obligatory Procedures** namely, Finance Department, RTI Act, 2005, CM Window, (Citizen Grievances Redressal), Procedure for Submission of Memorials, Haryana Government Gazette, Office Automation and Electronically Supported Office Procedures System, Computerization/ Modernization of Offices, National Flag, National Anthem and National Emblem, Setting Up New Office, Preventive Law and Preventive measures for Sexual Harassment, Right to Service, Official Language, Instructions Regarding Oath ceremony of the Governor and Ministers, Action to be Taken on the Death of High Dignitaries etc.

6. I express my gratitude to Dr. G. Prasanna Kumar, IAS (Retd.) former Director General, HIPA, Smt. Surina Rajan, IAS (Retd.) presently Director General, HIPA, Gurugram for




their valuable guidance and encouragement for accomplishing this arduous work which otherwise would not have been possible without their moral support.

7. I am thankful to Shri Ram Saran, HSS-I (Retd.) Deputy Secretary (Retd.) presently working as Principal, DTC, HIPA, Panchkula and Shri Raj Pal Nasa, HSS-I & HSAS (Retd.) presently working as OSD (Rules), General Administration, Haryana, for hard work put in by them for the compilation of this Manual. I also extend my thanks to Shri Brij Bhushan Lal, HSS-I, Deputy Secretary (Retd.) who shared his experience and rendered advice from time to time and Shri Deepak Kumar, DEO of DTC HIPA, Panchkula for secretarial assistance.

8. I hope the Manual of Office Procedure, 2022 shall serve as the backbone of process management in all the offices of Government of Haryana and enable all employees to increase their efficiency and effectiveness and remove a lot of red tape.

Dated: Chandigarh  
the 20th December, 2022.

  
(Vijayendra Kumar) IAS  
Principal Secretary to Govt. Haryana,  
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## CHAPTER - XIX

### FINANCE DEPARTMENT, CONSTITUTIONAL COMMITTEES, PAC/COPU ETC.

#### Constitution and functions of Committees of Legislature

##### GENERAL

#### 19.1 Authority.—

Under Article 154 of the Constitution of India, the executive power of the State shall be vested in the Governor and shall be exercised by him either directly or through officer's subordinate to him in accordance with the Constitution. Such executive power includes financial authority in so far as raising revenue, or sanctioning expenditure, borrowing money, increase or reduction of taxes, raising of public loans control of the public debt etc. are concerned.

#### 19.2 Cases in which consultation with Finance Department is necessary.—

Rules 7 and 31 to 34 of the Rules of Business of the Government of Haryana, 1977, issued under Article 166 of the Constitution of India further provide as follows :—

##### ***Rule 7 of Rules of Business:***

(1) *“No department shall, without previous consultation with the Finance Department, authorise any orders (other than orders pursuant to any general delegation made by the Finance Department) which :—*

*(a) either immediately or by their repercussion, will affect the finances of the State, or which in particular :—*

*(i) involve any grant of land or assignment of revenue or concession, grant, lease, or licence of mineral or forest rights or a right to water power or any easement or privilege in respect of such concession; or*

*(ii) in any way involve any relinquishment of revenue, or*

*(b) relate to the number or grading or cadre of posts or the emoluments or other conditions of service or posts.*

- (2) *No proposal which requires the previous consultation of the Finance Department under this Rule, but in which the Finance Department has not concurred, may be proceeded with unless a decision to that effect has been taken by the Council.*
- (3) *No re-appropriation shall be made by any Department other than the Finance Department, except in accordance with such general delegation as the Finance Department may have made.*
- (4) *Except to the extent that power may have been delegated to the Departments under rules approved by the Finance Department every order of an administrative department conveying a sanction to be enforced in audit shall be communicated to the audit authorities by the Finance Department.*
- (5) *Nothing in this Rule shall be construed as authorizing any Department including the Finance Department to make re-appropriations from one grant specified in the Appropriation Act to another such grant.”*

***Rule 31, 32, 33 & 34 of Rules of Business:***

- 31. *The Finance Department shall be consulted before the issue of orders upon all proposals which affect the finances of the State and in particular:—*
  - (a) *proposals to add any post to the public service or to vary the emoluments of any post;*
  - (b) *proposals to sanction an allowance or special or personal pay for any post or class of posts or to any employee of the Government of the State;*
  - (c) *proposals involving abandonment of revenue or involving an expenditure for which no provision has been made in the Appropriation Act.”*
- 32. *The views of the Finance Department shall be brought to the permanent record of the Department to which the case belongs and shall form part of the case.”*
- 33. *The Finance Department may, by general or special order, prescribe cases in which its concurrence may be presumed to have been given”.*

- 34.(1) *The Finance Minister may call for any papers in a case in which any of the matters referred to in Rule 7 or Rule 31 is involved and the Department to whom the request is addressed shall supply the papers.*
- (2) *On receipts of papers called for under sub-rule (1) the Finance Minister may request that the papers with his note on them shall be submitted to the Council.*
- (3) *The Finance Department may make rules to govern financial procedure, in general, in all Departments and to regulate the business of the Finance Department and the dealings of other Department with the Finance Department."*

### **19.3 Functions of Finance Department .—**

#### **(a) In regard to expenditure.—**

- (i) Finance Department is the custodian of economy. Its first and foremost function in this sphere is to consider and judge any proposal made by another department which will have the effect of imposing a new or increased charge on the public revenue (e.g. creating a new post or raising the salary of an existing one) or which will involve relinquishment of revenue. Such proposals may arise for examination either at the time of the preparation of the budget or in the course of a financial year. The Heads of Departments submitting the proposals are required to indicate the order of urgency in respect of the various proposals submitted by them and also to give full details of the estimated additional expenditure or loss of revenue, except in the case of building schemes for which sketch plans and approximate estimates are generally considered sufficient. The Finance Department is entitled to examine and advise on all such proposals and to decline to provide funds in the budget or otherwise, for any proposal which has not been so examined. Proposals involving recurring expenditure, such as increase in establishments, are examined with great care in the Finance Department. The Government then decide, with reference to the Funds available, which of the new schemes examined by the Finance Department should be provided for.
- (ii) One of the important financial principles on which the Finance Department acts is that a departure from financial rules and regulations is not allowed,

except in very exceptional cases so as to avoid the creation of embarrassing precedents.

- (iii) Another important function of Finance Department in relation to expenditure is that of a coordinating authority. While the Administrative Departments are apt to examine financial cases entirely from their own stand-point, the Finance Department is in the best position to examine such proposals keeping in view similar demands from other departments. For example, one department of Government may think that they have a good case for the revision of scale of pay of certain posts, the Finance Department has to consider the repercussions of such a proposal in other departments, before reaching a conclusion.

**(b) In regard to Revenue.—**

Owing to the variety and magnitude of the problems involved, the administration of Revenue is entrusted to the Administrative Department concerned; and the control of Finance Department in this respect is limited. The Finance Department receives periodical reports of progress of the collection of revenue and is entitled to advise the Administrative Department responsible for the collection of revenue regarding the progress of collection and the methods of collection employed. Finance Department, however, retains its control in regard to the issue of any orders involving grant of land or assignment of revenue or concession, grant, lease or licence of mineral or forest rights or a right to water power or any easement or privilege in respect of such concession, or any relinquishment of revenue for which credit has been taken in the budget.

**(c) In regard to other matters .—**

- (i) The Finance Department is consulted in all proposals for increase or reduction of taxation in whatever department they may arise. The policy of a tax is the concern of the Administrative Department but its financial implications are scrutinized by the Finance Department.
- (ii) The raising of public loans or the control of public debt are the concern of the Finance Department
- (iii) This department has also to see that (a) a minimum balance is maintained with the Reserve Bank on account of the transactions of the Government

conducted by the Bank's officers and branches and (b) that adequate cash is available at treasuries the business of which is not conducted by the Bank. In order to provide adequate funds for these purposes the Finance Department may have to arrange for taking ways and means advances from the Reserve Bank to float treasury bills, to raise a loan from the general public or to obtain a loan from the Central Government.

- (iv) The Finance Department is further responsible for the safe custody of all funds of State.
- (v) It is the duty of the Finance Department to prepare the budget and to arrange for its presentation to the Legislature. It is also obligatory for the Finance Department to present a Statement of Fiscal Policy and disclosure as required under the Fiscal Responsibilities and Budget Management Act, 2005 and Half Yearly review of trends in receipts and expenditure in relation to Budget Estimates of the year.
- (vi) The Finance Department is responsible for seeing that the recommendations of the Committee on Public Accounts and of the Legislative Assembly are duly considered and that the orders passed on them are communicated to the Accountant-General. A statement showing the action taken each year on such recommendations will be prepared by the Finance Department and placed before the Committee for consideration and incorporation in its next report.
- (vii) The Finance Department will bring up-to-date the "Epitome of the reports of the Committees on Public Accounts" at intervals ordinarily of five years.
- (viii) The Administrative Secretary to Government in the Finance Department is the controlling Authority for watching the progress of expenditure against the grant for Loans and Advances bearing interest as a whole.
- (ix) The Finance Department is also the Administrative Department for Local Audit Department, Small Savings & Lotteries Department, Treasuries & Accounts Department.



**19.4 Relation of Finance Department with Administrative Departments.—**

The Finance Department being an advisory department has to put before the Government the possible financial implications, to enable Government to come to a right decision.

In matters of policy, however, the ultimate decision must be of the Government as a whole. For instance, if the Government purposes to introduce a certain scheme the Finance Department can only invite their attention to the diminution in revenue and increase in expenditure, if any, that it will entail. But in the last resort considerations of public policy must prevail and the decision of the Government as a whole must be given effect to.

Where, however, no consideration of public policy is involved it is generally found advisable to give the Finance Department a special position of authority or primacy vis a-vis other departments of Government.

In cases where the advice tendered by Finance Department is not acceptable to the Administrative Department the proposal should not be proceeded with, unless a decision to that effect has been taken by the Council of Ministers.

**19.5 Powers of the Union to confer powers etc. on States in certain cases.—**

Under Article 258 of the Constitution of India, the President may, with the consent of the Government of a State, entrust either conditionally or unconditionally to that Government or its officers, functions in relation to any matter to which the executive power of the Union extends.

A law made by Parliament which applies in any State may, notwithstanding that it relates to a matter with respect to which the Legislature of the State has no power to make laws, confer powers and impose duties, or authorise the conferring of powers and the imposition of duties, upon the State or officers and authorities thereof.

Where by virtue of the said Article powers and duties have been conferred or imposed upon the State or officers or authorities thereof there shall be paid by the Government of India to the State such sums as may be agreed or in default of agreement as may be determined by an arbitrator appointed by the Chief Justice of India in respect of any extra costs of administration incurred by the State in connection with the exercise of those powers and duties.

If any question arises in connection with the administration of such subjects the Finance Department should be consulted in any particular case or class of cases under rule or custom in connection with a subject included in the State List (vide list II in the Seventh Schedule in the Constitution of India).

**19.6 How references should be made to the Finance Department by other departments of Government.—**

- (1) When a reference is made to the Finance Department the noting of the Administrative Department should state clearly the points on which advice, concurrence or sanction is required. Such phrases as “F.D. should see” without specifying what they should see, or whether it is only to be seen for information or for concurrence in some suggested line of action, should be avoided. In simple cases it will suffice to indicate the paper under consideration and the noting which should be read in order to understand the reference. In more complicated cases, the final note in addition either (a) explicitly state the points or (b) give a clear reference to previous noting in which the points are explicitly stated. In lengthy cases the Finance Department have the right to demand a self-contained note.
- (2) All U.O. references to the Finance Department should be marked by the Administrative Secretary concerned to the “F.D.” simply. Only in important cases such references may be marked to “F.S.” but in no case should they be sent direct to the Finance Minister.
- (3) Where a case is submitted with a self-contained note it should be accompanied with a duplicate copy thereof.
- (4) Submission by outside department of self-contained references for advice.—

All departments working outside the Civil Secretariat must observe the principle that the Finance Department is entitled to demand self-contained references in duplicate from departments who seek its advice. This avoids the labour of reading through a great mass of correspondence, which is often unnecessary. If the Finance Department should require to see any files, it will ask for them, but in most cases this will not be necessary. It is of course not intended to adopt this procedure with absolute uniformity, obvious cases may be sent to the Finance Department at any time.

- (5) Cases requiring previous consultation with the Finance Department should not be submitted by the Administrative Secretary of the Department concerned for the final orders of Minister-in-charge until the advice of the Finance Department has been taken. This order is not intended to preclude an Administrative Secretary taking the orders of the Minister at any earlier stage as to whether a proposal is so administratively desirable as to require further examination. This order is intended to prevent the Ministers being asked to commit themselves to definite orders until they have before them the advice of the Finance Department.
- (6) In the course of audit an Audit Officer has occasion at times to point out to heads of offices or departments that the sanction or concurrence of the Finance Department is necessary. In such cases the head of the office or department concerned should not enter into correspondence with the audit officer or question that officer's decision but should, if the requirements of the audit officer are not accepted, forward the papers to the Finance Department with any observations as he may have to make in the matter.
- (7) The Finance Department office notes will not go outside the Finance branch and a single Finance Department note will be attached.

#### **19.7 Orders relating to audit.—**

##### **(1) The Functions of the Comptroller and Auditor General of India.—**

The functions of the Comptroller and Auditor General of India are derived in the main from the provisions of Articles 149-51 of the Constitution. Article 149 of the Constitution envisages an Act of Parliament to regulate the duties and powers of the Comptroller and Auditor General. This Act has been framed and the duties and powers are prescribed in the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971. Appropriate extracts from that Act are reproduced in Annexure-I.

- (2) Article 151 of the Constitution lays down that the reports of the Comptroller and Auditor General of India relating to the accounts of the State shall be submitted to the Governor who shall cause them to be laid before the legislature. The accounts submitted to the legislature with the Audit reports embrace besides the Appropriation accounts the whole of the accounts of the State including accounts of receipts and of all transactions relating to Debt and Remittance Heads.

**(3) Duties by consent.—**

Article 149 of the Constitution is exhaustive of the means whereby duties other than those specified in other provisions of the Constitution itself can be imposed upon the Comptroller and Auditor General. This, however, does not preclude the Comptroller and Auditor General from understanding any additional duties in respect of any authority or body (other than that in relation to the accounts of which specified duties have been entrusted to him by or under any law made by parliament) by consent and on such terms and conditions as may be settled between him and the Government concerned. This is the position in respect of the audit of accounts of local authorities, e.g. Municipal Funds etc. if it was desired to attach statutory authority to the performance of the Comptroller and Auditor General of such duties, there would be nothing to prevent the inclusion in the State Legislation otherwise within the competence of the State legislature, of a provision to the effect that, subject to any law of Parliament the accounts of the specified authority etc., shall be audited by the Comptroller and Auditor General, on such terms as the Comptroller and Auditor General consents to do so. The existing provisions contained in any State Legislation imposing duties on the Comptroller and Auditor General (or say of his officers) continue to remain in force only on such consent basis.

**(4) Duties of the Accountant General.—**

Accountant General performs such duties and functions as are imposed on or undertaken by Comptroller and Auditor General under the provisions of the Constitution or any law made thereunder or under any executive arrangement subject to any special or general directions given to him from time to time under para 21 of the Comptroller and Auditor General's (Duties, Powers and conditions of Service) Act, 1971. (reproduced in Annexure-I).

**(5) Relations of Audit with the Executive Government.—**

It is essential that an Accountant General should work in close coordination with the Government concerned in order to enforce propriety and secure regularity in the public expenditure. Notwithstanding the fact that it is the function of the Finance Department to advise the Government concerned on the making of financial rules and regulations or their application, the Accountant General should render all legitimate assistance to the Finance Department in regard to application of financial, rules or orders concerning which there may be doubt. The Accountant General is

entitled to seek the support of the Finance Department in cases of disregard of rule of order or failure of any authority to maintain suitable accounts and ordinarily he should if necessary, refer to this Department before taking any other action open to him whether to secure a satisfactory settlement of an audit objection or for the production of any papers or information under paragraph 18 of the said Act or for any other purpose.

**Note.—** Audit is not bound by any pact with the Executive Government of the State, which may fetter his discretion or judgement in any manner as to the matters which he may like to bring to the notice of Parliament of the State Legislature in the discharge of duties.

**(6) Audit of Accounts of Stores and Stocks.—**

Where the audit of stores and stock accounts of any department of Government entrusted to the Auditor-General under the provision of paragraph 17 of the said Act, it is conducted in accordance with the regulations given below, rule 15.21 of the Punjab Financial Rules Volume I. A list of accounts of stores and stocks the audit of which has been entrusted by the Haryana Government to the Auditor General is given in Annexure-B to Chapter XV of Punjab Financial Rules, Volume I.

**(7) Audit of Accounts of local funds and of other public and quasi-public bodies under the control of State Government.—**

Such audit is now conducted by the Local Audit Department working directly under the State Government. The Finance Department is the Administrative Department for the Local Audit Department, Small Savings & Lotteries Department, Treasuries & Accounts Department.

**19.8 Method of communicating to audit sanctions to expenditure or re-appropriation .—**

- (1) All sanctions and orders relating to receipts and expenditure, revision of scales, creating or abolition of appointment etc., against which audit is to be conducted by the Accountant General, are communicated to him in accordance with the following procedure :—

- (a) If the order is issued by an authority to the Government to whom the power to sanction has been delegated, by that authority;
- (b) If the order is issued by an administrative department of the Government and is one to which the assent of the Finance Department is given the order will be conveyed by the Administrative Secretary to Government of the Department concerned, who will send a copy to the Finance Department;
- (c) In other cases the order will be conveyed under the endorsement of the Administrative Secretary to Government, in the Finance Department, to whom the Administrative Department will send a copy of the sanctioning order for communication to the Accountant General.

**Note.—** The term “Administrative Secretary” used in clauses (b) and (c) above includes an “Additional Secretary”, “Joint Secretary”, “Deputy Secretary” and “Under Secretary”.

In cases referred to in clause (c) above, i.e., when the Administrative Department is not empowered to sanction the expenditure, if an order sanctioning the expenditure is sent to the Accountant General direct by the Administrative Department and not through the Finance Department the Accountant General will challenge such a sanction.

- (2) All letters or memoranda conveying sanction to the grant of additions to pay, such as special pay and compensatory allowance, should contain a brief but clear summary of the reasons for the grant of the addition so as to enable the Accountant General to see that it is correctly classified as special pay or compensatory allowance, as the case may be, in cases in which an official record in an open letter is considered undesirable the reasons for the grant of such additions to pay should be communicated confidentially to the Accountant General. A similar procedure should also be followed in all other cases in which the rules require that reasons for the grant of special concessions or allowance should be recorded.
- (3) Sanctions accorded by Government to grants of land and alienations of land revenue other than those in which assignments of land revenue are treated as cash payments should be communicated to the Accountant General in a consolidated monthly return giving the details necessary for enabling him to audit the sanctions accorded.



- (4) In all letters conveying sanctions to new grant-in-aid, the sanctioning authority should invariably quote the rule under which the sanction has been accorded. Where a sanctioning authority imposes any further restrictions or conditions in addition to those laid down in the rule such restrictions or conditions should also be clearly set forth in the letter.
- (5) In orders sanctioning expenditure when indicating the source of appropriation, the mere reference to the major and minor head under which the appropriation is to be found is not sufficient for audit purposes. It is also necessary to give full information regarding the unit of appropriation affected. The units of appropriations are defined in Appendix II of the list of Major & Minor Heads of Accounts. All orders sanctioning expenditure should be so worded as to comply with these instructions.
- (6) It is necessary that heads of departments and other controlling officers should have information regarding all re-appropriations within their grants. Whenever therefore, a re-appropriation is sanctioned to finance any sanctioned scheme the sanction to such re-appropriations, that is to say, the specification of the source of re-appropriation should be communicated in the original letter to the head of department, or controlling officer concerned, and not in the endorsement to the Accountant General.

**19.9 Appropriation Accounts of the Haryana Government and the report of the Accountant General thereon.—**

This report will be received from the Accountant General about the 15<sup>th</sup> of February each year and will consist of a statement of the—

- (a) Appropriation and expenditure accounts for the previous financial year;
- (b) financial irregularities which are considered of sufficient importance to be brought to notice.

The procedure to be followed in regard to financial irregularities is as follows :—

- (1) Each case will be reported by the Audit Office as soon it comes to notice, to the Administrative Department as having been registered provisionally for comment in the next Appropriation Reported.

- (2) When such are ripe for inclusion in the report, draft paragraphs will be supplied by the Audit Officer to the same authorities, as also to the Finance Department, for their consideration and comments.
- (3) Finally, on receipt of the comments of Administrative department final drafts of the paragraphs for the Appropriation Accounts will be prepared by the Audit Office and copies supplied to the same authorities.

Administrative Departments will obtain promptly from Heads of Departments any explanation, that may be necessary in regard to cases concerning their departments. The Administrative Departments should endeavour to complete all action in this respect before the Appropriation Accounts and the report of the Accountant General thereon are received so that they may be in a position to report to the Public Accounts Committee, through the Finance Department, when the Appropriation Accounts are laid before it, the result of action taken on such Financial irregularities as are mentioned in the accounts.

The Accountant General is at liberty to record either in the Appropriation Accounts or in his Audit Report thereon cases of financial irregularities with any comments he thinks fit to make on them, but he will as far as possible restrict his references in individual matters to cases of real importance only. Where a department, either through the intervention of the Audit Department or otherwise, has, to the reasonable satisfaction of the Audit Department, rectified an irregularity, such a case will ordinarily not appear in Appropriation Accounts at all. It is, therefore, to the advantage of Department to expedite the disposal of audit queries. The same principle applies to cases of financial irregularities referred to the Finance Department. In such cases the Audit Department, having given expression to its view, will not question the action, which the Finance Department may take, and will ordinarily omit such cases from the Appropriation Accounts, unless the action taken is—

- (i) illegal; that is to say, contrary to law, to rules having the force of law, or to an authoritative formula of constitutional or financial Principle, or to a valid condition or restriction imposed by the Legislature;
- (ii) in the judgement of the Auditor-General evidently malafides (isolated cases of suspected malafides would not ordinarily fall within this condition);

- (iii) contrary to the vital interest of the State and in circumstances where the matter in question is in the judgement of the Auditor-General of such importance that he will consider himself justified in deliberately incurring the risk of bringing down the Government by exposing it.

It is not necessary for the Finance Department to defer bringing any irregularity before the Public Accounts Committee until it has been included in the Appropriation Accounts. If necessary, it may lay the matter before the Committee as soon as the Government has issued orders on it. In laying the irregularity before the Committee the Finance Department will submit a memorandum explanatory of the case. The memorandum will be supplied to heads of departments and the administrative department concerned, who will be required to attend the Committee and explain the irregularity.

## **II - BUDGET PROCEDURE**

Note.— The following instructions are primarily for the guidance of the branches in Finance Department dealing with preparation of Budget Estimates. They can, however, to a large extent be followed with advantage, by administrative branches.

For reference to the Budget Manual made in these instructions please consult fourth edition of the Manual.

### **19.10 Preparation of Budget.—**

Under Article 202 of the Constitution of India, the Governor shall in respect of each financial year, cause to be laid before the house of the Legislature of the State a statement of estimates of receipts and expenditure of the State for that year. This statement is known as “Annual Financial Statement” or “Budget”.

It is the duty of Finance Department to prepare the Budget and for its preparation the Finance Department has power to require heads of departments and other authorities to furnish material on which to base its estimates. The heads of departments in turn depend, for the material, on district and other officers who collect revenue or incur expenditure.

The Finance Department is responsible only for the correctness of the estimates framed on the material so supplied, but for the correctness of that material, the

Collecting or Disbursing Officers as the case may be, and superior Estimating Officers are responsible.

In preparing their estimate, the Collecting or Disbursing Officers and heads of department will be guided by the detailed instructions contained in the Punjab Budget Manual (Chapter 4,5,7 and 13 & Appendices E, F & G thereto). Some of the more important instructions are, however, given in the following paragraphs for guidance.

#### **19.11 Estimates of Receipts.—**

On the correct forecast of “Receipts” depends the financing of the annual governmental programme of expenditure, and while any under-estimating of “Receipts” will result in the curtailing of some very necessary and desirable items of expenditure and will present the Ways and Means problem in unjustifiably difficult dimensions, any overestimate, on the other hand, would raise unnecessary hopes which when falsified, would upset the budgetary equilibrium.

The important guide for the preparation of revised estimates of receipts will ordinarily be the actual receipts of these months of the year which have already elapsed corrected by a consideration of all other relevant material available for making a sound forecast. All new sources of revenue which have not been taken into consideration in previous years are required to be so taken into account.

#### **19.12 Estimates of Ordinary Expenditure.—**

For framing the Budget Estimates of ordinary “Expenditure” it is most essential to exercise the utmost foresight and to provide all known items of expenditure provision being restricted to the absolute minimum necessary. The exhortation to show foresight in budgeting should not, however, be taken as an invitation to include any and every item of proposed expenditure without proper consideration. Due account should be taken of administrative difficulties and routine delay likely to delay the execution of all schemes, and provision should be made only to the extent to which actual expenditure during the course of the year can in all reasonableness be anticipated. To ensure accurate budgeting departments are required generally—

- (a) to review, from time to time, all sanctions to fixed establishment and recurring contingent expenditure so as to confirm or revoke such sanctions according to requirements;

- (b) to scrutinize the need for every item of expenditure before it is included in the estimate, the current year's estimates being not accepted blindly as the basis for framing estimates of the next year;
- (c) to provide for what is expected to be actually paid (under proper sanction) during the year, including the arrears of past years (which should be separately and clearly indicated for the information of the Finance Department).

(See also Para 5.4 of the Punjab Budget Manual)

### **19.13 Estimates of New Expenditure.—**

The following items should be included in the estimates of New Expenditure :—

- (a) Expenditure relating to a “new service” for which the Legislature has not previously voted provision. (See also note 1 below).
- (b) Expenditure relating to a re-organisation of an existing service or to a substantial addition to an existing service of such importance as to make it desirable that the attention of the Legislative Assembly be particularly directed to the expenditure involved.
- (c) Expenditure relating to temporary establishment which has been included in a previous schedule of new expenditure or in a supplementary estimate and the retention of which was approved by the Assembly for a period less than that now required. (See also note 2 below).
- (d) Any non-recurring grant-in-aid, contribution or donation even though provision was made for it in the original or supplementary estimates of the current year. (See also note 3 below).
- (e) Any excess over the lump provision included in the last final edition of the budget for recurring grants.

**Note 1.—** The term “New Service” means a service, expenditure on which is not contemplated in the Schedule of authorised expenditure for the year and for which a reference to the Legislature should be made. It is difficult to define with any precision the exact meanings of the expression “an object not specially included in

the estimates” or “a new Service”. But the following principles will enable a decision to be arrived at in most cases :—

- (i) The test which should be accepted in audit as deciding whether a re-appropriation is or is not for an object not specifically included in the estimates is whether the re-appropriation is seriously a diversion of funds to a purpose not contemplated by the Legislature.
- (ii) The creation of a post of a new kind not before provided for, would undoubtedly be a new service, but to add to the number of officials engaged in an occupation provided for or to add to the pay of any one of them so engaged would not be a step which goes beyond the intention of the Legislature in voting a grant. In other words, the expression “new service” must be regarded as applying not to the particular way in which money is spent but to the general purpose or object to which it is devoted. The primary test of “newness” of a service is whether or not the Legislature has voted expenditure of a similar nature in past years. In some cases, however, the expenditure on recognized services may from its extent be important enough to be regarded as a “New Service”.

**Note 2.—** In case where expenditure relating to temporary establishment has been voted by the Assembly for a period extending over a number of years, it should be shown in the ordinary budget for those years with a distinct mark (N.R.) and separate from the lump provision for temporary establishment, with an indication of the period e.g. “temporary draftsman (N.R.) till 28<sup>th</sup> February, 19.....”.

**Note 3.—** (i) A grant-in-aid voted for a stated or defined period will be treated as a non-recurring grant and included in the estimates of new expenditure after expiry of the sanctioned period.

- (ii) While preparing proposals for items of new expenditure the following instructions should be carefully observed by departments:-
  - (a) The number and rates of pay of officers and establishment whether permanent or temporary, should be given in detail and the period of employment of temporary officers and establishment should be stated.



- (b) A clear statement should be made of the additional expenditure arising out of travelling allowance, other allowances and honoraria and contingencies.
  - (c) If a scheme involves the construction of building or other works the cost of such works should be stated.
  - (d) If the cost of a scheme is likely to increase from year to year the ultimate liabilities of Government should be specifically stated.
  - (e) If a scheme involves any loss of revenue to Government, this should be stated.
  - (f) The proposals should show clearly what expenditure if any, will be incurred aboard.
- (iii) For the preparation of the Memorandum explanatory of the "New Expenditure", it is necessary that—
- (a) The memo should be a self-contained description of the scheme, and should state precisely and clearly the facts which make the expenditure either necessary or desirable as the case may be.
  - (b) The Memo should give, in the case of schemes involving heavy expenditure over series of years, the probable ultimate cost, anticipated return and other relevant details with the object of placing the entire project before the Legislature for their approval.
  - (c) The Memo should state clearly the date from which it is proposed to incur expenditure or engage establishment, as the case may be; and
  - (d) The memo relating to the item of grant-in-aid should always clearly specify the conditions attaching to the proposed grant.

#### **19.14 Estimates under debt, deposit and remittance heads.—**

The Finance Department has to assure itself that there will be sufficient cash throughout the year not only for the expenditure of the various services and departments of the public administration but also for the transactions relating to debt, deposit and remittance heads which form part neither of the revenue of the

Government nor of its expenditure. Special importance attaches to the estimates of permanent and temporary loans which are framed after a careful review of the cash position under all the heads for the coming year. (For instruction in regard to such estimates, see para 5.17 of Punjab Budget Manual).

#### **19.15 Scrutiny of New Expenditure by Council of Ministers.—**

The schedules of new expenditure and list of major and minor works are submitted by the Finance Department for consideration on the Council of Ministers about the middle of December. For this purpose, the Finance Department gets the schedules and memo reprinted in the form of a volume and with the printed volume submits a brief note based on the first edition estimates indicating the extent to which it would be possible to finance new schemes in the coming year.

After orders have been passed by the Council of Ministers the Finance Department will scrutinize each item passed for approval with a view to see whether it is necessary to include it in the volume of new expenditure to be presented to the Legislature. Any item passed by the Council of Ministers, but not considered necessary for inclusion in the volume of new expenditure will be included in the estimates of ordinary expenditure.

#### **19.16 Supplementary Estimates.—**

The Supplementary Estimates during the year will be restricted to expenditure newly imposed or such as is necessitated by an un-expected emergency and which has been financed from the contingency fund.

#### **19.17 Examination by Estimates Committee.—**

All Budget Estimates and any demand for Supplementary grants are examined by an Estimates Committee of the Haryana Legislative Assembly before being presented to the Legislature. This committee have the right to scrutinize the departmental estimates in such details as they may deem fit and are empowered to call for any information in regard thereof.

As per procedure laid down in para 16.5 of the Punjab Budget Manual, the Finance Department and the Administrative Department concerned have to take action to implement the recommendations of the Estimates Committee.

**19.18 Discussion and Voting by the Legislature.—**

Under Article 203 of the Constitution of India, so much of the estimates as regard to expenditure charged upon the Consolidated Fund of a State shall not be submitted to the vote of the Legislative Assembly but the Legislature is at liberty to discuss any of those estimates.

The procedure in Legislature with respect to estimates etc. is given in Articles 202 to 207 of the Constitution of India, reproduced in Annexure-II to this chapter.

(For detailed instruction regarding the Consolidation of estimates and submission of demands for grants see Chapter IX of the Punjab Budget Manual).

**19.19 Communication and Distribution of Grants.—**

As soon as the grants have been made by the Assembly and the Appropriation Bill has been passed in accordance with Article 204 of the Constitution of India the Finance Department will communicate to the heads of departments concerned, the amounts for which appropriation out of the Consolidated Fund of the State has been made under different heads of accounts. A copy of the letter communicating the grants should be sent to the Accountant General, Haryana and the Administrative Secretary concerned. There are, however, certain items of expenditure which either are not communicated at all but remain at the disposal of the Finance Department or if communicated, do not require distribution but are audited against the appropriation for the whole State. (For detailed instructions, see Chapter X of the Punjab Budget Manual).

**19.20 Expenditure not provided for.—**

Ordinarily, no expenditure should be incurred on a 'new service' in anticipation of the approval of Legislative Assembly and the authorisation by it of the necessary funds. Similarly, no expenditure which is likely to involve an excess over the grant should be incurred in anticipation of approval of the Legislative Assembly. But in urgent case such expenditure may be sanctioned provided it is not on a 'new service' but steps should be taken to see that the grant as a whole is not exceeded before the necessary supplementary funds are provided by the Legislative Assembly. Steps should be taken to obtain the Supplementary grant as early as possible. The effect of the supplementary grant being refused will be to compel the executive to curtail the expenditure in the remaining months of the year so as to keep the total

expenditure within the amount authorised. When new expenditure is incurred which will be specifically met from savings it is not necessary that the re-appropriation should be made before the expenditure is incurred. It will be sufficient if it is made any time before the close of the financial year.

#### **19.21 Advance from the Contingency Fund.—**

If, during the course of the year, it become the necessary to incur expenditure on a new service, a new service, not provided on the budget, or to incur additional expenditure on some service in excess of the provision voted or authorised by the legislature, advances can be made from the Contingency Fund of the State, established by the State.

By Law as contemplated in Article 267(2) of the Constitution of India (Reproduced in Annexure-II to this chapter).

#### **19.22 Haryana Contingency Fund Rules, 1967.—**

The Haryana Government has established a Contingency Fund and issued and following rules governing and Fund:

##### **THE HARYANA CONTINGENCY FUND RULES, 1967**

1. *These rules may be called the Haryana Contingency Fund Rules, 1967*
2. *The Fund shall be administered on behalf of and in the name of the Governor of Haryana by the Administrative Secretary to Government, Haryana, Finance Department.*
3. *Advances from the fund shall be made for the purposes of meeting unforeseen expenditure. An advance from the Fund shall be made if either the provision for a particular service in the Budget is found insufficient and cannot be met by re-appropriation from savings within the grant or there need to incur-expenditure upon some new service not contemplated in the budget. There shall be no token advance from the Fund. The supplementary demand to be presented to the Legislature for recouping the advance may, however, be for a token amount if savings are likely to be available within the grant for meeting the additional expenditure.*
4. *Application for advances from the Contingency Fund shall be referred to the Finance department by the Administrative Department after obtaining the approval of the Minister concerned. The applications shall give—*
  - (i) *brief particulars of the additional expenditure involved;*

- 
- (ii) *the circumstances in which provision could not be included in the Budget;*
  - (iii) *why its postponement is not possible;*
  - (iv) *the amount required to be advanced from the fund with full cost of the proposal for the year or part of the year, as the case may be; and*
  - (v) *the grant or appropriation to which the expenditure will be debited.*
5. *If, in any case, after the order sanctioning an advance from the Contingency Fund has been issued in accordance with rule 3 and before action is taken in accordance with rule 6, it is found that the advance sanctioned will wholly or partly un-utilised, an application shall be made to the sanctioning authority for cancelling or modifying the sanction, as the case may be.*
  6. *Any expenditure authorised temporarily by an advance from the Contingency Fund shall be debited to a separate section of the Account under the said fund in the same detail as it would have been paid out of the Consolidated Fund.*
  - 7.(1) *Supplementary Estimates for all expenditure so financed shall be presented to State Legislature at the first session meeting immediately after the advance is sanctioned unless such advance has been resumed to the Contingency Fund, in accordance with the provision of sub-rule (5).*
  - (2) *While presenting to State Legislature Estimates for expenditure financed from the Contingency Fund, a note to the following effect shall be appended to such estimates :—*

*“A sum of Rs.....has been advanced from the Contingency Fund in ..... and an equivalent amount is required to enable repayment to be made to that Fund.”*
  - (3) *If the expenditure on a new service not contemplated in the annual financial statement can be met, wholly or partly, from savings available within the authorised appropriation, the note shall be appended in the following form :—*

*“That expenditure is on a new service. A sum of Rs.....has been advanced from Contingency Fund in ..... and an*

*equivalent amount is required to enable repayment to be made to that Fund.*

*The amount, viz., Rs..... can be found by re-appropriation of savings within the grant and a token vote only is now required.*

*A part of that amount, viz., Rs. .... can be found by re-appropriation of savings within the grant and a vote is required for the balance viz., Rs.....only”.*

- (4) In exceptional circumstances to be recorded in writing the supplementary estimates, when they cannot be presented to the legislature in the first session may be so presented at a subsequent session.*
  - (5) As soon as State Legislature has authorised additional expenditure by means of a Supplementary Appropriation Act, the advance or advances made from the Contingency Fund, whether for meeting the expenditure incurred before the Supplementary Estimates were presented to the State Legislature or after they were so presented shall be resumed to that Fund, to the full extent of the appropriation made in the Act.*
- 8.(1) All advances sanctioned from the Contingency Fund to meet expenditure in excess of the provision for the service included in an Appropriation (Vote on Account) Act shall be resumed to the Contingency Fund as soon as the Appropriation Act in respect of expenditure on the service for the whole year, including the excess met from the advances from the Contingency Fund has been passed.*
  - (2) The advances obtained from the Contingency Fund for expenditure on a ‘New Service’ during the ‘Vote on Account’ period for which adequate provision exists in the Appropriation Bill for the year shall stand resumed to the fund as soon as the Appropriation Act for the whole year has been passed by the Legislature and assented to by the Governor. A statement of such advances sanctioned during the ‘Vote on Account’ period but before the relevant demand for grant have been passed by the Legislature shall be laid down on the table of the Legislature in the following form, before the Appropriation Bill for the whole year is introduced in the Legislature:*

**STATEMENT**

Statement showing advances drawn from the Contingency Fund of Haryana during the 'Vote on Account' period for expenditure on 'New Service' for which necessary provision had been made in the Budget Estimate for .....

The advance will be recouped to the Fund after the Appropriation Act is passed.

Sr. No.	Particulars of Service	Name of Ministry/ Department	Amount of advance from the Contingency Fund	Number and name of the grant in which provision exists in the Budget Estimates with amount of provision	Br reasons why the expenditure could not be deferred till the demands for grants were voted by the Legislature.

Similarly, a statement of such advances sanctioned during the 'Vote on Account' period but after the relevant demand for grant having been passed by the Legislature, in the following form shall be appended to the Supplementary Demand statement, presented to the Legislature on its session meeting immediately after the advance is sanctioned.

**STATEMENT**

Statement showing advances drawn the Contingency Fund of Haryana, during the 'Vote on Account' period for expenditure on 'New Services' for which necessary provision had been made in the Budget Estimates for.....

The advances were recouped to the Fund after the Appropriation Act was passed.

Sr. No.	Particulars of Service	Name of Department	Amount of Advance from the Contingency Fund	Number and name of the grant in which provision exists in Budget Estimates with amount of provision	Brief reasons why the expenditure could not be deferred till the demands of grant were voted by the Legislature

9. A copy of the orders sanctioning the advance, which shall specify the amount, grant or appropriation to which it relates and give brief particulars by sub-heads and units of appropriation of the expenditure for meeting which it is made, shall be forwarded to the Accountant General, Haryana.
10. A copy of the orders resuming the advance, which shall give a reference to the number and date of the order in which the original advance was made, and to the Supplementary Appropriation Act, referred to in rule 7, shall be forwarded to the Accountant General, Haryana.
11. An amount of the transactions of the Fund shall be maintained in the following form :—

### Haryana Contingency Fund

Amount of the Fund [Rs. 1,000 Crore]<sup>1</sup>

Sr. No.	Date of transaction	No. and name of grant or the appropriation	No. and date of application for advance	No. and date of the order making the advance	Amount advanced	Supplementary Appropriation Act providing for the additional expenditure	Amount of the advance resumed	Balance after each transactions	Initials of Officer Incharge	Remark
1	2	3	4	5	6	7	8	9	10	11

Note 1.— The balance should be struck after each transaction.

Note 2.— The amount of the advances should be entered in black ink, when made, and in red ink, when resumed.

### 19.23 Control over Expenditure.—

The last and the most important duty in connection with the Budget is to see that allotments are not exceeded. With a vigilant Assembly jealous of its rights, the expenditure of sums substantially in excess of provisions will embarrass Government very seriously because the fundamental fact of the Constitution is that

<sup>1</sup> Limit of Contingency Fund increased from Rs. 200 Crore to Rs. 1,000 Crore vide Notification No. 14-HLA of 2021/20/5024, dated 12<sup>th</sup> March, 2021.



no expenditure should be incurred unless it has been included in the schedules of authorised expenditure. To perform this duty Heads of Departments have to make such arrangements as conditions in their respective departments have to make such arrangements as conditions in their respective departments require. The main principle is, however, the same in every case starting from the bottom, a Disbursing officer must not without authority exceed the sum assigned to him under each primary or secondary unit of appropriation. If he has reason to anticipate increased expenditure he has to apply to his superior officers for funds. The head of a Department under the powers delegated to him can re-appropriate from one primary unit of appropriation to another within any minor head of account or he may take supplementary grant distributed under any primary unit from one officer and give it to another. As the Disbursing Officer is responsible for not exceeding the allotment under each primary unit without proper sanction, so the head of Department is responsible that his department as a whole shall not exceed the allotment under any minor head. If he anticipates additional expenditure under any minor head and can find savings under another he must apply to Government for re-appropriation with the consent of the Finance Department.

#### **19.24 Central Government Estimates.—**

The Administrative Department have also to prepare the Budget Estimates for certain Central subjects administered by them as Agents for the Central Government, e.g., Ecclesiastical and Emigration. The instructions issued by the Central Government for the preparation of these estimates have been incorporated in Chapter 16 of the Budget Manual for the convenience of the Administrative Departments. The Administrative Departments concerned should address the Finance Department whenever any amendments are considered necessary, on the basis of any instructions received by them, from the Central Government.

#### **19.25 Borrowing.—**

Subject to the provisions of Article 293 of the Constitution of India (reproduced in Annexure-II to this chapter), the executive power of a State extends to borrowing within the territory of India upon the security of the Consolidated Fund of the State within such limits, if any, as may from time to time, be fixed by the Legislature of such State by law and to the giving of guarantees within such limits, if any, as may be so fixed.

It generally happens that Public revenue does not come in regularly and uniformly throughout all the months of the year, whereas the expenditure is more or less distributed uniformly throughout the year. Also, sometimes exceptionally heavy payments have to be made at a certain period of the year when the revenue has not sufficiently accumulated to meet them. To tide over such difficulties, Government takes advances from the Reserve Bank. Such advances are known as Ways and Means Advances. Sometimes where the size of requirements is large and deficiency is to last for a longer period recourse had to floating treasury bills to or to raise a loan from the general public or to obtain a loan from the Central Government.

#### **19.26 Committee on Public Accounts.—**

Although the Assembly Votes only the amount for each grant, the detailed estimates which accompany the statement for demands for grants show the objects on which the grant is to be spent. The Audit Department will watch whether the money shown in the Accounts as having been disbursed were legally available for and applicable to the service or purposes to which they have been applied or charged and will, bring to notice in the annual appropriation accounts any disbursements which do not pass this test. These accounts will be placed before the Legislature and will be referred by the Legislature Assembly to the Committee on Public Accounts which is a Committee of the Assembly. It is one of the important duties of the Committee to bring to the notice of the Assembly any disbursements which do not satisfy the audit test mentioned above and any re-appropriations which are made otherwise than in accordance with the rules framed by the Finance Department.

**(Following has been collected from the instructions of FD dt. 27.10.1995 issued and available in Volume-XII of FD Compendia)**

#### **19.27 Acceptance and implementation of Shakhdar Committee's Report.—**

- (1) Public Accounts Committee has decided in its meeting held on 30<sup>th</sup> May, 1995 to accept and implement the Recommendations of Shakhdar Committee's Report regarding the functioning of the Public Accounts Committee in the State. These recommendations mainly relate to the horizontal examination of the Reports of the Comptroller and Auditor General of India and the follow up action on the recommendations of the Public Accounts Committee.

- (2) As per the recommendations of the PAC, it has been decided to implement the following procedure with immediate effect:-
- (i) Immediately on the presentation of Comptroller and Auditor General of India's Audit Report, the Administrative Department should furnish annotated replies WITHIN A PERIOD OF THREE MONTHS, interalia, they will also furnish the information on the following points :
    - (a) the date on which the Audit Para was received in the Departments (which means basically that the Audit paras should have been regularly followed since the time they were first raised).
    - (b) the date on which action thereon was initiated by the Department:
    - (c) what was the result of inquiry, if any, held to know the background and the cause of financial irregularities, Defalcations and
    - (d) whether action against the defaulters, if any, has been initiated and if so, what is the latest position in regard thereto.
  - (ii) Upon submission of annotated reply at para *ibid*, the Administrative Department through Finance Department will send one copy of the action taken notes to the office of the Accountant General (Audit) for examination.
  - (iii) On receipt of annotated reply by the PAC :
    - (a) the Committee may drop the para where the replies of action taken are considered sufficient.
    - (b) In some cases on consideration of the reply, the Committee may call for additional information without calling the Head of the Administrative Department for oral examination.
    - (c) In cases where oral examination is considered necessary, the Accountant General's office will assist Vidhan Sabha Secretariat in preparing additional questionnaire on selected points for eliciting Department clarification, additional information etc.
  - (iv) For conducting oral examination a selective approach may be adopted by the Committee on the pattern of the Central Public Account Committee.

- (v) If annotated replies are not received within the prescribed period, the Committee may call the Administrative Secretaries of the Department for not furnishing the replies well in time. For this, a detailed questionnaire will be sent to the Department for the oral examination of the Administrative Secretaries in order to ensure accountability on this account.
  - (vi) In order to liquidate arrears and also to make accountability effective, it was agreed to that the latest audit report be taken along with the earlier audit reports be TAKEN UP BY THE COMMITTEE FROM THIS CURRENT FINANCIAL YEAR.
  - (vii) The Committee may take up the paras of all the audit reports horizontally Department wise.
- (3) A Nodal Officer of the rank of Under Secretary or above may be appointed in each Department of the Government of Haryana so that accountability may be ensured for sending replies/action taken reports on the Audit Reports as suggested above and to look after effectively the implementation of the recommendations/conservations of the Committee. However, the Administrative Secretaries will be over all responsible for sending the replies to the Committee within a stipulated period as provided in the Government instructions issued by the Finance Department vide Circular letter No. 15/12/91-3B&C dated 12<sup>th</sup> December, 1991.
- (4) ACTION TAKEN NOTES on the audit para should be sent within a period of 3 months from the date of receipt of the Report of the Comptroller and Auditor General of India without waiting for any questionnaires as that practice has been dispensed with.
- (5) All Administrative Secretaries have already been requested to send the replies to the Civil and Revenue Reports of the Comptroller and Auditor General of India immediately so that the Committee may take up these Reports horizontally Department wise. The Committee also desired that in case any Department fails to send the replies within one month for the above 3 pending Reports (for which time has already elapsed), the concerned Administrative Secretary may be called for oral examination to explain the reasons as to why the replies have not been sent within the prescribed period. The Civil Report of CAG for the year 1993-94 has also been

tabled in the house and its reply too is expected within three months of 26.09.1995 (Civil) (i.e. by 26.12.1995).

- (6) It has also been decided that the Officers/Officials involved in financial irregularities, defalcation etc. should be awarded deterrent punishment according to existing law. If there is any lacuna in the punishment already awarded, the concerned officer who has awarded the inadequate or wrong punishment will be censured and the Govt. may Review/Modify the punishment accordingly on the recommendation of P.A.C.
- (7) No questionnaire will now be issued by the Secretary Haryana Vidhan Sabha. The reply of CAG Reports will now be accordingly prepared and sent within 3 months of tabling of the report at the Vidhan Sabha. It may also be noted that only 20 copies of such replies may be prepared now onwards and sent to your Administrative Department Out of these, 3 copies will be sent to FINANCE DEPARTMENT and 15 copies will be sent to the Secy. Haryana Vidhan Sabha by the CONCERNED ADMINISTRATIVE DEPARTMENT in respect of CAG Report. Further, only 18 copies of the Quarterly progress Reports are to be sent to the Finance Department in respect of the various paras shown in the PAC Reports instead of 35 copies earlier.

#### **19.28 Committee on Public Undertakings.—**

There is a Committee on Public Undertakings for the examination of the working of the Public Undertakings. The functions of the Committee are—

- (a) to examine the reports and accounts of the Public Undertakings and any such other Public Undertakings as may be referred to the Committee by the Speaker for examination;
- (b) to examine the reports, if any, of the Comptroller and Auditor General on the Public Undertakings;
- (c) to examine in the context of the autonomy and efficiency of the Public undertakings, whether the affairs of the Public Undertakings, are being managed in accordance with sound business principles and prudent commercial practices; and
- (d) to exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates in relation to the Public Undertakings mentioned above as are not covered by clause (a), (b) and (c) above as may be allotted to the Committee by the Speaker from time to time :

Provided that the Committee shall not examine, and investigate any of the following, namely:—

- (i) matters of major Government policy as distinct from business or commercial functions of Public Undertakings;
- (ii) matters of day-to-day administration; and
- (iii) matters for the consideration of which machinery is established by any special statute under which a particular Public Undertaking is established.

#### **19.29 Acceptance and implementation of Shakdhar Committee's Report.—**

1. Committee on Public Undertakings has decided, in its meeting held on 27<sup>th</sup> June, 1996 to accept and implement the Recommendations of Shakdhar Committee's Report regarding the functioning of the Committee on Public Undertakings on the pattern of Public Accounts Committee in the State. These recommendations mainly relate to the horizontal examination of the Reports of the Comptroller and Auditor General of India and the follow up action on the recommendations of the Committee on Public Undertakings.
2. As per the recommendations of the Committee on Public Undertakings, it has been decided to implement the following procedure with immediate effect :
  - (i) Immediately on the presentation of Comptroller and Auditor General of India's Audit Report, the Administrative Department should furnish annotated replies within a period of three months, interalia, they will also furnish the information on the following points :
    - (a) the date on which the Audit Para was received in the Department, (which means basically that the Audit paras should have been regularly followed since the time they were first raised).
    - (b) the date on which action thereon was initiated by the Department;
    - (c) What was the result of inquiry, if any, held to know the background and the cause of financial irregularities, and
    - (d) Whether action against the defaulters, if any, has been initiated and if so, what is the latest position in this regard.
  - (ii) Upon submission of annotated reply at para *ibid*, the Administrative Department through Finance Department will send one copy of the action taken notes to the office of the Accountant General (Audit) for examination.
  - (iii) On receipt of annotated reply by the Committee on Public Undertakings :

- (a) the Committee may drop the para where the replies of action taken are considered sufficient;
  - (b) In Some cases on consideration of the reply, the Committee may call for additional information without calling the head of the Administrative Department for oral examination.
  - (c) In cases where oral examination is considered necessary, the Accountant General's office will assist Vidhan Sabha Secretariat in preparing additional questionnaire on selected points for eliciting Department clarification, additional information etc.
  - (iv) For conducting oral examination a selective approach may be adopted by the Committee on the pattern of the Central Public Account Committee.
  - (v) If annotated replies are not received within the prescribed period, then the Committee may call the Administrative Secretaries of the Department to know the constraints of the Department for the furnishing the replies well in time. For this, a detailed questionnaire will be sent to the Department for the oral examination of the Administrative Secretaries in order to ensure accountability on this account.
  - (vi) In order to liquidate arrears and also to make accountability effective, it was agreed to that the latest audit report be TAKEN ALONG WITH THE EARLIER AUDIT REPORTS IN ARREAR MAY BE TAKEN UP BY THE COMMITTEE FROM THIS CURRENT FINANCIAL YEAR.
  - (vii) The Committee may take up the paras of all the audit reports horizontally Department wise, if deemed necessary and fit.
- (3) A Nodal Officer of the rank of Under Secretary or above may be appointed in each Department/Boards/Corporations of the Government of Haryana so that accountability may be ensured for sending replies/action taken reports on the Audit Reports as suggested above and to look after effectively the implementation of the recommendations/observations of the Committee. However, the Administrative Secretaries will be over all responsible for sending the replies to the Committee with to a stipulated period as provided in the Government instructions issued by the Finance Department vide circular letter No. 18/12/91-3B&C, dated 12<sup>th</sup> December, 1991.

**Annexure-I***(See para 19.7)***Extracts from the Comptroller and Auditor-General's (Duties, Powers and conditions of Service) Act, 1971.****Duties and Powers of the Comptroller and Auditor General of India****10. Comptroller and Auditor General to compile accounts of Union and States.—**

(1) The Comptroller and Auditor-General shall be responsible—

- (a) for compiling the accounts of the Union and of each State from the initial and subsidiary accounts rendered to the audit and accounts offices under his control by treasuries, offices or departments responsible for the keeping of such accounts and
- (b) for keeping such accounts in relation to any of the matters-specified in clause (a) as may be necessary :

Provided that the President as respects the accounts of the Union, and the Governor of a State as respects the accounts of that State, may, after consultation with the Comptroller and Auditor General, by order, relieve him from the responsibility for compiling the accounts of any particular service or department of the Union or a State as the case may be :

Provided further that the President may, after consultation with the Comptroller and Auditor General, by order, relieve him from the responsibility for keeping the accounts of any particular class or character.

- (2) Where, under any arrangement, a person other than the Comptroller and Auditor-General has, before the commencement of this Act, been responsible—
  - (i) for compiling the accounts of any particular service or department of the Union or of a State, or
  - (ii) for keeping the accounts of any particular class or character, such arrangement shall, notwithstanding anything contained in sub-section (1),



continue to be in force unless, after consultation with Comptroller and Auditor General, it is revoked in the case referred to in clause (i) by an order of the President or the Governor of the State, as the case may be, and in the case referred to in class (ii) by an order of the President.

**11. Comptroller and Auditor General to prepare and submit Accounts to the President Governors of States and Administrators of Union Territories having Legislative Assemblies.—**

The Comptroller and Auditor-General shall, from the accounts compiled by him or by any other person responsible in that behalf prepare, in each year accounts (including, in case of accounts compiled by him, appropriation accounts) showing under the respective heads the annual receipts and disbursements for the purpose of the Union, of each State and of each Union Territory having a Legislative Assembly and shall submit those accounts to the President or the Governor of a State or Administrator of the Union Territory having a Legislative Assembly as the case may be, on or before such dates as he may, with the concurrence of the Government concerned, determine.

**12. Comptroller and Auditor General give information and render assistance to the Union and States.—**

The Comptroller and Auditor-General shall, in so far as the accounts, for the completion or keeping of which he is responsible, enable him so to do give to the Union Govt., to the State Government or to the Governments of Union Territories having Legislative Assemblies, as the case may be, such information as they may, from time to time, require, and render such assistance in the preparation of their annual financial statements as they may reasonably ask for.

**13. General Provisions relating to Audit.— It shall be the duty of the Comptroller and Auditor-General.—**

- (a) to Audit all expenditure, from the Consolidated Fund of India and of each State and of each Union Territory having a Legislative Assembly and to ascertain whether the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged and whether the expenditure conforms to the authority which governs it;

- (b) to audit all transactions of the Union and of the States relating to Contingency Funds and Public Accounts;
- (c) to audit all trading, manufacturing, profile and loss accounts and balance sheets and other subsidiary accounts kept in any department of the Union or of a State and in each case to report on the expenditure, transactions or accounts so audited by him.

**14. Audit of receipts and expenditure of bodies or authorities substantially financed from Union or State Revenues.—**

Where anybody or authority is substantially financed by grants or loans from the Consolidated Fund of India or of any State or of any Union territory having a Legislative Assembly, the Comptroller and Auditor-General shall, subject to the provision of any law for the time being in force applicable to the body or authority, as the case may be, audit all receipts and expenditure of that body or authority and to report on the receipts and expenditure audited by him.

**Explanation.—** *Where the grant or loan to a body or authority the Consolidated Fund of India or of any State or any Union Territory having a Legislative Assembly in a financial year is not less than rupees five lakhs and the amount of such grant or loan is not less than seventy-five percent of the total expenditure of that body or authority, such body or authority shall be deemed for the purposes of this session, to be substantially financed by such grants or loans, as the case may be.*

**15. Functions of Comptroller and Auditor General in the case of grants or loans given to other authorities or bodies.—**

- (1) Where any grant or loan is given for any specific purpose from the Consolidated Fund of India or of any State or Union Territory having a Legislative Assembly to any authority or not being a foreign State of international organisation, the Comptroller and Auditor-General shall scrutinise the procedure by which the sanctioning authority satisfies itself as to the fulfillment the conditions subject to which such grants or loans were given shall for the purpose have right of access, after giving reason previous notice, to the books and accounts of that authority; or

Provided that the President, the Governor of a State or the Administrator of a Union Territory having a Legislative Assembly, as the case may be, where he is of opinion that it is necessary so to do in the public interest, by order, relieve the Comptroller & Auditor General after consultation with him, from making any such scrutiny in respect of any body or authority receiving such grant or loan.

- (2) Except where he is authorised so to do by the President, the Governor of a State or the Administrator of a Union Territory having a Legislative Assembly, as the case may be, the Comptroller and Auditor General shall not have while exercising the powers conferred on him by sub-section (1) right of access to the books and accounts of any corporation to which any such grant or loan as is referred to in sub-section (1) is given if the law by or under which such corporation has been established provides for the audit of the accounts of such corporation by an agency other than the Comptroller and Auditor General.

Provided that no such authorisation shall be made except after consultation with the Comptroller and Auditor General and except after giving the concerned corporation a reasonable opportunity of making representations with regard to the proposal to give the Comptroller and Auditor General right of access to its books and accounts.

#### **16. Audit of receipt of Union or of States.—**

It shall be the duty of the Comptroller & Auditor General to audit all receipts which are payable in to the Consolidated Fund of India and of each State and of each Union Territory having a Legislative Assembly and to satisfy himself that the rules and procedure in that behalf are designed to secure an effective check on the assessment, collection and proper allocation of revenue and are being duly observed and to make for this purpose such examination of the accounts as he thinks fit and report thereon.

#### **17. Audit of Accounts of stores and stock.—**

The Comptroller and Auditor-General shall have authority to audit and report on the accounts of stores and stock kept in any office or department of the Union or of a State.

**18. Powers of Comptroller and Auditor General in connection with audit of accounts.—**

- (1) The Comptroller and Auditor General shall in connection with the performance of his duties under this Act have authority:—
  - (a) to inspect any office of accounts under the Control of the Union or of a State, including treasuries and such offices responsible for the keeping of initial or subsidiary accounts, as submit accounts to him;
  - (b) to require that any accounts, books, papers and other documents which deal with or form the basis of or are otherwise relevant to the transactions to which his duties in respect of audit extend, shall be sent to such place as he may appoint for his inspection;
  - (c) to put such questions or make such observations as he may consider necessary, to the person in charge of the office and to call for such information as he may require for the preparation of any accounts or report which it is his duty to prepare.
- (2) The person Incharge of any office or department, the account of which have to be inspected and audited by the Comptroller and Auditor-General, shall afford all facilities for such inspection and comply with requests for information in as complete a form as possible and with all reasonable expedition.

**19. Audit of Government Companies and Corporations.—**

- (1) The duties and power of the Comptroller and Auditor General in relation to the audit of the accounts of Government companies shall be performed and exercised by him in accordance with the provisions of the Companies Act, 1956.
- (2) The duties and powers of the Comptroller and Audit-General in relation to the audit of the accounts of corporations (not being companies) established by or under law made by parliament shall be performed and exercised by him in accordance with the provisions of the respective legislations.
- (3) The Governor of a State or the Administrator of a Union Territory having a Legislative Assembly may, where he is of opinion that it is necessary in the public interest so to do, request the Comptroller and Auditor-General to audit

the accounts of a corporation established by law made by the Legislature of the State or of the Union Territory, as the case may be, and where such request has been made, the Comptroller and Auditor-General shall audit the accounts of such corporation and shall have, for the purposes of such audit, right of access to the books and accounts of such corporation.

Provided that no such request shall be made except after consultation with the Comptroller and Auditor-General and except after giving reasonable opportunity to the corporation to make representations with regard to the proposal for such audit.

**20. Audit of Accounts of certain Authorities or bodies.—**

- (1) Save as otherwise provided in section 19, where the audit of the accounts of anybody or authority has not been entrusted to the Comptroller and Auditor-General by or under any law made by Parliament, he shall, if requested so to do by the President or the Governor of a State or the Administrator of a Union Territory having a Legislative Assembly as the case may be, undertake the audit of the accounts of such body or authority on such terms and conditions as may be agreed upon between him and the concerned Government and shall have for purpose of such audit, right of access to the books and accounts of that body or authority:

Provided that no such request shall be made except after consultation with the Comptroller and Auditor General.

- (2) The Comptroller and Auditor-General may propose to the President or the Governor of a State or the Administrative of a Union Territory having a Legislative Assembly, as the case may be, that he may be authorised to undertake the audit of the accounts of anybody or authority the audit of the accounts of which has not been entrusted to him by law, if he is of opinion that such audit is necessary because a substantial amount has been invested in, or advanced to, such body or authority by the Central or State Government or by the Government of Union Territory having a Legislative Assembly, and on such request being made, the President or the Governor or the Administrator, as the case may be may empower the Comptroller and Auditor-General to undertake the audit of the accounts of such body or authority.

- (3) The audit referred to in sub-section (1) or sub-section (2) shall not be entrusted to the Comptroller and Auditor-General except where the President or the Governor of a State or the Administrator of a Union Territory having a Legislative Assembly, as the case may be, is satisfied that it is expedient so to do in the public interest and except after giving a reasonable opportunity to the concerned body or authority to make representations with regard to the proposal for such audit.

**21. Delegation of power of Comptroller and Auditor General.—**

Any power exercisable by the Comptroller and Auditor-General under the provisions of this Act, or any other law may be exercised by such officer of his department as may be authorised by him in this behalf by general or special order :

Provided that except during the absence of the Comptroller and Auditor General on leave or otherwise no officer shall be authorised to submit on behalf of the Comptroller and Auditor-General any report which the Comptroller and Auditor General is required by the Constitution or the Government of Union Territories Act, 1963 to submit to the President or the Governor of a State or the Administrator of a Union Territory having a Legislative Assembly, as the case may be.

**Annexure-II***(See paragraphs 19.18, 19.21 & 19.26)***Extracts from the Constitution of India .—****Article 202: Annual Financial Statement.—**

- (1) The Governor shall in respect of every financial year cause to be laid before the House or House of the Legislature of the State a statement of the estimated receipts and expenditure of the State for that year, in this part referred to as the “annual financial statement.”
- (2) The estimates of expenditure embodied in the annual financial statement shall show separately :—
  - (a) the sums required to meet expenditure described by this Constitution as expenditure charged upon the Consolidated Fund of the State; and
  - (b) the sums required to meet other expenditure proposed to be made from the Consolidated Fund of the State;

and shall distinguish expenditure on revenue account from other expenditure.
- (3) The following expenditure shall be expenditure charged on the Consolidated Fund of each State:—
  - (a) the emoluments and allowances of the Governor and other expenditure relating to his office;
  - (b) the salaries and allowances of the Speaker and the Deputy Speaker of the Legislative Assembly and, in the case of a State having a Legislative Council, also of the Chairman and the Deputy Chairman of the Legislative Council;
  - (c) debt charges for which the State is liable including interest, sinking fund charges and redemption/charges and other expenditure relating to the raising of loans service and redemption of debt;
  - (d) expenditure in respect of the salaries and allowances of Judges of any High Court;
  - (e) any sums required to satisfy any judgement, decree or award of any court or arbitral tribunal;

- (f) any other expenditure declared by this Constitution, or by the Legislature of the State by Law, to be so charged.

**Article 203. Procedure in Legislature with respect to estimates .—**

- (1) So much of the estimates as relates to expenditure charged upon the Consolidated Fund of a State shall not be submitted to the vote of the Legislative Assembly, but nothing in this clause shall be construed as preventing the discussion in the Legislature of any of those estimates.
- (2) So much of the said estimates as relates to other expenditure shall be submitted in the form of demands for grants to the Legislative Assembly and the Legislative Assembly shall have power to assent or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein.
- (3) No demands for a grant shall be made except on the recommendation of the Governor.

**Article 204. Appropriation Bills .—**

- (1) As soon as may be, after the grants under article 203 have been made by the Assembly , there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the State of all moneys required to meet.
  - (a) the grants so made by the Assembly; and
  - (b) the expenditure charged on the Consolidated Fund of the State but not exceeding in any case the amount shown in the Statement previously laid before the House or Houses.
- (2) No amendment shall be proposed to any such Bill in the House or either house of the Legislature of the State which will have the effect of varying the amount or altering the destination of any expenditure charged on the Consolidated Fund of the State, and the decision of the person presiding as to whether an amendment is inadmissible under this clause shall be final.
- (3) Subject to the provisions of Articles 205 and 206, no money shall be withdrawn from the Consolidated Fund of the State except under appropriation made by law passed in accordance with the provisions of this Article.



**Article 205. Supplementary additional or excess grants .—**

(1) The Governor shall—

- (a) If the amount authorised by any law made in accordance with the provisions of Article 204 to be expended for a particular service for the current financial year, is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year, or
- (b) If any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year;

cause to be laid before the house or the Houses of the Legislature of the State another statement showing the estimated amount of that expenditure or cause to be presented to the Legislative Assembly of the State a demand for such excess as the case may be.

(2) The provisions of Articles 202, 203 and 204 shall have effect in relation to any such statement and expenditure or demand and also be made authorizing the appropriation or moneys out of the Consolidated Fund of the State to meet such expenditure or the grant in respect of such demand as may have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the State to meet such expenditure or grant.

**Article 206. Votes on account, Votes of credit and exceptional grants.—**

(1) Notwithstanding anything in the foregoing provisions of this Chapter, the Legislative Assembly of a State shall have power;

- (a) to make any grant in advance in respect of the estimated expenditure for a part of any financial year pending the completion of the procedure prescribed in Article 203 for the voting of such grant and the passing of the law in accordance with the provisions of Article 204 in relation to that expenditure :—

- (b) to make a grant for meeting an unexpected demand upon the resources of the State when on account of the magnitude of the indefinite character of the service the demand cannot be stated with the details ordinarily even in an annual financial statement;
- (c) to make an exceptional grant which forms no part of the current service of any financial year;

and the Legislature of the State shall have power to authorise by law the withdrawal of moneys from the Consolidated Fund of the State for the purposes for which the said grants are made.

- (2) The provisions of Articles 203 and 204 shall have effect in relation to the making of any grant under clause (1) and to any law to be made under that clause as may have effect in relation to the making of a grant with regard to any expenditure mentioned in the annual financial statement and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the State to meet such expenditure.

**Article 207. Special Procedure as to financial bills.—**

- (1) A bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 199 shall not be introduced or moved except on the recommendation of the Governor, and a Bill making such provisions shall not be introduced in a Legislative Council.

Provided that no recommendation shall be required under this clause for the moving of an amendment making provision for the reduction or abolition of any tax.

- (2) A Bill or amendment shall not be deemed to make provision for any of the matters aforesaid by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licenses or fees for services rendered, alteration or regulation of any tax by any local authority or body for local purposes.
- (3) A Bill which, if enacted and brought into operation, would involve expenditure, from the Consolidated Fund of a State shall not be passed by a House without the consideration of the Bill.

**Article 267. Contingency Fund.—**

- (1) Parliament may by law establish a Contingency Fund in the nature of an imprest to be entitled. “The Contingency Fund of India” into which shall be paid from time to time such sums as may be determined by such law, and the said Fund shall be placed at the disposal of the President to enable advances to be made by him out of such Fund for the purposes of meeting unforeseen expenditure pending authorisation of such expenditure by Parliament by law under Article 115 or Article 116.
- (2) The Legislature of State may by law establish Contingency Fund in the nature of an imprest to be entitled “the Contingency Fund of the State” into which shall be paid from time to time such sums as may be determined by such law, and the said Fund shall be placed at the disposal of the Governor of the State to enable advances to be made by him out of such Fund for the purposes of meeting unforeseen expenditure pending authorisation of such expenditure by the Legislature of the State by law under Article 205 or Article 206.

**Article 292. Borrowing by the Government of India.—**

The executive power of the Union extends to borrowing upon the security of the Consolidated Fund of India within such limits, if any, as may from time to time be fixed by Parliament by law and to the giving of guarantees within such limits, if any, as may be so fixed.

**293. Borrowing by States.—**

- (1) Subject to the provisions of this Article, the executive power of a State extends to borrowing within the territory of India upon the security of the Consolidated Fund of the State within such limits, if any, as may from time to time be fixed by the Legislature of such State by law and to the giving of guarantees within such limits, if any, as may be so fixed.
- (2) The Government of India, may subject to such condition as may be laid down by or under any law made by Parliament make loans to any State or, so long as any limits fixed under Article 292, are not exceeded give guarantees in respect of loans raised by any State, and any sums required for the purpose of making such loans shall be charged on the Consolidated Fund of India.

- (3) A State may not without the consent of the Government of India raise any loan if there is still outstanding any part of a loan which has been made to the State by the Government of India or by its predecessor Government of India or by its predecessor Government.
- (4) A consent under clause (3) may be granted subject to such conditions, if any, as the Government of India may think fit to impose.

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*(Chapter - XIX, Finance Department, Constitutional Committees, PAC/COPU etc.)*

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## CHAPTER - XX

### HARYANA STATE TRAINING POLICY, 2020

#### IMPORTANT FEATURES AND GUIDELINES AND ITS IMPLEMENTATION

##### 20.1 Formulation of Training Policy.—

Realizing the need for development of human resources to meet the challenges, Government of India issued the National Training Policy, 2012, which inter alia, recommended that each state should formulate a training policy based on or similar to the National Training Policy. The Haryana State Training Policy, 2020 **(Copy placed at Annexure-A)** has been formulated to fulfil the need for a formal, articulated framework within which training needs to be conducted at the state level. The policy has been uploaded on website <http://csharyana.gov.in>. The salient areas which are to be taken care of explained in the policy are as under:-

- (1) Training Objects.
- (2) Training Concerns and Targets—
  - (i) Training for all
  - (ii) Induction Training
  - (iii) duration of trainings
- (3) Types of training—
  - (i) State Government employees will receive technical training, administrative and in-service training, and for selected categories foreign training also.
  - (ii) Composition and implementation of technical training.
  - (iii) Composition and implementation of administrative and in service training.
- (4) Kinds of training—
  - (i) Foundation Training;
  - (ii) After promotion training;
  - (iii) Refresher Training;
  - (iv) After transfer Training;
  - (v) Orientation Training; and
  - (vi) Foreign Training.
- (5) Training Need Analysis (TNA)—
  - (i) by the department itself or through some other needs with the approval of Nodal Department.

- (ii) HIRD in association with HIPA shall prepare Training Need Analysis for elected Panchayati Raj Institutions functionaries.
- (6) Training Related Human Resource.
- (7) Role of Departments and Organisations.
- (8) Role of Training Institutions.
- (9) Role of Training Coordinators and Master Trainers.
- (10) Foreign Training and Training in Other States.
- (11) Role of Training Department in CS Organisation.
- (12) Training for Urban and Rural Development.
- (13) Implementation, Monitoring and Co-ordination.
- (14) Funding.
- (15) State Training Council under the Chairmanship of Chief Secretary to Govt. Haryana.
- (16) **Role of HIPA.—** Haryana Institute of Public Administration shall be the Apex Training Institution of the State and shall, for the time being, be the nodal agency for the implementation of this Policy. Haryana Institute of Public Administration shall, in consultation with other Government training institutions of the State, issue appropriate guidelines to amplify and facilitate the implementation of this Policy. A common forum of Government training institutions of the State (such as HIRD/ MRMI/ SCERT/ PTS, DIETS & others) may be created with Director General, HIPA as the Convenor to discuss and develop the Training Program of various departments (to be approved by the Nodal Department).

**Annexure-A***(See Para 20.1)***HARYANA STATE TRAINING POLICY, 2020****1. Preamble.—**

The Government of Haryana is committed to provide efficient, transparent and time bound governance of high quality to the people of Haryana. For this purpose Government of Haryana is also committed to maintain a high degree of efficiency, integrity and skill of the human resources at all levels of the hierarchy. Training is the most effective and time tested tool for bringing about good governance, enhancing the performance levels of employees and for taking the State to greater heights. In addition to training the employees, it is also necessary to upgrade the skills and improve the attitude of citizens so that they can play a more effective role in the governance of the State. The State Training Policy envisages the ultimate objective of achieving '**Training for All**' and to provide the necessary infrastructure, institutions and personnel for achieving this objective.

**2. Background.—**

2.1 Government of India had issued a National Training Policy in 1996 through a set of operational guidelines for the development of the human resources of the Government. Subsequently there have been major changes in the country in terms of rapid economic growth, devolution of funds and functions to the Panchayats and Municipalities and enhanced transparency through the enactment of the Right to Information Act and Right to Services Act, globalisation, climate change and threats to internal security. This has multiplied the challenges before the civil services as they have to meet the increasing expectations and needs of the citizens and have to keep on upgrading their knowledge and skills continuously.

2.2 Realizing the need for development of human resources to meet the challenges, Government of India issued the National Training Policy, 2012, which inter alia, recommended that each state should formulate a training policy based on or similar to the National Training Policy. The Haryana State Training Policy, 2020 has been formulated to fulfil the need for a formal, articulated framework within which training needs to be conducted at the state level.



2.3 The Department of Personnel & Training circulated a Model State Training Policy for adoption by the states. The Haryana State Training Policy has been drafted with this model as the basis.

### **3. Training Objectives.—**

Through the State Training Policy, the Government of Haryana shall aim at the following:-

- (a) Develop a professional, impartial and efficient civil service at all levels to enable it to be responsive, committed, result oriented, transparent, accountable and change-oriented towards inclusive growth and empowerment of citizens.
- (b) Equip all functionaries of the government and Urban Local Bodies/Panchayati Raj Institutions with adequate knowledge and skills, bring about positive attitudinal changes, and build their capacity to enhance performance at individual as well as organisational levels with a view to bringing about good-governance. To inculcate in the functionaries ethical values, positive attitude, commitment to work and empathy towards vulnerable sections of society.
- (c) Promote organisational responsibility, commitment and accountability towards training and capacity building in government departments and organisations.
- (d) To establish a link between the career progression of employees and capacity building.
- (e) To impart necessary skills to citizens as well as civil society organisations and to bring about attitudinal changes among them so that they can become partners in the development process of the State.
- (f) To sensitize employees and citizens of Haryana towards social issues, such as gender disparity, treatment of deprived sections of society, etc.
- (g) To coordinate, promote and facilitate training and understanding of roles and responsibilities of elected representatives of Panchayati Raj Institutions and Urban Local Bodies.
- (h) To identify the gaps in the competency levels of individuals and organisations and to use training as an effective tool for bridging the competency gaps for their current and future roles.

**4. Training Concerns and Target.—****(A) TRAINING CONCERNS:**

Social, political and economic ambience is subject to constant change. The government machinery would have to be continuously attuned to the changing needs. Training interventions for the Civil Services would, therefore, focus on:

- (a) Responsiveness to the diverse and changing needs and expectations of the citizens and organisational, technological, economic and political developments.
- (b) Commitment to constitutional provisions, legal and ethical values and good governance.
- (c) Awareness of technological, economic, environmental, social, legal and administrative developments
- (d) Transparency in public service and governance to ensure probity in public life.
- (e) Accountability to ensure high performance in every professional field and cost effective methods of delivery

**Training Targets.—**

4.1 All employees of Government of Haryana, State undertakings, State funded co-operative institutions including Panchayati Raj Institutions and Local Bodies shall be provided with training to equip them with the competencies for their current and future jobs. Such training will be imparted:

- (a) At the time of their entry into service,
- (b) At appropriate intervals in the course of their careers.

4.2 **Training for all:** Training will be imparted to all categories of civil servants from the lowest to the highest levels.

4.3 Induction Training at the time of entry into service shall be imparted in the following manner:

- (i) Haryana Civil Service officers: six months including three months' district training, on-the-job secretariat training and practical revenue training
- (ii) Other Group A officers: Six months including on-the-job training
- (iii) Group B officers: One to three months including on-the-job training
- (iv) Group C officials: Four weeks including on-the-job training
- (v) Group D officials: **Four weeks** including on-the-job training

- 4.4 A combined foundational course for all officers of HCS and allied services shall be conducted by HIPA. 'Pride of My State' should be part of the JFC and other long term training programs to be organised by HIPA & other training institutes. Messages by the Hon'ble Chief Minister should be a part of every training program covering various aspects of Public Administration & Governance.
- 4.5 Training interventions would be prepared on the basis of requirements of each level, encompassing, inter alia, functional skills, professional skills, interpersonal, behavioural and public relations skills, organisational skills, policy formulation, planning and policy analysis etc.
- 4.6 Facilities of training shall be made available to all employees to meet the needs of individuals and organisations as and when they arise through a mix of conventional courses, distance and e-learning.
- 4.7 Departments/Organisations shall provide suitable training to employees before or after promotion to posts of higher responsibility for a period adequate to equip such employees with the competency to handle the additional responsibilities. Similar training shall also be imparted to employees coming on deputation from other organisations.
- 4.8 Training and Capacity building in the areas of Urban and Rural Development is of paramount importance especially in the backdrop of the 73rd and 74th Amendments of the Constitution which have brought about a radical change in the status and functioning of the Panchayati Raj Institutions and Urban Local Bodies. It is imperative that the officers and staff are sensitized in the functioning of the grassroots institutions of rural and urban governance.
- 4.9 Refresher Training shall be imparted to all Group A, B and C employees for a period of no less than five days once in every five years.
- 4.10 IAS officers allotted to Haryana shall be given practical training in Revenue along with theoretical training.
- 4.11 The trainees who don't successfully complete the training programs may be relegated to attend the same training program again until they possess the required level of competency. The probation period shall be extended of those employees who do not pass the induction training programs. Some other actions like non-inclusion in foreign training programs may also be imposed upon the trainees who don't successfully complete the training program. Suitable incentives may be considered on completion of the Induction/ in-

service training programs. The related provisions may be inserted in the corresponding Service Rules.

- 4.12 Training Programs on Ethics & Integrity, soft skills, Language & Etiquettes along with stress management etc. may be organized quarterly. In these (and others too) training programs, case studies with current examples should be taken up in the training of participants for motivation.
- 4.13 Training programs for JEs/ MEs and other engineering staff should be organized regularly at leading Engineering Institutes where the newer technology and the improved methods can be taught to the trainees.
- 4.14 Sanctioned Posts should make provision for training and leave reserve to ensure that efficiency of an establishment doesn't suffer while sending employees for training.
- 4.15 Senior retired officers with distinguished career record may be assigned for mentoring of the newly appointed officers to guide them towards public service.
- 4.16 Spiritual/Yoga institutes should also be made partners in the training program for instilling ethics and positive attitude among the trainees.

## **5. Types of Training.—**

- (a) State government employees will receive technical training, administrative and in- service training, and for selected categories foreign training also.
- (b) Composition and implementation of technical training. This type of training is undertaken by the concerned department and the primary technical work of the institutes affiliated to that concerned department under the supervision and control of HIPA. Every department and existing training institute will be responsible for design, development, planning, coordination, and implementation of technical training as well as for evaluating the trainees and certifying them. It is necessary for the departments to extend compulsory training to such officers who have been appointed after transfer and who needs specialised knowledge to carry work as per the nature of the job. The concerned departments should prepare an annual training programme for technical training and make budget any provision for expenditure and inform HIPA of the details of the annual training programme and budgetary provisions for the same.

- (c) Composition and implementation of administrative and in service training This form of training aim sat making suitable change in knowledge, skills and attitude. Such training is necessary for the staff of all departments. The areas for such training include Public administration, social responsibility, project management, good governance, management skill, financial issues, human resource development, establishment, related laws, computer training etc.
- (d) This training being important for general capacity building of the administration and for motivation and suitable functioning, that must be compulsorily given to employees on all posts. The responsibility for this training will lie with HIPA as it is the apex training institute as well as that which will build up, plan, prepare expert trainers, evaluate, organize examinations and grant certificates, and also with Divisional administrative institutes and district administrative training centres. This training will be compulsory to the staff, particularly after the staff is appointed.
- (e) Officers/staff will be given training as indicated in the stages below for the durations to be decided from time to time. It will be necessary to determine the duration of the training for junior level staff in terms of hours than in days.

#### **Types of Training.—**

- (i) Foundation Training
- (ii) After promotion training
- (iii) Refresher Training
- (iv) After transfer training:  
This training will be extended to only such officers and staff who have being transferredoutsidetheirdepartmentandwhosenatureofworkhaschangedafter the transfer. The duration of this training will be between 1 and 3 days. (7 to 21 hours)
- (v) Orientation training
- (vi) Foreign Training: (Detailed at Point No. 11 of this policy).

#### **6. Training Need Analysis.—**

- 6.1 Every department/organisation shall prepare a training plan which addresses the gap between the existing and the required competency and provide opportunities to the employees to develop their competencies on the basis of TNA in association with the STIs. Haryana Institute of Public Administration

and other State Training Institutions (such as HIRD/ HRMI/ Patwar Training School/SCERT & DIETs) shall conduct Training Need Analysis every year in every/corresponding department(s) to determine the competency gaps and to formulate training programmes to bridge these gaps.

- 6.2 However, the Administrative Department can undertake Training Need Analysis by some other means regarding general or specific topic at its own level with approval of the Nodal Department at any time.
- 6.3 State Government may give responsibility to any other public/private or autonomous agency to conduct Training Need Analysis on general or specific topic, if it desires so.
- 6.4 Questionnaire for the Training Need Analysis will be circulated among the departments by HIPA to evaluate the training needs of all the departments for all the cadres.
- 6.5 HIRD in association with HIPA shall prepare the Training Need Analysis for elected Panchayati Raj Institutions functionaries.

## **7. Training related Human Resource.—**

- 7.1 It is necessary that all departments must take special care to maintain quality of human resources related to training. Thus procedure to select qualified and efficient candidates both as regular trainers and trainers on deputation and to extend motivational benefits needs to be established so that those who have M.Phil, Ph.D degrees or have cleared NET or SET, and have training experience are willing to be regular trainer for purposes of training as well as suitable government officers are drawn to.
- 7.2 To maintain consistency in training, the training institutes should be prompted to appoint regular trainers up to the extent of 25% and those with field experience as trainers on deputation to the extent of 25%, and the remaining 50% through external trainers. The last group will consist of retired officers, trainers on contract and guest faculty. Similarly, the training institutes should be induced to organize trainer development programmes for trainers, to extend opportunities within the country and abroad for administrative research. Suitable incentives shall be provided to trainers.

**8. Role of Departments and Organisations.—**

Each Department/Organisation of Government of Haryana shall adopt a Systematic Approach to Training (SAT) and shall:

- (i) Ensure that the **Systematic Approach to Training (S.A.T.)** cycle, comprising the following stages are adhered to in all training interventions;
  - Identification of Training Needs
  - Planning and Designing of Training.
  - Development of Trainers
  - Development of Training Material
  - Implementation of Training
  - Evaluation and Assessment of Training
- (ii) Conduct Training Needs Analysis and design training interventions based on it. Undertake Functional Review, Design of Training and Training of Trainers, etc.
- (iii) Ensure that non-training interventions are suitably dovetailed with the training interventions as and when required. Departments must give due emphasis to ensuring that appropriate non-training interventions are provided for in order to ensure that training programmes are successful. These may include requisite training infrastructure, adequate financial support, appropriate ambience for training, etc.
- (iv) Incorporate appropriate provisions in all schemes for training of man-power to ensure proper implementation and sustainability of the schemes.
- (v) Allocate adequate funds to ensure that the training programmes are carried out as per the approved annual training plans.
- (vi) Review the implementation of the annual training plan and the functioning of training institutions under the department (including attached and subordinate offices), look into the utilisation of the training capacity and the quality of training conducted, adequacy of the physical and training infrastructure, faculty, finances and delegation of powers for carrying out the training mandate.
- (vii) Ensure proper identification and development of training faculty and trainers and incentives for them.
- (viii) Incorporate a separate section in the Annual Administrative Report on action taken by all the departments, including the Administrative Reforms and

Training Department, on the training and capacity-building activities undertaken during the year.

- (ix) Make all efforts to decentralise training.
- (x) Appoint a Training Coordinator who will be the Nodal Person for the implementation of the training function in that Department/Organisation;
- (xi) Every department with a strength of more than 500 employees will create a Training Cell to develop the Cadre Training Plans (CTP), based on the competencies required and training needs, for ensuring that all cadres under the Department/Organisation or its attached/subordinate offices have a clearly articulated scheme for the development of their competencies while also indicating the programmes that are mandatory;
- (xii) Classify all posts with a clear job description and competencies required; and to make Induction Training compulsory for all the cadres.
- (xiii) To avoid the repetition of the trainees, trainings of the employees should be linked with HRMS portal.
- (xiv) To ensure job specific trainings and development of competencies of individuals to their career progression and ensure this by suitably amending service rules/issuing administrative instructions;
- (xv) Make the immediate supervisor/ Controlling Officer responsible and accountable in respect of the training of the staff working under him;
- (xvi) Incorporate an appropriate provision in any new scheme to ensure that suitable training is imparted for its proper implementation and sustainability;
- (xvii) Where feasible, use the services of the Training Institutions in developing the cadre training plans, outsourcing training, and/or providing advisory or consultancy services on training needs to the Department/Organisation;
- (xviii) Implement the Annual Training Plan, by using the institutions under it or outside, so that the limitations on internal training capacity do not constrain the implementation of the training plan;
- (xix) Review the implementation of the Annual Training Plan and the functioning of Training Institution(s) under the Department/Organisation (including attached/ subordinate offices) and in particular to look at the:
  - (a) Utilisation of the training capacity;
  - (b) Quality of training conducted;
  - (c) Adequacy of the physical and training infrastructure, faculty, finances and delegation of powers for carrying out the institutes' mandate;



- (d) Training of the Group 'B' and 'C' staff.
- (xx) Incorporate a separate section in the Department's annual report on the training and capacity building activities undertaken during the year;
- (xxi) Efforts to be made to strengthen the function of Human Resource through Competency Framework as mentioned above. For this purpose, State level awareness for the competency based HRM shall be created through workshops at the Haryana Institute of Public Administration or other training institutes;
- (xxii) Provide induction training to new entrants and prepare and upload training material on the website of the department for easy accessibility. Induction training will be mandatory for all the posts. Time bound Mid-Career training for all the posts will also be specified.
- (xxiii) Organize 'On the Job' and 'In-house' training as may be required. Master trainers may be developed for this purpose within the department.
- (xxiv) For the private training institutes of the State and the Training Institutes from other states per person per day or per training per person rates should be fixed / get approved by the Nodal Department.
- (xxv) Training Programs of Class-I & Class-II officers of all the departments would be approved by the Nodal Department.
- (xxvi) Training of the Peons may be coordinated by HIPA in coordination with the IHM. This training should be consisted of office etiquettes.
- (xxvii) The maximum age limit of an employee would be 55 years for deputing the employee for attending the training programs.

## **9. Role of Training Institutions.—**

**Training institutes at all levels of Government Departments** will undertake functional studies as per requirement, conduct Departmental and professional examinations, hold workshops to include people at all levels in the programmes and schemes of the department, prepare manuals and training material and organise training as per the subject for trainers of the Department. These training institutes will be under the control of the head of the department of the concerned level. HIPA, being the apex body, will evaluate the training institutes of all Departments. The Government Training institutions should:

- (i) All training institutes in the state will set up a Training Planning and Monitoring Cell (TPMC). The Cell will be responsible for the planning of

training, as well as training input, processes and outputs.

- (ii) Have the requisite staff, infrastructure and finances to perform their functions;
- (iii) Move to becoming models of excellence in the quality of the training they impart and as learning organisations through a process of self-assessment and bench-marking;
- (iv) Provide technical assistance and advice in preparation of annual training plans for the Departments/Organisations and in outsourcing training, if required;
- (v) Play a key role in assisting the Departments/Organisations in the process of shifting to a Competency based-framework for training;
- (vi) Assimilate technologies with a view to enabling learning anywhere, anytime for their clients;
- (vii) Supplement their current programmes with distance and e-Learning courses;
- (viii) Conduct field studies and research as part of the process of becoming repositories of knowledge in the areas of their sectoral or functional specialisation;
- (ix) Develop case studies on various topics of relevance to human resource development and share them with each other. These case studies shall be made freely available to employees for their guidance.
- (x) Identify gaps in the expertise of in-house faculty and identify guest faculty from among academicians, serving and retired officers, civil society functionaries, etc. Prepare a guest faculty data bank and periodically update it.
- (xi) Organize seminars on selected topics at regular intervals and, wherever possible, compile and publish the papers presented in the seminars.
- (xii) Provide advisory and/or consultancy services;
- (xiii) Constantly review and modify their curricula, content and training methodologies to take account of training feedback and the needs of clients;
- (xiv) Network with other institutions to share learning resources, experience and expertise;
- (xv) Facilitate the development of domain specific trainers and provide stability of tenure and opportunities for faculty development;
- (xvi) Put in place a rigorous system of evaluation of training programmes and assessment of their impact on individuals' performance over time; and
- (xvii) Ensure that all trainers who join the institute are deputed at the earliest possible opportunity to undergo programmes for 'Training of Trainers'.
- (xviii) Develop productivity norms for its training faculty.

- (xix) For the training programs (without foreign training component) being imparted by the State Training Institutes for the Class-III & IV employees, there would be no need to get prior approval of the Nodal Agency.
- (xx) Audio/ Video wing with Studio would be set up in HIPA for developing online courses through broadcasting, you-tube channels etc. HIPA would consider developing its own training channel.
- (xxi) Documentation of the good practices and innovations is very important. HIPA would ensure that all these are documented.

## **10. Role of Training Coordinators and Master Trainers.—**

- 10.1 The Training Coordinators appointed by the Department/Organisation shall, in addition to their normal duties, work in close collaboration with the relevant training institutions to plan, development, implementation and monitor training activities of all employees of the departments/organisations and sent reports to the head of the departments/organisation about training activities periodically. They shall maintain a manpower data base containing all relevant information about the educational background, postings, training and training needs of all employees of the department/organisations.
- 10.2 The Training Coordinators shall also be responsible for creating a pool of Master Trainers with the help of appropriate training institutions. They will arrange for the Master Trainer to undergo Training of Trainers programmes relevant to their area of expertise.
- 10.3 The State Government shall provide suitable incentives including assured tenure to Training Coordinators, Master Trainers and State Government Officials on deputation to training institutions so as to attract the best possible talent to the training function.
- 10.4 All the Training Coordinators shall report to Director, Training / Nodal Agency regarding the matters related to training. Director, Training/ Nodal Agency will monitor the training activities in the entire department through the Training Coordinators.
- 10.5 As a lot of trainers are required for training of employees of a department. Therefore, employees with the potential of a Trainer be identified within the departments and these employees should be trained earlier so that they can become master trainer resource in the department.

- 10.6 Panel of the Trainers would be compiled, used and upon feedback from the trainees, the panel of trainers should be changed consistently.
- 10.7 Empanelment of the experts would be done at various levels depending upon their experience, expertise and general reputation.
- 10.8 The Honorariums/ wages to be given to the Trainers/ Subject Experts would be linked with inflation.

## **11. Foreign Training and Training in Other States.—**

- 11.1 In order to provide opportunities for officers to gain exposure to the latest developments and thinking on different subjects and to gain firsthand knowledge of best practices elsewhere, the Departments/Organisations may identify leading institutions in India and abroad. Such training shall be imparted to officers keeping the future needs of governance of the State in perspective with approval of the Director Training.
- 11.2 With approval of the Nodal Department, the Administrative Departments & the training institutions of the State may enter into collaboration with such institutions and arrange sharing training and training materials. Help of UNDP may also be availed for identification of the foreign training institutes.

## **12. Role of the Training Department.—**

- 12.1 The Training Branch in the Chief Secretary's Office shall act as the Nodal Department for training and capacity building activities of the departments of Government of Haryana. The Training Branch shall be the Administrative Department for implementation of this Policy and shall also provide guidelines to all departments/ Training Institutions in the preparation of training manuals, annual training plans and perspective plans.
- 12.2 The Training Department shall also approve the Annual Training Plans upto the prescribed budget limits, issue orders necessary for the implementation of this Policy, including provision of incentives to the Training Coordinators, Master Trainers and officers of deputation to training institutions.
- 12.3 If expenditure goes beyond the prescribed training budget, prior approval of the FD will also be obtained.
- 12.4 A Training Cell will also be created in the Training Branch to develop as the Nodal Agency in the due course of Time before initiation of the proper Directorate of Training under the Secretary, Personnel & Training. Some

retired Government officers who have dedication, enthusiasm and knowledge required for the job may also be engaged for this purpose.

- 12.5 This Training Cell will be equipped with adequate infrastructure and finances, to be disbursed with approval of the SPS/Director Training.
- 12.6 It will take all necessary steps to supervise and coordinate the creation of a decentralised training infrastructure and to facilitate the development of trainers at all levels.
- 12.7 A web-portal, in the Training Cell, would be created for monitoring, reporting, feedback, analysis of the training programs organized/ to be organized by various departments and training institutes.

### **13. Training for Urban and Rural Development.—**

- 13.1 The 73<sup>rd</sup> and 74<sup>th</sup> Amendments of the Constitution resulted in a radical change in the status of the Panchayati Raj Institutions and Urban Local Bodies by prescribing constitutionally mandated devolution of powers and resources to them as the third tier of Government. These institutions are critical for the development of the rural and urban areas as well as delivery of many essential services to the citizen. The national level flagship programmes for rural and urban development have highlighted the need for capacity development in the rural and urban level institutions for effectively implementing the programmes.
- 13.2 Rural and Urban Local Bodies' functionaries need to have the competencies to be able to perform their work efficiently and their training is, therefore, of paramount importance. As the officers of the State Civil Services play an important role in the administrative set up at all levels, they need to be familiarised with grassroots institutions of rural and urban governance. Officer Trainees of the State Civil Services may be given 'hands-on-experience' of grass-root level administration in Panchayati Raj Institutions and Urban Local Bodies by placing them as Executive Officers of Gram Panchayats/Municipalities for a suitable duration.
- 13.3 Suggested areas for capacity building in rural and urban development:
  - (i) Rural Development: Rural Sociology, Rural Development/Welfare Programmes, Rural Planning, Agricultural Marketing and Agricultural Finance, Rural Industries, role of N.G.Os in rural development, Rural Co-Operatives, Conflict Management in Rural Areas;

- (ii) Urban Development: Decentralisation and Urban Governance, Urban Land issues, Urban Environment, Urban Transport, Urban Planning and Infrastructure Development, Urban Poverty and Social Development, Municipal Accounts and Finance, e–Governance for urban development.

**14. Implementation, Monitoring and Coordination.—**

- 14.1 To ensure effective and efficient implementation of the State Training Policy the overall monitoring and coordination is assigned to the State Training Department which would also be strengthened both physically and financially.
- 14.2 Haryana Institute of Public Administration shall be the Apex Training Institution of the State and shall, for the time being, be the nodal agency for the implementation of this Policy. Haryana Institute of Public Administration shall, in consultation with other Government training institutions of the State, issue appropriate guidelines to amplify and facilitate the implementation of this Policy. A common forum of Government training institutions of the State (such as HIRD/ MRMI/ SCERT/ PTS, DIETS & others) may be created with Director General, HIPA as the Convener to discuss and develop the Training Program of various departments (to be approved by the Nodal Department).
- 14.3 To identify specialised training institutes like Swarn Jayanti Haryana Institute of Fiscal Management, Accounts Training Institute (Sinchai Bhawan, Panchkula) , Revenue Training Institute, Panchkula and others for organizing training programs on the specific subjects. Training of specialised subjects be undertaken by these institutes.
- 14.4 Departments/Organisations may take support of the Government / Non-Government training institutions in the development of need based training schemes.
- 14.5 The Government Training institutions of the State will be equipped to use advanced technology to facilitate e-learning on various subjects relevant to the needs of the employees. On-line training programs in the offices should be encouraged. The Training Institutes should identify good on-line courses related to it in coordination with HIPA providing good contents for these courses. The common/ specific courses should be identified and documented separately. E-learning & distance learning should also be encouraged.
- 14.6 Standard training modules on common topics such as Right to Information Act, Role of Law, Human Resources, Right to Services, Ethics in Governance

and Flagship Programmes of Government of India and Government of Haryana will be developed jointly by various Training Institutions (such as HIPA, HIRD, HRMI, SCERT, Patwar Training School & DIETs and others) in the common forum to be formed in compliance of 14.1.

14.7 The State Government shall take steps to strengthen existing training institutions and establish as many new training institutions in the state as required to meet the training requirements as envisaged in this Policy.

14.8 The State Government shall encourage the training institutions to attain national standards of excellence and can even attain international standards.

14.9 Premises of HIPA, Panchkula should be used by other departments also for training purposes.

14.10 Conference halls of all the departments in field and at Headquarter may be equipped with the latest equipments to hold training programs through Video Conference by any Government Department.

14.11 A list of all the Training Institutes of the Government of Haryana will be compiled and kept updated by the Nodal Agency and the Apex Training Institute.

## 15. **Funding.—**

The National Training Policy, 2012 had recommended that each state set aside at least 2.5 per cent of its salary budget for training. Accordingly, each Department/ Organisation should earmark 2.5 per cent of its salary budget for training. The infrastructure and manpower will be created suitably in the Government Training Institutions by the State Government.

## 16. **State Training Council.—**

16.1 There shall be a **State Training Council** to advise the government on all matters relating to this Training Policy and all other matters relating to training.

The composition of the State Training Council shall be as follows:-

- |    |  |   |                  |
|----|--|---|------------------|
| 1. | Chief Secretary                              | : | Chairperson      |
| 2. | All the Administrative Secretaries           | : | Members          |
| 3. | Director General of Police                   | : | Member           |
| 4. | Secretary, Political, Services & Training    | : | Member Secretary |
| 5. | Director General, HIPA                       | : | Member           |
| 6. | Directors of all Govt. Training Institutions | : | Members          |
| 7. | VCs of State Universities in the state       | : | Members          |

16.2 The Chairperson/Member Secretary may also invite any other national or state level experts/ institution as special invitees.

16.3 The State Training Council shall meet at least twice a year.

16.4 In the absence of the Chairperson, the senior most member present may preside over the meeting.

16.5 The State Training Council may appoint one or more subject committees to oversee the implementation of the State Training Policy.

**16.6 Functions of the State Training Council:**

- (i) To promote modernisation of the training machinery of the state
- (ii) To evaluate the training process in administration and to take decision in terms of the policy
- (iii) To function as the main body to raise money at the national and international all level to strengthen the training capacity of the state.

**17. Power & Procedure for the amendment in the State Training Policy.—**

17.1 For the minor alterations like change of period of the Inductions & Mid – Term training, giving responsibility regarding a specific training program/ procedure/ function the Chief Secretary to Government of Haryana will be the competent authority.

17.2 For changing any of the basic structure of the policy on recommendation of the State Training Council, approval of the Hon'ble Chief Minister will be required.

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## **CHAPTER - XXI**

### **RIGHT TO INFORMATION**

In consonance with judicial pronouncements for giving legal status to “Right to Information”, Govt. of India have enacted a specific law, the Right to Information Act, 2005. It came into force on the 12<sup>th</sup> October, 2005 (120<sup>th</sup> day of its enactment on 15<sup>th</sup> June, 2005).

#### **21.1 Object of the Right to Information Act.—**

The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government, contain corruption, and make our democracy work for the people in real sense. It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed. The Act is a big step towards good governance making the citizens informed about the activities of the Government.

#### **21.2 Main Provisions of the RTI Act, 2005 are as under.—**

- (1) All the citizens have the right to information, subject to the provisions of the Act and it extends to the whole of India.
- (2) It covers all the three tiers of government i.e. Central, State and Local governments and all the three branches i.e. Legislative, Executive and Judiciary of the government.
- (3) It applies to “Public Authorities” which are owned, controlled or substantially financed directly or indirectly by the appropriate Government and the NGOs and private bodies substantially financed by the government.
- (4) The Act provides that information of the third party can also be provided after following the due procedure.
- (5) It casts an obligation on the Public Authority to proactively disclose information about itself. They are also supposed to maintain records in an indexed and cataloged manner.

- (6) The Act provides for the designation of First Appellate Authority/Public Information Officer/Assistant Public Information Officer for providing information.
- (7) Provision has also been made for the transfer of a request by a public authority to another authority where the information is held by the latter.
- (8) A time limit of 30 days has been prescribed for the disposal of the requests for information under the Act for normal information, 48 hours for life and liberty related information, 40 days for 3<sup>rd</sup> party information and 45 days for corruption and human rights related information of the listed organisations.
- (9) The period intervening between the additional fees demand letter and the payment of fee shall be excluded for the purpose of calculating the period of thirty days.
- (10) It provides that in case a PIO rejects the application, he/she is bound to give reasons for the same. The period within which an appeal against such rejection may be preferred as well as the particulars of the appellate authority have also to be given by him/her.
- (11) No fee to be charged from persons Below Poverty Line.
- (12) Information has to be provided free of charge if it is given after the time limit.
- (13) Certain categories of information have been exempted from disclosure. However, these can be given if public interest is larger than the protected interest.
- (14) The Act incorporates the principle of severability in the exempted category of information.
- (15) It provides for a two-tier Appellate Forum. First Appeal is to be made to departmental officer senior to the Public Information Officer. The Second Appeal has to be made to the Commission.
- (16) The Central and State' Information Commissions have the status of an independent non-judicial machinery.
- (17) While inquiring into any matter, the Commission has the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure.

- (18) The Act prescribes for the procedure to be followed by Assistant Public Information Officer/Public Information Officer, First Appellate Authority and Information Commissioner while carrying out their duties and responsibilities.
- (19) It defines legal framework for exercise of powers by the Commission.
- (20) It also prescribes the time limit for preferring an appeal to FAA and IC.
- (21) In case of a grievance at Public Information Officer's level, a provision has been made in it for directly making complaint to the Commission.
- (22) The decisions of the Commission have been made binding by the Act.
- (23) Listed agencies in its Schedule II have been kept out of its ambit. However, the exemption is not absolute in matters relating to corruption and human rights violations.
- (24) The jurisdiction of subordinate courts has also been barred by the Act.
- (25) Its provisions have been made overriding in character.
- (26) The Central Information Commission/State Information Commission can impose a penalty of Rs. 250/- per day on PIO. This penalty can go upto a maximum of Rs. 25,000/- under the provision of the Act.
- (27) There is also a provision of disciplinary action against the PIO, for contravention of provisions of the Act by him/her.
- (29) The Central and State Information Commissions to monitor its implementation and to prepare an Annual Report to be laid before Parliament/State Legislature.
- (30) For its effective operationalisation, the Act gives rule making power to the appropriate government and the competent authorities.

### **21.3 Procedure for Request for Information.—**

Section 6 of the Act stipulates that the request for information may be made to the Central Public Information Officer or State Public Information Officer, as the case may be, of the concerned public authority or given to the Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be. The request for information can be made as follows:-

- (1) In writing or through electronic means in English or Hindi or in the official language of the area in which the application is being made;

- (2) Oral request to be reduced to writing with assistance sought from Public Information Officer, where such request cannot be made in writing;
- (3) To specify the particulars of the information being sought by the applicant;
- (4) To be accompanied by fee as prescribed under the rules made under the Act;
- (5) Applicant not to be required to give reason for requesting the information or any other personal details except those that may be necessary for the purpose of contacting.

**21.4 Procedure for deposit of further fee.—**

- (1) On receipt of an application the PIO/APIO shall give a receipt in token thereof to the applicant.
- (2) On receipt of the application the PIO/APIO shall scrutinize the application and shall assess how much fee is required to be paid by the applicant for obtaining the information.
- (3) The fee assessed shall be informed to the applicant by the PIO/APIO expeditiously, from the date of receipt of the application.

**21.5 Procedure for the disposal of request for Information Section 7 of the Act.—**

- (1) Request for information shall be disposed by the Public Information Officer within;
  - (i) 30 days of receipt in general cases and 48 hours of receipt in cases where the information sought for concerns the life or liberty of a person [section 7(1)];
  - (ii) A period of 5 days shall be added in computing the response time where an application for information is given to an Assistant Public Information Officer [Section 5(2)];

The period intervening between the dispatch of the said intimation and payment of fees shall be excluded for the purpose of calculating the period of 30 days, and (b) information concerning the right of the person making request with respect to review the decision as to person to whom access is to be provided is sensorily disabled, the Public Information Officer shall provide assistance to enable access to the information, including providing such assistance as may be appropriate for the inspection [Section 7(4)];

- (2) Request to be deemed to have been refused by the Public Information Officer, if decision on the request for information is not given within the period specified as above [Section 7(2)];

- (3) Where a decision is taken to provide the information on payment of any further fee representing the cost of providing the information, the Public Information Officer shall send an intimation in Form B of the Haryana RTI Rules, 2009 to the person making the request, giving: (a) the details of further fees representing the cost of providing the information as determined by her/him, together with the calculations made to arrive at the amount in accordance with fee prescribed, requesting her/him to deposit that fees.
- (4) Before taking any decision to provide information, the Public Information Officer shall take into consideration the representation made by a third party [Section 11(1)];
- (5) Where a request has been rejected (under section 8, 9, 11 or 24 of the Act) the Public Information Officer shall communicate to the person making the request—
  - (i) The reasons for such rejection
  - (ii) The period within which an appeal against such rejection may be preferred; and
  - (iii) The particulars of the appellate authority [Section 7(8)].

#### **21.6 Third Party Information.—**

- (1) “Third Party” is defined under the Act to mean a person other than the citizen making a request for information and the public authority to which the request is made. It could be a private individual or a public authority [Section 2 (n)]. Section 11 of the Act requires that if the information sought by the citizen pertains to a record or part thereof relates to, or has been supplied by a third party and if it is not treated as confidential by that third party, the PIO is at liberty to provide the same to the applicant.
- (2) If, however, such information is treated as confidential by that third party, the following steps will have to be taken:-
  - (i) The PIO gives a written notice to the third party, within 5 days of receipt of the application, and conveys his intention to disclose the information or record while requiring the third party to make a submission, within 10 days from the date of receipt of such notice, regarding whether the information should be disclosed or not.
  - (ii) The PIO can, within 40 days after the receipt of application for information, if the third party has been given an opportunity to make

representation, make a decision on disclosure and give a written notice to the third party.

The third party is entitled to prefer an appeal against the decision of the PIO.

- (iii) Except in the case of “trade or commercial secret protected by law”, disclosures involving third part information may be allowed, if the public interest of such third party. If the third party is a private individual, the PIO has to be very cautious and properly weigh the consequences as privacy of an individual is important and protected under Section 8 (1)(j).

**21.7 Quantum of fees under Haryana Right to Information Rules, 2009 (as amended upto date).—**

- (1) An application for obtaining any information under sub-section (1) of the section 6 shall be accompanied with a fee of Rs. 10/-.
- (2) For providing information under sub-section (1) of section 7, the fee shall be charged from the applicant at the following rates, namely:-
  - (a) Rs. 2/- for each page in A-4 or A-3 size paper, created or copied; and
  - (b) if information is to be provided on a large size of paper than that specified in clause (a), the actual cost shall be charged.
- (3) For providing information under sub-section (5) of section 7, the fee shall be charged from the applicant at the following rates, namely:-
  - (a) Rs. 50/- for providing information in a floppy;
  - (b) Rs. 50/- for providing information in diskette; and
  - (c) if information sought is of such a nature, which is contained in a printed document, of which a price has been fixed, then that information shall be provided after charging the price, fixed for that printed document. However, if only an extract or page of such a printed document is asked for, then a fee of Rs. 2/- per page shall be charged.
- (4) No fee for inspection of record, if any, provided under any section of this Act is made for one hour only.
- (5) However, for more than one hour of inspection, Rs. 5/- shall be charged for every subsequent hour or part thereof.
- (6) There is no fee (Application or other additional fee for Xerox copy, CD and Floppy etc.) for citizens below poverty line. Sec 7(5)
- (7) Postal charges are also to be charged from the information seeker (Haryana RTI Rules, Form A).

- (8) In Haryana, additional fee has to be deposited within 15 days from the issuance of intimation in this if the applicant belongs to the Below Poverty Line (BPL) category, she/he is not required to pay any fee. However, she/he should submit a proof in support of his/her claim of belonging to this category. If the application is not accompanied by the prescribed fee of Rs. 10/- or proof of the applicant's belonging to BPL category, as the case may be, it shall not be a valid application under the Act. It may be pointed out that there is no bar on the public authorities to supply information in response to such applications. However, provisions of Act would not apply to such cases.

## 21.8 Monitoring and Reporting under RTI.—

Section 25(1) of RTI Act, 2005 stipulate that State Information Commission shall prepare at the end of a year a report on the implementation of provision of the said Act during that period and forward a copy thereof to the State Government. It further stipulates that each public authority within their jurisdiction collect and provide such information to the State Information Commission to prepare the report for further action. Accordingly, all public authorities are required to maintain data in the proforma attached at **Annexure-B** and to supply the same to the commission on their demand from to time.

## 21.9 Record Retention Schedule for RTI Application.—

The State Government has prescribed the following schedule for the retention/weeding of records pertaining to RTI applications vide instruction No. 1/1/2015-2AR, dated 24<sup>th</sup> May, 2016:-

Sr. No.	Description of Record	Retention Period	Remarks
1.	RTI cases disposed without attracting any first appeal	3 years	
2.	RTI cases attracting first appeal	3 years	Since they attract second appeal so require a fair retention period
3.	RTI cases attracting second appeal (without any remarkable decision)	3 years or till the compliance of Commission's orders whichever is later 5 years	
4.	RTI cases attracting Second appeal involving a remarkable decision.	5 years	Judgement/Commission ruling 'B'.



5.	First appeal cases file	3 years	As they may attract second appeal
6.	Second appeal cases file	3 years or till the compliance of Commission's orders	
7.	File relating to the administrative aspects or RTI Act, 2015 i.e. implementation, suggestion, guidelines etc.	3 years	
8.	File register of RTI application i.e. other than file.	'B' keep	

**Note:—** 'B' keep – This category will cover file required for permanent reservation for administrative purpose.

**Annexures:**

- (1) A copy of the Right to Information Act, 2005, amended upto 1<sup>st</sup> August, 2019, is at Annexure-A.
- (2) Proforma for Register to maintain data as at Annexure-B.
- (3) A copy of the Haryana RTI Rules 2009, amended upto 12.04.2021, is placed at Annexure-C.
- (4) Main instructions issued by AR Department are at Annexure-D.

## **Annexure-A**

### **THE RIGHT TO INFORMATION ACT, 2005**

No. 22 of 2005

[15th June, 2005]

**(Amended upto 1<sup>st</sup> August, 2019)**

**An Act to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.**

Whereas the Constitution of India has established democratic Republic;

And whereas democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Governments and their instrumentalities accountable to the governed;

And whereas revelation of information in actual practice is likely to conflict with other public interests including efficient operations of the Governments, optimum use of limited fiscal resources and the preservation of confidentiality of sensitive information;

And whereas it is necessary to harmonise these conflicting interests while preserving the paramountcy of the democratic ideal;

Now, therefore, it is expedient to provide for furnishing certain information to citizens who desire to have it.

Be it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

#### **CHAPTER-I (RTI Act, 2005)**

##### **1. Preliminary.—**

- (1) This Act may be called the Right to Information Act, 2005.
- (2) It extends to the whole of India except the State of Jammu and Kashmir.
- (3) The provisions of sub-section (1) of section 4, sub-sections (1) and (2) of section 5, sections 12, 13, 15, 16, 24, 27 and 28 shall come into force at once, and the remaining provisions of this Act shall come into force on the one hundred and twentieth day of its enactment.

**2. Definitions:**

In this Act, unless the context otherwise requires,—

- (a) "appropriate Government" means in relation to a public authority which is established, constituted, owned, controlled or substantially financed by funds provided directly or indirectly—
  - (i) by the Central Government or the Union territory administration, the Central Government;
  - (ii) by the State Government, the State Government;
- (b) "Central Information Commission" means the Central Information Commission constituted under sub-section (1) of section 12;
- (c) "Central Public Information Officer" means the Central Public Information Officer designated under sub-section (1) and includes a Central Assistant Public Information Officer designated as such under sub-section (2) of section 5;
- (d) "Chief Information Commissioner" and "Information Commissioner" mean the Chief Information Commissioner and Information Commissioner appointed under sub-section (3) of section 12;
- (e) "competent authority" means—
  - (i) the Speaker in the case of the House of the People or the Legislative Assembly of a State or a Union territory having such Assembly and the Chairman in the case of the Council of States or Legislative Council of a State;
  - (ii) the Chief Justice of India in the case of the Supreme Court;
  - (iii) the Chief Justice of the High Court in the case of a High Court;
  - (iv) the President or the Governor, as the case may be, in the case of other authorities established or constituted by or under the Constitution;
  - (v) the administrator appointed under article 239 of the Constitution;
- (f) "information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force;
- (g) "prescribed" means prescribed by rules made under this Act by the appropriate Government or the competent authority, as the case may be;

- (h) "public authority" means any authority or body or institution of self-government established or constituted—
  - (a) by or under the Constitution;
  - (b) by any other law made by Parliament;
  - (c) by any other law made by State Legislature;
  - (d) by notification issued or order made by the appropriate Government, and includes any—
    - (i) body owned, controlled or substantially financed;
    - (ii) non-Government organisation substantially financed, directly or indirectly by funds provided by the appropriate Government;
- (i) "record" includes—
  - (a) any document, manuscript and file;
  - (b) any microfilm, microfiche and facsimile copy of a document;
  - (c) any reproduction of image or images embodied in such microfilm (whether enlarged or not); and
  - (d) any other material produced by a computer or any other device;
- (j) "right to information" means the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to—
  - (i) inspection of work, documents, records;
  - (ii) taking notes, extracts or certified copies of documents or records;
  - (iii) taking certified samples of material;
  - (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device;
- (k) "State Information Commission" means the State Information Commission constituted under sub-section (1) of section 15;
- (l) "State Chief Information Commissioner" and "State Information Commissioner" mean the State Chief Information Commissioner and the State Information Commissioner appointed under sub-section (3) of section 15;
- (m) "State Public Information Officer" means the State Public Information Officer designated under sub-section (1) and includes a State Assistant Public Information Officer designated as such under sub-section (2) of section 5;
- (n) "third party" means a person other than the citizen making a request for information and includes a public authority.

## CHAPTER-II (RTI Act, 2005)

### Right to information and obligations of public authorities

#### 3. Right to Information.—

Subject to the provisions of this Act, all citizens shall have the right to information.

#### 4. (1) Every public authority shall.—

- (a) maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerised are, within a reasonable time and subject to availability of resources, computerised and connected through a network all over the country on different systems so that access to such records is facilitated;
- (b) publish within one hundred and twenty days from the enactment of this Act,—
  - (i) the particulars of its organisation, functions and duties;
  - (ii) the powers and duties of its officers and employees;
  - (iii) the procedure followed in the decision making process, including channels of supervision and accountability;
  - (iv) the norms set by it for the discharge of its functions;
  - (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
  - (vi) a statement of the categories of documents that are held by it or under its control;
  - (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
  - (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
  - (ix) a directory of its officers and employees;
  - (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;

- (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
  - (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;
  - (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
  - (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
  - (xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
  - (xvi) the names, designations and other particulars of the Public Information Officers;
  - (xvii) such other information as may be prescribed and thereafter update these publications every year;
- (c) publish all relevant facts while formulating important policies or announcing the decisions which affect public;
- (d) provide reasons for its administrative or quasi-judicial decisions to affected persons.
- (2) It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.
- (3) For the purposes of sub-section (1), every information shall be disseminated widely and in such form and manner which is easily accessible to the public.
- (4) All materials shall be disseminated taking into consideration the cost effectiveness, local language and the most effective method of communication in that local area and the information should be easily accessible, to the extent possible in electronic format with the Central Public Information Officer or State Public Information Officer, as the case may be, available free or at such cost of the medium or the print cost price as may be prescribed.

**Explanation.—** For the purposes of sub-sections (3) and (4), "disseminated" means making known or communicated the information to the public through notice boards,

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*newspapers, public announcements, media broadcasts, the internet or any other means, including inspection of offices of any public authority.*

**5. Designation of Public Information Officers.—**

- (1) Every public authority shall, within one hundred days of the enactment of this Act, designate as many officers as the Central Public Information Officers or State Public Information Officers, as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.
- (2) Without prejudice to the provisions of sub-section (1), every public authority shall designate an officer, within one hundred days of the enactment of this Act, at each sub-divisional level or other sub-district level as a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be, to receive the applications for information or appeals under this Act for forwarding the same forthwith to the Central Public Information Officer or the State Public Information Officer or senior officer specified under sub-section (1) of section 19 or the Central Information Commission or the State Information Commission, as the case may be:  
Provided that where an application for information or appeal is given to a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be, a period of five days shall be added in computing the period for response specified under sub-section (1) of section 7.
- (3) Every Central Public Information Officer or State Public Information Officer, as the case may be, shall deal with requests from persons seeking information and render reasonable assistance to the persons seeking such information.
- (4) The Central Public Information Officer or State Public Information Officer, as the case may be, may seek the assistance of any other officer as he or she considers it necessary for the proper discharge of his or her duties.
- (5) Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be.

**6. Request for obtaining Information.—**

- (1) A person, who desires to obtain any information under this Act, shall make a request in writing or through electronic means in English or Hindi or in the official language of the area in which the application is being made, accompanying such fee as may be prescribed, to—
  - (a) the Central Public Information Officer or State Public Information Officer, as the case may be, of the concerned public authority;
  - (b) the Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be, specifying the particulars of the information sought by him or her:

Provided that where such request cannot be made in writing, the Central Public Information Officer or State Public Information Officer, as the case may be, shall render all reasonable assistance to the person making the request orally to reduce the same in writing.
- (2) An applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.
- (3) Where an application is made to a public authority requesting for an information,—
  - (i) which is held by another public authority; or
  - (ii) the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:

Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

**7. Disposal of request.—**

- (1) Subject to the proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central Public Information Officer or State Public Information Officer, as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee



as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9:

Provided that where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.

- (2) If the Central Public Information Officer or State Public Information Officer, as the case may be, fails to give decision on the request for information within the period specified under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall be deemed to have refused the request.
- (3) Where a decision is taken to provide the information on payment of any further fee representing the cost of providing the information, the Central Public Information Officer or State Public Information Officer, as the case may be, shall send an intimation to the person making the request, giving—
  - (a) the details of further fees representing the cost of providing the information as determined by him, together with the calculations made to arrive at the amount in accordance with fee prescribed under sub-section (1), requesting him to deposit that fees, and the period intervening between the despatch of the said intimation and payment of fees shall be excluded for the purpose of calculating the period of thirty days referred to in that sub-section;
  - (b) information concerning his or her right with respect to review the decision as to the amount of fees charged or the form of access provided, including the particulars of the appellate authority, time limit, process and any other forms.
- (4) Where access to the record or a part thereof is required to be provided under this Act and the person to whom access is to be provided is sensorily disabled, the Central Public Information Officer or State Public Information Officer, as the case may be, shall provide assistance to enable access to the information, including providing such assistance as may be appropriate for the inspection.
- (5) Where access to information is to be provided in the printed or in any electronic format, the applicant shall, subject to the provisions of sub-section (6), pay such fee as may be prescribed:

Provided that the fee prescribed under sub-section (1) of section 6 and sub-sections (1) and (5) of section 7 shall be reasonable and no such fee shall be charged from the persons who are of below poverty line as may be determined by the appropriate Government.

- (6) Notwithstanding anything contained in sub-section (5), the person making request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits specified in sub-section (1).
- (7) Before taking any decision under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall take into consideration the representation made by a third party under section 11.
- (8) Where a request has been rejected under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall communicate to the person making the request,—
  - (i) the reasons for such rejection;
  - (ii) the period within which an appeal against such rejection may be preferred; and
  - (iii) the particulars of the appellate authority.
- (9) An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.

**8. Exemption from disclosure of information.—**

- (1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen.—
  - (a) information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence;
  - (b) information which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;
  - (c) information, the disclosure of which would cause a breach of privilege of Parliament or the State Legislature;

- (d) information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information;
- (e) information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;
- (f) information received in confidence from foreign Government;
- (g) information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes;
- (h) information which would impede the process of investigation or apprehension or prosecution of offenders;
- (i) cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other officers:

Provided that the decisions of Council of Ministers, the reasons thereof, and the material on the basis of which the decisions were taken shall be made public after the decision has been taken, and the matter is complete, or over:

Provided further that those matters which come under the exemptions specified in this section shall not be disclosed;

- (j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information:

Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.

- (2) Notwithstanding anything in the Official Secrets Act, 1923 nor any of the exemptions permissible in accordance with sub-section (1), a public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interests.
- (3) Subject to the provisions of clauses (a), (c) and (i) of sub-section (1), any information relating to any occurrence, event or matter which has taken place,

occurred or happened twenty years before the date on which any request is made under section 6 shall be provided to any person making a request under that section:

Provided that where any question arises as to the date from which the said period of twenty years has to be computed, the decision of the Central Government shall be final, subject to the usual appeals provided for in this Act.

**9. Grounds for rejection to access in certain cases.—**

Without prejudice to the provisions of section 8, a Central Public Information Officer or a State Public Information Officer, as the case may be, may reject a request for information where such a request for providing access would involve an infringement of copyright subsisting in a person other than the State.

**10. Severability.—**

- (1) Where a request for access to information is rejected on the ground that it is in relation to information which is exempt from disclosure, then, notwithstanding anything contained in this Act, access may be provided to that part of the record which does not contain any information which is exempt from disclosure under this Act and which can reasonably be severed from any part that contains exempt information.
- (2) Where access is granted to a part of the record under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall give a notice to the applicant, informing—
  - (a) that only part of the record requested, after severance of the record containing information which is exempt from disclosure, is being provided;
  - (b) the reasons for the decision, including any findings on any material question of fact, referring to the material on which those findings were based;
  - (c) the name and designation of the person giving the decision;
  - (d) the details of the fees calculated by him or her and the amount of fee which the applicant is required to deposit; and
  - (e) his or her rights with respect to review of the decision regarding non-disclosure of part of the information, the amount of fee charged or the form of access provided, including the particulars of the senior officer specified under sub-section (1) of section 19 or the Central Information

Commission or the State Information Commission, as the case may be, time limit, process and any other form of access.

**11. Third Party Information.—**

- (1) Where a Central Public Information Officer or a State Public Information Officer, as the case may be, intends to disclose any information or record, or part thereof on a request made under this Act, which relates to or has been supplied by a third party and has been treated as confidential by that third party, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within five days from the receipt of the request, give a written notice to such third party of the request and of the fact that the Central Public Information Officer or State Public Information Officer, as the case may be, intends to disclose the information or record, or part thereof, and invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information:

Provided that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.

- (2) Where a notice is served by the Central Public Information Officer or State Public Information Officer, as the case may be, under sub-section (1) to a third party in respect of any information or record or part thereof, the third party shall, within ten days from the date of receipt of such notice, be given the opportunity to make representation against the proposed disclosure.
- (3) Notwithstanding anything contained in section 7, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within forty days after receipt of the request under section 6, if the third party has been given an opportunity to make representation under sub-section (2), make a decision as to whether or not to disclose the information or record or part thereof and give in writing the notice of his decision to the third party.
- (4) A notice given under sub-section (3) shall include a statement that the third party to whom the notice is given is entitled to prefer an appeal under section 19 against the decision.

### **CHAPTER-III (RTI Act, 2005)**

#### **The Central Information Commission**

**12. Constitution of Central Information Commission.—**

- (1) The Central Government shall, by notification in the Official Gazette, constitute a body to be known as the Central Information Commission to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.
- (2) The Central Information Commission shall consist of—
  - (a) the Chief Information Commissioner; and
  - (b) such number of Central Information Commissioners, not exceeding ten, as may be deemed necessary.
- (3) The Chief Information Commissioner and Information Commissioners shall be appointed by the President on the recommendation of a committee consisting of—
  - (i) the Prime Minister, who shall be the Chairperson of the committee;
  - (ii) the Leader of Opposition in the Lok Sabha; and
  - (iii) a Union Cabinet Minister to be nominated by the Prime Minister.

Explanation.—For the purposes of removal of doubts, it is hereby declared that where the Leader of Opposition in the House of the People has not been recognized as such, the Leader of the single largest group in opposition of the Government in the House of the People shall be deemed to be the Leader of Opposition.
- (4) The general superintendence, direction and management of the affairs of the Central Information Commission shall vest in the Chief Information Commissioner who shall be assisted by the Information Commissioners and may exercise all such powers and do all such acts and things which may be exercised or done by the Central Information Commission autonomously without being subjected to directions by any other authority under this Act.
- (5) The Chief Information Commissioner and Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance.
- (6) The Chief Information Commissioner or an Information Commissioner shall not be a Member of Parliament or Member of the Legislature of any State or Union territory, as the case may be, or hold any other office of profit or

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connected with any political party or carrying on any business or pursuing any profession.

- (7) The headquarters of the Central Information Commission shall be at Delhi and the Central Information Commission may, with the previous approval of the Central Government, establish offices at other places in India.

**13. Term of Office and conditions of service.—**

- (1) The Chief Information Commissioner shall hold office **[for such term as may be prescribed by the Central Government]**<sup>1</sup> and shall not be eligible for reappointment:

Provided that no Chief Information Commissioner shall hold office as such after he has attained the age of sixty-five years.

- (2) Every Information Commissioner shall hold office **[for such term as may be prescribed by the Central Government]**<sup>2</sup> or till he attains the age of sixty-five years, whichever is earlier, and shall not be eligible for reappointment as such Information Commissioner:

Provided that every Information Commissioner shall, on vacating his office under this sub-section be eligible for appointment as the Chief Information Commissioner in the manner specified in sub-section (3) of section 12:

Provided further that where the Information Commissioner is appointed as the Chief Information Commissioner, his term of office shall not be more than five years in aggregate as the Information Commissioner and the Chief Information Commissioner.

- (3) The Chief Information Commissioner or an Information Commissioner shall before he enters upon his office make and subscribe before the President or some other person appointed by him in that behalf, an oath or affirmation according to the form set out for the purpose in the First Schedule.

- (4) The Chief Information Commissioner or an Information Commissioner may, at any time, by writing under his hand addressed to the President, resign from his office:

Provided that the Chief Information Commissioner or an Information Commissioner may be removed in the manner specified under section 14.

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<sup>1</sup> Substituted vide Notification Act No. 24 of 2019 dated 01.08.2019.

<sup>2</sup> Substituted vide Notification Act No. 24 of 2019 dated 01.08.2019.

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- (5) [The salaries and allowances payable to and other terms and conditions of service of the Chief Information Commissioner and the Information Commissioner shall be such may be prescribed by the Central Government: Provided that the salaries, allowances and other conditions of service of the Chief Information Commissioner or the Information Commissioners shall not be varied to their disadvantage after their appointment: Provided further that the Chief Information Commissioner and the Information Commissioners appointed before the commencement of the Right to Information (Amendment) Act, 2019 shall continue to be governed by the provisions of this Act and the rules made thereunder as if the Right to Information (Amendment) Act, 2019 had not come into force.]<sup>1</sup>
- (6) The Central Government shall provide the Chief Information Commissioner and the Information Commissioners with such officers and employees as may be necessary for the efficient performance of their functions under this Act, and the salaries and allowances payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

**14. Removal of Chief Information Commissioner and Information Commissioner.—**

- (1) Subject to the provisions of sub-section (3), the Chief Information Commissioner or any Information Commissioner shall be removed from his office only by order of the President on the ground of proved misbehaviour or incapacity after the Supreme Court, on a reference made to it by the President, has, on inquiry, reported that the Chief Information Commissioner or any Information Commissioner, as the case may be, ought on such ground be removed.
- (2) The President may suspend from office, and if deem necessary prohibit also from attending the office during inquiry, the Chief Information Commissioner or Information Commissioner in respect of whom a reference has been made to the Supreme Court under sub-section (1) until the President has passed orders on receipt of the report of the Supreme Court on such reference.

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<sup>1</sup>

Substituted vide Notification Act No. 24 of 2019 dated 01.08.2019.



- (3) Notwithstanding anything contained in sub-section (1), the President may by order remove from office the Chief Information Commissioner or any Information Commissioner if the Chief Information Commissioner or an Information Commissioner, as the case may be,—
- (a) is adjudged an insolvent; or
  - (b) has been convicted of an offence which, in the opinion of the President, involves moral turpitude; or
  - (c) engages during his term of office in any paid employment outside the duties of his office; or
  - (d) is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body; or
  - (e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chief Information Commissioner or an Information Commissioner.
- (4) If the Chief Information Commissioner or an Information Commissioner in any way, concerned or interested in any contract or agreement made by or on behalf of the Government of India or participates in any way in the profit thereof or in any benefit or emolument arising there from otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of sub-section (1), be deemed to be guilty of misbehavior.

## CHAPTER-IV (RTI Act, 2005)

### The State Information Commission

#### 15. Constitution of State Information Commission.—

- (1) Every State Government shall, by notification in the Official Gazette, constitute a body to be known as the ..... (name of the State) Information Commission to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.
- (2) The State Information Commission shall consist of—
  - (a) the State Chief Information Commissioner, and
  - (b) such number of State Information Commissioners, not exceeding ten, as may be deemed necessary.
- (3) The State Chief Information Commissioner and the State Information Commissioners shall be appointed by the Governor on the recommendation of a committee consisting of—
  - (i) the Chief Minister, who shall be the Chairperson of the committee;
  - (ii) the Leader of Opposition in the Legislative Assembly; and
  - (iii) a Cabinet Minister to be nominated by the Chief Minister.

*Explanation.— For the purposes of removal of doubts, it is hereby declared that where the Leader of Opposition in the Legislative Assembly has not been recognized as such, the Leader of the single largest group in opposition of the Government in the Legislative Assembly shall be deemed to be the Leader of Opposition.*

- (4) The general superintendence, direction and management of the affairs of the State Information Commission shall vest in the State Chief Information Commissioner who shall be assisted by the State Information Commissioners and may exercise all such powers and do all such acts and things which may be exercised or done by the State Information Commission autonomously without being subjected to directions by any other authority under this Act.
- (5) The State Chief Information Commissioner and the State Information Commissioners shall be persons of eminence in public life with wide knowledge and experience in law, science and technology, social service, management, journalism, mass media or administration and governance.

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- (6) The State Chief Information Commissioner or a State Information Commissioner shall not be a Member of Parliament or Member of the Legislature of any State or Union territory, as the case may be, or hold any other office of profit or connected with any political party or carrying on any business or pursuing any profession.
- (7) The headquarters of the State Information Commission shall be at such place in the State as the State Government may, by notification in the Official Gazette, specify and the State Information Commission may, with the previous approval of the State Government, establish offices at other places in the State.

**16. Term of office and conditions of service.—**

- (1) The State Chief Information Commissioner shall hold office **[for such term as may be prescribed by the Central Government]**<sup>1</sup> and shall not be eligible for reappointment:  
Provided that no State Chief Information Commissioner shall hold office as such after he has attained the age of sixty-five years.
- (2) Every State Information Commissioner shall hold office **[for such term as may be prescribed by the Central Government]**<sup>2</sup> or till he attains the age of sixty-five years, whichever is earlier, and shall not be eligible for reappointment as such State Information Commissioner:  
Provided that every State Information Commissioner shall, on vacating his office under this sub-section, be eligible for appointment as the State Chief Information Commissioner in the manner specified in sub-section (3) of section 15:  
Provided further that where the State Information Commissioner is appointed as the State Chief Information Commissioner, his term of office shall not be more than five years in aggregate as the State Information Commissioner and the State Chief Information Commissioner.
- (3) The State Chief Information Commissioner or a State Information Commissioner, shall before he enters upon his office make and subscribe before the Governor or some other person appointed by him in that behalf, an

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<sup>1</sup> Substituted vide Notification Act No. 24 of 2019 dated 01.08.2019.

<sup>2</sup> Substituted vide Notification Act No. 24 of 2019 dated 01.08.2019.

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oath or affirmation according to the form set out for the purpose in the First Schedule.

- (4) The State Chief Information Commissioner or a State Information Commissioner may, at any time, by writing under his hand addressed to the Governor, resign from his office:

Provided that the State Chief Information Commissioner or a State Information Commissioner may be removed in the manner specified under section 17.

- (5) [The salaries and allowances payable to and other terms and conditions of service of the State Chief Information Commissioner and the State Information Commissioner shall be such may be prescribed by the Central Government:

Provided that the salaries, allowances and other conditions of service of the State Chief Information Commissioner or the State Information Commissioners shall not be varied to their disadvantage after their appointment:

Provided further that the State Chief Information Commissioner and the State Information Commissioners appointed before the commencement of the Right to Information (Amendment) Act, 2019 shall continue to be governed by the provisions of this Act and the rules made thereunder as if the Right to Information (Amendment) Act, 2019 had not come into force.]<sup>1</sup>

- (6) The State Government shall provide the State Chief Information Commissioner and the State Information Commissioners with such officers and employees as may be necessary for the efficient performance of their functions under this Act, and the salaries and allowances payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

## **17. Removal of State Chief Information Commissioner or State Information Commissioner.—**

- (1) Subject to the provisions of sub-section (3), the State Chief Information Commissioner or a State Information Commissioner shall be removed from his office only by order of the Governor on the ground of proved misbehaviour or incapacity after the Supreme Court, on a reference made to it by the Governor, has on inquiry, reported that the State Chief Information

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<sup>1</sup>

Substituted vide Notification Act No. 24 of 2019 dated 01.08.2019.

Commissioner or a State Information Commissioner, as the case may be, ought on such ground be removed.

- (2) The Governor may suspend from office, and if deem necessary prohibit also from attending the office during inquiry, the State Chief Information Commissioner or a State Information Commissioner in respect of whom a reference has been made to the Supreme Court under sub-section (1) until the Governor has passed orders on receipt of the report of the Supreme Court on such reference.
- (3) Notwithstanding anything contained in sub-section (1), the Governor may by order remove from office the State Chief Information Commissioner or a State Information Commissioner if a State Chief Information Commissioner or a State Information Commissioner, as the case may be,—
  - (a) is adjudged an insolvent; or
  - (b) has been convicted of an offence which, in the opinion of the Governor, involves moral turpitude; or
  - (c) engages during his term of office in any paid employment outside the duties of his office; or
  - (d) is, in the opinion of the Governor, unfit to continue in office by reason of infirmity of mind or body; or
  - (e) has acquired such financial or other interest as is likely to affect prejudicially his functions as the State Chief Information Commissioner or a State Information Commissioner.
- (4) If the State Chief Information Commissioner or a State Information Commissioner in any way, concerned or interested in any contract or agreement made by or on behalf of the Government of the State or participates in any way in the profit thereof or in any benefit or emoluments arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of sub-section (1), be deemed to be guilty of misbehaviour.

## **CHAPTER-V (RTI Act, 2005)**

### **Powers and functions of the Information Commissions, appeal and penalties**

#### **18. Powers and functions of Information Commissions.—**

- (1) Subject to the provisions of this Act, it shall be the duty of the Central Information Commission or State Information Commission, as the case may be, to receive and inquire into a complaint from any person,—
  - (a) who has been unable to submit a request to a Central Public Information Officer or State Public Information Officer, as the case may be, either by reason that no such officer has been appointed under this Act, or because the Central Assistant Public Information Officer or State Assistant Public Information Officer, as the case may be, has refused to accept his or her application for information or appeal under this Act for forwarding the same to the Central Public Information Officer or State Public Information Officer or senior officer specified in sub-section (1) of section 19 or the Central Information Commission or the State Information Commission, as the case may be;
  - (b) who has been refused access to any information requested under this Act;
  - (c) who has not been given a response to a request for information or access to information within the time limit specified under this Act;
  - (d) who has been required to pay an amount of fee which he or she considers unreasonable;
  - (e) who believes that he or she has been given incomplete, misleading or false information under this Act; and
  - (f) in respect of any other matter relating to requesting or obtaining access to records under this Act.
- (2) Where the Central Information Commission or State Information Commission, as the case may be, is satisfied that there are reasonable grounds to inquire into the matter, it may initiate an inquiry in respect thereof.
- (3) The Central Information Commission or State Information Commission, as the case may be, shall, while inquiring into any matter under this section, have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or things;
  - (b) requiring the discovery and inspection of documents;
  - (c) receiving evidence on affidavit;
  - (d) requisitioning any public record or copies thereof from any court or office;
  - (e) issuing summons for examination of witnesses or documents; and
  - (f) any other matter which may be prescribed.
- (4) Notwithstanding anything inconsistent contained in any other Act of Parliament or State Legislature, as the case may be, the Central Information Commission or the State Information Commission, as the case may be, may, during the inquiry of any complaint under this Act, examine any record to which this Act applies which is under the control of the public authority, and no such record may be withheld from it on any grounds.

**19. Appeal.—**

- (1) Any person who, does not receive a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of section 7, or is aggrieved by a decision of the Central Public Information Officer or State Public Information Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or State Public Information Officer as the case may be, in each public authority:
- Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
- (2) Where an appeal is preferred against an order made by a Central Public Information Officer or a State Public Information Officer, as the case may be, under section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.
- (3) A second appeal against the decision under sub-section (1) shall lie within ninety days from the date on which the decision should have been made or

was actually received, with the Central Information Commission or the State Information Commission:

Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

- (4) If the decision of the Central Public Information Officer or State Public Information Officer, as the case may be, against which an appeal is preferred relates to information of a third party, the Central Information Commission or State Information Commission, as the case may be, shall give a reasonable opportunity of being heard to that third party.
- (5) In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request.
- (6) An appeal under sub-section (1) or sub-section (2) shall be disposed of within thirty days of the receipt of the appeal or within such extended period not exceeding a total of forty-five days from the date of filing thereof, as the case may be, for reasons to be recorded in writing.
- (7) The decision of the Central Information Commission or State Information Commission, as the case may be, shall be binding.
- (8) In its decision, the Central Information Commission or State Information Commission, as the case may be, has the power to—
  - (a) require the public authority to take any such steps as may be necessary to secure compliance with the provisions of this Act, including—
    - (i) by providing access to information, if so requested, in a particular form;
    - (ii) by appointing a Central Public Information Officer or State Public Information Officer, as the case may be;
    - (iii) by publishing certain information or categories of information;
    - (iv) by making necessary changes to its practices in relation to the maintenance, management and destruction of records;
    - (v) by enhancing the provision of training on the right to information for its officials;
    - (vi) by providing it with an annual report in compliance with clause (b) of sub-section (1) of section 4;



- (b) require the public authority to compensate the complainant for any loss or other detriment suffered;
  - (c) impose any of the penalties provided under this Act;
  - (d) reject the application.
- (9) The Central Information Commission or State Information Commission, as the case may be, shall give notice of its decision, including any right of appeal, to the complainant and the public authority.
- (10) The Central Information Commission or State Information Commission, as the case may be, shall decide the appeal in accordance with such procedure as may be prescribed.

**20. Penalties.—**

- (1) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees:
- Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him:
- Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer or the State Public Information Officer, as the case may be.
- (2) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause and persistently, failed to receive an application for information or has

not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall recommend for disciplinary action against the Central Public Information Officer or the State Public Information Officer, as the case may be, under the service rules applicable to him.

## **CHAPTER-VI (RTI Act, 2005)**

### **Miscellaneous**

**21. Protection of action taken in good faith.—**

No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

**22. Act to have overriding effect.—**

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923, and any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

**23. Bar of justification of courts.—**

No court shall entertain any suit, application or other proceeding in respect of any order made under this Act and no such order shall be called in question otherwise than by way of an appeal under this Act.

**24. Act not to apply to certain Organisations.—**

(1) Nothing contained in this Act shall apply to the intelligence and security organisations specified in the Second Schedule, being organisations established by the Central Government or any information furnished by such organisations to that Government:

Provided that the information pertaining to the allegations of corruption and human rights violations shall not be excluded under this sub-section:

Provided further that in the case of information sought for is in respect of allegations of violation of human rights, the information shall only be provided

after the approval of the Central Information Commission, and notwithstanding anything contained in section 7, such information shall be provided within forty-five days from the date of the receipt of request.

- (2) The Central Government may, by notification in the Official Gazette, amend the Schedule by including therein any other intelligence or security organisation established by that Government or omitting therefrom any organisation already specified therein and on the publication of such notification, such organisation shall be deemed to be included in or, as the case may be, omitted from the Schedule.
- (3) Every notification issued under sub-section (2) shall be laid before each House of Parliament.
- (4) Nothing contained in this Act shall apply to such intelligence and security organisation being organisations established by the State Government, as that Government may, from time to time, by notification in the Official Gazette, specify:  
Provided that the information pertaining to the allegations of corruption and human rights violations shall not be excluded under this sub-section:  
Provided further that in the case of information sought for is in respect of allegations of violation of human rights, the information shall only be provided after the approval of the State Information Commission and, notwithstanding anything contained in section 7, such information shall be provided within forty-five days from the date of the receipt of request.
- (5) Every notification issued under sub-section (4) shall be laid before the State Legislature.

## **25. Monitoring and Reporting.—**

- (1) The Central Information Commission or State Information Commission, as the case may be, shall, as soon as practicable after the end of each year, prepare a report on the implementation of the provisions of this Act during that year and forward a copy thereof to the appropriate Government.
- (2) Each Ministry or Department shall, in relation to the public authorities within their jurisdiction, collect and provide such information to the Central Information Commission or State Information Commission, as the case may be, as is required to prepare the report under this section and comply with the

requirements concerning the furnishing of that information and keeping of records for the purposes of this section.

- (3) Each report shall state in respect of the year to which the report relates,—
  - (a) the number of requests made to each public authority;
  - (b) the number of decisions where applicants were not entitled to access to the documents pursuant to the requests, the provisions of this Act under which these decisions were made and the number of times such provisions were invoked;
  - (c) the number of appeals referred to the Central Information Commission or State Information Commission, as the case may be, for review, the nature of the appeals and the outcome of the appeals;
  - (d) particulars of any disciplinary action taken against any officer in respect of the administration of this Act;
  - (e) the amount of charges collected by each public authority under this Act;
  - (f) any facts which indicate an effort by the public authorities to administer and implement the spirit and intention of this Act;
  - (g) recommendations for reform, including recommendations in respect of the particular public authorities, for the development, improvement, modernisation, reform or amendment to this Act or other legislation or common law or any other matter relevant for operationalising the right to access information.
- (4) The Central Government or the State Government, as the case may be, may, as soon as practicable after the end of each year, cause a copy of the report of the Central Information Commission or the State Information Commission, as the case may be, referred to in sub-section (1) to be laid before each House of Parliament or, as the case may be, before each House of the State Legislature, where there are two Houses, and where there is one House of the State Legislature before that House.
- (5) If it appears to the Central Information Commission or State Information Commission, as the case may be, that the practice of a public authority in relation to the exercise of its functions under this Act does not conform with the provisions or spirit of this Act, it may give to the authority a recommendation specifying the steps which ought in its opinion to be taken for promoting such conformity.

**26. Appropriate Government to prepare programmes.—**

- (1) The appropriate Government may, to the extent of availability of financial and other resources,—
  - (a) develop and organise educational programmes to advance the understanding of the public, in particular of disadvantaged communities as to how to exercise the rights contemplated under this Act;
  - (b) encourage public authorities to participate in the development and organisation of programmes referred to in clause (a) and to undertake such programmes themselves;
  - (c) promote timely and effective dissemination of accurate information by public authorities about their activities; and
  - (d) train Central Public Information Officers or State Public Information Officers, as the case may be, of public authorities and produce relevant training materials for use by the public authorities themselves.
- (2) The appropriate Government shall, within eighteen months from the commencement of this Act, compile in its official language a guide containing such information, in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right specified in this Act.
- (3) The appropriate Government shall, if necessary, update and publish the guidelines referred to in sub-section (2) at regular intervals which shall, in particular and without prejudice to the generality of sub-section (2), include—
  - (a) the objects of this Act;
  - (b) the postal and street address, the phone and fax number and, if available, electronic mail address of the Central Public Information Officer or State Public Information Officer, as the case may be, of every public authority appointed under sub-section (1) of section 5;
  - (c) the manner and the form in which request for access to an information shall be made to a Central Public Information Officer or State Public Information Officer, as the case may be;
  - (d) the assistance available from and the duties of the Central Public Information Officer or State Public Information Officer, as the case may be, of a public authority under this Act;
  - (e) the assistance available from the Central Information Commission or State Information Commission, as the case may be;

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- (f) all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by this Act including the manner of filing an appeal to the Commission;
  - (g) the provisions providing for the voluntary disclosure of categories of records in accordance with section 4;
  - (h) the notices regarding fees to be paid in relation to requests for access to an information; and
  - (i) any additional regulations or circulars made or issued in relation to obtaining access to an information in accordance with this Act.
- (4) The appropriate Government must, if necessary, update and publish the guidelines at regular intervals.

**27. Powers to make rules by Appropriate Government.—**

- (1) The appropriate Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—
  - (a) the cost of the medium or print cost price of the materials to be disseminated under sub-section (4) of section 4;
  - (b) the fee payable under sub-section (1) of section 6;
  - (c) the fee payable under sub-sections (1) and (5) of section 7;
  - [(ca) the term of office of the Chief Information Commissioner and Information Commissioners under sub-sections (1) and (2) of section 13 and the State Chief Information Commissioner and State Information Commissioners under sub-sections (1) and (2) of section 16;
  - (cb) the salaries, allowances and other terms and conditions of service of the Chief Information Commissioner and the Information Commissioner and the State Information Commissioners under sub-section (5) of section 16;]<sup>1</sup>
  - (d) the salaries and allowances payable to and the terms and conditions of service of the officers and other employees under sub-section (6) of section 13 and sub-section (6) of section 16;
  - (e) the procedure to be adopted by the Central Information Commission or State Information Commission, as the case may be, in deciding the appeals under sub-section (10) of section 19; and

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<sup>1</sup>

Inserted vide Notification Act No. 24 of 2019 dated 01.08.2019.

- (f) any other matter which is required to be, or may be, prescribed.

**28. Powers to make rules by Competent Authority.—**

- (1) The competent authority may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—
  - (i) the cost of the medium or print cost price of the materials to be disseminated under sub-section (4) of section 4;
  - (ii) the fee payable under sub-section (1) of section 6;
  - (iii) the fee payable under sub-section (1) of section 7; and
  - (iv) any other matter which is required to be, or may be, prescribed.

**29. Laying of Rules.—**

- (1) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
- (2) Every rule made under this Act by a State Government shall be laid, as soon as may be after it is notified, before the State Legislature.

**30. Power to remove difficulties.—**

- (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removal of the difficulty:  
Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.
- (2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

**31. Repeal.—**

The Freedom of Information Act, 2002 is hereby repealed.

**THE FIRST SCHEDULE (RTI Act, 2005)**

**[See sections 13(3) and 16(3)]**

**Form of oath or affirmation to be made by the Chief Information Commissioner/the Information Commissioner/the State Chief Information Commissioner/the State Information Commissioner**

"I, .....,having been appointed Chief Information Commissioner/Information Commissioner/ State Chief Information Commissioner/State Information Commissioner swear in the name of God solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will duly and faithfully and to the best of my ability, knowledge and judgment perform the duties of my office without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws".



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**THE SECOND SCHEDULE (RTI Act, 2005)**

**(See section 24)**

Intelligence and security organisation established by the Central Government

1. Intelligence Bureau.
2. Research and Analysis Wing of the Cabinet Secretariat.
3. Directorate of Revenue Intelligence.
4. Central Economic Intelligence Bureau.
5. Directorate of Enforcement.
6. Narcotics Control Bureau.
7. Aviation Research Centre.
8. Special Frontier Force.
9. Border Security Force.
10. Central Reserve Police Force.
11. Indo-Tibetan Border Police.
12. Central Industrial Security Force.
13. National Security Guards.
14. Assam Rifles.
15. **[Sashtra Seema Bal]<sup>1</sup>**
16. **[Directorate General Income Tax “Investigation.”]<sup>2</sup>**
17. **[National Technical Research Organisation.]<sup>3</sup>**
18. **[Financial Intelligence Unit, India.]<sup>4</sup>**
19. **Special Protection Group.**
20. **Defence Research & Development Organisation.**
21. **Border Road Development Board.]<sup>5</sup>**
- [22.]<sup>6</sup>**

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<sup>1</sup> Substituted vide Notification dated 28.09.2005.

<sup>2</sup> Substituted vide Notification dated 27.03.2008.

<sup>3</sup> Substituted vide Notification dated 27.03.2008.

<sup>4</sup> Substituted vide Notification dated 27.03.2008.

<sup>5</sup> Inserted vide Notification dated 28.09.2005.

<sup>6</sup> Inserted vide Notification dated 28.09.2005 but Omitted vide Notification dated 27.03.2008.

## Annexure-B

(See Para 21.8 )

### Register of requests for information received & disposed under RTI Act, 2005.

(w.e.f. 01.01.2021 to 31.12.2021) (Calendar Year)										
Sr. No.	Name of Public Authority	Number of requests received	Number of requests rejected (reasons in brief) as per provisions	Number of complaints/appeals referred to the State Information Commission	Particulars of any disciplinary action taken against any official on account of violation of RTI Act		The amount of charges collected		Factual report of the efforts made by the Public Authorities to administer and implement the spirit and intention of this Act.	Recommendations. If any, received for the development/improvement/modernisation/reform or amendment to this Act or other legislation or common law or any other matter relevant to RTI Act and action taken thereon.
	1	2	3	4	5		6		7	8
			(a) (b)		(a)	(b)	(a)	(b)		
			u/s u/s		On the recommendation of the Commission	Otherwise	Application charges u/s 6(1)	Documentation charges u/s 7(3)		

**Annexure-C**

**Haryana Right to Information Rules, 2009**  
(Amendments incorporated upto 12<sup>th</sup> April, 2021)

**HARYANA GOVERNMENT**  
**ADMINISTRATIVE REFORMS DEPARTMENT**

**Notification**

**The 21<sup>st</sup> December, 2009**

**No. S.O.99/C.A.22/2005/S.27/2009.—** In exercise of the powers conferred by sub-section (1) read with sub-section (2) of section 27 of the Right to Information Act, 2005 (Act 22 of 2005), the Governor of Haryana hereby makes the following rules providing for information under the said Act, namely :-

**1. Short title and Commencement.—**

- (1) These rules may be called the Haryana Right to Information Rules, 2009.
- (2) They shall come into force from 1st January, 2010.

**2. Definitions.—**

- (1) In these rules, unless the context otherwise requires,
  - (a) “Act” means the Right to Information Act, 2005 (Act 22 of 2005);
  - (b) “Commission” means the Haryana Information Commission, constituted under section 15 of the Act;
  - (c) “Model Form” means a model form appended to these rules;
  - (d) “section” means the section of the Act.
- (2) The words and expressions used in these rules, but not defined, shall have the same meanings as respectively assigned to them in the Act.

**3. Application for obtaining information sections 2 (m), 6 and 27.—**

- (1) A person who desires to obtain any information admissible under the Act, shall make an application, preferably in Model Form ‘A’ to the State Public Information Officer and in his absence to State Assistant Public Information Officer along-with fee as specified in sub-rule (1) of rule 5 of these rules.

- (2) On the receipt of any application, made under sub-rule (1), the State Public Information Officer or State Assistant Public Information Officer as the case may be, shall give a receipt in token thereof to the applicant.

**4. Deposit of fee, section 6.—**

- (1) The fee shall be deposited with the State Public Information Officer either in Cash against proper receipt, by Bank Draft, by Indian Postal Order or by Treasury Challan in the following Heads of Account:-

Major Head	0070-Other Administrative Services
Sub Major Head	60-Other Services
Minor Head	800-Other Receipts
Sub Head	86-Fee under the Right to Information Act, 2005.
Detailed Head	"0070-Other Administrative Services-60-Other Services- 800-Other Receipts-86-Fee under the Right to Information Act, 2005".

- (2) The amount of fee shall be credited to the account as referred in sub-rule (1):  
Provided that the Boards, Corporations and other autonomous bodies of the State may get the amount of requisite fee deposited in their own accounts maintained by them.
- (3) On receipt of an application, submitted under sub-rule (1) of rule 3, the State Public Information Officer shall scrutinize the application and shall assess how much fee is required to be paid by the applicant for obtaining the information.
- (4) The fee assessed under sub-rule (3), shall be intimated to the applicant by the State Public Information Officer, expeditiously, in Model Form 'B' to ensure the delivery of information within time specified under sub-section (1) of section 7 of the Act.
- (5) In case the applicant fails to deposit the requisite fee within a period of fifteen days after the issuance of the intimation given to him under sub-rule (4), it shall be construed that the applicant is no longer interested in obtaining the information sought for and his application shall be deemed to have been filed.

**5. Quantum of fee, sections 6 and 7.—**

- (1) An application for obtaining any information under sub-section (1) of the section 6 shall be accompanied with a fee of Rs.10/-.

- 
- (2) For providing information under sub-section (1) of section 7, the fee shall be charged from the applicant at the following rates, namely:-
- (a) Rs. 2/- for each page in A-4 or A-3 size paper, created or copied; and
  - (b) if information is to be provided on a large size of paper than that specified in clause (a), the actual cost shall be charged.
- (3) For providing information under sub-section (5) of section 7, the fee shall be charged from the applicant at the following rates, namely:-
- (a) Rs. 50/- for providing information in a floppy;
  - (b) Rs. 50/- for providing information in diskette; and
  - (c) if information sought is of such a nature, which is contained in a printed document, of which a price has been fixed, then that information shall be provided after charging the price, fixed for that printed document. However, if only an extract or page of such a printed document is asked for, then a fee of Rs. 2/- per page shall be charged.
- (4) No fee for inspection of record shall be charged, if such an inspection is made for one hour only. However, if inspection is made for a period of more than one hour, then a fee of five rupees shall be charged for every subsequent hour or fraction thereof.]<sup>1</sup>

**6. Procedure for filing appeals, section 19(1) and (3).—**

- (1) The memorandum of appeal shall contain the following information, namely:-
- (a) name and address of the appellant, including the details of contact telephone/mobile Numbers/e-mail address, if any;
  - (b) official designation and address of State Public Information Officer or State Assistant Public Information Officer, as the case may be;
  - (c) official designation and address of the Officer against the decision of whom the appeal is preferred;
  - (d) particulars of the order including number; if any, against which the appeal is preferred;
  - (e) brief facts leading to the appeal
  - (f) prayer or relief sought;
  - (g) grounds for the prayer or relief
  - (h) verification by the appellant; and

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<sup>1</sup>

Substituted vide notification No. 5/4/2008-1AR, Dated 18.03.2016

- (i) any other information which the Commission may deem necessary for deciding the appeal.
- (2) The appellant shall submit three copies of the memorandum of appeal for official purpose.
- (3) Every appeal made to the Commission shall be accompanied by the following documents, namely:-
  - (a) self-attested copies of the Orders or documents against which the appeal is being preferred;
  - (b) copies of documents relied upon by the appellant and referred to in the appeal; and
  - (c) an index of the documents referred to in the appeal:

Provided that in case complete documents are not furnished, the appeal shall not be rejected but the appellant shall be asked to complete the above formalities.

**7. Procedure for deciding appeal, Section 19(10).—**

Before deciding an appeal, the Commission shall, -

- (a) serve notice to the concerned persons;
- (b) entertain any evidence in support of appeal, which may be oral or in writing from the concerned persons;
- (c) examine on oath or an affidavit from the persons concerned;
- (d) examine the documents or any records or copies thereof;
- (e) inquire through the authorized office the facts of the appeal or may require facts in detail, if he so deems appropriate, hear the State Public Information Officer or any other senior officer who had decided the first appeal, as the case may be; and
- (f) receive evidence on affidavits from the State Public Information Officer or any senior officer who had decided the appeal or from any other person from whom the evidence may be deemed necessary.

**8. Mode of serving notice, Section 19(10).—**

The Commission may serve notice to the persons concerned in any of the following modes, namely:-

- (a) by hand delivery (dasti) through process server;
- (b) by Registered Post, Speed Post, Under Postal Certificate, Courier or such other means;
- (c) by electronic mail, if e-mail address is provided; or

(d) by publication in the newspaper.

**9. Appearance of Appellant/Complainant, Section 19.—**

The appellant or the complainant, as the case may be, shall in every case be informed of the date of hearing at least 15 clear days before that date. If the complaint/ appellant fails to appear on the date of hearing, the Commission will decide the matter on merits:

Provided that where the Commission is satisfied that the circumstances exist due to which the complainant or appellant is being prevented from attending the hearing, then, he may afford the complainant or appellant another opportunity of being heard before taking a final decision.

**10. Order by Commission, section 19(10).—**

- (1) The Commission shall make order in writing and pronounce the same in the Commission in the presence of the concerned parties.
- (2) The Commission may, at the time of deciding any complaint/appeal, impose penalty on a State Public Information Officer in accordance with the provisions of section 20 of the Act.
- (3) A copy of the order of the Commission imposing penalty on a State Public Information Officer shall be forwarded to the Registrar. After receipt of such order, the Registrar shall enter the details thereof in a register maintained for the purpose in Form 'C'.
- (4) The penalty order shall be conveyed by the Registrar vide a letter in Form 'D' to the controlling authority concerned for recovery of the penalty amount from the salary of the State Public Information Officer and for the deposit of this amount in the following head of account, by the date fixed namely:-

Major Head	0070- Other Administrative services
Sub Head	Major 60-Other Services
Minor Head	118- Receipts under Right to Information Act, 2005 (Central) Act 22 of 2005)
Sub Head	98- Penalties imposed under Right to Information Act, 2005 (Central Act 22 of 2005)
Detailed Head	51-NA
Object Head	00-No Standard Object Head

- (5) The Government shall make necessary arrangements to ensure recovery of the penalty amount from the State Public Information Officer concerned in compliance of the order of the Commission.
- (6) The Registrar shall be responsible for following up each such matter in which the Commission has imposed penalty on any State Public Information Officer, till compliance report is received.
- (7) The party concerned may obtain the copy of the order from the Commission.]<sup>1</sup>

**11. Repeal and Saving.—**

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.

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<sup>1</sup>

Substituted vide Notification No. 5/52/2016-1AR, dated 3<sup>rd</sup> July, 2018.



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**<sup>1</sup>[MODEL FORM 'A']**  
[See rule 3(1)]

To

State Public Information Officer/  
State Assistant Public Information Officer,  
\_\_\_\_\_Name of the office with address)

- (1) Full Name of the applicant:
- (2) Address alongwith following ID :  
(Aadhaar Card, Passport, Voter Card, Pan Card,  
PPP ID, Government issued Identity Card)
- (3) Particulars of information required—
  - (i) Subject matter of information<sup>2</sup>:
  - (ii) The period to which the information relates<sup>3</sup>:
  - (iii) Description of the information required<sup>4</sup>:
  - (iv) Whether information is required by post or in person:  
(the actual postal charges shall be included in additional fee)
  - (v) In case by post (Ordinary, Registered or Speed post):

Place:

Date:

Signature of the applicant.

**ACKNOWLEDGEMENT**

Received your application dated.....Vide diary No.....  
dated.....

Signature of State Public Information Officer/  
State Assistant Public Information Officer  
(Name of the Department/Office).....

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<sup>1</sup> Model Form A substituted vide Notification dated 12.04.2021.

<sup>2</sup> Broad category of the subject to be indicated (such as Grant/ Government Land/ Service matters/ Licences etc.).

<sup>3</sup> Relevant period for which information is required to be indicated.

<sup>4</sup> Specific details of the information are required to be indicated.

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**MODEL FORM 'B'**

[See rule 4(4)]

From

Designation of the State Public  
Information Officer.

To

Name of the applicant  
Address of the applicant.

Sir,

Please refer to your application dated..... Addressed to the undersigned requesting for information under Right to Information Act, 2005.

1. The additional fee for supplying this information is Rs.....
2. You are requested to pay the fee through any of the mode of payment i.e. either in Cash against proper receipt, by Bank Draft, by Indian Postal Order or by Treasury Challan as mentioned in rule 4(1) of the Haryana Right to Information Rules, 2009 and send a copy of proof thereof to this office so that the requisite information can be supplied to you.
3. In case you are dissatisfied with the above estimate, you are requested to submit an appeal before the Appellate Authority, .....(Name of the department).

State Public Information Officer.

**[Form 'C']**

[see rule 10(2)]

Register of penalties imposed under section 20 of the Right to Information Act, 2005.

Sr. No.	Registration of number of complaint/appeal	Name of the bench which passed the penalty order	Date of order	Amount of penalty imposed with details of Installments, if any	Name and address of complainant/appellant	Name (if available), designation and address of State Public Information Officer against whom penalty imposed	Date on which compliance of penalty order reported	Remarks] <sup>1</sup>
1	2	3	4	5	6	7	8	9

**[FORM 'D']**

[see Rule 10(3)]

State Information Commission, Haryana.

Complaint/Appeal Registration No.....

Sh./Smt.....Complainant/Appellant

Vs

.....Opposite Party

From: Registrar

State Information Commission, Haryana

.....

.....

Chandigarh

To :

.....

.....

(Name, Designation and address of officer who will recover the penalty imposed)

<sup>1</sup> Inserted vide Notification No. 5/52/2016-1AR, dated 3<sup>rd</sup> July, 2018.

Whereas a complaint/second appeal was presented by Sh./Smt..... resident of ..... (address) and was registered in this Commission as above;

And whereas the aforesaid complaint/appeal has been decided by the bench of Sh./Smt..... who is exercise of powers vested under section 20 of the Right to Information Act, 2005 has ordered imposition of penalty on the State Public Information Officer concerned as follows:

- (a) Name (if available), designation and address ..... of the SPIO on whom penalty imposed .....
- (b) Amount of penalty imposed with details of ..... Installments fixed, if any. ....

A copy of the aforesaid order is annexed.

Now therefore, you are requested to ensure compliance of the aforesaid order by deduction of the amount of the penalty as aforesaid from the salary of the SPIO concerned and deposit the amount so recovered in the following head of account:

Major Head	0070- Other Administrative services
Sub Major Head	60-Other Services
Minor Head	118- Receipts under Right to Information Act, 2005 (Central) Act 22 of 2005)
Sub Head	98- Penalties imposed under Right to Information Act, 2005 (Central Act 22 of 2005)
Detailed Head	51-NA
Object Head	00-No Standard Object Head

You are further requested to send a report on action taken in compliance of aforesaid order of the Commission within three months of the date of this letter.

Date:

Registrar,  
State Information Commission, Haryana.]<sup>1</sup>

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<sup>1</sup> Inserted vide Notification No. 5/52/2016-1AR, dated 3<sup>rd</sup> July, 2018.

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**Annexure-D**  
**Main Instructions regarding RTI Act, 2005**

**No. 5/52/2016-1AR**  
**Government of Haryana**  
**Chief Secretary's Office**  
**Administrative Reforms Department**

**Dated Chandigarh the, 14<sup>th</sup> August, 2018**

To

- (i) All the Administrative Secretaries to Govt. Haryana,
- (ii) All the Head of Departments in Haryana,

**Subject: Appointment of State Public Information Officer and First Appellate Authority under RTI Act, 2005.**

Sir/Madam,

I am directed to address you on the subject cited above and to say that to ensure quality and authenticity of information under the RTI Act, 2005 Government has decided that State Public Information Officer and First Appellate Authority at State Head Quarter shall be as under:-

<b>Departments</b>	<b>SPIO</b>	<b>First Appellate Authority</b>
Haryana Civil Secretariat and FC Office	Under Secretary	Joint Secretary/Special Secretary/Secretary
Directorates Public Works Department/Engineering Departments	Executive Engineer	Chief Engineer
Other Directorates	Joint Director	Additional Director/Director

You are, therefore, requested to issue appointment order of State Public Information Officer and First Appellate Authority, accordingly.

Yours faithfully,

Sd/-

(Santosh Kumari)

Under Secretary Administrative Reforms,  
for Chief Secretary to Govt., Haryana  
Office Telephone No. 2740001, 2740226, Ext. 8818,  
e-mail address: [admreformshry@gmail.com](mailto:admreformshry@gmail.com).

No. 5/52/2016-1AR

**Government of Haryana  
Chief Secretary's Office  
Administrative Reforms Department**

**Dated Chandigarh the, 05<sup>th</sup> December, 2018**

To

- (i) All the Administrative Secretaries to Govt. Haryana.
- (ii) All Head of Departments in Haryana.
- (iii) All the Chief Administrators and Managing Directors of Boards/Corporations in Haryana.

**Subject: Appointment of SPIO notified under the RTI Act, 2005.**

Sir/Madam,

I am directed to address you on the subject cited above and to say that Govt. has decided that no State Public Information Officer (SPIO) notified under the RTI Act, 2005 should be below Group 'B' officer in any Administrative Department(s)/ Board(s)/ Corporation(s) Authorities or any entity to which the provisions of the Act apply.

It has further been decided that till Govt. is apprised of this having been done by every Administrative Secretary, it may be ensured that all HoD(s) concerned personally check every draft reply to every pending application under RTI Act for its authenticity. Further, if the requisite notification(s) are not but in place by 14.12.2018 for any entity, the Administrative Secretary shall himself check every draft reply from 15.12.2018 onwards till the issuance of the requisition notification(s).

This may kindly be brought to the notice of all concerned for compliance.

Yours faithfully,

Sd/-

(Santosh Kumari)

Under Secretary, Administrative Reforms,  
for Chief Secretary to Government, Haryana.

Rax 2740001, 2740226, Ext. 8818.

E-mail address: admnreformshry@gmail.com

**No.5/52/2016-1AR  
Haryana Government  
Chief Secretary's Office  
Administrative Reforms Department.**

**Dated Chandigarh the 08<sup>th</sup> October, 2018.**

To

- (i) All the Administrative Secretaries to Govt. Haryana,
- (ii) All the Head of Departments in Haryana,

**Subject: Disclosure of Personal information under the RTI Act, 2005.**

Sir/Madam,

I am directed to address you on the subject cited above and to inform you that state Information commission, Haryana has noticed that Hon'ble Supreme court of India in the matter of Girish R. Deshpande Vs CIC and others SLP(C) no 27734/2012 ) has held as under:- "The performance of an employee/officer in an organisation is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information" the disclosure of which has no relationship to any public activity, or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of the privacy of that individual". The Supreme Court further held that such information could be disclosed only if it would serve a larger public interest. Keeping in view the above decision of the Hon'ble Supreme court of India, the State Information Commission has decided that information about the complaint made against an officer of the Government and any possible action the authorities might have taken on those complaint qualifies as personal information within the meaning of provision of section 8(1J)) of the RTI Act, 2005. You are therefore, requested to bring the above in the notice of all concerned/SPIOs under your control for compliance.

Yours faithfully,

Sd/-

(Santosh Kumari)  
Under Secretary (Administrative Reforms)  
for Chief Secretary to Govt., Haryana  
Office Telephone No. 2740001, 2740226, Ext. 8818,  
e-mail address: [admnrreformshry@gmail.com](mailto:admnrreformshry@gmail.com)

**No.5/52/2016-1AR**  
**Haryana Government**  
**Chief Secretary's Office**  
**Administrative Reforms Department**

**Dated Chandigarh the 08<sup>th</sup> October, 2018**

To

- (i) All Administrative Secretaries to Govt. Haryana
- (ii) All the Head of Departments in Haryana

**Subject: Disposal of First Appeals under the RTI Act, 2005**

Sir/Madam,

I am directed to address you on the subject cited above and to inform you that State Information Commission, Haryana has noticed that in many cases following deficiencies has been noticed by the Commission while deciding appeals/complaints :-

- I The first Appellate Authorities under the Right to Information Act, do not dispose of the appeals within the time frame prescribed by the Act;
- II The Appellate Authorities do not examine the appeals judiciously and express their agreement with the decision of the State Public Information Officer mechanically;
- III The State Public Information Officer do not comply with the directions of the first Appellate Authority to furnish information to the appellant;
- IV Sometimes the appeals are not heard by the appellate authority themselves.

2. Section 19(6) of the RTI Act provides that the first Appellate Authority should dispose off the appeal within thirty days of the receipt of the appeal. In exceptional cases, the appellate authority may take forty-five days to dispose off the appeal subject to the condition that he shall record in writing the reasons for delay in deciding the appeal. Therefore, each first appellate authority should ensure that an appeal received by him is disposed off within 30 days of the receipt of the appeal. If, in some exceptional cases, it is not possible to dispose off the appeal within 30 days, its disposal should not take more than 45 days. In such cases, the appellate authority should record, the reasons for not deciding the appeal within 30 days.

3. Deciding appeals under the RTI Act is a quasi-judicial function. It is therefore, necessary that the appellate authority should see to it that the justice is not only done but it should also appeal to have been done. In order to do so, the order passed by the appellate authority should be speaking order giving justification for the decision arrived at.



4. If an appellate authority comes to a conclusion that the appellant should be supplied information in addition to what has been supplied to him by the SPIO, he may either (i) pass an order directing the SPIO to give such information to the appellant; or (ii) he himself may give information to the appellant while disposing off the appeal. In the first case the appellate authority should ensure that the information ordered by him to be supplied is supplied to the appellant at the earliest. It would however, be better if the appellate authority chooses the second course of action and he himself furnishes the information alongwith the order passed by him in the matter.
5. the State Information Commission has also pointed out that some of the Departments have appointed very junior officer as appellate authorities who are not in a position to enforce their orders. The Act provides that the first appellate authority would be an officer senior in rank to the SPIO. Thus, the appellate authority as per provision of the Act, would be an officer in a commanding position vis-a-vis the SPIO. Nevertheless, if, in any case the SPIO does not implement the order passed by the appellate authority and the appellate authority feels that intervention of higher authority is required to get his order implemented, he should bring the matter to the notice of the officer in the public authority competent to take action against the SPIO. Such competent officer shall take necessary action so as to ensure implementation of the provisions of the RTI Act.
6. You are, therefore, requested to bring the above in the notice of all concerned/SPIOs under your control for compliance.

Yours faithfully,

(Santosh Kumari)  
Under Secretary (Administrative Reforms)  
For Chief Secretary to Govt. Haryana  
Office telephone No.2740001, 2749226, Ext.8818  
e-mail address – [admnreformshry@gmail.com](mailto:admnreformshry@gmail.com)

**No. 5/52/2016-1AR**  
**Government of Haryana**  
**Chief Secretary's Office**  
**Administrative Reforms Department**

**Dated Chandigarh the, 10<sup>th</sup> July, 2019**

To

- (i) All the Administrative Secretaries to Govt. Haryana.
- (ii) All Head of Departments in Haryana.
- (iii) All the Chief Administrators and Managing Directors of Boards/Corporations in Haryana.

**Subject: Appointment of SPIO notified under the RTI Act, 2005.**

Sir/Madam,

In continuation of this Department letter of even Nos. dated 14.08.2018 and 05.12.2018 on the subject cited above, it is clarified that the decision conveyed vide letter dated 14.08.2018 is to be operative in State Head Quarters offices and decision conveyed vide letter dated 05.12.2018 is to be operative in field offices of Haryana Government. If any office has changed any SPIOs to Group B Officers as per letter dated 05.12.2018, you are requested to restore it as per earlier communication dated 14.08.2018.

This may kindly be noted by all concerned for compliance under intimation to the Government.

Yours faithfully,

Sd/-

(Santosh Kumari)

Under Secretary, Administrative Reforms,  
for Chief Secretary to Government, Haryana.

Rax 2740001, 2740226, Ext. 8818.

E-mail address: [undersecy.ar@hry.gov.in](mailto:undersecy.ar@hry.gov.in)

**No. 5/52/2016-1AR  
Haryana Government  
Chief Secretary's Office  
Administrative Reforms Department.**

**Dated Chandigarh the 08<sup>th</sup> October, 2018.**

To

- (i) All the Administrative Secretaries to Govt. Haryana,
- (ii) All the Head of Departments in Haryana,

**Subject: Disclosure of Personal information under the RTI Act, 2005.**

Sir/Madam,

I am directed to address you on the subject cited above and to inform you that state Information commission, Haryana has noticed that Hon'ble Supreme court of India in the matter of Girish R. Deshpande Vs CIC and others SLP(C) no 27734/2012 ) has held as under:- "The performance of an employee/officer in an organisation is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information" the disclosure of which has no relationship to any public activity, or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of the privacy of that individual". The Supreme Court further held that such information could be disclosed only if it would serve a larger public interest. Keeping in view the above decision of the Hon'ble Supreme court of India, the State Information Commission has decided that information about the complaint made against an officer of the Government and any possible action the authorities might have taken on those complaint qualifies as personal information within the meaning of provision of section 8(1Xi) of the RTI Act, 2005. You are therefore, requested to bring the above in the notice of all concerned/SPIOs under your control for compliance.

Yours faithfully,

Sd/-

(Santosh Kumari)

Under Secretary (Administrative Reforms)  
for Chief Secretary to Govt., Haryana  
Office Telephone No. 2740001, 2740226, Ext. 8818,  
e-mail address: [admreformshry@gmail.com](mailto:admreformshry@gmail.com)

**No.5/52/2016-1AR**  
**Government of Haryana**  
**Chief Secretary's Office**  
**Administrative Reforms Department**

**Dated Chandigarh the, 11<sup>th</sup> September, 2018**

To

- (i) All the Administrative Secretaries to Govt., Haryana,
- (ii) All the Head of Department in Haryana.

**Subject:      Format for giving information to the applicant under RTI Act- issue of guidelines regarding.**

Sir/Madam,

I am directed to address you on the subject cited above and to inform you that State Information Commission, Haryana has been observed that different public authorities provide information to RTI applicants in different formats. Though there cannot be a standard format for providing information, the reply should however, essentially contain the following information:

- (i) RTI Application number with date and date of its receipt in the public authority.
- (ii) The name, designation, official telephone number and email ID of the SPIO.
- (iii) In case the information requested for is denied, detailed reasons for denial quoting the relevant section of the RTI Act should be clearly mentioned.
- (iv) In case the information pertains to other public authority and the application is transferred under section 6(3) of the RTI Act, then details of the public authority to whom the RTI application has been transferred should be given.
- (v) In case additional fee is sought, provisions of Rule 4(4) and 7(5) should invariably be intimated to the citizen seeking information including the right of appeal against the decision of SPIO.
- (vi) Where the SPIO intends to disclose any information or record or part thereof on a request made under this act, which relates to or has been supplied by a third party and has been treated as confidential by the third party, the SPIO is obliged to proceed as per Section 11 of the RTI Act, 2005 to take a decision about sharing of information pertaining to third party.
- (vii) In the concluding para of the reply, as mandated in sub-section 8 of Section 7 of the Act, it should be clearly mentioned that the First Appeal, if any against

the reply of the SPIO may be made to the First Appellate Authority within 30 days of receipt of reply of SPIO.

(viii) The name, designation, address, official telephone number and e-mail ID of the First Appellate Authority should also be clearly mentioned.

2. In addition, wherever the applicant has requested for 'certified copies' of the documents or records, the SPIO should endorse on the document "True copy of the document/record supplied under RTI Act", sign the document with date, above a seal containing name of the officer, SPIO and name of public authority; as enumerated below:-

True copy of the document/record supplied under RTI Act. Sd/- Date (Name of the officer) SPIO Name of the Public Authority
--

3. Further in case the documents to be certified and supplied is large in number, information on RTI application should be supplied by a designated SPIO but the certification of the documents, if need be, could be done by another Gazetted Officer.

4. You are therefore, requested to bring the above in the notice of all concerned/SPIO under your control for compliance.

Yours faithfully  
Sd/-  
(Santosh Kumari)  
Under Secretary Administrative Reforms,  
for Chief Secretary to Govt., Haryana.  
Office Telephone No. 2740001, 2740226, Ext.8818,  
e-mail address-admnreformshry@gmail.com

Endst. No. 5/52/2016-1AR, Dated Chandigarh the, 11<sup>th</sup> September, 2018.

A copy is forwarded to the Secretary, State Information Commission, Haryana, SCO No. 70-71, Sector-8 C, Chandigarh w.r.t. their letter No. 14078/SCIC/E-A-I, dated 16.08.2018 for information.

Yours faithfully  
Sd/-  
(Santosh Kumari)  
Under Secretary Administrative Reforms,  
for Chief Secretary to Govt., Haryana.  
Office Telephone No. 2740001, 2740226, Ext.8818,  
e-mail [address-admnreformshry@gmail.com](mailto:address-admnreformshry@gmail.com)

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## **CHAPTER - XXII**

### **PUBLICATION OF OFFICIAL DOCUMENTS AND PRESS COMMUNIQUE**

#### **22.1 Publication of official documents.—**

- (1) Official documents of Government, except those which are obviously meant for public consumption should not, as a rule, be published unless there are definite orders of Government to the contrary. Following instructions should be observed in regard to the publication of an official correspondence:-
  - (a) Communications to and from the Government of India should, in no case be made public either in the actual form in which they were issued or in the form of an abstract without the sanction of the Government of India, unless, in the case of communications from the Government of India, they have been marked for distribution to the Press or have already been published in the Gazette of India or are obviously meant for public consumption.
  - (b) No official communication addressed by a subordinate to a superior authority or vice-versa, should in normal circumstances be published by the addressing authority until the addressee has received it. When circumstances render earlier publication expedient arrangements for publication should be made through e-mail, the contents of the document being indicated to the addressee at the same time. If in rare cases of exigency, an explanation, should be sent to the addressee.
  - (c) No Government employee should, in any circumstances, give publicity to documents which might seem to reflect upon a superior authority, without first obtaining the latter's consent, and no assistance must ever be given to the Press in formulating adverse comments upon the orders of the superior authority.
  - (d) No correspondence between the Government of India and a State Government which indicate a difference of opinion, should be communicated by a State Government to any person or authority

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subordinate to a State Government without the express permission of the Government of India.

- (e) In personal cases which have formed the subjects of correspondence between a State Government and the Government of India, the deciding authority should in every case clearly indicate:-
  - (i) Whether only the substance of the decision should be communicated to the officer concerned; or,
  - (ii) Whether in addition a statement of the grounds upon which it is based, or portions of the correspondence and if so, which portions, should be similarly communicated.

**Note.**— *It should be clearly understood that supplying information to a Member of the Legislature or laying papers on the table of the Legislative Assembly is equivalent to publication.*

- (2) The restrictions imposed in the rules above are not intended to apply to departmental administration reports which may be communicated to the press as soon as they are issued or after they have been reviewed by the State Government.

## **22.2 Printed papers from the Government of India for distribution to the Press.—**

The requisite number of copies of printed paper marked 'for distribution to the Press' will be supplied by the Government of India for distribution to the Newspapers and institutions which have no accredited representations at the headquarters of the Government of India. On receipt, such papers should be sent to the Director-General Information and Public Relations for distribution to the newspapers and institutions entitled to them.

## **22.3 Press Communiques and Official Advertisements.—**

### **(1) Publicity of Government decisions, departmental activities, etc.—**

The Information and Public Relations Department should be utilised by Administrative Secretaries and Heads of Departments as the sole agency for publicizing Government decisions and departmental activities and undertaking having news value. Whereas the accredited press correspondents will have access to the Ministers and Secretaries of the departments to elicit any information, the ordinary channel of

communication with the press would be the Information and Public Relations Department. When, for any reason, any information has been given to the press correspondents direct by Minister or an Administrative Secretary to Government, a copy of it should be supplied to the Director-General of Information and Public Relations with this intimation. All the departments should regularly supply to the Information and Public Relations Department material which is desired to be put for publicity. It rests with the Head of the department concerned to decide upon the selection of material which may be in the nature of data, in the shape of facts and figures, or details of schemes in execution or in the planning stage. After receiving the material, the Director-General of Information and Public Relations will decide as to which medium or media would be suitable for publicity and steps would be taken to mould the material into shape. All material intended for the press should ordinarily reach the Director-General of Information and Public Relations before 2 P.M. to enable him to have it translated into the languages required, photostat and released to the press the same day for publication. If there is anything of exceptional importance necessitating immediate release after 2 P.M., it may be communicated to the Director-General, Information and Public Relations over the telephone followed by a note in writing, through e-mail, confirming the telephone message.

- (2) Press communiqués and other matters involving question of policy should invariably be approved by the Administrative Secretary concerned before they are sent by the Heads of Departments to the Director-General, Information and Public Relations. Press interviews should normally be done at the level of the Administrative Secretary. However, the Head of the Department may address a press conference, in coordination with the Director, Information and Public Relations, relating to developmental activities of his Department.

#### **22.4 Duty of Branch Incharge or Dealing hand.—**

It will be the duty of the Branch Incharge or Assistant, who is dealing with a case, to bring it to the notice of the Administrative Secretary at as early a stage as possible, that the case is likely to have publicity value. The Branch Incharge or the Assistant Incharge should put up a brief summary to the Administrative



Secretary, which could be sent to the Director-General of Information and Public Relations for advance information, where possible. This will give the Director-General of Information and Public Relations time to consider how he may best give publicity to the decisions of the Government. It may sometimes be undesirable to issue advance information to the Director-General of Information and Public Relations, but in all cases, where a communiqué will probably eventually issue, the Director-General of Information and Public Relations should be informed beforehand. The press generally needs some background before they can deal properly with a Government communiqué on what may be sometimes a technical matter. They can only be provided with this background if the Director-General of Information and Public Relations knows it himself, and he cannot know unless is kept properly informed.

#### **22.5 Marking at the top if Confidential.—**

When the Administrative Secretary or a Head of Department decides to send any documents to the Director-General of Information and Public Relations, he should assume that the Director-General will publish it, unless directions to the contrary are specifically conveyed to him. Care should, therefore, be taken to append a note to the effect that the material supplied is for advance information at this stage. Such material should be, therefore, clearly marked at the top either (i) 'for publicity' or (ii) 'confidential for information at present'. A clear indication should also be given if any portion of the material supplied should be treated as confidential.

#### **22.6 Publication of official advertisements.—**

When a Department or office wishes an official advertisement to be inserted in Newspapers, it should send an indent to the Director-General of Information and Public Relations enclosing with the indent as many copies of the advertisement as the number of newspapers in which the advertisement is to be inserted, together with an additional copy for record in the office of the Director-General of Information and Public Relations, who will arrange for publication of the advertisement in the Newspapers to be selected from the approved list of newspapers maintained by him. He will receive the bills of the newspapers and after satisfying himself about their correctness, countersign them and forward them for payment to the indenting officer concerned.

**22.7 Papers for publicity purposes not to be supplied to private person(s).—**

As communication of official papers to a private person(s) is in fact publication, no matter what guarantees may be offered, papers that are made available for publicity purposes should under no circumstances, be supplied to private persons without the written approval in each case of the Administrative Secretary in the department concerned.

**22.8 Print Media Advertisement Policy Guidelines.—**

The Director-General of Information and Public Relation Department has framed Policy Guidelines “Print Media Advertisement Policy Guidelines – 2007”. Available at website [www.prharyana.gov.in](http://www.prharyana.gov.in). When any department or office decides an official advertisement to be published in newspaper or periodical, the said guidelines to the extent applicable in the matter should be followed. Relevant extract from the policy are given below:-

**(1) Directorate of Public Relations as Nodal Agency for advertising.—**

The Directorate of Public Relations is the nodal agency of the Government of Haryana for advertising by various departments and organisations of Government of Haryana including public sector undertakings and autonomous bodies such as boards and corporations, local and urban bodies, universities, various commissions, authorities, societies constituted by government departments, trusts under the government, companies, apex cooperative institutions and other State Government Institutions and organisations etc.

**(2) Objective of Advertising.—**

The primary objective of the Government in advertising is to secure the widest possible coverage of the intended content or message through newspapers and journals of current affairs, science, art, literature, sports, films, cultural affairs etc. and other print media publications such as magazines, tabloids, souvenirs, books and house journals including display banners etc.

**(3) Not to take into account political affiliation or editorial policies.—**

In releasing advertisements to newspapers/journals, the Directorate of Public Relations, Haryana does not take into account the political

affiliation or editorial policies of newspapers/journals and other publications. However, Directorate of Public Relations, Haryana would avoid releasing advertisements to newspapers/journals, which incite or tend to incite communal passion, preach violence, offend the sovereignty and integrity of India or violates the socially accepted norms of public decency and behaviour.

**(4) Payment of Advertisement bills.—**

- (a) The client department will directly release payment of advertisement bills to the newspaper/publication.
- (b) DPR will issue Release Order to the newspapers for the publication of advertisements. A copy of the Release Order will also be sent to the client advertiser, providing all the relevant information like the name of the newspaper/publication to which the advertisement has been released, space, date of publication as well as advertisement rates of newspapers/publications so as to enable the client department to make payment to the newspapers accordingly.

**(5) Supply of Newspapers to client advertisers .—**

- (a) Every newspaper will be obliged to send one copy each of the newspaper on their own carrying advertisements issued through Directorate of Public Relations, Haryana to the client at the address mentioned in the Release Order and also to Directorate of Public Relations, failing which payment for the advertisement may not be considered. In addition, Directorate of Public Relations, Haryana may ask for regular supply of specimen copies of any empanelled publication for period considered necessary.
- (b) Newspapers have to inform Directorate of Public Relations, Haryana within 48 hours, if they have not been able to publish the advertisement on the due date.

**(6) Translation of Advertisement Text .—**

If any newspaper would publish any advertisement, if not otherwise asked, in a language other than the language in which it is published, the client department is not liable to make any payment for publication of the advertisement or the client advertiser reserves the right to make a deduction of 10% from the advertisement bill, if otherwise satisfied. It shall be the responsibility of the publisher/newspaper to correctly translate the

advertisement text. In case of any doubt, the Public Relations Department may be consulted, but for wrong/incorrect/misleading translation, deduction may be imposed by DPR and his decision would be final.

**(7) Date of Publication of advertisement .—**

The newspaper will be obliged to strictly adhere to the date of publication of advertisements as given in the Release Order. Publication of advertisement on dates other than that given in the Release Order, unless intimated otherwise, will not be regularized with revalidation of Release Order and no payment will be made in such cases. However, DPR may allow post-dated Release Order keeping in view merit of the case and regularize them on case to case basis.

**(8) Display Advertisements .—**

- (i) The Directorate of Public Relations, while acting as a nodal agency for releasing advertisements (classified, display, commercial or other), would not only perform professional works such as selection of newspapers/periodicals, space booking and placement of advertisement etc., but its decision regarding release of such advertisement to any newspaper/periodical would also be final.
- (ii) The client advertiser should send its request well in advance to get the advertisement published in time as per its requirement. (In normal course one week in advance and for emergent cases three days in advance).
- (iii) The content and design of any advertisement would be the exclusive concern of the client advertiser, to which the advertisement relates. However, DPR has full authority to re-design and re-phrase the contents without harming the message and objective of the advertisement.
- (iv) The Directorate of Public Relations, Haryana, on its own and also on the request received from various departments and organisations of Government of Haryana including public sector undertakings and autonomous bodies such as boards and corporations, local and urban bodies, universities, various

commissions, authorities, societies constituted by government departments, trusts under the government, companies, apex cooperative institutions and other state government institutions and organisations etc., would release display advertisements on various important occasions like Independence Day, Republic Day, Haryana Day, death or birth anniversary of prominent national and State leaders, festivals and other important occasions/events to educate the masses not only about their ideology, but also the policies, programmes and achievements of the State Government.

- (v) Display advertisements will also be released in furtherance of various publicity campaigns launched in the State from time to time for educating the masses about policies, programmes and achievements of the State Government.
- (vi) Display advertisements may also be released on other important occasions like inauguration or foundation stone laying ceremonies of various projects.
- (vii) Display advertisements may also carry the appeal/message of H.E. the President of India, Prime Minister, the Governor, the Chief Minister, Minister or any other dignitary holding any Government office or person relevant to the occasion. The relevant person may be the person who has been invited to preside over the function, inaugurate the function/project or to lay the foundation stone of the project or the function/project has been organised in the name or memory of such person.
- (viii) The display advertisements, which in one way or the other, highlight programmes, policies, vision and achievements of the State, the visuals or photographs of any appropriate/relevant national/State leader or any other prominent personality, whose ideals and life-sketch suits the occasion, may also be used. The prominent personality here may be any role model in public life. The basic objective of using the photographs/sketch or symbol of any such prominent personality would be :

- (a) to give effect and wider acceptability to the message carried through these advertisements;
- (b) to generate feeling of participation in the democratic process amongst all sections of the society; and
- (c) to motivate and inspire the younger generation and to make them feel proud of the history of the country, to feel proud of our leaders/trendsetters and to cherish the ideals set forth by them.

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## **CHAPTER - XXIII**

### **CM WINDOW: PUBLIC GRIEVANCES REDRESSAL AND MONITORING SYSTEM**

#### **23.1 Introduction.—**

The “CM Window” portal was launched in Haryana in 2014 with the object of speedy redressal of public grievances and facilitating a monitoring system thereof for the citizens of Haryana as well as for the NRIs of Haryana living abroad. This system enables the citizen and NRIs to register their grievances at any of the CM Window Counters specially established for this purpose at several locations in Haryana. This portal can also be used by complainants to check themselves the status of their complaints/grievances along with the movement and Action taken reports submitted by the officers involved in the Grievance redressal System. Focus of the CM Window is to establish transparent communication between the citizens and all the departments.

#### **23.2 Registration of Complaints.—**

Citizen can file complaints at CM Window Counter situated at DC Office, SDM Office, CM Residence & CM Office. Complaints thus received at CM Window counters from various districts and Sub divisions of Haryana from citizens and Haryana NRIs are registered at CM Window portal. Complainants living abroad can also file the complaint through email to CM Office.

#### **23.3 Helpline.—**

In CM Grievances IT Cell, a dedicated call center is operational for helping the citizens to provide the status of their grievances and for getting feedback from the citizens on grievances redressed. Citizens are also updated with the status of their grievances through automated SMS on their mobiles.

#### **23.4 Social Media Grievances Tracker (SMGT).—**

For public grievances and complaints being shown by the Social media based platforms, Govt. of Haryana is running another system called Social Media Grievances Tracker (SMGT). This system is being used for those grievances which can be redressed within 2-3 days. Long term grievances are however, registered on the CM Window system.



**23.5 CM Window Mobile APP.—**

CM Window Mobile APP is also available on Android as well as on Apple platform. Citizens are able to know the current status of their grievance along with the ATR sent in pdf format by the redressing officer which can be read and downloaded by the citizen on their mobile phones compatible with the Android or Apple platform systems.

**23.6 Online grievances redress mechanism.—**

The 6000+ officers of Haryana are connected through online system of grievances redress mechanism. These officers are individually able to get, on the DASHBOARD of the portal, status of the reports of the new, overdue, in-action, undertaken due, ATR sent, Clarification, ATR received from subordinates and of disposed grievances along with their performance comparison with that of last week/ months. CM window also has the other functionalities like re-opening of disposed grievance, sending back not-related grievances, appointments, target date extension requests and approvals etc. All officers in general can track the action being taken by subordinates at any time.

**23.7 Process of Redressal of the Grievances/complaints.—**

Complaints can be multi marked to several officers for the actions at their end based on the nature and to the extent of the grievance related to them. CM Window has a facility of Executive Dashboard which facilitates availability of the various statistics and reports for the necessary action of Supervisory Officers responsible for the efficient management of the CM Window Monitoring System. Dynamic MIS Charts can be generated by using various technologies like AM Charts, High Charts.

**23.8 Public involvement for effective implementation of the system.—**

Nigrani Samitis have been constituted in each Parliamentary Constituency and Assembly Constituency of Haryana for monitoring the progress of grievances related to their areas through redress mechanism. Members of these Nigrani Samitis are nominated from the citizen of the respective Parliamentary/Assembly Constituencies.

**23.9 Objectives.—**

- (1) Providing of Customized Public Grievances Redressal and Monitoring Solution for the common citizen of Haryana.
- (2) Reduction in cost of service delivery by eliminating multiplication of efforts by departments.
- (3) Time bound delivery of redressal mechanism.
- (4) Quick redressal of citizen grievances.
- (5) Strengthening the back office operations for timely availability of information.
- (6) Solution implementable in any Department/ Organisation/ State.

**23.10 Scope (Functional & Geographical) .—**

- (1) Establishment of Web based online Integrated workflow system, which primarily aims at processing paperless redressal of grievances by the Government.
- (2) Facilitation of the system for generating unique registration number upon online lodging of grievances by citizens.
- (3) Online data transmission between CM Office, all departments and its subordinate offices.
- (4) Provision of NRI corner for redressal of complaints registered by Non Resident Haryanvis by just sending email in the form by attaching the copy of overseas Indian card.
- (5) Sharing of information related to redressal and counseling with local relatives of NRIs.

**23.11 Intended Benefits.—**

Online tracking of status of grievance by the citizen on Website or on Android or Apple (IOS) compatible mobile phones.

**23.12 Delivery channels.—**

- (1) Online tracking of status of grievance by the citizen on Website or on Android or Apple (IOS) compatible mobile phones or through Helpline/ Call Centre of the CM Grievances IT cell.
- (2) Nigrani Samiti Members & Nominated Eminent persons who can cross check the redressal process.

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- (3) CM Good Governance Associates roped in for assisting DCs and HODs for better resolution of Complaints.
  - (4) Call Centre User – Feedback from complainants with Auto Disposal on satisfaction of Complainant with Audio Recording facility.
  - (5) Weekly/ Monthly Analysis of Status of Complaints related to all approx. 6000 redressing officers along with contents of their Dashboard.

### **23.13 Distinctive features/ accomplishments of the project.—**

- (1) An Integrated workflow system, based on web technology which primarily aims at lodging of grievances by the citizens from anywhere-anytime.
- (2) Facilitates unique registration no. upon lodging of grievance.
- (3) Online data transmission between department and its subordinate offices.
- (4) Online tracking of status of grievances by the citizen through website as well as Mobile App.
- (5) Roll Based Application for various stake holders.
- (6) Feedback mechanism for maximum satisfaction through Helpline/Call Centre.
- (7) Monitoring by APSCM, OSD, CMGGAs and Lok Sabha/ Vidhan Sabha Nigrani Samiti Members.

### **23.14 CM Window user manual.—**

A user manual pertaining to mechanism of the CM Window has been prepared by the CM Grievances IT Cell which inter-alia contains the detailed procedure to be followed by the officers/officials dealing with the matters pertaining to CM Window. Soft copy of Manual may be downloaded which is available at [www.cmharyanacell.nic.in](http://www.cmharyanacell.nic.in) . It must be followed meticulously while dealing with the complaints on the CM Window.

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## **CHAPTER - XXIV**

### **PROCEDURE FOR SUBMISSION OF MEMORIALS**

**24.1 The following general procedure should be followed in dealing with petitions.—**

- (1) Complaints and petitions received from the public should be dealt with by the administrative branches concerned with the subject matter. These should ordinarily be acknowledged by various offices of Government and the Heads of Departments concerned to whom they are addressed. Petitions addressed to the Chief Minister and other Ministers should be passed on to the Administrative Secretary concerned who should get all the petitions acknowledged as soon as possible. The Administrative Secretary should, while forwarding such complaints to the Heads of Departments, indicate that these have been acknowledged. It is not necessary to inform the complainant of the progress of the inquiry from time to time.
- (2) A separate Grievances Department (Cell) is also functioning in order to ensure speedy redressal of public grievances. The complaints received by the grievances Department are referred to the concerned Departments or the District Grievances Committees and a constant watch is maintained on their disposal. Petitions for the redressal of public grievances through CM Window are also entertained and responded directly to the petitioner.
- (3) Reports on petitions should not be too frequently asked for, but when it is decided to call for a report, the petition should be endorsed to the Head of Department or the Commissioner concerned and not directly to the Deputy Commissioner or other local officers.
- (4) In cases where copies of petitions have been sent directly by the petitioner to the Head of Department or Deputy Commissioner or any other local authority the comments of that authority should be obtained before Government takes a decision on the petition. If need be, the local authority concerned may be reminded in the matter. This procedure, however, will not be necessary in cases which obviously require direct action by the Government.
- (5) The decision of the Government will be conveyed to the petitioner directly and the officer who has been consulted will also be sent a copy.

- (6) When it is deemed necessary to call for a report on any petition which is couched in disrespectful language towards an officer or levels allegations against a government officer such report should be obtained confidentially by demi-official letter.
- (7) Petitions which illustrate the general public feeling on any matter of public interest should be submitted to the Chief Minister through the Chief Secretary, for information.
- (8) Petitions containing charges affecting the conduct and character of a Gazetted officer should be submitted to the Administrative Secretary concerned and in all important cases, to the Minister Incharge.
- (9) When a petition is submitted to the Governor or Government praying for a reconsideration of orders that have already been passed in a case, it should always be stated whether any really new point has been put forth in the petition.
- (10) A copy of document referred to in Articles 6, 7 or 9 of Schedule I to the Court-Fees Act, 1870 or in Article 24 of Schedule I of the Indian Stamp Act, 1899, as amended from time to time, and accompanying a petition to a public officer must bear the stamp of the value indicated in these Articles. as the exemption from stamp duty for copies of documents taken for private use does not cover the receipt of such copies by public officer.
- (11) No document of any of the kinds referred to in section 6 of the Court-fees Act, 1870, should be received unless duly stamped. A petition enclosing a copy not duly stamped should ordinarily be returned to the sender or presenter with a direction that orders cannot be passed unless it is resubmitted with a duly stamped copy. No fee is leviable in respect of a petition by a prisoner, although presented on his behalf by an agent or pleader (vide section 19 (xvii) of the Court-Fees Act, 1870). The Superintendent and Assistant dealing with a petition is responsible to ensure that these orders are carried out.
- (12) When stamped documents are received, the person who opens the dak should see that in accordance with the provisions of Section 30 of the Court Fees Act, 1870, the stamp is cancelled by the figure head being punched out in such manner as will leave the amount designated on the stamp un touched.
- (13) The Heads of Departments, etc., should submit to the Administrative Secretaries quarterly statements of petitions and complaints which have been

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taken up for enquiry. On their receipt, these statements should be submitted to the Minister concerned and the Chief Minister for their information.

#### **24.2 Interpretation of forms of endorsement used in dealing with petitions.—**

When petitions addressed to Government are forwarded to Commissioners and Heads of Departments the various forms of endorsement are to be interpreted in the following manner :-

- (i) If a petition is forwarded for disposal, it is intended that it should be disposed of by the addressee in such manner as he thinks fit, and further communication with Government on the subject is un-necessary. Unless the addressee receives intimation to this effect separately from Government
- (ii) The practice of sending references from the higher authority marked “for disposal or report” is forbidden. The endorsement should make it clear whether the reference is forwarded for disposal or for report.
- (iii) If a petition is endorsed for report, the subject matter should form the basis of a report to Government and the petition should not be disposed of by the addressee.

#### **24.3 Appeals from Members of AIS and State Services.—**

- (1) The procedure for dealing with appeals pertaining to disciplinary action lies in the respective Punishment and Appeal Rules applicable to them. The following procedure should be followed in the submission of appeals from members of the services, which are addressed to Government :-
  - (i) Such case should be submitted by the Administrative Secretaries to the Minister concerned:
  - (ii) The noting on the appeals should be confined to the elucidation of facts necessary to make the point at issue clear and the officer who has dealt with the appeal already should refrain from expressing any opinion whether favourable or un-favourable to the appellant, unless the appeal raises new points not previously discussed.
- (2) Where a right of appeal exists and has already been exercised under the rules in force a further appeal on the same subject from a member of the Subordinate Service, should not be admitted. In petitions of this nature the following reply could be given :-

“Sir

*With reference to your petition dated-----relating to----- I am directed to inform you that the Government, having satisfied themselves that the remedies of appeal and application for revision which were open to you, have been duly exhausted, decline to take into consideration your petition for the reopening of your case.”*

#### **24.4 Appeals from decisions of the High Commissioners and Ambassadors.—**

With regard to business assigned to the High Commissioners or Ambassadors of which the Government of India or the State Government have the authority to dispose of, the High Commissioners or Ambassadors acts on behalf of the Government of India or the State Government as the case may be, and an appeal against his orders would lie to the Government of India or to the State Government on whose behalf the order was passed.

#### **24.5 Petitions against sentences of death.—**

The instructions for dealing with petitions from convicts under sentence of death are contained in a pamphlet issued by the Ministry of Home Affairs and is recorded in A—File No. 2-H/Judicial of 1952.

#### **24.6 Appeals against acquittals.—**

The procedure to deal with appeals calling upon Government to take action under Section 417, Criminal Procedure Code, against acquittal is laid down in the Law Department Manual. The Superintendent and the Assistant concerned should see that all the required papers are in order before the case is submitted to the Secretary or the Joint /Deputy/Under Secretary.

#### **24.7 Memorials and Petitions Addressed to the Governor.—**

The following instructions for the submission, receipt and transmission of memorials and petitions to Excellency the Governor or Government of the Haryana State should be observed in so far as they relate to memorials and petitions from persons who are or who have been, in the Service of the Haryana State.

## **PART—I PRELIMINARY**

*In these instructions :-*

### **(1) Definitions .—**

- (i) *“Head of Department” means the authority as defined in rule 8(38) of the Haryana Civil Services(G) Rules, 2016 in respect of the Government employees whose pay is charged to the Consolidated Fund of the State.*
- (ii) *“Memorial” includes petitions letters and applications of the nature of memorials.*
- (iii) *“Governor” means the Governor of the Haryana State.*
- (iv) *“Government” means the Haryana Government in the Administrative Department.*

### **(2) Scope of Instructions .—**

- (i) *These instructions shall apply to memorials addressed to the Governor of Haryana or the State Government by persons who are, or who have been in the Civil Service of the Haryana State in respect of matters arising out of such employment or in respect of the termination of such employment and who are or were subject to the rule making power of the Governor. However, these instructions will not apply to representations made against adverse remarks communicated on the basis of annual confidential reports.*
- (ii) *These instructions shall not affect any rules or orders made by the competent authority in respect of representations submitted by recognised associations of Government servants and shall be in addition to and not in derogation of the rules governing the conditions of service of the memorialist.*

## **PART—II**

### **Form and Manner of Submission of Memorials**

### **(3) Form of Memorial .—**

- (i) *A memorial may be either in manuscript form, typewritten or in print.*
- (ii) *Every memorial shall be authenticated by the signatures of the memorialist and submitted by the memorialist on his own behalf, or when the memorialists are numerous every person preferring the memorial shall do so separately and in his own name, unless the subject*



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*matter of the memorials is with respect to or arises out of one and the same order affecting them jointly, in which case it may be signed jointly.*

- (iii) *Every memorial and the papers concerned therewith shall be accompanied by a rendering of it in the language for the time being authorised for use in the State for official purposes duly authenticated in the manner aforesaid.*

**(4) Contents of Memorials .—**

*Every Memorial shall :-*

- (a) *Contain all material statements and arguments relied upon by the memorialist.*
- (b) *be complete in itself.*
- (c) *Contain copies of the orders passed by the original as well as the appellate authority against which the memorial has been preferred together with copies of his applications and or appeals to such authorities.*
- (d) *mention in case of dismissal, removal or reduction in rank or any other penalty, whether a reasonable opportunity was given to show-cause against the action taken, as laid down in the Haryana Civil Services (Punishment and Appeal) Rules or such other rules which are applicable; and*
- (e) *end with a specific prayer or relief sought.*

**(5) Method of Submission.—**

- (1) *Every memorial shall be submitted to the Head of the Department to which the memorialist belongs or last belonged, and through the authority from whose order the appeal or application for revision was preferred and rejected. It shall be accompanied by a letter requesting the Head of the Department, or the authority concerned to transmit the memorial to the Government or the Governor, as the case may be.*
- (2) *The Head of the Department, on receipt of any memorial submitted through him in accordance with para 5 (1) above—*
  - (i) *shall acknowledge its receipt.*
  - (ii) *shall as soon as may be, forward the memorial through the usual official channel to the Government and inform the memorialist. The*

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*Government shall examine the same and within 3 months of its receipt submit their comments to the Governor, through the Minister concerned, if prayed for in the memorial, or if considered necessary.*

- (3) *The memorialist may forward an advance copy of the memorial to the Governor or Government. The advance copy shall not be acknowledged.*

### **PART—III**

#### ***Withholding Memorials by Head of Department***

**(6) *Circumstances in which memorials addressed to the Governor or the Government may be withheld—***

*If the Head of Department to whom a memorial is presented or forwarded decides to Withhold it, he shall inform the memorialist giving reason therefore. A memorial may be withheld only on any one or more of the following grounds:-*

- (i) *The memorialist has not complied in full with the provisions of part II of these instructions.*
- (ii) *The memorial is illegible or unintelligible, or contains language which is, in the opinion of the Head of the Department disloyal, disrespectful, or improper.*
- (iii) *A previous memorial from the memorialist on the same subject has been disposed of by the Government or Governor and the memorial, in the opinion of the Head of Department, contains no new facts or circumstances which suffice for a reconsideration of the subject.*
- (iv) *The memorial is—*
  - (a) *an application for employment in Government service not made in pursuance of any rule or any advertisement regarding application for such employment, or*
  - (b) *a request for exemption from or relaxation of the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government, or*
  - (c) *the memorial relates to a subject on which the Head of the Department is or was competent to pass orders and no application for redressal has or had been made by the memorialist to the*

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*Head of the Department, in which case the memorialist will be informed as to his forum for redressal.*

- (v) *The memorial is a representation against an order communicated to the memorialist more than six months before the submission of the memorial and no satisfactory explanation of the delay is given.*
- (vi) *The memorial is a representation against the discharge by competent authority of a person—*
  - (a) *Appointed on probation, during or at the end of the period of probation in accordance with the terms of appointment and rules governing the probationary service, or*
  - (b) *Who as a temporary Government servant is appointed otherwise than under contract, on the expiry of period of the appointment, or*
  - (c) *Engaged under contract in accordance with the terms of such contract.*
- (vii) *The memorial is a representation regarding an order against which an appeal lies under :-*
  - (1) *rules or orders regulating his conditions of service, or*
  - (2) *the terms of his contract or service,*
- (viii) *The memorial is a representation against an order of a competent authority refusing to grant or recommend:-*
  - (i) *a special pension, or*
  - (ii) *any pecuniary or other concession to which the petitioner is not entitled under any rules or orders or contract regulating his conditions or service:*

*Provided that the memorial withheld on account of failure to comply with the instructions provided in part II may be resubmitted at any time within one month of the date on which the memorialist has been informed of the reasons for withholding of the memorials, and if resubmitted in a form which complies with the instructions referred to above, shall not be withheld.*

**(7) Submission of Second Memorial.—**

*A second memorial can be submitted within six months from the date of communication of the decision of the first memorial, in case some important new facts or circumstances which may merit reconsideration on the subject,*

are brought to light. (substituted vide Haryana Government Notification 21/1/83, dated 6<sup>th</sup> July, 1983).

**(8) List of Memorials withheld.—**

The Heads of the Departments shall send a quarterly return in the form given at Annexure-A, on the 15<sup>th</sup> day of April, July, October, and January to Government specifying all memorials withheld by them under instructions 6, during the preceding quarter, and the reason for withholding the same.

**(9) Call for the records of any proceedings on its own motion.—**

Notwithstanding anything contained in the foregoing rules, the Governor or the Government, as the case may be, may of his or its own motion, or on application made, call for the records of any proceedings or order relating to the memorial withheld by a subordinate authority for the purpose of satisfying himself or itself as to the legality or propriety of such order and may pass such order in reference thereto as he or it may consider fit.

**(10) Further action after decision.—**

As soon as may be, after a decision has been taken on the memorial, the authority making the order thereon shall communicate the same to the memorialist and forward a copy of the same to the subordinate authority for such action as may be considered appropriate in the circumstances of each case.

**Annexure-A**

(See Para 8 of the Instructions)

(a)	List of memorials withheld during the quarter ending the	
(b)	Name of the Department	

Sr. No	Name and particular of Government employee who memorialised	Brief sub. Of the memorial	Date of the submission of the memorial	Head of Department who withheld the memorial	Reasons with dates of order withholding the memorial
1	2	3	4	5	6

**24.8 Submission of memorials etc. to the Government of India by the Members of the State Services.—**

Members of the State Services should not try to look up to the Government of India for seeking redressal against the orders passed in their case by the Haryana Government. These matters being within the exclusive jurisdiction of the Haryana Government, no memorial or representation lies to the Government of India. No action shall, therefore, be taken on a memorial or a representation, etc. of a member of a State Service addressed to the Government of India, relating to such matters.

**24.9 Petitions addressed to the President and Instruction regarding.—**

The following instructions for the submission, receipt and transmission of petitions addressed to the President should be followed in respect of matters arising out of civil employment under the Government of India or the termination of such employment. (Govt. of India, Ministry of Home Affairs OM No. 40/5/50-Estt. (B) dated 8-9-54). Only a petition specifically addressed to the President is governed by these petition instructions particularly with regard to the withholding of petitions by the prescribed authority. (O.M. No 10/1/65-Estt.—Estt.(B), dated 29.04.1975).

**Instruction regarding petitions to the President****PART - I****1. Definitions.—** *In these instructions*

- (1) *'petition' includes a memorial, representations, letters or and applications of the nature of a petition.*
- (2) *'prescribed authority' means the appropriate authority specified in the Schedule to these instructions.*

**2. Scope of Instructions.—**

- (1) *Save as herein-after provided, these instructions shall apply—*
  - (i) *So far may be, to all petitions addressed to the President by persons who are, or have been, in the civil employment of the Government of India other than persons who are or have been under the administrative control of the Railway Board, and persons who are governed by the All India Services (Discipline and Appeal) Rules, 1954, in respect of matters arising out of such employment or in respect of the termination of such employment.*

- 
- (ii) *So far as they are not inconsistent with the conditions of the Indian Army, Naval, or Air Force Service, to petitions addressed to the President by members of the Armed Forces, who are or have been in civil employment of the Government of India, in respect of matters arising from such employment.*
  - (2) *These instructions shall not affect any rules or orders made by the President in respect of representations submitted by associations or unions of Government servants.*

## **PART- II**

### **Form and Manner of Submission of Petitions**

#### **3. Form of petitions.—**

- (1) *Every petition shall be legible and may preferably be either in typescript or in print.*
- (2) *Every petition shall be authenticated by the signature of petitioner and shall be submitted by him in his own behalf.*
- (3) *Every petition and any document accompanying it shall be in the official language of the Union or any of the regional languages specified in the Eighth Schedule to the Constitution:*

*Provided that if a petition or document is in a regional language, a translation, thereof in the official language shall be furnished, as far as possible, along with such petition or document; but no petition shall be withheld on the ground only for want of such translation.*

#### **4. Contents of petitions. – Every petition shall--**

- (a) *contain all material statements and arguments relied upon by the petitioner;*
- (b) *be complete in itself and include a copy of the order complained against, as well as copies of orders, if any, passed by subordinate authorities;*
- (c) *contain no disloyal, disrespectful or improper language; and*
- (cc)<sup>1</sup> *In respect of cases covered by rule 32(2) of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, contain a statement that a request for review was made to the reviewing authority under that rule and the same as disposed of by that authority.*
- (d) *and with a specific prayer.*

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<sup>1</sup>

*Inserted Vide Notification No. 10/3/620 Ests (1) dated 21.07.1962.*

**5. Method of submission of petitions.—**

- (1) *Every petition shall be submitted to the prescribed authority through the head of the Office or Department to which the petitioner belongs or belonged, and shall be accompanied by a letter requesting the prescribed authority to transmit it to the President.*
- (2) *The head of the office or department, on receipt of the petition submitted through him in accordance with sub-instruction (1) shall forward the petition through the usual official channel, to the prescribed authority, together with a concise-statement of the facts, material thereto and all relevant papers, and, unless there are special reasons to the contrary, an expression of his opinion thereon.*

**PART—III*****Withholding of petitions by the prescribed authority.*****6. Circumstances, in which petitions may be withheld.—**

*The prescribed authority may in its discretion, withhold a petition when--*

- (1) *the petitioner has not complied with any of the provisions of Part II: or*
- (2) *The petition is a representation against an order communicated to the petitioner more than six months before the submission of the petition, and no satisfactory explanation of the delay is given; or*
- (3) *a previous petition from the petitioner on the same subject has been disposed of by the President and the petition, in the opinion of the prescribed authority, discloses no new facts or circumstances which afford grounds for a reconsideration of the matter; or*
- (4) *the petition is a representation against a decision which is declared to be final by any law or statutory rule; or*
- (5) *the petition is an application for an employment under the Government not made in pursuance of any rule or announcement calling for applications for such employment; or*
- (6) *the petition relates to a subject on which the prescribed authority is competent to pass orders and no application for redress has been made by the petitioner by the prescribed authority; or*

- 
- (7) *the petition is a representation against the non-exercise in favour of the petitioner of a discretion vested in the prescribed authority; or*
- (8) *the petition is a representation against the discharge or termination of service by a competent authority of the petitioner, having been--*
- (a) appointed on probation, during or at the end of such probation;*
  - (b) appointed, otherwise than under contract, to hold a temporary appointment, on the expiration of the period of such appointment; or*
  - (c) engaged under contract, in accordance with the terms of such contract;*
- (9) *the petition is a representation against an order--*
- (a) from which the petitioner has already exercised, or has failed to exercise a right of appeal available under rules or orders or the contract regulating his conditions of service;*
  - (b) passed by a competent authority in the exercise of appellate or revision powers conferred by any rule, order or contract regarding his conditions of service; or*
- (10) *the petition is a representation against an order of a competent authority refusing to grant or recommend--*
- (i) a special pension; or*
  - (ii) any pecuniary or other concession to which the petitioner not entitled under any rules or orders or contract regulating his conditions of service.*

**7. *Petitioner to be informed when petition is withheld.—***

*The prescribed authority shall, when a petition is with held under instruction 6, inform the petitioner of the withholding thereof and the reasons therefor.*

**8. *List of petitions withheld.—***

- (i) If the prescribed authority is other than the Secretary of the Government of India in the appropriate Ministry or Department, it shall submit to such Secretary a quarterly return specifying particulars of all petitions withheld by it under instruction 6 and the reasons for withholding the same.*
- (ii) If the Secretary to the Government of India in the appropriate Ministry or Department is himself the prescribed authority, he shall prepare a quarterly return specifying particulars of petitions withheld by him under instructions 6 and the reasons for withholding the same.*



- 
- (iii) *The returns prepared under sub-instructions (i) and (ii) shall be dealt with in the manner provided in the rules made by the President for the transaction of the business of the Government of India;*
  - (iv) *If the President on a Scrutiny of the said returns or otherwise directs, any or all of the petitions specified in the return under sub-instruction (i) shall be transmitted by the prescribed authority to the Secretary concerned, or any or all of the petitions specified in the return under sub-instruction (ii) shall be taken into consideration.*
  - (v) *The quarterly returns referred to in (i) (ii) above shall be prepared/submitted if only where any such petitions have been withheld during the respective quarter in question on 10.01.1970. Dated : 05.12.1970.*

#### **PART-IV**

##### **Procedure in respect of petitions not withheld**

#### **9. Procedure of transmission.—**

*If the prescribed authority is other than the Secretary to the Government of India in the appropriate Ministry or Department, it shall transmit to such Secretary petitions not withheld under instruction 6 and petitions called for under instruction 8 together with a complete statement of the facts material thereto and all relevant papers, and, unless there are special reasons to the contrary, an expression of the opinion of the prescribed authority thereon.*

#### **10. Consideration of the petitions.—**

*Petitions received in his capacity as the prescribed authority by the Secretary to the Government of India in the appropriate Ministry or Department and not withheld by him under instruction 6, petitions taken into consideration under sub-instruction (iii) of instruction 8, and petitions transmitted to such Secretary under instruction 9 shall thereafter be dealt with in accordance with the provisions of the Rules made by the President for the transaction of the business of the Government of India.*

#### **11. Action to be taken after final orders are passed on petitions.—**

*The prescribed authority shall himself give effect, or ensure that effect is given by the competent authority, to such orders as the President may pass on any petition and, if the prescribed authority is other than the Secretary to the Government of India in the appropriate Ministry or Department, submit to such Secretary within a period of three months of the receipt of the orders a report of the action taken.*

**THE SCHEDULE**

[See Instruction 1(2)]

*List of the authorities included in the term “prescribed authority”. In respect of persons who are or have been employed—*

- (1) in Ministries or Departments of the Govt. of India, the Secretary of the Ministry or Department;*
- (2) in Attached offices of the Government of India or in offices subordinate to such Attached Offices, or in Offices not subordinate to any Attached Office, Heads of Departments who are directly under the Government of India.*
- (3) in connection with the affairs of a Union Territory the Lieutenant Governor, Chief Commissioner of Administrator, as the case may;*
- (4) in lower formations under the Army, Navy or Air Force, the appropriate Principal Staff Officer at the Army Headquarters, Naval Headquarters; and Air Headquarters and the Engineer-in-Chief Army Headquarters in respect of the Civilian personnel of the Ministry Engineering Services.*

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## **CHAPTER - XXV**

### **HARYANA GOVERNMENT GAZETTE**

#### **25.1 Definition.—**

A gazette is a public journal and a newspaper of Government record. It is an authorised legal document of the official notifications of different Departments of the Haryana Government which is published in different parts daily and weekly by the Printing & Stationery Department, Haryana. It is authentic in content, accurate and strictly in accordance with the Government policies and decisions. All parts, sections and sub-sections of the Gazette are uploaded to the e-gazette website by the Printing & Stationery Department, Haryana which can be accessed free of cost by the general public being available in the public domain from the website [www.egazetteharyana.gov.in](http://www.egazetteharyana.gov.in). The physical printing and sale of hard copies of the Gazette has been ceased by the Government vide Notification No. 14/52/2013-3PS, dated 19.01.2017. The Printing and Stationery Department, Haryana shall continue to maintain a record of notifications published in the Gazette and make available the same for reference whenever required.

#### **25.2 Despatch of hard copies of Government Gazette.—**

A printed copy of each Government Gazette is sent to the following by the Controller Printing & Stationery Department:-

1	Supreme Court of India	5 copies
2	Punjab & Haryana High Court-5	5 copies
3	Chief Secretary to Govt. Haryana (for Library)	One copy
4	Secretary, Haryana Vidhan Sabha	One copy
5	Law & Legislative Department	Five copies
6	Concerned Department	One copy
7	Manager, Haryana Govt. Press	One copy
8	Office copies of Printing & Stationery Department	Two copies

#### **25.3 Types of Haryana Government Gazette.—**

Haryana Government Gazette is published in two types namely; (i) Ordinary Gazette and (ii) Extraordinary Gazette.

**25.4 Ordinary Gazette.—**

Haryana Government Ordinary Gazette is published weekly in different Parts/Sub-parts which Contain Notifications and Orders of Haryana Govt. Departments, Notifications of Election Commission of India, Notifications/Notices of the Punjab & Haryana High Court, State Statistics and Legislative Supplement etc. and it is uploaded on the website every Friday.

**25.5 Extraordinary Gazette.—**

Every immediate notification which necessitates an extraordinary issue of the Haryana Government is published in the Extraordinary Gazette on any day under the orders of the Administrative Secretary to Government of Haryana of the concerned Department. All notifications for publication in the extraordinary Gazette are received by the Haryana Govt. Press by 2 p.m. Those received after 2 p.m. are published in the Extraordinary Gazette on the following day.

**25.6 Parts of the Gazette.—**

The different parts of the Haryana Government Gazette and the subjects to which each one of them relates are as follows :-

1	Part-I	Haryana Government notifications and orders;																		
2	Part-I-A	Notifications, Resolutions etc. relating to Local Government Department and notifications of the Panchayats Department. The following notifications and resolutions relating to Local Government Department are to be published in Part-I-A of the Haryana Government Gazette :- <table><tr><td></td><td>Part-I-A</td></tr><tr><td>1</td><td>The Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016</td></tr><tr><td>2</td><td>The Haryana Municipal Act, 1973</td></tr><tr><td>3</td><td>Haryana Municipal Act-1973-A</td></tr><tr><td>4</td><td>Haryana Municipal Act-1973-B</td></tr><tr><td>5</td><td>Haryana Municipal Act-1973-C</td></tr><tr><td>6</td><td>The Haryana Municipal Corporation Act, 1994</td></tr><tr><td>7</td><td>Haryana Municipal Citizen's participation Act, 2008</td></tr><tr><td>8</td><td>Haryana Town Improvement ACT 2008</td></tr></table>		Part-I-A	1	The Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016	2	The Haryana Municipal Act, 1973	3	Haryana Municipal Act-1973-A	4	Haryana Municipal Act-1973-B	5	Haryana Municipal Act-1973-C	6	The Haryana Municipal Corporation Act, 1994	7	Haryana Municipal Citizen's participation Act, 2008	8	Haryana Town Improvement ACT 2008
	Part-I-A																			
1	The Haryana Management of Civic Amenities and Infrastructure Deficient Municipal Areas (Special Provisions) Act, 2016																			
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3	Haryana Municipal Act-1973-A																			
4	Haryana Municipal Act-1973-B																			
5	Haryana Municipal Act-1973-C																			
6	The Haryana Municipal Corporation Act, 1994																			
7	Haryana Municipal Citizen's participation Act, 2008																			
8	Haryana Town Improvement ACT 2008																			

		9	Haryana Fire Service Act, 2009
		10	The Haryana Urban (Control of Rent and Eviction) Act, 1973,
		11	The Punjab Town Improvement Act, 1922;
		12	The Faridabad Complex (Regulation and Development) Act, 1971;
		13	The Cattle Trespass Act, 1871;
		14	The Hackney Carriage Act, 1879;
		15	The State Carriage Act, 1961;
		16	The Local Authorities Loans Act, 1914.
		17	All resolutions relating to Local Government measures, no matter by what department they may be issued;
		18	All notifications of the Haryana Government issued under section 3 of the Vaccination Act, 1880;
		19	All notifications of the Haryana Government issued under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, relating to the acquisition of land on behalf of local bodies.
		20	All notifications issued by Deputy Commissioners under section 55(1) of the Haryana Municipal Act, 1973.
		21	All other matters of general interest which the Administrative Secretary orders to be published in Part-I-A.
3	<b>Part-I-B</b>	Notifications by Commissioners/Deputy Commissioners;	
4	<b>Part-II</b>	Republications from the Government of India Gazette;	
5	<b>Part-III</b>	Notifications by High Court, Financial Commissioners, Administrative Secretaries, Heads of Departments and advertisements and notices of Haryana Public Service Commission;	
6	<b>Part-III-A</b>	Notifications by Universities located in Haryana;	
7	<b>Part-III-B</b>	Court and Insolvency Notices;	
8	<b>Part-IV</b>	Publication of Acts, Bills, Ordinances etc;	
9	<b>Part-V</b>	Notification by the Haryana Legislature.	
10	<b>Supplement Part-I</b>	Statistical—Weather and Crop Report; Weekly report of births and deaths; Indices of Rates;	
11	<b>Supplement Part-II</b>	(General—Reviews, Catalogue of books, periodicals, etc.	

**25.7 Publication of Gazette.—**

- (1) The Ordinary Gazette is published every Friday and the material should reach the Government Press by Tuesday. Immediate notifications which cannot wait for the regular Gazette are published in the extraordinary Gazette on any day under the orders of the Administrative Secretary to Government. It should clearly be mentioned by the Department that a notification is to be published in the ordinary gazette or extraordinary gazette.
- (2) Soft fair copies of the notifications duly digitally signed by the competent authority should carefully be examined by the dealing official/officer before sending the same to the Press. Notifications and papers published in the Gazette should be authenticated by the concerned Nodal Officer. The name and designation of the Administrative Secretary concerned should be typed on the right hand side at the end of notification.
- (3) It shall be the duty of the dealing official/officer of the concerned Department to verify from the website “egazetteharyana.gov.in” that the notification has actually been e-published. He must check the correctness of the gazette notification and note the date and type of the Gazette on the office copy of the notification. A printout of the notification downloaded from the website should be added to the file for record. No file(s) containing notifications should be kept pending or recorded unless the dealing official satisfies himself that this requirement has been complied with.

**25.8 Republication of Government of India Notifications, Acts and Bills.—**

- (1) Copies of the Government of India Gazette are received by Law and Legislative Department Haryana and out of these Acts and Bills which require republication in the Haryana Government Gazette are sent to the Political and Parliamentary Affairs Department of Haryana Civil Secretariat. It will be the duty of the department to send it to the Controller, Printing and Stationery Department with the instructions to republish the notifications so marked in Part II of the Haryana Gazette. The dealing Assistant of the branch deputed to republish the Gazette of the Government of India shall examine weekly and must maintain a register to show what notifications he sent for republication and check-up promptly that such notifications have been republished in Part-II of the Government Gazette. A report in this regard should be made to the Superintendent weekly. After the republication of Government of India gazette

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in the Haryana Gazette, the Political and Parliamentary Affairs Department will inform to the Law & Legislative Department Haryana and also to the Government of India regarding the date on which it has been republished in the Haryana Gazette.

- (2) When a request is received from the Government of India for the republication of a particular notification, especially one in which objections have been invited from the public by a certain date, the concerned official/officer of the Law and Legislative Department Haryana must draw the attention of the Political and Parliamentary Affairs Department to the matter and must satisfy himself after obtaining a written intimation to the effect that the Government of India Gazette has been sent for republication in time. Further, in a case of urgency, the Superintendent Political Branch should send the Assistant concerned to the Press to make sure that the notification is appearing in the Haryana Gazette for that week.
- (3) Copies of the Government of India Acts and Bills as published in Parts IV and V of the Gazette of India are not supplied to the Haryana Government Press. If republication is considered necessary or desirable, arrangements should be made for the republication of such Acts and Bills in the State Gazette from copies of the Gazette of India. Translations of Bills and Acts, will continue to be supplied by the Law and Legislative Department to State Government.

## 25.9 Obituary notices in the Haryana Gazette.—

Such notices should ordinarily be published only on the death of :-

- (1) Governor, Ministers, Speaker, Deputy Speaker,
- (2) Judges of the High Court;
- (3) The deaths of officers who have made their mark in their own department will naturally be referred to in the annual administrative report of the department to which they belonged and such reference should continue to be made in future, irrespective of whether an obituary notice has appeared in the Gazette.

**Note.—** *The above instructions do not preclude Administrative Secretaries from supplying to the Press information regarding the history of services of officers who die while on the active list.*

Detailed instructions about action to be taken on the deaths of High Dignitaries are contained in **Chapter-XXXV**.



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**25.10 e-Gazette.—**

- (1) Under the policy of Haryana Government on e-delivery of citizen services by various departments/organisations this was identified “Placing of all Gazette Notifications, department-wise and subject-wise with search engine, on website.”
- (2) The Gazette of Haryana has been switched to exclusive e-publishing with effect from 19th January, 2017. The Gazette is e-published only by uploading on the official website [www.egazetteharyana.gov.in](http://www.egazetteharyana.gov.in). The Printing & Stationery Department, Haryana maintains the record of notifications published as above and makes available the same for reference whenever required. The physical printing and sale of hard copies of Gazette by the Printing & Stationery Department, Haryana have been ceased completely from 19th January, 2017. The users may download the e-gazette so published from above mentioned official website free of charge.
- (3) A soft copy in MS-Word format is sent by the Nodal Officer of the Department along with the hard or scanned copy of the original Notification to the Govt. Press, Haryana. The said data is typed in MS-Word, in Times Font Type, Font Size - 10 point in case of English language and in Kruti Dev-10/DevLys-010 Font Type, Font Size - 12 point or Unicode Font in case of Hindi language, formatting on Paper Size A-4 with a margin of 1 inch all sides. The Govt. Press, Haryana does not accept any Notification without its soft copy. The Nodal Officer e-Gazette is designated by the departments, is allotted different user ID's and Passwords for uploading the Notifications. The Controller, Printing and Stationery only monitors the process and makes the final approval on the website.
- (4) Nodal Officer designated by each Department for the above purpose will also be able to upload Notification directly on the e-Gazette site in MS-Word format and PDF format. He is issued User ID & Passwords to Login and necessary arrangements for need based training of the Officers is made by the Printing & Stationery Department, from time to time. For any guidance for uploading notifications directly on the website, for obtaining User ID, Password and short training for uploading notifications directly on the website, for the smooth functioning of this application, the Nodal Officer (IT) in the Printing & Stationery Department may be contacted.

## USER MANUAL

### 1.0 Getting Started

- Open Internet Explorer
- Type URL <http://egazette.gov.in/>
- This will open a screen as shown in figure 1.

The screenshot shows the home page of the Haryana Government Gazette website. The header includes the Haryana Government logo and the text "Haryana Government Gazette Published by Controller, Printing & Stationery Department Haryana, Chandigarh." Below the header is a navigation menu with links: Home, About Us, About Gazette, Feedback, Register For Notification Alert, Contact Us, and a Log in button. The main content area is divided into two columns. The left column is titled "Search Notification" and contains a form with fields for Gazette Type, Notification No., Subject / Keyword, Department, Start Date, End Date, and Verification Code. The right column is titled "Summary" and displays statistics for gazettes published since 01-Jan-2015, including Total No. of Gazette (3) and Notifications (14). Below the summary is a section for "Recent Gazette" showing details for two types of gazettes: Extra-Ordinary and Ordinary.

Summary	
Published Since 01-Jan-2015	
Total No. of Gazette	3
Notifications	14

Recent Gazette	
Gazette Type	Extra-Ordinary
Gazette Number	2-2015/EM
Published Date	02-Jan-2015
Total Notifications	5
Gazette Type	Ordinary
Gazette Number	1-2015
Published Date	06-Jan-2015
Total Notifications	8

Figure 1. Home page of Haryana Government Gazette

Click on the **Log In** link on the right side of Menu Bar. This will open a screen as shown in Figure 2.

The screenshot shows the login interface for the Haryana Government Gazette. At the top, there is a header with the department name and a navigation bar with links: Home, About Us, About Gazette, Feedback, Register For Notification Alert, Contact Us, and a Log In button. The main content area is titled 'Department and Administrator Login' and contains a form with fields for User Name, Password, and Verification Code. The verification code displayed is '9fa84'. Below the fields is a 'Log In' button. At the bottom, there are links for 'All Gazette Notifications are in PDF' and 'Get Adobe Reader', along with logos for the Government of India and Haryana.

**Figure 2. Department and Administrator Login**

Enter your authenticated Login credential (i.e. User Name, Password) provided by the Controller, Printing and Stationery Department, Haryana and the verification code and then click on the **Log In** button. This will open a screen as shown in Figure 3.

The screenshot shows the registration form for a Nodal Officer Gazette. The page title is 'Haryana Government Gazette' and the subtitle is 'Printed & Published by Controller, Printing & Stationery Department Haryana, Chandigarh.' The navigation bar includes links for Notification, Reports, Change Password, and Help. The main content area is titled 'Organisation : Agriculture (Head Quarter)' and contains a 'Registration Form for Nodal Officer Gazette'. The form includes fields for Name of the Nodal Officer Gazette (First Name, Last Name), Contact Numbers (Office, Home, Mobile), Email, and Re-enter email. There are 'Submit Detail' and 'Reset' buttons. On the left, there are instructions for Nodal Officer Gazette and a 'Download Fonts' button. At the bottom, there is a footer with contact information for the Controller, Printing and Stationery Department, Haryana, Chandigarh.

**Figure 3.**

It will ask for “Please fill the Registration Form” if you are Logging first time. Please read the Instruction for Nodal Officer Gazette, fill the desired information in ‘Registration Form for Nodal Officer Gazette’ and submit the detail. Now this will show page along with the information in ‘Registration Form for Nodal Officer Gazette’ as shown in Figure 4 as below

The screenshot shows the Haryana Government Gazette website interface. The header includes the logo and text: "Haryana Government Gazette", "Printed & Published by Controller, Printing & Stationery Department Haryana, Chandigarh.", and navigation links: Home, Notification, Reports, Change Password, Help, Website, and user: Agriculture. The main content area is titled "Organisation : Agriculture (Head Quarter)" and contains two sections:

- Instructions for Nodal Officer Gazette:**
  1. Register yourself with eGazetteHaryana website. Give your Contact Nos. and email address for future correspondence.
  2. All the Notifications should be in MS-Office Word.
  3. Formatting : To maintain the uniformity of the Gazette kindly use following settings:
    - \* Paper Size : A4
    - \* Page Layout : Portrait
    - \* Paper Margins : Top : 30mm, Bottom : 25mm, Left : 25 mm, Right : 25mm
    - \* Fonts : For notifications in English kindly use Times Font 10 Point and for Hindi use 12 Point download Font from this site. Line Spacing — Single Space
- Registration Detail for Nodal Officer Gazette:**

Name of the Nodal Officer Gazette

First Name: Agriculture Last Name: Agriculture

Contact Numbers

STD-Code: 0172 Phone No: 123456 Mobile No: 0123456789

Email: Agriculture29@gmail.com

[Edit Detail](#)

Below these sections is a "Download Fonts" button with links for "English Fonts" and "Hindi Fonts". At the bottom, a footer provides contact information: "In case of any problem User can contact to the Controller, Printing and Stationery Department Haryana, Chandigarh. Email: [printing@nic.in](mailto:printing@nic.in) Phone: 0172-2549694, 2774206."

Figure 4.

Later Nodal Officer Gazette can also update his detail by clicking on Edit Detail button

## 2.0 Site Map

This Web Based Solution contain different Menus, which are listed below

### Home

#### Notification

#### Upload Notification

#### View All Notification

### Reports

#### Pending Notification

#### Rejected Notification

### Change Password

### Help

### Log Out

## Home Menu

Figure 3 shows the web page for Home menu and include the activities as discussed above.

## Notification Menu

It further contain Two Sub Menus

- (i) Upload Notification
- (ii) View All Notifications

Click on Upload Notification Sub-Menu following screen will appear as shown in figure 5.

The screenshot shows the Haryana Government Gazette website. The header includes the logo and text: "Haryana Government Gazette", "Printed & Published by Controller, Printing & Stationery Department Haryana, Chandigarh.", and a navigation bar with links: Home, Notification, Reports, Change Password, Help. The user is logged in as "user : Agriculture". Below the header is a "Next" button. The main content area displays the "Requisite Form For Publication of Notification/Orders/Acts etc." with the following fields:

- Dispatch No \*
- Date \*
- From \*
- Name \*
- Designation \*

At the bottom, there is a footer with contact information: "In case of any problem User can contact to the Controller, Printing and Stationery Department, Haryana, Chandigarh. Email: printing@nic.in Phone: 0172-2545694, 2774205."

**Figure 5**

Initially it will ask the detail for 'Requisite Form for Publication of Notification/Order/Acts etc', fill the detail and click on **Next Button**, this will open a screen as shown in figure 6 as below

The screenshot shows the Haryana Government Gazette website. The header is the same as in Figure 5. Below the header is a navigation bar with buttons: Previous, Save, Cancel. The main content area displays the "Notification Details" form with the following fields:

- Gazette Type \*
- Notification No. \*
- Notification Subject \*
- Notification Keyword
- Notification Date \*
- Upload files (Maximum Size : 10 MB)
- Attachment (Word File) \* (Choose File No file chosen)
- Attachment (PDF File) (optional) (Choose File No file chosen)
- ☒ Is Active

**Figure 6.**

Note: - All the field with “\*” are mandatory.

Enter the information related to the Notification such as Gazette Type(i.e. Ordinary or Extra-Ordinary), Notification Number, Notification Subject, Notification Keyword, Notification Date and upload File Containing Notification Contents as MS-Word and PDF and click on the **Save Button** for uploading the notification and it will show confirmation message as shown below.

The screenshot shows the Haryana Government Gazette website interface. At the top, there is a banner with the text "Haryana Government Gazette" and "Printed & Published by Controller, Printing & Stationery Department Haryana, Chandigarh." Below the banner, there are navigation buttons: Home, Notification, Reports, Change Password, and Help. On the right, there is a "Website" link and a user profile "user : Agriculture".

A confirmation message "Notification Uploaded Successfully!" is displayed in a grey box with "Next" and "Cancel" buttons. Below this, a "Requisite Form For Publication of Notification/Orders/Acts etc." is shown. The form contains the following fields:

- Dispatch No \*
- Date \*
- From \*
- Name \*
- Designation \*

To view all the Uploaded Notification click on **View All Notifications** Sub Menu under Upload Notification Menu. This will open a screen as shown below

The screenshot shows the "All Notifications" page. At the top, there is a banner with the text "Haryana Government Gazette" and "Printed & Published by Controller, Printing & Stationery Department Haryana, Chandigarh." Below the banner, there are navigation buttons: Home, Notification, Reports, Change Password, and Help. On the right, there is a "Website" link and a user profile "user : Agriculture".

The "All Notifications" section contains a search bar and filters for "Select Office", "Select Gazette Type", and "Select Access". Below this is a table with the following columns:

Edit	Sr. No	Department	Notification No / Date	Notification Subject	Gazette Type	Uploaded Date	Download	Status
	1	Agriculture (Head Quarter)	2089-Agrl.Sec.(1) 2014/18672 23/12/2014	Notified market area	Ordinary	06/01/2015		Published
	2	Agriculture (Head Quarter)	asdsadasd 14/01/2015	dsdsad	Ordinary	14/01/2015	<a href="#">Requisite Form</a> <a href="#">Word File</a>	Pending

At the bottom of the table, it says "You are viewing page 1 of 1" and "Page Size: 5".

In case of any problem User can contact to the Controller, Printing and Stationery Department  
Haryana, Chandigarh.  
Email: [printing@nic.in](mailto:printing@nic.in) Phone: 0172-2549694, 2774206.

It shows all the notifications uploaded by department. Department can Edit the Notification till it is locked by the Printing & Stationery Department, for the processing. Once it is locked department can't edit the notification.



## Reports

### Pending Notifications

Click on the Pending Notifications Sub Menu under Report Menu, this will open a screen showing all the Pending Notifications as shown in figure below



**Haryana Government Gazette**  
Printed & Published by Controller, Printing & Stationery  
Department Haryana, Chandigarh.

Notification Reports Change Password Help Website user : Agriculture

**Pending Notifications**

-SELECT GAZETTE TYPE- Date From To GO Total Records Found : 1

Sr. No	Department	Notification No	Notification Subject	Gazette Type	Uploaded Date	Download
1	Agriculture (Head Quarter)	asdsadasd 14/01/2015	dsdsad	Ordinary	14/01/2015	<a href="#">Requisite Form Word File</a>

You are viewing page 1 of 1 Page Size: # 5

In case of any problem User can contact to the Controller, Printing and Stationery Department  
Haryana, Chandigarh.  
Email: [printing@nic.in](mailto:printing@nic.in) Phone: 0172-2549694, 2774206.

### Rejected Notifications

Click on the Rejected Notifications Sub Menu under Report Menu, this will open a screen showing all the Rejected Notifications as shown in figure below

### Change Password

It is suggested that please change your password when you login first time. Click on Change Password Menu, this will open a screen as below



**Haryana Government Gazette**  
Printed & Published by Controller, Printing & Stationery  
Department Haryana, Chandigarh.

Notification Reports Change Password Help

**Change Password**

User Name \* Agriculture

Current Password

New Password \*

Confirm Password \*

Change Reset

In case of any problem User can contact to the Controller, Printing and Stationery Department  
Haryana, Chandigarh.  
Email: [printing@nic.in](mailto:printing@nic.in) Phone: 0172-2549694, 2774206.

**Note :** - New Password must contain: Minimum 8 characters, atleast 1 uppercase, 1 lowercase, 1 numeric, and 1 special character.

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Enter the Current Password, New Password and confirm New Password and click on the **Change Button**.

**Help**

Click on Help Menu, it will open a PDF file which contain User's Manual

**Log Out Button**

Click on the Log Out image at the right side of the Menu Bar, it will loge out you from the admin Panel.

**FORMATTING**

Follow the instructions for typing notifications All notifications have to be in **MS-word document** file. No scanned copy will be accepted.

Paper size : **A4**

Orientation : Portrait

Margins :-

Top : 3.2 cm.

Bottom : 2.5 cm.

Left : 2.3 cm.

Right : 2 cm.

For typing notification in English use - Times Font size 10 pt.

For typing notification in Hindi use - Devlys 010 Font size 12 pt.

Spacing : Single line spacing

For Tables : Table width should not exceed 16.7 cms.

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## **CHAPTER - XXVI**

### **OFFICE AUTOMATION AND ELECTRONICALLY SUPPORTED OFFICE PROCEDURES SYSTEM**

#### **26.1 Purpose of office automation.—**

The slow age old snail mail is on the way out. Use of labour-and-time saving modern office equipment in the disposal of business in Government Departments is now in vogue to facilitate faster processing and delivery of quality information, accurate analysis of facts and figures, higher efficiency and productivity, and elimination of fatigue etc. arising from performing repetitive jobs manually. For reasons of economy, however, a judicious selection of the most appropriate machine/automation e.g. usage of e-mail over postal must be done.

#### **26.2 Areas amenable to automation.—**

The following areas of office work are suitable for automation:

- (a) collection, collation, storage and retrieval of information;
- (b) processing and delivery of information;
- (c) document creation and duplication; and
- (d) faster communication.

#### **26.3 e-Office Project Introduction.—**

This is the Mission Mode Project of the State Government under the National e-Governance Plan. The Government has taken up the e-Office Project that has been conceptualised to modernize the Government Offices through the introduction of Information Technology created by National Informatics Center, Electronics and Information Technology Department of the Haryana Government. The mandate for the department has been to not only introduce the IT solutions and best practices, but also to bring in process re-engineering to create an efficient office working. The e-Office Project aims to address the fundamental requirements of the offices of the State Government, in the areas like efficiency, productivity, transparency and accountability.

#### **26.4 Vision of e-Office.—**

The e-Office envisages a user-friendly and integrated file and records management software solution with the implementation of associated process reforms. The e-Office is aimed at introducing the concept of e-file (electronic files), rule based file routing, flexible workflows, quick search and retrieval of files and office orders, digital

signatures/ e-Sign, forms and reporting components in the government office leading to less paper and efficient offices in the State Government.

## 26.5 Objectives of e-Office.—

The broad objectives of e-Office are as below:

1. To improve efficiency, consistency and effectiveness of government responses;
2. To reduce turnaround time and to meet the demands of the citizens charter;
3. To provide for effective resource management to improve the quality of administration;
4. To enhance transparency and accountability;

### Why eOffice?

- An average document is photocopied 19 times
- Paper files get doubled every 3.5 years
- Paper usage in an average office grows 22 percent a year and doubles every 3.3 years
- Every 12 filing cabinets require an additional employee to maintain them
- The average search time for any document is 18 minutes and some are never found
- At any given time, 3-5 percent of an organization's files are lost or misplaced
- Large organizations lose/misplace a document every 12 seconds
- 92 percent of information is in manila folders
- Almost half of an office's time is spent handling paper/data entry
- 80 percent of today's information is paper based
- The average time to retrieve and file a paper document is 10 minutes
- E-mail causes an average 40 percent increase in paper consumption
- 12,500 sheets of paper can be made from one tree
- A letter has to pass through 41 steps and entered in dozens of the registers before it is answered

*Source: Green IT Initiative, A paper by Shri. Virendra Singh (IAS – Maharashtra) on eOffice Implementation in Sindhudurg District of Maharashtra.*

## 26.6 Features of the present implementation plan.—

As a prelude to development of e-office solutions, detailed study was conducted by the Government on the following issues

1. As is Study
2. Best Practice Survey
3. Technology Scanning
4. Technology Architecture
5. Technology Standards
6. Business Process Reengineering
7. Change Management Strategy
8. e-Manual

## 9. Functional Requirements Specification

Based on these studies, the present e-Office solution was designed which is in sync with the needs of a modern Government and has been conceived as the instrument for the Next Generation Government. It paves a platform for personalised, role based, secure access to internal information for the employees that is accessible through any browser. Personalised services are enabled and employees receive electronic notifications of services and transactions based on their needs and contingencies

### 26.7 Main Components and functionalities of e-Office.—

eOffice Product Suite	eOffice Lite (eFile)	eOffice Lite (SPARROW)	eOffice Premium	eOffice Lite (eLeave-eTour)
File Management System	✓	—	✓	—
Knowledge Management System	✓	—	✓	✓
Collaboration and Management Services	✓	—	✓	✓
Leave Management System	—	—	✓	✓
Tour Management System	—	—	✓	✓
Personnel Information Management System	✓	✓	✓	✓
Smart Performance Appraisal Report Recording Online Window	—	✓	—	—

e-Office is available in four different versions keeping in view the requirement of the implementing organisation. E-Office has been divided into various modules. Each module aims to streamline and automate a particular office work flow to provide it a greater level of efficiency and transparency. The modules envisaged under the e-Office umbrella are as follows:

#### (1) Admin Module.—

The admin module in e-Office is the controlling module which allows the administration of user groups, applications, the various e-Office modules such as correspondence manager, e-file, e- Record, etc. among other things.

#### (2) e-File & Correspondence Manager.—

The e-file Manager is one of the most critical modules of the e-Office framework. This module will be used by Dealing Hand/Branch Incharge and all other higher officers who use e-files for taking all decisions. The module will let the users create e-files, work on e-files, send e-files, review, monitor and track status of e-files and close e-files. The e-file will create transparency in the system along with a better mechanism to track and dispose of e-files. The

proposed framework will also help smooth and expeditious disposal of cases. e-file Manager enhances transparency, increase accountability, ensure data security and data integrity, transform the government work culture and ethics and promotes innovation by releasing staff energy and time from unproductive procedures.

This module will contain all functionalities from the present physical file system which is relevant to e-file manager module.

According to the newly described framework, all the e-files in the department will have a unique e-file number. The e-file will contain the digital signature of user and once affixed will not allow any changes on the e-file. The system will also have automatic pre-defined reports, alerts at defined frequency to relevant officers to make them aware of the status of e-file and help them take pro-active action in the disposal of cases.

### **(3) Records Manager.—**

This module will be used by Dealing Hand/Branch Incharge and all other higher officers. The module will let the users create e-records after the e-file has been closed, create requisitions for referencing e-records created outside the section, review e-records on timely basis, monitor and track status of the review of all e-records due for review, send alerts for timely review, issue of records and create a back-up copy in Disaster Recovery Site.

The proposed framework will eliminate the need of a physical record room as well as a record officer, as all activities currently being undertaken in a physical record room, such as receiving physical files, allocating location, storage, retrieval of the physical files for issue or review and despatch will be moved to an electronic Digital Record Room. Also all e-records will be reviewed on the e-Office platform making the review process quick and efficient. Records will become easy to store, trace, move along with, giving added security to the records being maintained.

### **(4) Knowledge Management.—**

This module will be used for maintaining the knowledge repository of the department and replacing manual movement once the e-Office becomes fully operational across all offices of the State Government.



## 26.8 How to get e-Office? .—

e-Office is designed and developed by National Informatics Centre, Ministry of Electronics & Information Technology (MEITY). The interested organisations may write a mail to [eoffice-pmu@nic.in](mailto:eoffice-pmu@nic.in)

e-Office is a cloud enabled software that can be deployed/hosted in any data centre or in any cloud identified by the organisation.

NIC team shall help the organisation in setting up of e-Office environment, master data preparation and in the initial rollout.

For Continuous Support & Roll-Out, the NIC team shall provide training to the IT-Team/ Agency identified by the organisation.

Upgrades to eOffice Software as well as patches to address new threats/vulnerabilities will be made available from time to time.

## 26.9 Mission Mode Projects .—

A mission mode project (MMP) is an individual project within the National e-Governance Plan (NeGP) that focuses on one aspect of electronic governance, such as banking, land records or commercial taxes etc. Within NeGP 2.0, "mission mode" implies that projects have clearly defined objectives, scopes, and implementation timelines and milestones, as well as measurable outcomes and service levels.

### Components of Mission Mode Projects

#### The components of MMPs include

- (i) Capacity building scheme - The scheme envisions
- (ii) Establishment of Institutional Framework for State Level Strategic decision-making including setting-up of State e-Governance Mission Team (SeMT).

- (iii) Imparting of specialised training, Orientation program for SeMTs and decision makers.
- (iv) Setting up of a central Capacity Building Management Cell for coordination and implementation of the scheme.
- (v) Awareness and communication.
- (vi) Build NeGP as an umbrella brand.
- (vii) Create awareness about e-Governance services and service delivery points
- (viii) Build ownership/ stake of implementers in NeGP.
- (ix) Impact and outcomes - Besides assessment of projects, DeitY also undertakes e-Readiness Assessment of States and Union Territories.
- (x) Standards and Policies - Standards in e-Governance are a high priority activity, which will help ensure sharing of information and seamless interoperability of data across e-Governance applications.

#### **The Core Projects (Mission Mode Projects)**

State MMPs	Integrated MMPs
<ul style="list-style-type: none"> <li>• Agriculture 2.0</li> <li>• Commercial Taxes</li> <li>• e-District</li> <li>• Employment Exchange</li> <li>• Land Records (NLRMP)</li> <li>• Municipalities</li> <li>• e-Panchayat</li> <li>• Police (CCTNS)</li> <li>• Transport</li> <li>• Treasuries Computerisation</li> <li>• PDS</li> <li>• Education</li> <li>• Health</li> <li>• e-Vidhan</li> <li>• Agriculture 2.0</li> <li>• Rural Development</li> <li>• Women and Child development</li> </ul>	<ul style="list-style-type: none"> <li>• CSC</li> <li>• e-Biz</li> <li>• e-Courts</li> <li>• e-Procurement</li> <li>• EDI For e-Trade</li> <li>• National e-governance Service Delivery Gateway</li> <li>• India Portal</li> <li>• Financial Inclusion</li> <li>• Roads and Highways Information System</li> <li>• Social benefit</li> <li>• National GIS</li> <li>• Urban Governance</li> </ul>

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## **CHAPTER - XXVII**

### **COMPUTERISATION IN OFFICES/MODERNISATION OF OFFICES**

#### **27.1 Objectives of Computerisation in Offices/Modernisation of Offices.—**

The following are the main objectives of computerisation in public offices:

- (1) To promote e-Governance and m-Governance for bringing effectiveness, efficiency, transparency and accountability in public offices.
- (2) To improve the Government to Citizen (G2C) interface.
- (3) To facilitate public service delivery.
- (4) To reduce transaction delays.
- (5) To reduce repetitive work for employees thereby enabling them to utilise their time for other analytical work.

#### **27.2 Roles and Responsibilities of the Departments.—**

- (1) Every Department must promote e-Governance and bring efficiency and transparency in the functioning of its offices. In order to attain this goal, every Department:
- (2) Must have a web-presence through a dedicated departmental website which must be hosted in “gov.in” or “nic.in” domain, exclusively allotted and restricted to Government/Educational Institution websites. Hosting public websites at the servers of private companies or outside the country is prohibited.
- (3) Must develop and implement application software to automate the departmental activities and to enable online transactions of G2C services.
- (4) Must follow e-Governance standards while developing the IT-solutions so that the data can be shared among various e-Governance modules without any interoperability issues.
- (5) Must adhere to the Policies/ Guidelines framed by State IT Department or Government of India from time to time.
- (6) Must adhere to the Government of India guidelines for dealing with cyber attacks and cyber terrorism.



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- (7) Must use and share common IT infrastructure facilities, such as HSWAN, SDC, CSC, SSDG, SMS Gateway, Payment Gateway, instead of creating its own.
  - (8) Must procure hardware only as per the requirement of the software applications, by following the prescribed procedures.
  - (9) Must network all computers in the office for optimal utilisation of resources and sharing of assets. The offices of the departments must be connected across the State using HSWAN.
  - (10) Must build capacities within the department for the use of IT, by training personnel.
  - (11) Must devise methods to reduce e-Waste by adopting a buy-back mechanism instead of buying new hardware and dumping the obsolete/ old hardware as waste.
  - (12) Must constitute a Project e-Mission Team (PeMT) of 2 to 3 committed officers of the Department in accordance with the National E-Governance Plan (NeGP). The team members must be re-skilled and empowered appropriately for Information Technology. The PeMT would be primarily responsible for conceptualizing IT Project and monitoring its day-to-day implementation. The PeMT must be designated and entrusted with the responsibilities to:
    - (i) Interact with IT Department/NIC/HARTRON/Third Party Agency with reference to the computerisation of the department
    - (ii) Ensure timely updation of departmental websites

The following sections describe the guiding principles for effectively implementing the mandate of roles and responsibilities entrusted to departments and offices:

### **27.3 Creating a Departmental Website.—**

The content of a Department's website is its soul, as the citizens rely heavily upon public websites to access authentic and up-to-date information. Every department and public office, while creating its website, must follow the Guidelines for Indian Government Websites (GIGW) prescribed by the Ministry of Communications and Information Technology, Government of India. These guidelines can be accessed at <http://egovstandards.gov.in>. Accordingly, the websites must have the following structure of contents:

**27.4 State Government Identity.—**

All websites and portals belonging to the State Government Domain must prominently display a strong State Identity and ownership. The State Emblem must be displayed on the Homepage of the websites of departments of the State. The Public Sector organisations and autonomous bodies should display their official logo on the Homepage.

**27.5 Primary Content.—**

The primary content of a website must constitute the core information sought by target audience e.g. citizens, organisations, institutions etc. It must include Profile, Mission/ vision Statement, History/ Background, Administrative Structure, Roles and Responsibilities, Who's Who, Programmes & Schemes, Services, Acts/ Rules, Circulars/ Notifications, Citizen Charter, Contact information etc of the department/ office. It must necessarily comply with the 17 point disclosure under section 4(1)(b) of RTI Act 2005.

**27.6 Secondary Content.—**

Secondary content of the website must provide information on Events and Announcements, Interest Group Corner, Related Links, Spotlight etc.

**27.7 Tertiary Content.—**

This must constitute sections like About the Site, Online Help, Terms and Conditions and Frequently Asked Questions (FAQ) etc for the target audience.

**27.8 Information to Avoid.—**

- (1) Commercial banners, advertisements etc. should be avoided on Government websites. Banner and advertisements that promote and link to other Government agencies as well as social messages are permissible.
- (2) Any information in text, visual or any other media which may offend/harm the National sentiments, religious communities as well as security and integrity of the country MUST NOT be displayed on the websites.
- (3) Government Information which is confidential or only for restricted use must be avoided on a website meant for the public.

**Note.—** The above mentioned contents of website components are only indicative. For an exhaustive list of guidelines on Government Identifiers, Content Copyrights, Terms & Conditions, Scope of Content, Quality, Design parameters, Development Standards including application security, website

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hosting, promotion, management etc., the departments must comply with the Guidelines on Indian Government Websites. Departments must also check for any revision in these guidelines at <http://egovstandards.gov.in> and follow the latest available version.

## **27.9 Development of Application Software.—**

- (1) The State IT Department has framed an e-Governance Roadmap for the Haryana State. The E-Governance Roadmap contains the prioritized list of initiatives for the identified departments of the State which can be implemented in next five years' time. The IT & ESDM Policy, 2017 of Haryana is available at <https://haryanait.gov.in/it-esdm-policy>. The departments must refer to and comply with this document before developing any application software.
- (2) IT Projects require a planned approach. It ensures the projects are executed efficiently with desired objectives without any time or cost overruns. Therefore, the departments must ensure that IT Projects:
  - (3) Are conceptualised, planned and implemented in an integrated manner.
  - (4) Are designed within the constraints of available resources and government procedures.
  - (5) Cover all aspects of the departmental activities with optimal utilisation of the technologies.
  - (6) Are managed in a consistent manner to maximize benefits and minimize development and maintenance costs.
  - (7) Are completed within a stipulated time frame.
  - (8) Meet the administrative, financial and audit control requirements of the State Government.
  - (9) Have adequate security features to maintain system integrity.
- (10) Computerisation in government departments and offices may not only include development of application software but also business process re-engineering, enhancement/ upgradation/ customisation of existing software. Successful implementation of e-governance projects requires that the Project Management Life Cycle (PLC) must be adhered to. The Project Proposal (PP) must be followed by Project Management Plan (PMP). PMP is followed with System Requirement Specifications (SRS), Software Design Document (SDD), Development, Pilot Testing, Training and Rollout in all the Offices. The

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detailed guidelines in this regard are available at <http://himachadit.gov.in> with the title 'Project Management Guidelines'. The e-Governance Projects must be implemented in the following phases:

- (i) Project Planning Phase**
- (ii) Project Development Phase**
- (iii) Project Implementation Phase**
- (iv) Post Implementation Phase**

**27.9 (1) (a) Project Planning Phase.—**

This phase constitutes of two parts. The first part consists of information collection, compilation and preparation of activities to be computerized by the departments. The second part deals with feasibility study, which may be conducted through an expert agency, i.e., Department of IT or with NIC Guidance or a Consultant. However, private consultancy must only be procured through an open tender process.

**(b) Information Collection.—**

This activity is to be performed by the department itself and involves the following activities:

- (i) Basic information of the Department, i.e., History, Functions, Mission and Objectives of the Department
- (ii) AS-IS scenario of the Department, i.e., present status of automation/ data processing and flow-chart of activities being performed.
- (iii) TO-BE scenario of the Department, i.e., the department need to identify the key areas and critical processes which need to be automated first for the purpose of improving internal efficiency and/or improving G2C or G2B interfaces. The department must hold internal meetings and finalise the priority areas for computerisation and get the same drafted, clearly mentioning the activities of the departments at all the levels, i.e., State HQ, District HQ, Subdivision/ Block/ Tehsil/Panchayat level.
- (iv) Gap Analysis of processes: The departments need to identify existing gaps and prepare a project plan, including timelines, for the proposed project along with strategies to be adopted for the implementation of the project and information flow in the proposed system.

**(c) Feasibility study.—**

- (i) In the absence of technical manpower within the department, an expert agency must be engaged for the feasibility study. This step is mandatory to uncover whether a specific need exists, identify the exact need and determine whether the proposed project can feasibly deliver the expected results. The feasibility report must contain Return Over Investment (ROI) study in order to determine costs and benefits of the project.
- (ii) Based upon the outcome of the feasibility study, a Detailed Project Report (DPR) must be prepared and forwarded to the State IT Department for obtaining technical sanction.
- (iii) The Department may explore the possibility of funding from sources e.g. Department of IT/concerned Ministry in the Government of India or other agencies.

**(2) Project Development Phase.—**

- (i) Once the funding for the project is secured, then comes the development phase which starts with System Requirement Specifications (SRS), Software Design Document (SDD), Development, Pilot Testing, Training and Rollout in all the offices.
- (ii) Departments must follow the relevant guidelines for the purpose as per the 'Project Management Guidelines'.
- (iii) In case the project is to be executed under Public Private Partnership mode, then appropriate service level conditions must be identified for all activities to ensure quality service. Payment should be linked with Service Level Agreements (SLAs) and adequate monitoring mechanism should be in place for implementation of SLA

**(3) Project Implementation Phase.—**

A critical component for the success of project is data entry. Data collection, entry and validation must be done within timeframe. Depending upon the nature of the project, historic data will also be required to be entered. The departments must take due care to decide the period for which historic data entry is required. This activity should be planned in advance so that the data entry is efficiently done. Otherwise, data entry will drag-on and result in project

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delays. Before the project is finally rolled-out, software testing with real data and user acceptance testing must be performed.

**(4) Post Implementation Phase.—**

The post implementation monitoring of project is essential. The software must have the necessary provisions to monitor the project implementation status. It is reiterated that in the case of PPP model, the payment should be linked with Service Level Agreement (SLA) and adequate monitoring mechanism should be put in place.

**27.10 Important Points to Remember.—**

- (i) The Departments must adhere to the e-Governance standards (e.g. Metadata and Data Standards, Biometric Standards, Quality & Documentation Standards etc.) while developing e-Governance Applications and strictly follow other security aspects as prescribed by the State IT Department or by the Ministry of Communications and Information Technology, Government of India from time to time.
- (ii) Wherever possible, software applications should be replicated within the government departments and offices. There are some common software which Departments can implement and use without any customising, like PMIS, e-Samadhan, e-Salary, e-Vitran, REFNIC, e-Procurement, e-office etc.
- (iii) There must be synchronisation of software/application development, network installation and hardware procurement to minimize the project rollout time.
- (iv) The role and responsibility of each official associated with the computerisation/IT project must be clearly defined in the workflow, so that the software application can be tailored accordingly.
- (v) A security audit must be regularly done of all the departmental applications/websites. The security must also be done every time there is any amendment/modification in the application.

**27.11 E-Governance Standards.—**

All the Departments must follow the e-Governance Standards of the Ministry of Communications and Information Technology, Department of Information Technology, Government of India and adhere to the Policies/Guidelines framed by State IT Department. A set of e-Governance Standards, Policies/ Guidelines are

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available at <http://egovstandards.gov.in>. A broad list of components of these standards is given below for reference:

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### **Guidelines for Usage of Digital Signatures in e-Governance**

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#### **Biometric Standards**

Notification of Biometric Standards

Face Image Data Standard

Fingerprint Image and Minutiae Data Standard

#### **Open Standards**

Notification of Policy on Open Standards

Policy on Open Standards for e-Governance

#### **Quality Assurance Framework (QAF)**

Presentation on Overview of Quality Assurance Framework (QAF)

Quality Assurance Framework (QAF) for e-Governance Applications

#### **Conformity Assessment Requirements (CARE)**

Presentation on Overview of Conformity Assessment Requirements(CARE)

Conformity Assessment Requirements (CARE) for e-Governance Applications

### **27.12 Guidelines for Indian Government Web Sites.—**

For an exhaustive list of guidelines on e-Governance Standards, the departments must visit <http://egovstandards.gov.in> and follow the latest available versions.

### **27.13 Policies/ Guidelines of State Government.—**

The departments and offices must adhere to the policies/ guidelines issued by the State IT Department and the Ministry of Communications and Information Technology, Government of India from time to time. The Policies/ Guidelines currently applicable are:

- (i) IT Act 2000
- (ii) IT (Amendment) Act 2008
- (iii) Rules for the Information Technology Act 2000
- (iv) Policy for .IN Internet Domain Registration
- (v) The above mentioned Policies/Guidelines are available at [https://www.meity.gov.in/](https://www.meity.gov.in/content/acts-policies) content/acts-policies and at <https://haryanait.gov.in>

**27.14 Cyber Security Guidelines.—**

The departments must adhere to the IT Security norms prescribed by the State IT Department and Information Security Standards Framework and Guidelines issued by the Ministry of Communications and Information Technology, Government of India from time to time. All the departments must get the security audit conducted of all the applications/websites being used by them. The security audit needs to be done not only once while implementing the software, it must be done every time there is any amendment/ modification in the application. The security audit of the departmental websites/applications must only be done through agencies empanelled by the Indian Computer Emergency Response Team (ICERT), DIT, Government of India. The list of Information Security Auditing Organisations (valid up to 2022) currently empanelled by ICERT is available at [http://cert-in.org.in/PDF/Empanel\\_org\\_2022.pdf](http://cert-in.org.in/PDF/Empanel_org_2022.pdf) Since the list of empanelled agencies changes every year, departments must visit the website at <http://www.cert-in.org.in> to ascertain the list of such agencies.

**27.15 Use of Common Infrastructure.—**

- (i) **1 Note:** Common IT Infrastructure may increase in future; this list has been prepared keeping in view the contemporary facilities available.
- (ii) All departments and offices MUST use common IT Infrastructure created by the State IT Department. The detail of the common IT Infrastructure is given below:

**(1) State Data Centre (SDC).—**

The Departments must host their software applications/database etc. at the servers available in SDC or can co-locate their servers in the SDC, in consultation with DIT Haryana. The departments must avoid replicating such infrastructure available at SDC. This will check proliferation of need to hire technical manpower for operation, administration and maintenance at departments and field offices.

**(2) State Wide Area Network (HSWAN).—**

The connectivity in offices across the must be secured through HSWAN. The detailed guidelines in this regard have already been issued by the State IT Department. In case it is found that HSWAN connection is not feasible at any particular location, the Department of Information Technology will issue No



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Objection Certificate (NOC) to the concerned department/office so that non-HSWAN alternatives for connectivity can be explored.

**(3) Common Service Centres (CSC).—**

Common Service Centres Scheme in Haryana known as e-seva kendra are the single window points of delivery of public services, social welfare schemes, education & agriculture, services and several saral services etc. to citizens in rural and remote areas also.

**(4) State Services Delivery Gateway (SSDG).—**

Saral will act as a common standard portal for all government departments to provide citizen services electronically in a seamless manner. All government departments must provide G2C services through SSDG instead of creating their own separate web-based service delivery channels.

**(5) State Electronic Payment Gateway.—**

The State e-Payment Gateway (Paygov) provides APIs for integrations to web-based electronic payment sites of government dues. This facility must be utilised by government departments instead of creating their own e-payment mechanism. This facility will not only be available to government departments but also to various Boards/Corporations having government equity. The departments must identify services e.g. collection of utility bills, fees, charges etc and take steps to integrate it with the e-Payment gateway. All departments must use State e-Payment Gateway, instead of creating their own payment gateways.

**(6) SMS Gateway.—**

All departments MUST use this facility for sending instant messages to the individual applicant or sending bulk messages like meeting notices, information etc. to group of people and communicate with sub-ordinate/ field offices. There are three types of facilities available for sending the SMSs. These facilities will be as under:

- (i) Facility to send bulk messages to group of users (citizens or Government Employees) in one step. This facility can be utilised for sending notices for the meeting and information to general public.
- (ii) Facility to send SMSs regarding the specific service to individual users (citizens or Government Employees) as per requirement. The Departments must use this for sending SMSs regarding status of the

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service when the same is ready for delivery or there is some deficiency in the documents submitted by the citizen.

- (iii) Facility for the citizen where they can get automatic information out of the database of the department (if available) by sending SMS using a pre-determined code and the departments may use this facility, through Department of IT, to conceive and develop sms-gateway based modules for declaration of result of examinations, information about Government services etc.

#### **27.16 Crisis Management Plan for countering Cyber Attacks and Cyber Terrorism.—**

The Department of Information Technology, Government of India has developed a Crisis Management Plan for countering cyber attacks and cyber terrorism. The Crisis Management Plan is being finalised at the State level. All the Government departments MUST follow procedures and guidelines mentioned in Crisis Management Plan to countering cyber attacks and cyber terrorism effectively.

#### **27.17 CM Window.—**

CM Window is a Public Grievance redressal and Monitoring System of CM Office, Haryana to deal with public grievances. It is a single integrated web-enabled system for all the departments. Any individual can register his grievance/ complaint by visiting any of the CM Window Counters created in the offices of all DCs/ SDM and CM Office along with the CM residence and Haryana Bhawan at New Delhi pertaining to any government department or its services. The Head of Departments/ Administrative Secretaries must ensure that the grievances entered into the system pertaining to their department are monitored on regular basis and ensure timely redressal of grievances. The CM Window Portal has been integrated with SMS Gateway. The complainant receives SMS on his mobile as and when his/her complaint/ demand is registered in the CM Window, thereafter when any action is made online by the concerned department in respect of his/her grievance/demand a message is automatically generated to the complainant. All the departments must ensure that CM Window portal is being used effectively and all the grievances registered in the portal are redressed efficiently. Call Center based feedback mechanism has been created for fair estimate of the redressal done by the government officers. For each parliamentary constituency, Nigrani Samiti members have been nominated and they are entrusted to keep a vigil of the redressal

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mechanism in place. Eminent persons have also been nominated, which take active role while sending the Action Taken Report to the higher authorities.

**27.18 E-Despatch.—**

All the departments must computerize the diary and despatch section and shall endeavour to use electronic means of despatch, i.e., e-Despatch software, in their head offices and field offices to minimize delivery time, reduce paper work and postage cost.

**27.19 Litigation Monitoring System (LMS).—**

is an application to keep track of all the ongoing cases, in various courts, at departmental level. Monitoring of court cases at departmental level is a big challenge. Using LMS software, Secretaries/ HoDs can easily monitor the status of the court cases pertaining to their department with regard to the pendency of the court cases, timely filing of reply, present status of a case, if personal presence required in any case etc. All the departments must use the Litigation Monitoring Software keep track of all the pending cases and to file timely reply in the courts.

**27.20 Use of E-mails.—**

It is for day to day communication and reducing use of papers in the offices. All the departments must use email facility being provided by State IT Department (using <http://haryana.gov.in> mail server with email ID as xxxx.yyyy@hry.nic.in) (the total character should be between 8 and 20) or by NIC (using <http://mail.nic.in> mail server with email ID as username@nic.in) to send routine matters through mail like tour programmes, leave applications, draft letters/ proposals. All communications sent via e-Mails shall be deemed as official communication. Therefore, all public offices must use e-Mails, to the maximum extent possible, to enable faster communication and reduce communication costs.

**27.21 Procurement of IT Hardware.—**

IT sector is driven by rapidly changing technology. As a result, computer hardware of different specifications is available in the market and it becomes difficult for the user departments to assess the right specifications of computer hardware/ peripherals for their use. Many a times, departments end up buying high end computers even for plain word processing or for simple data-base applications. This leads to wastage of public money and under-utilisation of the equipment. It is, therefore, advised that procurement of hardware/software should be done based on

the technical requirements of the software/application with the user agency. The hardware MUST be procured either through Haryana State Electronic Development Corporation Ltd. (HARTRON) or Gem or through open tender process by adopting the procedure laid down by the Department of Industries and Commerce, Haryana, circulated vide No. 830845, dated 21.06.2021, as amended from time to time available on the website of Supplies & Disposals Department, Haryana.

**(1) Personal Computer (PC).—**

- (i) Configuration of hardware depends upon the activity to be performed. Computers required for using high end graphic applications like AutoCAD, GIS etc should have high end processor, more RAM, more Hard Disk, large monitors.
- (ii) Computers for using web based applications and desktop publishing tools e.g. internet, MS Office, Open Office etc., should be of midsize configuration. A high end PC with 1-5 thin clients can be procured to serve the purpose, instead of purchasing 6 high end PCs.
- (iii) Computers to be deployed for front-end operations may have low end configuration or thin clients can be procured depending upon the technology available in the market.

**(2) Printers.—**

- (i) Printers must be used on sharing basis. All PCs in an office must be networked and Printers must be shared among various users, instead of having an individual printer for each PC.
- (ii) The duplex printing (printing on both sides of the paper) must be used to avoid wastage of papers and to economize printing cost. The drafts must be taken after setting the printer in economy mode. Necessary instructions in this regard are available on IT Department's website.

**(3) Uninterrupted Power Supply (UPS) .—**

- (i) A Centralised UPS for all PCs is recommended over standalone UPS with every PC. Standalone UPS works in offline mode i.e. the UPS will shift to battery mode only when there is power failure. Sometimes during power failure, it takes time to switch to the battery mode. In the meantime, the Computer gets rebooted. Also, any surge in the input may cause damage to the computer. Whereas, centralised UPSs work in

online mode. That means the UPS always works in battery mode. Therefore, there is no direct loss to the computers during voltage surge or in the event of power failure. However, the departments need to get the electric cabling done for all Computers and other devices to be connected through centralised UPS. The UPS must be chosen based upon the following criterion:

- (ii) Offline UPSs should be procured when the criticality of the activities to be performed is less or number of PCs at one location are less than 5 or PCs are sparsely located within the office campus.
- (iii) Online UPSs should be used when the criticality of the activities to be performed is high and the acceptable downtime of the computerized system is less than half an hour or if the number of PCs in the office is more than 10.

**Note:—**Departments may obtain Technical Advice from the Department of IT/HARTRON which has been notified as Nodal Agency for facilitating IT initiatives in the government departments/ boards/corporations/universities.

**(4) Backup and Recovery.—**

- (i) The Departments and offices MUST define data backup protocol for data storage and backup, depending upon the nature of activities performed in the organisation. The data backup protocol must define the frequency at which backup is to be taken, the format of storage along with location. Critical system data and server software must have incremental backups taken daily.
- (ii) The Departments MUST have a clear-cut Backup Policy, with regard to historic data, stating clearly the length of time for which data shall be preserved before it is permanently purged.
- (iii) The Departments must appoint a Nodal Officer responsible for data storage and maintenance of a register for proper accounting of removable storage media. Responsibilities for media library management and protection, too, shall be clearly defined and assigned.
- (iv) All storage media containing sensitive data shall be stored in a locked room or cabinets, which must be fire resistant and free of toxic chemicals.

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- (v) Access to the storage media shall be restricted to the authorized persons only. A list of personnel authorised to access the library shall be maintained.
  - (vi) Proper records of all movements of computer tapes/disks between on-site and off-site media library must be maintained.
  - (vii) The detailed guidelines for use of IT devices on Government Network are available at:-

<https://cdnbbsr.s3waas.gov.in/s35352696a9ca3397beb79f116f3a33991/uploads/2020/09/2020091825.pdf> title Project Management Guidelines.

**(5) After Sales Support.—**

Haryana State Electronics Development Corporation Ltd., which is an agency to supply Hardware/ software to Government Departments. HARTRON conducts rate contracts with reputed computer manufacturers along with service level agreement. However, departments are free to procure hardware from open market provided they get better specifications on same price or lower price on same specifications, with similar or better service level agreement, than HARTRON.

**(6) Measures to Handle Computer Virus.—**

- (i) A Nodal Officer must be appointed in every office to ensure that all servers, PC and IT equipment are equipped with up-to-date virus protection/detection software.
- (ii) The Antivirus software installed in the systems must be programmed for weekly scan. However, for departments where critical/sensitive information is stored e.g. employees' database, financial transactions or other departmental application the systems must be scanned on more regular intervals.
- (iii) All diskettes and software must be screened by virus detection software before being loaded onto the computer system. No magnetic media like tape cartridge, floppies, pen drives, CDs, DVDs etc. brought from outside shall be used on the data, file or computer server or personal computer on Intranet and Internet without proper screening and verification by virus detection software.

**(7) Maintenance of Computer Hardware.—**

- (i) Annual Maintenance Contracts (AMC) should be entered into with the vendors the original equipment manufactures or their authorized agents only to ensure that the servicing etc. is of the requisite quality and only genuine parts are used. The terms of the contract may vary from case to case but the following points should be specifically included.
- (ii) Detailed description of systems, peripherals etc. along with configuration and location.
- (iii) Scheduled preventive maintenance should be at least once in three months. Call sheets or preventive maintenance reports must be invariably sent by the engineer after the visit indicating the operations carried out.

Unscheduled on-call corrective and remedial maintenance should be available including replacement of unserviceable parts. The maximum down-time' permissible should be specified with monetary penalties for each day that the equipment is down beyond the prescribed timeframe. In case of intermittent failures and repetitive problems, such as improper diagnosis or repair by the contracted agency, the system should be treated as continuously down.

- (iv) Penalty clause for not completing repairs within the permissible down time limit must indicate penalty per working day for each piece of equipment e.g. CPU, Terminals, and Printer etc.
- (v) The annual maintenance charge should also normally be specified equipment wise. Payment terms should preferably be quarter –wise and the maintenance contracts should present the maintenance charges bill along with downtime statement so that penalty charges are deducted quarter to quarter.
- (vi) The modalities for recording calls (i.e. complaints) and of calls (i.e. repairs) should be specified stating the designation of the persons authorized to certify that repairs have been satisfactorily carried out.
- (vii) An arbitration clause may be included for settlement of disputes.

- (viii) To keep a record of maintenance and to check the down time statement provided by the maintenance contractor, register should be maintained as per the following columns:-

Description of Failure			Complaint booking		Attended	Repaired		Downtime
								Remarks (Exclude Holidays)
Sr. No.	Item	Date & Time	Date & Time	Complaint No.	Date & Time	Date & Time	Sign of Engineer	

### 27.22 Record Keeping.—

The following documents/materials must be kept in order to ensure systematic operation:-

- (i) Register of Hardware
- (ii) Register of Software
- (iii) Register of Consumables

### 27.23 Register of Hardware.—

The register, like a stock register contains details of hardware purchased from time to time. A separate page is to be kept for each hardware item and details of parts and their replacements are entered here, The Performa may consist of following columns:

Item name _____			Date of AMC _____			
Running No.	Sr. No. No. of Part	Brief Description	Source of Purchase & name of Vendor	Date of Purchase	Cost	Remarks

**Register of Software:** A similar register keeps details of Software;-

Sr. No.	Software Name	Mode of Acquisition/ Purchase	Installation/ Date of Operation	Loaded on Computers	Users Manual Available	Remarks



**Register of Consumables.—**

Computers will need certain consumables like continuous stationery, ribbons, toner etc. It is necessary to keep track of stock and issue. This also enables reordering of stock timely.

**27.24 Establishment of LAN/ WAN connectivity in the offices.—**

The Departments should setup LAN (Local Area Network) to interconnect IT equipment available in the office. It is also advised that undue buying of large number of PCs within the same premises of an organisation without any networking must be avoided. Networking results in sharing of resources e.g. data, printers etc. thereby leading to higher efficiency and cost savings in the organisation. There is no need to buy printers/ CDROM/ DVDROM/ CD Writers with all the PCs (one Printer can be shared by many PCs depending on locational constraints). For connectivity with the field offices, guidelines of the Department of IT must be adhered to.

**27.25 Capacity Building.—**

- (1) All departments must develop a Capacity Building Plan and Annual IT Training Calendar to promote capacity within the organisation for IT penetration in the offices. The departments must train & re-skill employees in computer operations, application operations & management information systems. The following guidelines are recommended for this purpose.
- (2) Assess and estimate the need of trained manpower required for new software application and also keep provision for the same in the project budget. It is also important that the funds requirement pertaining to capacity building and training may be included either in the project or in the departmental budget.
- (3) Identify the training needs of department and prepare training calendar for the same.
- (4) Appoint Nodal Officer for coordinating the training activities of the concerned department.
- (5) Regular trainings for department employees on standard computer software applications (includes Word Processing, Electronic Spreadsheets, Scheduling of Appointments, Electronic Mailing etc). Various programmes for training are being scheduled by the IT department, NIC and HARTRON. However, for specific training needs the departments may approach the IT department of

the State, to coordinate such training with the national/regional or state level agencies. Employees interested in additional responsibilities/ initiatives in the IT related activities should be identified and their aptitude recorded in their confidential reports and work assessments.

**27.26 Reduce e-Waste.—**

All the departments must resort to Buy Back Mechanism while procuring new hardware so that old/ obsolete hardware does not get dumped in the stores. The best practice to get rid of obsolete computer hardware/peripherals in the departments is to make procurement of new hardware conditional to buy back of the obsolete equipment. The hardware must be procured only as per the requirement of application software to be used. Procurement of excess hardware must be avoided by designing a network to share the hardware.

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## **CHAPTER - XXVIII**

### **A - NATIONAL FLAG, NATIONAL ANTHEM AND STATE EMBLEM**

#### **B (i) - Order of Precedence**

#### **(ii) - LIST OF STATE GUESTS OF VARIOUS VVIPs/VIPs**

#### **28.1 National Flag.—**

- (1) The Indian National Flag represents the hopes and aspirations of the people of India. It is the symbol of our National pride. Over the seven decades several people including members of armed forces have ungrudgingly laid down their lives to keep the tricolor flying in its full glory. The significance of the three colours, the chakra and the instructions to be followed meticulously for the use of Indian National Flag on the specified occasions and by the public have been explained in detail in the Flag Code of India, 2002 and the Act namely, the Prevention of Insults to National Honour Act, 1971.
- (2) The National Flag shall be a tri-colour panel made up of three rectangular panels or sub-panels of equal widths. The colour of the top panel shall be India saffron (Kesari) and that of the bottom panel shall be India green. The middle panel shall be white, bearing at its center the design of Ashoka Chakra in navy blue colour with 24 equally spaced spokes. The Ashoka Chakra shall preferably be screen printed or otherwise printed or stenciled or suitably embroidered and shall be completely visible on both sides of the Flag in the center of the white panel.
- (3) On the occasions of important National, cultural and sports events, the National Flag made of plastic are also being used in place of National Flag made of paper. Since, plastic flags are not biodegradable like paper flag, these do not get decompose for a long time and ensuring appropriate disposal of National Flag made of plastic commensurate with dignity of the flag, is a practical problem. Therefore, on the occasions of important national cultural and sports events, flags made of paper only are used by public in terms of the provisions of the 'Flag Code of India, 2002' and such paper flags are not discarded or thrown on the ground after the event. Such flags are to be disposed of, in private, consistent with the dignity of the flag.
- (4) In order to maintain the dignity and honour of the Indian National Flag the detailed procedure and guidelines given in detail in the Code and the Act must be followed meticulously. The brief of these guidelines are as under :-

- (i) General,
- (ii) The standard size,
- (iii) Hoisting/display/ use of national flag by Central and State Governments and their organisations and Agencies members of public, private organisation, educational institutions etc.,
- (iv) Correct Display,
- (v) In-correct Display,
- (vi) Misuse,
- (vii) Salute,
- (viii) Display with flags of other Nations and of United Nations,
- (ix) Display over Public Buildings and Official Residences,
- (x) Display on Motor Cars, Trains, Aircrafts,
- (xi) Half Masting,

All the Departments/Organisations are expected to follow these guidelines meticulously. A copy of the Flag Code of India, 2002 and the Prevention of Insults to National Honour Act, 1971 is available at [www.mha.gov.in](http://www.mha.gov.in).

## 28.2 The National Anthem.—

The composition consisting of the words and music of the first stanza of the late poet Rabindra Nath Tagore's song known as 'Jana Gana Mana' is the National Anthem of India. It reads as follows:—

<i>Jana-gana-mana-adhinayaka, Jaya he</i>	<i>जन-गण-मन-अधिनायक, जय हे</i>
<i>Bharata-bhagya-vidhata.</i>	<i>भारत-भाग्य-विधाता</i>
<i>Punjaba Sindhu-Gujarata –Maratha</i>	<i>पंजाब सिन्धु गुजरात मराठा</i>
<i>Dravida-Utkala-Banga</i>	<i>द्राविड उत्कल बंगा</i>
<i>Vindhya-Himachal-Yamuna-Ganga</i>	<i>विन्ध्य हिमाचल, यमुना गंगा</i>
<i>Uchhala-jaladhi-taranga</i>	<i>उच्छल जलधि-तरंगा</i>
<i>Tava subha name Jage,</i>	<i>तव शुभ नामे जागे</i>
<i>Tava subha asisa mage,</i>	<i>तव-शुभ आशिष मागे,</i>
<i>Gahe tava jaya-gatha</i>	<i>गाहे तव जयगाथा ।</i>
<i>Jana-gana-mangala-dayaka Jaya he,</i>	<i>जन-गण-मंगलदायक जय हे</i>
<i>Bharata-bhagya-vidhata</i>	<i>भारत-भाग्य-विधाता ।</i>
<i>Jaya he, Jaya he, Jaya he,</i>	<i>जय हे, जय हे, जय हे</i>
<i>Jaya jaya jaya jaya he.</i>	<i>जय जय जय जय हे ।</i>

The above is the full version of the Anthem and its playing time is approximately 52 seconds. A short version consisting of the first and last lines of the National Anthem is also played on certain occasions. It reads as follows:-

*Jana-gana-mana –adhinayaka jaya he*

*Bharata-bhagya-vidhata*

*Jaya he, jaya he, Jaya he,*

*Jaya jaya jaya jaya he,*

Playing time of the short version is above 20 seconds. The short version of the Anthem shall be played when drinking toasts in Messes.

### **28.3 Playing of the Anthem.—**

- (1) The full version of the Anthem shall be played on the following occasions:-

For the National Salute (which means the Command —Rashtriya Salute—Salami Shashtra to the accompaniment of the National Anthem ) which is given to the President on all ceremonial occasions and to the Governors on all ceremonial occasions within their respective States.

- (2) During parades or ceremonial functions-irrespective of whether any of the dignitaries referred to in (a) above is present or not-on August 15th and January 26th. On these occasions the Anthem shall be played when the National Flag is unfurled and shall be treated as a salute to the Flag and not to the dignitary unfurling it.
- (3) On all occasions when the President is present in person (including broadcasts by the President).
- (4) On all occasions (including social functions, e.g. mess functions and sports meets) when Governor is present in person within his respective State;
- (5) When the National Flag is brought on Parade;
- (6) When regimental colours are presented;
- (7) Any other occasion for which special orders have been issued by the Government of India.

- (8) Normally the Anthem shall not be played for the Prime Minister, though there may be special occasions when it may be played.

#### **28.4 Singing of the Anthem.—**

The Anthem may be sung on occasions which, although not strictly ceremonial, are nevertheless invested with significance because of the presence of Ministers, etc. The singing of the Anthem on such occasions (with or without the accompaniment of an instrument) is desirable. It is not possible to give an exhaustive list of occasions on which the singing (as distinct from playing) of the Anthem can be permitted. But there is no objection to the singing of the Anthem so long as it is done with due respect as salutation to the Motherland and proper decorum is maintained. On all occasions when the National Anthem is sung, the full version shall be recited, in all teaching institutions the day's work should begin with community singing of the Anthem. Authorities should make adequate provision in their programmes for popularizing the singing of the Anthem and promoting respect for the National Flag in all occasions.

#### **28.5 The National Song.—**

All official functions presided over by the Chief Minister and Ministers should start with the singing of the National song —Vande Mataram ! and end with the singing of the National Anthem accompanied by mass singing. The first stanza of the composition —Vande Mataram ! reads as follows:-

- (1) Vande Mataram !
- (2) Sujalam, suphalam, malayaja-shitalam, Shasyashyamalam, Mataram !
- (3) Vande Mataram !
- (4) Shubhrajyotsna, pulakitayaminim,
- (5) Phullakusumita-drumadala-shobhinim, Suhasinim, sumadhura- bhashinim, Sukhadam, varadam, Mataram ! Vande Mataram !

*वन्दे मातरम् ।*

*सुजलां सुफलां मलयजशीतलाम् शस्यश्यामलां मातरम् ।*

*वन्दे मातरम्*

*शुभ्रजयोत्स्नापुलकितयामिनीं, पुल्लकुसुमितद्रुमदलशोभिनीं,*

*सुहासिनी सुमधुर भाषिणीं सुखदां वरदां मातरम् ।*

*वन्दे मातरम् ।*

**28.6 The National Flag Code.—**

- (1) The National Flag is being regulated by Flag Code of India. The National Flag is flown at different places on various occasions. To ensure that the correct usage regarding the display of the National Flag is well understood the instructions issued from time to time on the subject have been embodied here for general guidance.
- (2) The National Flag of India shall be made of hand spun and hand woven wool/cotton/silk khadi bunting. The National Flag shall be rectangular in shape. The ratio of the length to the height (width) of the Flag shall be 3:2.

**28.7 Hoisting/Display/Use of National Flag by members of Public, Private Organisations, Educational Institutions, etc.—**

- (1) There shall be no restriction on the display of the National Flag by members of general public, private organisations, educational institutions, etc., except to the extent provided in the Emblems and Names (Prevention of Improper Use) Act, 1950 and the Prevention of Insults to National Honour Act, 1971 and any other law enacted on the subject. Keeping in view the provisions of the aforementioned Acts—
  - (i) the Flag shall not be used for commercial purposes in violation of the Emblem and Names (Prevention of Improper Use) Act, 1950;
  - (ii) the Flag shall not be dipped in salute to any person or thing;
  - (iii) the Flag shall not be flown at half-mast except on occasions on which the Flag is flown at half-mast on public buildings in accordance with the instructions issued by the Government;
- (2) On all occasions for official display, only the Flag conforming to specifications lay down by the Indian Standards Institution and bearing their standard mark shall be used. On other occasions also it is desirable that only such flags of appropriate size should be flown.

The standard sizes (in mm) of the National flag are given below:-

Flag Size No.	Dimensions in mm	Flag size No.	Dimensions in mm
(1)	6300 x 4200	(6)	900 x 600
(2)	3600 x 2400	(7)	450 x 300
(3)	2700 x 1800	(8)	225 x 150
(4)	1800 x 1200	(9)	150 x 100
(5)	1350 x 900		



The appropriate size should be chosen for display. The smallest size is intended for motor cars.

**28.8 Correct Display.—**

- (1) Wherever the National Flag is flown, it should occupy the position of honour and be distinctly placed. The Flag shall always be hoisted briskly and lowered slowly and ceremoniously. When the hoisting and the lowering of the Flag is accompanied by appropriate bugle calls, the hoisting and lowering should be simultaneous with the bugle calls. When the Flag is flown on public buildings, it should be displayed on all days including Sundays and holidays from sunrise to sunset irrespective of weather conditions. The Flag may be flown on such buildings at night also but this should be only on very special occasions.
- (2) When the Flag is displayed from a staff projecting horizontally or at an angle from a window-sill, balcony, or front of a building, the saffron side shall be at the farther end of the staff. When the flag is displayed in a manner otherwise than by being flown from a staff, the saffron band must be upper-most when it is displayed flat and horizontal on a wall; when displayed vertically, the saffron should be to the right with reference to the Flag i.e., it should be to the left of a person standing facing it.
- (3) When displayed over the middle of a street, running east-west or north-south, the Flag shall be suspended vertically with the saffron to the north, or to the east as the case may be.
- (4) If flown on a speaker's platform, the Flag shall be on the speaker's right. If otherwise displayed, the Flag shall be above and behind the speaker. When used on occasions like the unveiling of a statue, the Flag shall be displayed distinctly and separately. The Flag shall not be used as a covering for the statue or monument. When the Flag is carried in a procession or a parade, it shall be either on the marching right, that is the Flag's own right, or if there is a line of other Flags, in front of the center of the line.
- (5) When the Flag is displayed on a motor car, it shall be flown from a staff affixed either on the middle front of bonnet or to the front right side of the car.

**28.9 Incorrect Display.—**

- (1) A damaged or disheveled Flag shall not be displayed. The Flag shall not be dipped in salute to any person or thing. No other flag or bunting shall be placed higher or above or, except as hereinafter provided, side by side with the National

Flag nor shall any object including flowers or garlands or emblem be placed on or above the Flag-mast from which the National Flag is flown. The Flag shall not be used as festoon, rosette or bunting or in any other manner for decoration; nor shall other coloured pieces of cloth be so arranged as to give the appearance of the National Flag.

- (2) The Flag shall not be used cover a speaker's desk nor shall it be draped over a speaker's platform. It shall not be displayed with the saffron' down or be allowed to touch the ground or the floor or trail in water or be displayed or fastened in any manner as may damage it.

#### **28.10 Misuse.—**

- (1) The Flag shall not be used as a drapery in any form whatsoever except in State /Military funerals hereinafter provided. The Flag shall not be draped over the hood, top, sides or back of a vehicle or a train or a boat nor shall it be used or stored in such a manner as may damage or soil it. The Flag shall not be used as a covering for a building or as a portion of a costume or uniform of any description. It shall not be embroidered upon cushions or handkerchiefs or printed on napkins or boxes. Lettering of any kind shall not be put upon the Flag. The Flag shall not be used in any form of advertisement nor as an advertising sign fastened to the pole from which the Flag is flown. The Flag shall not be used as a receptacle for receiving, holding or carrying anything.
- (2) When the Flag is in a damaged or soiled condition, it may not be cast aside or disrespectfully disposed off but shall be destroyed as a whole in private, preferable by burning or by any other method consistent with the dignity of the Flag.

#### **28.11 Display on National Day or on Special Occasions.—**

The display of the National flag shall be unrestricted on the following occasions. However, even on such occasions, the normal precisions regarding the display of National Flag on motor-cars shall not be relaxed:—

- (1) Republic Day-during the period from the commencement to the close of the celebrations;
- (2) National week-6th April to 13th April-in Memory of the martyrs of Jallianwala Bagh;
- (3) Independence Day;

- (4) Mahatma Gandhi's Birthday;
- (5) and any other particular day of national rejoicing.
- (6) It may be added that, in a State of emergency, the rules for the display of the National Flag may be relaxed on special occasions such as functions organized in connection with the national defence.

#### **28.12 Salute.—**

During the ceremony of hoisting or lowering the Flag or when the Flag is passing in a parade or in a review, all persons present should face the Flag and stand at attention. Those present in uniform should render the appropriate salute. When the Flag is in a moving column, persons present will stand at attention or salute as the Flag passes them. A dignitary may take the salute without a head dress.

#### **28.13 Display with Flags of other Nations and of U.N. .—**

- (1) When displayed in a straight line with Flags of other countries, the National Flag shall be on the extreme right, i.e. if an observer were to stand in the centre of the row of the flags facing the audience, the National Flag should be to his extremes right. Flags of foreign countries shall proceed as from the National Flag in alphabetical order on the basis of English versions of the names of the countries concerned. It would be permissible in such a case to begin and also to end the row of Flag with the National Flag and also to include the National Flag in the normal country-wise alphabetical order. The National Flag shall be hoisted first and lowered last. When flown with other flags, the flag masts shall be of equal sizes irrespective of the number of other foreign flags besides the National Flag. International usage forbids the display of the Flag of one nation above that of another nation in times of peace. The National Flag shall not be flown from a single masthead simultaneously with any other flag or flags. There shall be separate mast-heads for different flags.
- (2) In case Flags are to be flown in an open circle i.e., an arc or a semi-circle, the same procedure shall be adopted, as is indicated in para.2.7.1 above. In case Flags are to be flown in a closed i.e., complete circle, the National Flag shall mark the beginning of the circle and the Flags of other countries should proceed in a clockwise manner until the last flag is placed next to the National Flag. It is not necessary to use separate National Flags to mark the beginning and the end

of the circle of Flags. The National Flag shall also be included, in alphabetical order in such a closed circle.

- (3) When the Flag is displayed against a wall with another Flag from crossed staffs, it shall be on the right i.e., the Flag's own right and its staff shall be in front of the staff of the other Flag.
- (4) With the permission of the government the National Flag and the Flags of other countries may be displayed on occasions such as cultural shows, exhibitions, musical concerts, film festivals, etc., sponsored by the Diplomatic or Consular representatives of the foreign Governments. On occasions specified by the Government, such as a visit of a foreign dignitary, the general public may wave paper National Flags and the paper flags of the other country. After use, they shall be disposed off in a proper manner.

#### **28.14 Display of National Flag on motor cars.—**

The privilege of flying the National Flag on motor cars is limited to the:—

- (1) President;
- (2) Vice-President;
- (3) Governors and Lieutenant Governors;
- (4) Heads of Indian Missions/Posts abroad in the countries to which they are accredited;
- (5) Prime Minister and other Cabinet Ministers; Ministers of State and Deputy Ministers of the Union;
- (6) Chief Minister and other Cabinet Ministers of a State or Union Territory; Ministers of State and Deputy Ministers of a State or Union Territory;
- (7) Speaker of the Lok Sabha;
- (8) Deputy Chairman of the Rajya Sabha; Deputy Speaker of the Lok Sabha; Chairmen of Legislative Councils in States;
- (9) Speakers of Legislative Assemblies in States and Union territories; Deputy Chairmen of Legislative Councils in States;
- (10) Deputy Speakers of Legislative Assemblies in States and Union territories;
- (11) Chief Justice of India; Judges of Supreme Court; Chief Justice of High Courts; Judges of High Courts.
- (12) When a foreign dignitary is seated in a motor-car along with a dignitary entitled to fly the National Flag, the Flag of the foreign V.I.P. will be flown on the left side of the car and the National Flag will be flown on the right side.

**28.15 Half-Masting.—**

- (1) The National Flag shall not be flown at half-mast except when specially directed by the Government. By half-mast is meant hauling down the flag to one-half the distance between the top and the guy-line and in the absence of the guy-line, half of the staff.
- (2) When flown at half-mast, the flag shall be hoisted to the peak for an instant and then lowered to the half-mast position; but before lowering the flag for the day, it shall be raised again to the peak.
- (3) In the event of a half-mast day coinciding with the day on which flags are to be flown without restriction viz., Republic Day Independence Day, Mahatma Gandhi's Birthday, National Week (6th to 13th April) in Memory of the martyrs of Jallianwala Bagh; the flag shall not be flown at half-mast except over the building where the body of the deceased is lying until such time as it has been removed. The flag shall thereafter be raised to the full-mast position. If mourning were to be observed in a parade or procession where a flag is carried, two streamers of black crepe shall be attached to the spear-head, allowing the streamers to fall naturally. The use of black crepe in such a manner shall be only by order of Government.
- (4) On occasions of State and Military funerals, the flag shall be draped over the bier or coffin with the saffron towards the head of the bier or coffin. The flag shall not be lowered into the grave or burnt in the pyre.

**28.16 The State Emblem of India (Regulation of Use) Rules, 2007.—**

Government agencies who are authorized to use the State Emblem of India and Emblem of State of Haryana for various official purposes should depict the complete picture of the 'State Emblem' together with the motto — Satyameva Jayate in Devanagari script-inscript below the profile of Lion Capital and ensure that it is not omitted from the State Emblem. For copy of the State Emblem of India (Regulation of Use) Rules, 2007 and Copy of the State Emblem of India (Prohibition of Improper Use) Act, 2005 see **Annexure-A** and **Annexure-B**.

**28.17 Oder of Precedence.—**

In pursuance of notification issued by the President's Secretariat (Copy at **Annexure-C**) in respect to the rank and precedence of persons, the State Govt. (in GAD) has issued the Order of Precedence vide notification **No. 50/215/99-5PP** dated 25/05/2000

(copy at **Annexure-D**). The Order of Precedence is to be followed at all State Functions in Haryana.

**28.18 State Guest Hospitality to VVIPs/VIPs.—**

For the purpose of State Guest Facilities to VVIPs/VIPs, the State Government (in PP Br) issued a list of VVIPs/VIPs enclosed at **Annexure-E**.

## **Annexure-A**

(See Para 28.16)

### **Copy of the State Emblem of India (Regulation of Use) Rules, 2007 THE STATE EMBLEM OF INDIA (REGULATION OF USE) RULES, 2007**

1. Short title, extent, application and commencement.—
  - (1) These rules may be called the State Emblem of India (Regulation of Use) Rules, 2007.
  - (2) It extends to the whole of India and also to the citizens of India outside India.
  - (3) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions.—

In these rules, unless the context otherwise requires,—

  - (a) 'Act' means the State Emblem of India (Prohibition of Improper Use) Act, 2005 (50 of 2005);
  - (b) 'Emblem' means the State Emblem of India as defined in clause (b) of section 2 of the Act;
  - (c) 'Schedule' means a Schedule appended to these rules;
  - (d) 'State Government' in relation to a Union territory means the Administrator of that Union territory appointed by the President under Article 239 of the Constitution.
3. Design of the official seal.—
  - (1) The design of the Official Seal shall have the emblem enclosed in an oval or round frame.
  - (2) The name of the Ministry or the office shall appear between the inner and outer rims of the frame.
  - (3) The abbreviated form of the name of a Ministry or the office may be inscribed where it is not possible to accommodate the name in full.
4. Adoption by States or Union territories.—
  - (1) A State Government may adopt the emblem as the official Emblem of the State or the Union territory, as the case may be, without obtaining the approval of the Central Government.
  - (2) Where a State Government proposes to incorporate the emblem or any part thereof in the Emblem of that State or Union territory, as the case may be, it shall do so after obtaining the prior approval of the Central Government and shall get the design and layout approved by the Central Government:

Provided that where a State Government has already incorporated the emblem or part thereof in the Emblem of that State or Union territory, as the case may be, prior to the coming into force of these rules, it may, subject to the other provisions of these rules, continue to use the emblem.

5. Use in official seals.—

The use of the emblem in official seal shall be restricted to the authorities specified in Schedule-I.

6. Use on stationery.—

- (1) The use of the emblem on official or demi-official stationery shall be restricted to the authorities specified in the Schedule-I aforesaid.
- (2) The emblem, when printed or embossed on official or demi-official stationery, shall appear prominently on the middle of the top of such stationery.

7. Display on vehicles.—

The use of the emblem on vehicles shall be restricted to the authorities specified in Schedule-II.

8. Display on public buildings.—

- (1) The emblem may be displayed on very important public buildings, like, the Rashtrapati Bhawan, Parliament House, Supreme Court and Central Secretariat buildings.
- (2) The emblem may be displayed on Raj Bhawan or Raj Niwas and State Legislature, High Courts and Secretariat buildings of the States or the Union territories that have adopted the emblem or have incorporated the emblem in the Emblem of the State or the Union territory.
- (3) The emblem may be displayed on the premises of India 's Diplomatic Mission abroad and the heads of Missions may display the emblem at their residences in the countries of their accreditation.
- (4) The emblem may be displayed on the buildings occupied by India 's Consulates abroad at the entrance doors thereof and on the residences of Heads of consular posts in the countries of their accreditation.

9. Use for various other purposes.—

Subject to the provisions of these rules, the emblem may be used for other purposes as are specified in Schedule III.



10. Restriction on the use of the emblem.—

- (1) No person (including former functionaries of the Government, like, former Ministers, former Members of Parliament, former Members of Legislative Assemblies, former judges and retired Government officials), other than those authorised under these rules, shall use the emblem in any manner.
- (2) No Commission or Committee, Public Sector Undertaking, Bank, Municipal Council, Panchayat Raj Institution, Parishad, non-government organisation, University, other than those authorised under these rules, shall use the emblem in any manner.
- (3) No association or body of persons, whether incorporated or not, shall use the emblem on their letter-heads, brochures, seats, crests, badges, house flags or for any other purpose in any manner.
- (4) [No professional qualification or private profession shall be mentioned with the name of the person authorised to use the emblem under these rules on the stationery, including letter heads, visiting cards and greetings cards with emblem printed or embossed on it.]<sup>1</sup>

11. Cases and conditions restricting the use of the emblem.—

No person shall use or continue to use the emblem or any colourable imitation thereof for the purpose of any trade, business, calling or profession or in the title of any patent, or in any trade mark or design:

Provided that a person or a group of persons, association, body, corporate, may use the emblem in connection with an event organised by it or a publication brought out jointly with a Ministry or Department of the Central or State Government, with the prior approval of the Central Government.

12. Availability of design of the emblem.—

- (1) Photographic designs of the emblem are available with, and can be obtained from, the Manager, Photo Litho Wing, Government of India Press, Minto Road, New Delhi.
- (2) Sample of standard dies of the emblem can be obtained from the Office of the Chief Controller of Printing and Stationery, New Delhi.

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<sup>1</sup>

Substituted vide Notification No. G.S.R. 629(E), dated 22<sup>nd</sup> July 2010 of Ministry of Home Affairs, Govt. of India.

### **SCHEDULE-I**

(See rules 5 and 6)

Constitutional or Statutory Authorities, Ministries or Departments of the Central Government, State Governments or Union Territory Administrations and other Government Functionaries which may use the Emblem.

- (i) President, Vice-President, Prime Minister and a Union Minister;
- (ii) Governors, Lieutenant Governors, Administrators, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory, as the case may be;
- (iii) Office and officers of the Parliament of India;
- (iv) Judges and office and officers of the Judiciary;
- (v) Office and officers of the Planning Commission;
- (vi) Chief Election Commissioner of India, Election Commissioners and the office and officers of the Election Commission of India;
- (vii) Comptroller and Auditor-General of India, the office and officers of the Comptroller and Auditor-General of India;
- (viii) Chairperson and Members of the Union Public Service Commission and the office and officers of the Union Public Service Commission;
- (ix) Ministries, Departments and offices of the Central Government and their officers;
- (x) Diplomatic Missions abroad and their officers;
- (xi) Chief Ministers and Ministers of the States and the Union territories, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory;
- (xii) Members of Parliament and members of State or the Union territory Legislative Assemblies or Councils, as the case may be;
- (xiii) Ministries, Departments and offices of the State and the Union territory Governments and their officers, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory;
- (xiv) Office and officers of the State or the Union territory Legislative Assemblies or Councils, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory;
- (xv) Commissions and authorities, constituted or established by an Act of Parliament or set-up by the Central Government;
- (xvi) Commissions and authorities constituted or established by an Act of the State Legislature or set-up by the State Government, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory;

[Explanation.—For the purpose of this Schedule, the expression 'officer' shall means a Gazetted Officer.]<sup>1</sup>

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<sup>1</sup> Substituted vide Notification No. G.S.R. 629(E), dated 22<sup>nd</sup> July 2010 of Ministry of Home Affairs, Govt. of India.

## SCHEDULE-II

(See rule 7)

### PART-I

Constitutional Authorities and other Dignitaries which may Display the Emblem on their Cars

- (i) cars of Rashtrapati Bhawan, when the following dignitaries or their spouses are travelling by such vehicles:
- (a) President,
  - (b) visiting Heads of foreign States,
  - (c) visiting Vice-Presidents of foreign State or dignitaries of equivalent status,
  - (d) visiting heads of foreign Governments or dignitaries of equivalent status like Crown Prince or Princess of a foreign State,
  - (e) the spare car following the car of the President;
- (ii) [(a) a car of Vice-President when he or his spouse is travelling by such vehicle;  
(b) the spare car following the car of the Vice-President;]<sup>1</sup>
- (iii) cars of Raj Bhawan and Raj Niwas, if the emblem is adopted by, or incorporated in the Emblem of, that State or the Union territory, when the following dignitaries or their spouses are travelling by such vehicles within the State or the Union territory concerned;
- |     |   |
|-----|---|
| (a) | President,  |
| (b) | Vice-President,   |
| (c) | Governor of the State,  |
| (d) | Lieutenant Governor of the Union territory,                                     |
| (e) | Visiting Heads of foreign States,   |
| (f) | Visiting Vice-Presidents of foreign States or dignitaries of equivalent status, |
| (g) | Visiting Heads of foreign Governments or dignitaries of equivalent status;      |
- (iv) cars and other means of transport used by the Heads of India's Diplomatic Missions in the countries of their accreditation;
- (v) cars and other means of transport used by the Heads of India's Counsellor posts abroad in the countries of their accreditation;
- (vi) cars maintained by the Protocol Division of the Ministry of External Affairs when in use for duty with the foreign dignitaries of the rank of Cabinet Ministers and above visiting India, and Ambassadors accredited to India on ceremonial occasions.

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<sup>1</sup> Substituted vide Notification No. G.S.R. 629(E), dated 22<sup>nd</sup> July 2010 of Ministry of Home Affairs, Govt. of India.

## PART-II

Authorities which may Display the Ashoka Chakra (which is Part of the Emblem) on Triangular  
Metal Plaques on their Cars

- (i) cars of the Prime Minister and Ministers of the Union, Speaker and Deputy Speaker of the Lok Sabha, Deputy Chairperson of the Rajya Sabha when travelling anywhere in India;
- (ii) cars of Chief Justice of India and Judges of the Supreme Court, and Chief Justices and Judges of High Courts within their respective territories;
- (iii) cars of Cabinet Ministers in States, Ministers of States in States, Speakers and Deputy Speakers of the State Legislative Assemblies, Chairmen and Deputy Chairmen of Councils of States, Ministers (other than Deputy Ministers) of Union territories with Legislature, and Speakers and Deputy Speakers of Legislative Assemblies in Union territories, when they are travelling within their State or Union territory, as the case may be (if the emblem is adopted by, or is incorporated in the Emblem of, the State or the Union territory).

### **SCHEDULE-III**

(See rule 9)

Other Purposes for which Emblem may be used

- (i) Visiting Cards of the functionaries or officers specified in Schedule I for legitimate representational purpose;
- (ii) Greeting Cards sent by functionaries or officers specified in Schedule I for legitimate representational purpose;
- (iii) official publications of the Government;
- (iv) films and documentaries produced by the Government;
- (v) stamp papers;
- (vi) Government advertisements, banners, pamphlets, boards, etc.;
- (vii) crests, flags, seats with such modification as considered necessary;
- (viii) identity cards, licenses, permits, etc., issued by the Government;
- (ix) websites of the Government;
- (x) coins, currency notes, promissory notes and postal stamps issued by the Mint or Press of the Government of India;
- (xi) Medals, Certificates and Sanads instituted by the Government;
- (xii) invitation cards for functions of the Government;
- (xiii) representational glassware crockery and cutlery used at the Rashtrapati Bhawan, Raj Bhawans, Raj Niwases and Indian Missions or Posts abroad;
- (xiv) Badges, collars, buttons, etc., with such modifications as are considered necessary, on the uniforms of
  - (a) commissioned or gazetted officers of the armed forces of the Union;
  - (b) gazetted officers of uniformed services (other than armed forces) of the Union and such of the State Governments and Union territory Administrations that have adopted the emblem, or have incorporated the emblem in the Emblem of that State or Union territory;
  - (c) authorised staff of Rashtrapati Bhawan and Indian Missions or Posts abroad;
- (xv) school textbooks, books on history, art or culture or in any periodical as part of the text of a Chapter, section, etc., for the purpose of explaining or illustrating the origin, significance or adoption of the emblem: Provided that the emblem shall not be used on

the front page, title or cover of such publication so as to give an impression that it is a Government publication.

[Explanation.—For the purpose of this Schedule, Government includes the Central Government, State Governments, Union Territory Administrations and other Officers mentioned in Schedule-I.]<sup>1</sup>

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<sup>1</sup> Substituted vide Notification No. G.S.R. 629(E), dated 22<sup>nd</sup> July 2010 of Ministry of Home Affairs, Govt. of India.

**Annexure-B**  
(See Para 28.16)

**THE STATE EMBLEM OF INDIA (PROHIBITION OF IMPROPER USE) ACT, 2005**  
**ACT NO. 50 OF 2005**

[20th December, 2005.]

An Act to prohibit the improper use of State Emblem of India for professional and commercial purpose and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

1. Short title, extent, application and commencement.—
  - (1) This Act may be called the State Emblem of India (Prohibition of Improper Use) Act, 2005.
  - (2) It extends to the whole of India, and also applies to citizens of India outside India.
  - (3) It shall come into force on such date<sup>1</sup> as the Central Government may, by notification in the Official Gazette, appoint.
2. Definitions.—In this Act, unless the context otherwise requires,—
  - (a) “competent authority” means any authority competent under any law for the time being in force to register any company, firm, other body of persons or any trade mark or design or to grant a patent;
  - (b) “emblem” means the State Emblem of India as described and specified in the Schedule to be used as an official seal of the Government.
3. Prohibition of improper use of emblem.—

Notwithstanding anything contained in any other law for the time being in force, no person shall use the emblem or any colourable imitation thereof in any manner which tends to create an impression that it relates to the Government or that it is an official document of the Central Government, or as the case may be, the State Government, without the previous permission of the Central Government or of such officer of that Government as may be authorised by it in this behalf.

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<sup>1</sup> 12th September, 2007, *vide* notification No.S.O.1526(E) dated 12th September, 2007, see Gazette of India, Extraordinary, Part II Sec.3(ii).

*Explanation.*—For the purposes of this section, “person” includes a former functionary of the Central Government or the State Governments.

4. Prohibition of use of emblem for wrongful gain.—

No person shall use the emblem for the purpose of any trade, business, calling or profession or in the title of any patent, or in any trade mark or design, except in such cases and under such conditions as may be prescribed.

5. Prohibition of registration of certain companies, etc.—

(1) Notwithstanding anything contained in any other law for the time being in force, no competent authority shall,—

- (a) register a trade mark or design which bears the emblem, or
  - (b) grant patent in respect of an invention which bears a title containing the emblem.
- (2) If any question arises before a competent authority whether any emblem is an emblem specified in the Schedule or a colourable imitation thereof, the competent authority shall refer the question to the Central Government and the decision of the Central Government thereon shall be final.

6. General powers of Central Government to regulate use of emblem.—

- (1) The Central Government may make such provision by rules as appears to it to be necessary, to regulate the use of the emblem in official seal that is used in offices of the Central Government and the State Governments and their organisations including diplomatic missions abroad, subject to such restrictions and conditions as may be prescribed.
- (2) Subject to the provisions of this Act, the Central Government shall have powers—
- (a) to notify the use of emblem on stationery, the method of printing or embossing it on demi-official stationery by the constitutional authorities, Ministers, Members of Parliament, Members of Legislative Assemblies, officers of the Central Government and the State Governments;
  - (b) to specify the design of the official seal consisting of the emblem;
  - (c) to restrict the display of emblem on vehicles of constitutional authorities, foreign dignitaries, Ministers of the Central Government and the State Governments;
  - (d) to provide for guidelines for display of emblem on public buildings in India, the



diplomatic missions and on the buildings occupied by India's consulates abroad;

- (e) to specify conditions for the use of emblem for various other purposes including the use for educational purposes and the armed forces personnel;
- (f) to do all such things (including the specification of design of the emblem and its use in the manner whatsoever) as the Central Government considers necessary or expedient for the exercise of the foregoing powers.

7. Penalty.—

- (1) Any person who contravenes the provisions of section 3 shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to five thousand rupees, or with both, or if having been previously convicted of an offence under this section, is again convicted of any such offence, he shall be punishable for the second and for every subsequent offence with imprisonment for a term which shall not be less than six months, which may extend to two years and with fine which may extend to five thousand rupees.
- (2) Any person who contravenes the provisions of section 4 for any wrongful gain shall be punishable for such offence with imprisonment for a term which shall not be less than six months, which may extend to two years and with fine which may extend to five thousand rupees.

8. Previous sanction for prosecution.—

No prosecution for any offence punishable under this Act shall be instituted, except with the previous sanction of the Central Government or of any officer authorised in this behalf by general or special order of the Central Government.

9. Savings.—

Nothing in this Act shall exempt any person from any suit or other proceedings which might be brought against him under any other law for the time being in force.

10. Act to have overriding effect.—

The provisions of this Act or any rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other enactment or instrument having effect by virtue of such enactment.

11. Power to make rules.—

- (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—
  - (a) cases and conditions regulating the use of emblem under section 4;
  - (b) making rules to regulate the use of the emblem in official seal of the Government and specifying restrictions and conditions relating thereto under sub-section (1) of section 6;
  - (c) the use of emblem on stationery, design of official seal consisting of emblem and other matters under sub-section (2) of section 6;
  - (d) authorising officer by general or special order for giving previous sanction for instituting prosecution under section 8; and
  - (e) any other matter which is required to be, or may be, prescribed.
- (3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both House agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## **THE SCHEDULE**

[See section 2(b)]

### **STATE EMBLEM OF INDIA**

#### **DESCRIPTION AND DESIGN**

The State Emblem of India is an adaptation from the Sarnath Lion Capital of Asoka which is preserved in the Sarnath Museum. The Lion Capital has four lions mounted back-to-back on a circular abacus. The frieze of the abacus is adorned with sculptures in high relief of an elephant, a galloping horse, a bull and a lion separated by intervening Dharma Chakras. The abacus rests on a bell-shaped lotus.

The profile of the Lion Capital showing three lions mounted on the abacus with a Dharma Chakra in the centre, a bull on the right and a galloping horse on the left, and outlines of Dharma Chakras on the extreme right and left has been adopted as the State Emblem of India. The bell-shaped lotus has been omitted.

The motto “Satyameva Jayate” – Truth alone triumphs – written in Devanagari script below the profile of the Lion Capital is part of the State Emblem of India.

The State Emblem of India shall conform to the designs as set out in **Appendix-I** or **Appendix-II**.

सत्यमेव जयते

*Note.*—This design is in simplified from and meant for reproduction in small sizes, such as for use in stationery, seals and die-printing.

सत्यमेव जयते

*Note.*— This design is more detailed and meant for reproduction in bigger sizes.

## **Annexure-C**

(refer para 28.17)

**This is an updated copy of the Table of Precedence and contains all amendments made therein so far.**

### **PRESIDENT'S SECRETARIAT**

New Delhi, the 26th July, 1979.

**No.33-Pres/79.**—In supersession of all previous notifications issued on the subject, the following Table, with respect to the rank and precedence of the persons named therein which has been approved by the President, is published for general information:—

1. President
2. Vice-President.
3. Prime Minister.
4. Governors of States within their respective States.
5. Former Presidents
- 5A. Deputy Prime Minister
6. Chief Justice of India  
Speaker of the Lok Sabha
7. Cabinet Ministers of the Union.  
Chief Ministers of States within their respective States  
Deputy Chairman, Planning Commission.  
Former Prime Ministers.  
Leaders of Opposition in the Rajya Sabha and the Lok Sabha.
- 7A. Holders of the Bharat Ratna decoration.
8. Ambassadors Extraordinary and Plenipotentiary and High Commissioners of Commonwealth countries accredited to India  
Chief Ministers of States outside their respective States.  
Governors of States outside their respective States)
9. Judges of the Supreme Court
- 9A. Chairperson, Union Public Service Commission  
Chief Election Commissioner  
Comptroller & Auditor-General of India
10. Deputy Chairman, Rajya Sabha

- 
- Deputy Chief Ministers of States.
  - Deputy Speaker, Lok Sabha
  - Members of the Planning Commission
  - Ministers of States of the Union {and any other Minister in the Ministry of Defence for defence matters}
  - 11. Attorney-General of India
    - Cabinet Secretary
    - Lieutenant Governors within their respective Union Territories
  - 12. Chiefs of staff holding the rank of full General or equivalent rank.
  - 13. Envoys Extraordinary and Ministers Plenipotentiary accredited to India.
  - 14. Chairman and Speakers of State Legislatures within their respective States.
    - Chief Justices of High Courts within their respective jurisdictions
  - 15. Cabinet Ministers in States within their respective States
    - Chief Ministers of Union Territories and Chief Executive Councillor, Delhi, within their respective Union Territories.
    - Deputy Ministers of the Union.
  - 16. Officiating Chiefs of Staff holding the rank of Lieutenant General or equivalent rank.
  - 17. Chairman, Central Administrative Tribunal.
    - Chairman, Minorities Commission
    - Chairperson, National Commission for Scheduled Castes
    - Chairperson, National Commission for Scheduled Tribes
    - Chief Justices of High Courts outside their respective jurisdictions
    - Puisne Judges of High Courts within their respective jurisdictions
  - 18. Cabinet Ministers in States outside their respective States
    - Chairmen and Speakers of State Legislatures outside their respective States
    - Chairman, Monopolies and Restrictive Trade Practices Commission
    - Deputy Chairmen and Deputy Speakers of State Legislatures within their respective States
    - Ministers of State in States within their respective States
    - Ministers of Union Territories and Executive Councilors, Delhi, within their respective Union Territories.
    - Speakers of Legislative Assemblies in Union Territories and Chairman of Delhi Metropolitan Council within their respective Union Territories.
  - 19. Chief Commissioners of Union Territories not having Councils of Ministers, within their respective Union Territories.

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- Deputy Ministers in States within their respective States.
- Deputy Speakers of Legislative Assemblies in Union Territories and Deputy Chairman of metropolitan Council Delhi, within their respective Union Territories.
20. Deputy Chairmen and Deputy Speakers of State Legislatures, outside their respective states.
- Ministers of State in States outside their respective States
- Puisne Judges of High Courts outside their respective jurisdictions.
21. Members of Parliament.
22. Deputy Ministers in State outside their respective States
23. Army Commanders/Vice-Chief of the Army Staff or equivalent in other services
- Chief Secretaries to State Governments within their respective States
- Commissioner for Linguistic Minorities
- Commissioner for Scheduled Castes and Scheduled Tribes
- Members, Minorities Commission
- Members, National Commission for Scheduled Castes
- Members, National Commission for Scheduled Tribes
- Officers of the rank of full General or equivalent rank
- Secretaries to the Government of India (including officers holding this office ex-officio).
- Secretary, Minorities Commission
- Secretary, Scheduled Castes and Scheduled Tribes Commission.
- Secretary to the President.
- Secretary to the Prime Minister.
- Secretary, Rajya Sabha/Lok Sabha
- Solicitor General
- Vice-Chairman, Central Administrative Tribunal
24. Officers of the rank of Lieutenant General or equivalent rank.
25. Additional Secretaries to the Government of India.
- Additional Solicitor General
- Advocate Generals of States.
- Chairman, Tariff Commission
- Charge d' Affairs and Acting High Commissioners a pied and ad interim



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Chief Ministers of Union Territories and Chief Executive Councillor, Delhi outside their respective Union Territories

Chief Secretaries of State Governments outside their respective States.

Deputy Comptroller and Auditor General

Deputy Speakers of Legislative Assemblies in Union Territories and Deputy Chairman, Delhi Metropolitan Council, outside their respective Union Territories.

Director, Central Bureau of Investigation

Director General, Border Security Force.

Director General, Central Reserve Police.

Director, Intelligence Bureau

Lieutenant Governors outside their respective Union Territories.

Members, Central Administrative Tribunal

Members, Monopolies and Restrictive Trade Practices Commission

Members, Union Public Service Commission

Ministers of Union Territories and Executive Councillors, Delhi, outside their respective Union Territories.

Principal Staff Officers of the Armed Forces of the rank of major General or equivalent rank Speakers of Legislative Assemblies in Union Territories and Chairman of Delhi, Metropolitan Council, outside their respective Union Territories

26. Joint Secretaries to the Government of India and officers of equivalent rank.  
Officers of the rank of Major-General or equivalent rank

### **NOTES**

Note 1.— The order in this Table of Precedence is meant for State and Ceremonial occasions and has no application in the day-to-day business of Government.

Note 2.— Persons in the Table of Precedence will take rank in order of the number of the articles. The entries in the same article are arranged alphabetically. Those included in the same article will take precedence *infer se* according to date of entry into that article. However, where the dignitaries of different States and Union Territories included in the same article are present at a function outside their States or Union Territories and there is difficulty in ascertaining their dates of entry, they may be assigned precedence *inter se* in the alphabetical order of the name of States and

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Union Territories concerned after those whose precedence is determined according to date of entry into that article.

Note 3.— In article 7, the former Prime Ministers will take precedence over the Cabinet Ministers of the Union and the Leaders of Opposition in the Rajya Sabha and the Lok Sabha. The Chief Ministers of States within their respective States will take precedence over the Cabinet Ministers of the Union' in official functions held in the respective States.

Note 4.—In Article 8—

- (a) Ambassadors Extraordinary and Plenipotentiary and High Commissioners of Commonwealth countries accredited to India with en bloc rank above Governors of State outside their respective States:
- (b) Governors of States outside their respective States will en bloc rank above Chief Ministers of States outside their respective States.

Note 5.— The Ministry of External Affairs may assign appropriate ranks to foreign dignitaries and Indian Ambassadors. High Commissioners and Ministers Plenipotentiary during their visit to India.

Note 6.— Notwithstanding the procedure laid down in Note 2, the rank inter se and precedence of the persons in Article 10 shall be assigned in the following order:-

- (1) Deputy Chairman, Rajya Sabha.
- (2) Deputy Speaker, Lok Sabha.
- (3) Ministers of State of the Union and any other Minister in the Ministry of Defence for defence matters.
- (4) Deputy Chief Ministers of States.
- (5) Members of Planning Commission.

However, the Deputy Chief Ministers of States outside their respective States will always rank below all other dignitaries figuring in this article.

Note 7.— The Chairmen of State Legislative Councils will rank above the Speakers of Legislative Assemblies in cases where they were elected on the same date.

Note 8.—When Members of Parliament are invited en bloc to major State functions, the enclosures reserved for them should be next to the Chief Justice, Speaker of the Lok Sabha, Ambassadors, etc.

Note 9.— Speakers of Legislative Assemblies in Union Territories and Chairman of the Delhi Metropolitan Council, Delhi, will take precedence over Ministers and Executive Councillors, included in the same article.

Note 10.— In Article 23—

- (a) Secretaries in the Ministry of External Affairs other than the Foreign Secretary, between themselves, will take precedence in the order of their seniority in Grade—I of the Indian Foreign Services and both of them will take precedence after the Foreign Secretary.
- (b) Members of the Minorities Commission and the Scheduled Castes and Scheduled Tribes Commission will always take precedence over the Secretaries of these Commissions.
- (c) In official functions held at Delhi/New Delhi, Army Commanders/ Vice Chief of the Army Staff or equivalent in other services will always rank after Secretaries to the Government of India.

Note 11.—In Article 25:-

- (a) Additional Secretaries in the Ministry of External Affairs, among themselves, will take precedence in the order of their Seniority in Grade—II of the Indian Foreign Services;
- (b) Additional Solicitor General will take precedence above the Advocate Generals of States;
- (c) Lieutenant Governors will take precedence over the Chief Ministers and Chief Executive Councillor, Delhi, and the latter will take precedence over Speakers of Legislative Assemblies and Chairman, Metropolitan Council, Delhi;
- (d) Deputy Speakers of Legislative Assemblies of Union Territories and Deputy Chairman of Delhi Metropolitan Council will take precedence after Ministers of Union Territories and Executive Councillors, Delhi.

Note 12.— For the purpose of Article 26, the posts equivalent to the posts of Joint Secretaries to the Government of India will be determined by the Ministry of Home Affairs.

(K.C.MADAPPA)  
Secretary to the President

**Annexure-D**

(refer para 28.17)

**STATE ORDER OF PRECEDENCE**

GOVERNMENT OF HARYANA

GENERAL ADMINISTRATION (PROTOCOL) DEPARTMENT

**Notification**Dated, Chandigarh, the 25<sup>th</sup> May, 2000

**No. 50/215/99-5PP.—** The Government of Haryana has desired that the Order of Precedence, appended to this notification, shall be observed at all State Functions in the Haryana State.

**APPENDIX**

**Note.—** The serial number assigned to the different articles is the same as that assigned to the respective articles in the Table of Precedence notified by the President's Secretariat on 26<sup>th</sup> July, 1979.

4. Governor
9. Chief Minister
10. Governor (of another State)
11. Chief Minister (of another State)
17. Speaker, Vidhan Sabha  
Chief Justice of High Court  
Lokayukta
18. Cabinet Ministers  
Deputy Chairman Planning Board, Leader of the Opposition in Vidhan Sabha
20. Cabinet Ministers (of another State)  
Speaker Vidhan Sabha (of another State)  
Chief Justice of High Court (of another State)  
Deputy Speaker, Vidhan Sabha  
Minister of State  
Puisne Judges of the High Court  
Chairman Power Regulatory Commission
21. Deputy Ministers  
Chief Parliamentary Secretary and Parliamentary Secretary
22. Deputy Speaker, Vidhan Sabha (of another State)  
Minister of State (of another State)  
Puisne Judge of High Court (of another State)

- 
23. Members of Parliament  
Members of Legislative Assembly
  24. Chief Secretary to State Government  
Financial Commissioner in scale of Chief Secretary to State Government  
State Election commissioner
  25. Advocate General  
Chairman Public Service Commission  
Chairman Staff Selection Commission  
Financial Commissioners
  27. Chairman, Income Tax Tribunal  
Commissioner of Divisions within their respective charge  
Commissioner Secretaries  
Income Tax Commissioner  
Director General of Police  
Director General of Health Services  
Additional Director General of Police  
Inspector General of Police  
Principal Chief Conservator of Forests  
Members Public Service Commission  
Members Staff Selection Commission  
Members Electricity Regulatory Commission  
Engineer-in-Chief
  28. Members, Income Tax Tribunal  
Chief Engineers  
Chief Conservator of Forests, Chief Medical Officers
  29. Joint Secretaries to Government and Heads of Departments  
Registrar High Court
  30. Additional District and Sessions Judges  
Deputy Commissioners within their respective charge  
Deputy Secretaries to Government  
Superintendent of Police

**Note.—** Non-officials as well as VCs. of Universities & Chairman/Members of various Statutory Boards/Corps/Local Bodies etc. although not included in the warrant, should be given a high place and sometimes very high place in accordance with their general standing.

**Note 1.—**The Table of Precedence is meant for State and Ceremonial occasions and has no applications in the day-to-day business of the State Government.

**Note 2.—** Persons mentioned in the table will take precedence in order of the serial number of the articles. The entries in the same article are arranged alphabetically. Those included in the same article will take precedence inter-se according to the date of entry into that article. Officers under any article will be grouped into the following three categories:-

- (a) Members of All India Services
- (b) Military Officers and
- (c) Other Officers

**Note 3.—** The order in which the posts are mentioned in any one article is not the basis for determining inter-se seniority.

**Note 4.—** Where an officer by virtue of his personal standing and seniority is entitled to a rank higher than that allotted to his post in the Warrant of Precedence, the officer will be given that higher rank.

**Note 5.—**Government whips in the State Legislative and all Members of the State Legislature who happen to be invited to State Functions should be assigned precedence just after Members of Parliament in Article 23. They will take rank in the following orders.

- (i) Members of Rajya Sabha
- (ii) Members of Lok Sabha
- (iii) Members of Legislative Assembly

The following members of each House may, however, take precedence over other members of that house:-

- (a) Leaders of Parties;
- (b) Ex-Speaker;
- (c) Ex-Ministers;
- (d) Government Whip.

**Note 6.—** All Ladies unless by virtue of holding an appointment themselves they are entitled to a higher position in the table, shall take place according to the rank herein assigned to their respective husbands.

RAM S. VARMA  
Chief Secretary to Government, Haryana.

## **Annexure-E**

(refer para 28.18)

### **LIST OF STATE GUESTS HOSPITALITY TO VARIOUS VVIPs/VIPs**

As per instructions issued by the State Government in the year 2001 the State Guests facilities are extended only to the following VVIPs/VIPs during their visits to Haryana/Chandigarh:-

#### **Category-I**

1. President of India
2. Vice-President of India
3. Prime Minister of India
4. Governors of States
5. Chief Justice of India
6. Speaker Lok Sabha
7. Cabinet Minister of Union
8. Cabinet Ministers of States  
Deputy Chairman, Planning Commission  
Leader of Opposition in the Rajya Sabha and Lok Sabha
9. Judges of the Supreme Court
10. Deputy Chairman, Rajya Sabha  
Deputy Chief Ministers of States  
Deputy Speaker, Lok Sabha  
Members of Planning Commission  
Ministers of State of the Union
11. Attorney General of India  
Cabinet Secretary  
Comptroller and Auditor General of India  
Lieutenant Governor of Union Territories
12. Chief of Staff holding the rank of Full General or equivalent rank

#### **Category-II**

In addition, the following dignitaries will also to be treated as State Guest by the Haryana Government during their official visit to Haryana/Chandigarh when their visits are connected with the affairs of the Haryana State:-

- 
1. Speakers of the State Assemblies (Other States)
  2. Chief Justice of High Courts (Other States)
  3. Ministers of other States/Deputy Speaker of other States/Minister of State of Other State (official as well no official visit) vide No. 50/274/2004-5PP dated 23-11-2005
  4. Chairman, Monitories Commission  
Chairman, Scheduled Castes and Scheduled Tribes Commission  
Chairman, U.P.S.C.  
Judges of High Courts (Other States)
  5. Chairman, Monopolies and Restrictive Trade Practices Commission
  6. Hon'ble Judges High Court of Other States on reciprocal basis (vide No. 50/274/99-5PP dated 6/3/2003)

**Category-III**

In exceptional cases, certain distinguished non-officials who happen to visit Haryana/Chandigarh and their visits are concerned with the affairs of the Haryana State, will also be treated as state guest facility would be admissible for a maximum period of one week only.

**Category-IV-Visit of foreigners**

As regards the visits of foreign dignitaries, the instructions issued by the Ministry of External Affairs from time to time will prevail.

**Category-V Others**

For other dignitaries/delegations who happen to visit Haryana/Chandigarh and their visitor are concerned with any Department of the Government, the Administrative Department, if considers necessary, may treat such dignitaries/delegations as state guests with the prior approval of the Chief Secretary to Government, Haryana. However, all arrangements for such guests and expenditure will be borne by the Department concerned.

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## **CHAPTER - XXIX**

### **SETTING UP OF NEW DEPARTMENT OR OFFICE**

#### **29.1 Constitutional provision regarding conduct of business of a State.—**

In the Constitution of India following provision exists regarding the conduct of business of the Government of a State :-

##### **166. Conduct of business of the Government of a State.—**

- “(1) All executive action of the Government of a State shall be expressed to be taken in the name of the Governor.*
- (2) Orders and other instruments made and executed in the name of the Governor shall be authenticated in such manner as may be specified in rules to be made by the Governor, and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Governor.*
- (3) The Governor shall make rules for the more convenient transaction of the business of the Government of the State, and for the allocation among Ministers of the said business in so far as it is not business with respect to which the Governor is by or under this Constitution required to act in his discretion.”*

In exercise of the powers conferred by clause (2) and (3) of the Article 166 of the Constitution of India, the Governor of Haryana makes the rules namely, Business of the Haryana Government (Allocation) Rules, 1974 for allocation of business to a Department.

#### **29.2 Procedure for creation of New Department.—**

Before allocation of a Business of Haryana Government to Department (to be created or existing one), a detailed proposal containing justification, financial implication, Government business to be conducted by the Department and relevant detailed information becomes necessary to be placed before the Council of Minister for consideration before taking the approval of Governor. Therefore, whenever an Administrative Department/Chief Secretary considering to create a new Department, a detailed proposal after the approval of the Chief Minister will be submitted for seeking concurrence of the Finance Department, General Administration

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Department and also of any other Department, if necessary. The proposal must contain detailed facts on the following points:-

- (i) Introduction/Background of creation of new Department;
- (ii) Proposal and its justification;
- (iii) Details of objective and role to be performed by the new Department;
- (iv) detail of new posts with pay scale to be created or transferred from any other Department
- (v) detail of accommodation required;
- (vi) Head of Account for receipt and expenditure – Estimates of;
- (vii) Annual receipt, if any, and expenditure with estimate
- (viii) Act and Rules to be implemented by the Department; and
- (ix) Detail of jurisdiction.

### **29.3 Preparation of detailed proposal for creation of new Office.—**

As and when a new office is proposed to be set up, a detailed proposal should be prepared by the concerned Directorate/Department. The proposal should include the following details:-

- (i) (a) Objective and the role to be performed by the proposed office,
- (b) Whether such offices already exist;
- (ii) (a) Overall staff requirement with pay scales,
- (b) Staff already positioned,
- (c) additional requirement, together with distribution of functions and duties;
- (iii) Availability with details of—
  - (a) trained manpower,
  - (b) material,
  - (c) machinery
  - (d) other facilities etc;
- (iv) Availability (with details) of accommodation for—
  - (a) office
  - (b) residences,
  - (c) land
  - (d) other facilities etc;
- (v) (a) In case of permanent office, detailed scheme/object wise annual estimated expenditure;

- 
- (b) In case of temporary office, detailed scheme/object wise over-all estimate of expenditure involved during the entire period for which the office is likely to function with year-wise break up of expenditure;
  - (vi) Annual estimated revenue receipts;
  - (vii) Head of the account out of which expenditure proposed to be met;
  - (viii) Special features of the office, if any.

#### **29.4 Authorities competent for approval.—**

The proposal shall be approved by the Administrative Department and will be submitted to the Finance Department for concurrence and for inclusion in the Budget Estimates as a — New Scheme.

#### **29.5 Accommodation for setting up of office.—**

After the receipt of the Government sanction, the following steps will be taken care of for the setting up of the office:-

##### **(a) Optimized office space.—**

Efforts should be made to optimize office space by adopting modular office layouts. Large halls permit optimal use of space and facilitate easy deployment of computers and associated network connectivity.

##### **(b) Location.—**

An Office should be located in consultation with the District Administration and the Public Works Department for housing the office. The accommodation should be based on norms notified by the Government.

##### **(c) Hiring of Building.—**

In case Government accommodation is not available, then private accommodation should be hired after giving public notice through the press in consultation with the Public Relations Department, the District Administration and following the procedure prescribed by the Government regarding fixation of rent. Rent Reasonability Certificate(s) issued by the Executive Engineer(s), Public Works Department (B&R) of the area concerned must be verified/recommended by the Deputy Commissioner(s) of the said District(s) by evolving an appropriate mechanism in this regard in order to ensure their genuineness/factuality. In no case, it should be more than the market rate/rent prevailing in the said locality.

**(d) Security arrangements.—**

Security should be arranged for office premises, land and other property and stores;

**(e) Fixation of Norms for space and furniture.—**

Norms for space and furniture entitlement of various classes of employees shall be as notified by the CS organisation (in Ado Branch) from time to time or any other organisation so authorised by the Government.

**29.6 Declaration of Head of office and Drawing and disbursing Officer(s) .—**

Declaration of Head of office and Drawing and disbursing Officer (s) and their financial and administrative powers, if any; should be made in consultation with concerned Departments and with the approval of the competent authority;

**29.7 Creation of new posts and transfer of existing posts from other offices/units.—**

For determination of staffing requirements, the Administrative Reforms Organisation may be consulted in case there is no approved pattern of staffing for the new kind of office.

**29.8 Making the Provisions for regulating conditions of service of employees.—**

Rules for regulating conditions of service of employees; mode of recruitment, promotion, seniority, declaration of appointing authority, disciplinary authority and appellate authority etc. for the newly created posts should be provided for each cadre in consultation with concerned Departments and with the approval of the competent authority;

**29.9 Recruitment procedure.—**

- (a) Regular posts as sanctioned by the competent authority for the new office(s) will be filled through the Haryana Public Service Commission and Haryana Staff Selection Commission.
- (b) Short term temporary vacancies may be filled through the Employment Exchanges or by outsourcing services through empanelled job agencies as per the procedure prescribed by Government from time to time.

**29.10 Security from staff handling cash.—**

Security from staff handling cash, sales, or other stores, will be taken as per provisions laid down in Chapter 3 of STR Vol. I.

**29.11 Induction and in-service training.—**

Induction and in-service training will be arranged as per the training policy of the Government.

**29.12 Information to be collected and provided for creation of new/additional posts.—**

Sometimes proposals received in Administrative Departments from the attached and subordinate offices for creation of posts lack sufficient data, resulting in a delay for want of detailed information. To eliminate such delays, the following check list must be followed meticulously while preparing the proposals for the creation of posts:-

- (a) Name of department and office
- (b) Unit/branch of department/office for which posts are required.
- (c) Status of the Office (i.e. temporary or permanent).
- (d) The number and nature of posts required.
- (e) Scale of pay.
- (f) Group/Class of the posts.
- (g) Whether the posts are required on—
  - (i) temporary basis with the period for which they are required.
  - (ii) regular basis.
- (h) Justification for the posts required.
- (i) Why the work for which the posts are required cannot be done by existing personnel or by re-adjustment or from surplus staff.
- (j) What is the strength and distribution of existing similar posts in the Organisation?
- (k) What will be the distribution of the additional posts?
- (l) Are there any departmental instructions regulating staff composition and work standards? If so give details supported by necessary copies of the instructions/guidelines.

- (m) Do the present proposals entail a departure from the above instructions and if so, in what respects and on what ground?
- (n) What will be the annual financial implications of the proposal ?
- (o) How the expenditure proposed to be met shall be arranged, that is:
  - (i) by valid appropriation (in case for full financial year); or
  - (ii) by re-appropriation; and if so, the units of appropriation out of which funds will be re-appropriated; or
  - (iii) by asking for supplementary/additional grants.
- (p) Has the proposal been examined by the Department of Administration Reforms; if so, a copy of their report to be attached.
- (q) The procedures detailed above should be followed strictly before taking a final decision on the proposals for opening new offices or creation of new/additional posts.

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## **CHAPTER - XXX**

### **SEXUAL HARASSMENT**

#### **30.1 Sexual harassment results in violation of the fundamental rights.—**

Sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under Article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business with includes a right to a safe environment free from sexual harassment.

In order to provide protection against sexual harassment of women at the workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto the Parliament of India has enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

The Act inter-alia provides that the following circumstances, among other circumstances, if it occurs, or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:—

- (i) implied or explicit promise of preferential treatment in her employment; or
- (ii) implied or explicit threat of detrimental treatment in her employment ; or
- (iii) implied or explicit threat about her present or future employment status; or
- (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) humiliating treatment likely to affect her health or safety.

Hon'ble Apex Court in its judgment in the Writ Petitions(Criminal) Nos. 666-70 of 1992 with Criminal Misc. Petition Nos. 702-31 of 1992 – Vishaka and Others vs. State of Rajasthan and others has laid down detailed guidelines and norms for due observance at all work places as well as for other responsible persons or other institutions for the preservation and enforcement of the right to gender equality of the working women and to ensure the prevention of sexual harassment of women.

#### **30.2 Sexual harassment is a misconduct.—**

Rule 6 of the Haryana Civil Services (Government Employees' Conduct) Rules, 2016 provides as under.—



Prohibition of Sexual Harassment of women:-

- (1) No Government employee shall indulge in any act of sexual harassment of any women at her work-place
- (2) Every Government employee who is Incharge of a work-place shall take appropriate steps to prevent sexual harassment to any women at such work place.

**Explanation.—** For the purpose of this rule, 'sexual harassment' includes such unwelcome sexually determined behavior, whether directly or otherwise, as -

- (a) physical contact and advances;
- (b) a demand or request for sexual favours
- (c) sexually coloured remarks
- (d) showing pornography;
- (e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

**30.3 Proviso to Rule 7A of the Haryana Civil Services (Punishment and Appeal) Rules, 2016 is as under.—**

'Provided that where there is a complaint of sexual harassment within the meaning of rule 6 of the Haryana Civil Services (Government Employees' Conduct) Rules, 2016, the complaints committee established in each department or office for inquiring into such complaints shall be deemed to be the inquiry officer appointed by the punishing authority for the purpose of these rules and the complaints committee shall hold, if separate procedure has not been prescribed for the complaints committee for holding the inquiry into the complaints of sexual harassment, the inquiry as far as practicable in accordance with the procedure laid down in these rules.'

**30.4 Guidelines and norms for prevention of sexual harassment.—**

The guidelines and norms for the prevention of sexual harassment at a workplace have been given in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 which may be downloaded from website. However, the salient provisions are reproduced below for convenience and implementation.—

**(1) 19. Duties of employer.— Every employer shall.—**

- (a) provide a safe working environment at the workplace including safety from the persons coming into contact at the workplace;

- (b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee under sub-section (1) of section 4;
- (c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;
- (d) provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;
- (e) assist in securing the attendance of respondents and witnesses before the Internal Committee or the Local Committee, as the case may be;
- (f) make available such information to the Internal Committee or the Local Committee, as the case be, as it may require having regard to the complaint made under sub-section (1) of section 9;
- (g) provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code (45 of 1860) or any other law for the time being in force;
- (h) cause to initiate action, under the Indian Penal Code (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- (i) treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- (j) monitor the timely submission of reports by the Internal Committee.

### **30.5 Preventive Steps.—**

All employers or persons in charge of work-place whether in the public or private sector should take appropriate steps to prevent sexual harassment. Without prejudice to the generality of this obligation, they should take the following steps.

- (a) Express prohibition of sexual harassment as defined above at the work place should be notified, published and circulated in appropriate ways.
- (b) Appropriate work conditions should be provided in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and no employee woman should have

reasonable grounds to believe that she is disadvantaged in connection with her employment.

### **30.6 Constitution of Internal Complaints Committee.—**

- (1) Every employer of a workplace shall, by an order in writing, constitute a Committee to be known as the “Internal Complaints Committee”. Where the offices or administrative units of the workplace are located at different places or divisional or sub-divisional level, the Internal Committee shall be constituted at all administrative units or offices.

Where the internal Committee has not been constituted due to having less than ten workers or if the complaint is against the employer himself complaint will be received by the local Committee constituted by the District Officer i.e. the Deputy Commissioner notified as such under the Act.

- (2) The Internal Committees shall consist of the following members to be nominated by the employer, namely:—

- (a) a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section (1):

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organisation;

- (b) not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;

- (c) one member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment:

Provided that at least one-half of the total Members so nominated shall be women.

- (3) The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

- (4) The Member appointed from amongst the non-governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the employer, as may be prescribed.
- (5) Where the Presiding Officer or any Member of the Internal Committee, —
  - (a) contravenes the provisions of section 16; or
  - (b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
  - (c) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
  - (d) has so abused his position as to render his continuance in office prejudicial to the public interest.
- (6) Such Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.

### **30.7 Criminal Proceedings.—**

- (1) Where such conduct amounts to a specific offence under the Indian Penal code or under any other law, the employer shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
- (2) In particular, it should ensure that victims, witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. The victims of sexual harassment should have the option to seek the transfer of the perpetrator or their own transfer.
- (3) Action during the pendency of enquiry. It provides that during the pendency of enquiry, on a written request made by the aggrieved woman, the Internal Committee or the Local Committee may recommend to the employer to – (a) transfer the aggrieved woman or the respondent to any other workplace; or (b) grant leave to the aggrieved woman upto a period of three months; or (c) grant such other relief to the aggrieved woman as may be prescribed by rules.
- (4) It further makes it clear that the leave granted to the aggrieved woman under this clause shall be in addition to the leave she would be entitled to otherwise entitled.
- (5) It also casts a duty on the employer to implement the recommendations of the Internal Committee or the Local Committee and send the report of such

implementation to the Internal Committee or the Local Committee. (Notes on Clauses).

**30.8 Disciplinary Action.—**

Where such conduct amounts to misconduct in employment as defined by the relevant service rules, appropriate disciplinary action should be initiated by the employer in accordance with those rules.

**30.9 Complaint Mechanism.—**

Whether or not such conduct constitutes an offense under law or a breach of the service rules, an appropriate complaint mechanism should be created in the employer's organisation for redressal of the complaint made by the victim. Such complaint mechanism should ensure time bound redressal of complaints.

**30.10 Complaints Committee.—**

- (1) The complaint mechanism, referred to in (30.6) above, should be adequate to provide, where necessary, a Complaint Committee, a special counselor or other support services, including the maintenance of confidentiality. The Complaint Committee should be headed by a woman and not less than half of its members should be women, Further, to prevent the possibility of any undue pressure or influence from senior levels, such Complaint Committee should involve a third party, either non government official or other body who is familiar with the issue of sexual harassment.
- (2) The Complaints Committee must make an annual report to the Government department concerned of the complaints and action taken by them.
- (3) The employers and person in charge will also report on the compliance with the aforesaid guidelines including on the reports of the complaints Committee to the Government department.

**30.11 Workers' Initiative.—**

Employees should be allowed to raise issues of sexual harassment at workers' meeting and in other appropriate forum and it should be affirmatively discussed in Employer-Employee Meetings.

**30.12 Awareness.—** The rights of female employees in this regard should be created in particular by prominently notifying the guidelines (and appropriate legislation when enacted on the subject) in a suitable manner.

**30.13 Third Party Harassment .—**

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the employer and person in charge will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

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## **CHAPTER - XXXI**

### **RIGHT TO SERVICE**

#### **31.1 Introduction.—**

Haryana Government has been emphasizing that timely delivery of services to the citizens is a corner-stone of good governance. Citizens have a right to claim services from the Government in a time-bound manner. Accordingly, to provide for the delivery of services to eligible persons within the notified time-limits and for matters connected therewith and incidental thereto, the Haryana Right to Service Rules, 2014 were notified under section 21 (1) of the Haryana Right to Service Act, 2014 by the Administrative Reforms Department, under which any violation of the time-limit in providing the service will be treated as a grievance. A multi-tier institutional mechanism has been provided for time-bound grievance redressal and any non-compliance and mala fide action would lead to penalty/disciplinary action against the defaulter under the provisions of the aforesaid Act & Rules.

The Following mechanism has been provided for effective implementation of the provisions of the Haryana Right to Service Act, 2014 and the Haryana Right to Service Rules, 2014.

#### **31.2 Format of application, check list, time limit, authorities, and display thereof.—**

- (a) The Administrative Department concerned shall prepare an application form, for every kind of services for which it is responsible, along with a check list of the documents required to be enclosed therewith.
- (b) All information related to the services, application form and documents required for obtaining it, shall be displayed on the notice board by the Designated Officer, the Grievance Redressal Authorities, and by the Incharge of *e-disha Kendra*, outside their offices or any other conspicuous place in the office area.
- (c) All the information relating to the services, time limit, application form, and documents required for obtaining it, shall be put on the website by the Administrative Department concerned and by the Right to Service Commission.
- (d) In the event of non-display of such information in the public domain, the Second Grievance Redressal Authority i.e. the Haryana Right to Service



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Commission shall be competent to recommend appropriate action against the Designated Officer.

**31.3 (1) Receipt and acknowledgement of applications.—**

An eligible person shall make an application to the Designated Officer either personally or through registered post or through e-disha kendras duly addressed to the Designated Officer for delivery of intended service.

**(2) Acknowledgement of the receipt of application.—**

(a) If such an application is found complete in all respects, the Designated Officer shall acknowledge the receipt thereof in the specified forms provided by the respective department for each kind of services.

(b) If any document required for the delivery of service has not been enclosed with the application by the applicant, the same shall be clearly mentioned in the acknowledgement by the Designated Officer, to enable the applicant to make his application complete in all respects. Time limit specified for delivery of service in such cases shall commence from the date when the applicant supplies the documents mentioned in the acknowledgment.

**(3) Record of service.—**

The record of applications for services applied for shall be maintained by the Designated Officer in Form 'A' (Annexure-A).

**31.4 First Appeal.—**

(1) Any eligible person, whose application for obtaining service is rejected under sub-section (2) of section 5 or who is not provided the service within the notified time limit, may file an appeal to the First Grievance Redressal Authority within thirty days from the date of rejection or the expiry of the notified time limit, as the case may be. The First Grievance Redressal Authority may admit the appeal after the expiry of thirty days also, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time. An appeal so made shall be finally disposed of by the First Grievance Redressal Authority within a period of thirty days of its receipt.

(2) On receipt of an appeal under sub-section (1), the First Grievance Redressal Authority shall consider the matter and if, in its opinion the grievances of the eligible person appear to be genuine, it may direct the Designated Officer to provide the service within seven working days, or such period as may be

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specified by it and in case of default, to appear before it in person and explain reasons thereof.

- (3) After affording an opportunity of hearing to the Designated Officer and the eligible person, the First Grievance Redressal Authority shall pass a reasoned order in writing either accepting the appeal or rejecting the same. The Decision in appeal shall be communicated to both the parties by registered post.

### **31.5 Second Appeal.—**

- (1) Any eligible person, whose appeal for obtaining service is rejected or who is not provided the service within the time specified in the orders of the First Grievance Redressal Authority, may file an appeal to the Second Grievance Redressal Authority within sixty days from the date of such rejection or the expiry of the time specified by the First Grievance Redressal Authority. The Second Grievance Redressal Authority may admit the appeal after the expiry of sixty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.
- (2) On receipt of an appeal, the Second Grievance Redressal Authority shall, within a period of sixty days from the date of receipt of appeal, pass a reasoned order in writing either accepting the appeal and directing the Designated Officer to provide service to the eligible person within seven working days or within such period as may be specified or reject the same in writing detailing the reasons for such rejection. However, before rejecting the appeal, an opportunity of hearing to the eligible person shall be granted by the Second Grievance Redressal Authority. An order made by the Second Grievance Redressal Authority shall be communicated to both the parties by registered post.

### **31.6 Power to summon and inspection.—**

The First Grievance Redressal Authority and the Second Grievance Redressal Authority shall while deciding an appeal under the provision of the Haryana Right to Service Act, 2014, have the same powers as are vested in civil court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters :-

- (a) requiring the production and inspection of documents;

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- (b) issuing summons to the Designated Officer and the appellant for hearing; and
  - (c) any other matter, which may be prescribed.

**31.7 Constitution, Power and functions of the Haryana Right to Service Commission.—**

- (1) The State Government have constituted the Haryana Right to Service Commission, a statutory body, under section 12 of the Haryana Right to Service Act, 2014 in order to ensure proper implementation of this Act and to suggest necessary steps to the State Government for ensuring better delivery of services.

For this purpose, the Commission is empowered to—

- (a) entertain and dispose of revisions under section 10 of the Act;
- (b) take suo moto notice of failure to deliver service in accordance with the Act and refer such cases for decision to the First Grievance Redressal Authority or pass such order, as may be appropriate;
- (c) carry out inspections of offices entrusted with the delivery of services and the offices of the First Grievance Redressal Authority and the Second Grievance Redressal Authority;
- (d) recommend departmental action against any officer or employee of the State Government, who has failed in due discharge of functions cast upon him under this Act;
- (e) recommend changes, in consultation with the Administrative Secretary in-charge of the Department concerned, in procedures and process reengineering for delivery of services which may make the delivery more transparent and easier;
- (f) recommend additional services to be notified under section 3 and may also suggest modifications in the notifications already issued for better implementation of this Act;
- (g) issue general instructions, not inconsistent with the provisions of the Act for the guidance of Designated Officers, the First Grievance Redressal Authority and the Second Grievance Redressal Authority;
- (h) impose a penalty on Designated Officer or any other official involved in the process of providing such service up to a sum of twenty thousand rupees, as deemed fit under the circumstances of the case and allow

compensation up to five thousand rupees, to be paid to an eligible person by defaulter;

- (i) review its decisions, decisions, directions and orders.
- (2) Where the Commission is satisfied that there are reasonable grounds to inquire into a matter arising out of the provisions of the Act, it may, suo moto, initiate an inquiry in respect thereof.
- (3) The Commission, while inquiring into any matter under the Act, have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:-
  - (a) summoning the parties;
  - (b) receiving oral evidence on oath or written evidence on affidavits;
  - (c) requiring the discovery and inspection of documents;
  - (d) requisitioning of any public record from any office;
  - (e) obtaining copies of record from any court in accordance with law;
  - (f) issuing summons for examination of witnesses or documents;
  - (g) any other matter, which may be prescribed.

### **31.8 Procedure for recovery of penalty.—**

- (1) Where a penalty has been imposed against the Designated Officer and/or any other official under section 9 of the Act, the Second Grievance Redressal Authority shall forward a copy of such order to the Administrative Department concerned with instructions to deduct the amount from the salary or remuneration of the Designated Officers and/or any other official involved in the process of providing such service against which penalty has been awarded.
- (2) The penalty imposed under the Act shall be recovered in proportion to be fixed by the Second Grievance Redressal Authority from the salary or remuneration of the Designated Officers and/or any other officer/official involved in the process of providing such service.
- (3) The concerned authority to which a copy of such order of Second Grievance Redressal Authority has been marked, shall recover the penalty from the next salary/remuneration of the Designated Officer and/or any other officer/official involved in the process of providing such services, as decided by the Second Grievance Redressal Authority. The penalty so recovered shall be deposited

in the receipt head of the State and a copy of receipt of the deposit shall be forwarded to the Second Grievance Redressal Authority.

**31.9 Procedure for award of compensation to the applicant/appellant.—**

Where a compensation has been awarded to the applicant/appellant by the Second Grievance Redressal Authority under section 9(3) of the Act, the concerned authority shall make payment to the applicant/appellant out of penalty imposed by it and deposit the balance amount in the receipt head of the State as stipulated in Rule 6(4) of the Haryana Right to Service Rules, 2014. A copy of the receipt of compensation shall also be forwarded to the Second Grievance Redressal Authority by the department.

**31.10 Disciplinary action against the Designated Officer and/or any other official.—**

In the event of recommendations for disciplinary action against the Designated Officer and/or any other official, the Second Grievance Redressal Authority shall send a copy of such order to the Administrative Department concerned and to the Commission.

**31.11 Revision under section 10 of the Act.—**

- (1) An application for revision addressed to the Commission shall be made in Form B [Annexure-B]. After receiving the application, the Commission shall send notice of the same to the party concerned either,-
  - (a) dasti i.e. through the party filing the revision; or
  - (b) by registered post with acknowledgement; or
  - (c) through courier.
- (2) While deciding any application in order to ascertain the facts, the Commission may authorize an officer to enquire into the matter. The officer, to whom such an inquiry has been entrusted, shall submit a report to the Commission within a period of fifteen days.
- (3) The Commission shall decide the application in view of the relevant record available before it.

**31.12 Suo-moto notice by the Commission under section 17 of the Act.—**

- (1) The Commission may take suo-moto notice in such cases where the applications/appeals are not decided by the Designated Officer/Grievance Redressal Authorities within the stipulated period and there is an

unreasonable delay in disposal of such application/appeals. On finding any lapse, the Commission may pass appropriate orders in this regard as it may deem fit.

- (2) In order to deliver service in hassle-free, transparent and time bound manner, the effective service delivering statutory mechanism as detailed above is necessary to be followed by the officials/officers dealing with the public services.

**Annexure-A**

**FORM-A**

*[See para 31.3 (3)]*

*[see rule 4(1)]*

<b>Sr. No</b>	<b>Name and address of the Applicant</b>	<b>Type of service Applied</b>	<b>Date of receipt of application</b>	<b>Date of disposal of application</b>	<b>Remarks (service provide or application rejected with reasons)</b>

**Annexure-B**

**FORM - B**

[See para 31.11(1)]

[see rule 7(1)]

**Application for Revision**

1.	Name of the person	:	
2.	Father/Husband's name	:	
3.	Residential address	:	
4.	Contact Number with e-mail (if any)	:	
5.	Details of the service sought	:	
6.	Name of the department from which service sought	:	
7.	Date of making application to the Designated Officer	:	
8.	Date of disposal of application	:	
9.	Acknowledgment, Number and date	:	
10.	Date of filing of First Appeal	:	
11.	Acknowledgement, Number and date	:	
12.	Date of decision of First Appeal	:	
13.	Acknowledgement, Number and date	:	
14.	Date of decision of Second Appeal	:	
15.	Relief claimed by the applicant in Revision against the order passed in Second Appeal	:	

Date \_\_\_\_\_

Place \_\_\_\_\_

(Signature of the Applicant)

**Note:-** Certified copy of the order against which the revision has been filed by the applicant shall be enclosed hereunder.

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## **CHAPTER - XXXII**

### **THE OFFICIAL LANGUAGE POLICY OF THE STATE**

#### **32.1 Official Language.—**

The Hindi in Devanagari script as the 1<sup>st</sup> official language and the Punjabi in Gurmukhi script as the second official language of the State have been adopted as official languages of Haryana State as per section 3 of the Haryana Official Language Act, 1969 (Act 17 of 1969), copy annexed at **Annexure-A**. Unless and until the State Government otherwise directs by notification, the English language shall continue to be used, in addition to Hindi, for the transaction of business in the Legislature of the State.

#### **32.2 Language to be used by the general public in making representation for the redressal of the grievances.—**

The General public may use any of the languages used in the State while submitting a representation for the redress of any grievance to any officer or authority of the State.

#### **32.3 Language for legislative purposes.—**

The Hindi Language shall be used in all bills or amendments moved in the house of the legislature, all Acts passed by the legislature, in all Ordinances promulgated under Article 213 of the Constitution; and in all orders, rules, regulations and bye-laws issued under the Constitution or under any law for the time being in force in the State. The authoritative text in the English language of all Bills to be introduced or amendments thereto to be moved in the House of the Legislature of the State shall be accompanied by a translation of the same in Hindi.

#### **32.4 Authoritative language of translation.—**

A translation in Hindi published under the authority of the Governor of the State of Haryana in the Official Gazette; of any Act passed in the English Language or of any Punjab Act as in force in the State of Haryana, or of any Ordinance promulgated in the English language by the Governor of the Haryana under Article 213 of the Constitution, or of any order, rule, regulation or bye-law issued in the English, shall be deemed to be the authoritative text thereof in Hindi.



**32.5 Action to be taken by departments.—**

In pursuance of the State policy every department is expected to ensure that the provision of the Haryana Official Language Act, 1969 and instructions issued thereunder as well as the annual programme of action as prepared by the Information, Public Relations and Languages Department, are strictly observed. In particular, it must be ensured that;

- (a) All communication to the offices of State Governments and the Administration of the Union Territories or persons residing in States i.e. Bihar, Chhattisgarh, Himachal Pradesh, Jharkhand, Madhya Pradesh, Rajasthan, Uttaranchal and Uttar Pradesh, as well as the Union Territories of Delhi and Andaman & Nicobar Islands, and in Region (B) i.e. Gujarat, Maharashtra and Punjab as well as the Union Territory of Chandigarh as defined in the Official Languages Rules 1976 as notified by the Government of India, should be made in Hindi. In case the person responsible for drafting a letter does not have sufficient knowledge of Hindi the draft prepared by him in English should be translated into Hindi and be issued to in Hindi.
- (b) Communications to the offices of the remaining States and Union Territories as well as persons residing therein may be made in English.
- (c) Correspondence with Central Government offices located in all regions should be made in Hindi.
- (d) All communications received in Hindi, irrespective of their source, must be replied to in Hindi.
- (e) For noting as well as drafting purposes Hindi language will be used, unless specifically permitted by the competent authority.
- (f) Both Hindi and English should be used for:-
  - (i) Resolutions, general orders, rules, administrative and other representations, notifications and press communiqués;
  - (ii) Administrative and other reports and officials paper laid before the Haryana Legislative Assembly;
  - (iii) Contracts and agreements executed as well as licenses, permits, notices and forms of tenders.

It is the policy of the Government of Haryana that progressive use of Hindi in the official work must be ensured through persuasion, incentive and goodwill.

**Annexure-A***(See Para 32.1)***1969 : Haryana Act 17****OFFICIAL LANGUAGE****THE HARYANA OFFICIAL LANGUAGE ACT, 1969****(Haryana Act No. 17 of 1969)****TABLE OF CONTENTS****Sections.**

<b>1.</b>	<b>Short title and extent.</b>
<b>2.</b>	<b>Definitions.</b>
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<b>4.</b>	<b>Language to be used in Bills, etc.</b>
<b>4A.</b>	<b>Authoritative Hindi text of State Laws.</b>
<b>4B.</b>	<b>Authorised Hindi Translation of Bills.</b>
<b>5.</b>	<b>Continuance of use of English language in State Legislature.</b>
<b>6.</b>	<b>Language to be used in representations for redress of grievances.</b>
<b>7.</b>	<b>Notifications to be laid before Legislature.</b>
<b>8.</b>	<b>Repeal.</b>

**1969 : Haryana Act 17                      OFFICIAL LANGUAGE**

**THE HARYANA OFFICIAL LANGUAGE ACT, 1969<sup>1</sup>**

**(Haryana Act No. 17 of 1969)**

[Received the assent of the Governor of Haryana on the 23<sup>rd</sup> February, 1969, and was first published in Haryana Government Gazette (Extraordinary), of the 5<sup>th</sup> March, 1969].

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by Legislation
1969	17	The Haryana Official Language Act, 1969.	Amended by Haryana Act 6 of 1972 <sup>2</sup> Amended by Haryana Act 3 of 1973 <sup>3</sup>

AN

ACT

to provide for the adoption of Hindi as the first language and Punjabi as the second language to be used for the official purposes of the State of Haryana.

Be it enacted by the Legislature of the State of Haryana in the Twentieth Year of the Republic of India as follows:-

**1. Short title and extent.**

- (1) This Act may be called the Haryana Official Language Act, 1969.
- (2) It extends to the whole of the State of Haryana.

**2. Definitions.**

In this Act, unless the context otherwise requires.—

- (a) 'appointed day' means the 26th day of January, 1969;
- (b) 'Hindi' means Hindi in Devanagari script;  
[“(bb)‘Punjabi’ means Punjabi in Gurmukhi script;”]<sup>4</sup>
- (c) 'State Government' means the Government of the State the Haryana.

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<sup>1</sup> For Statement of Objects and Reasons, see Haryana Government Gazette (Extraordinary), 1969, Page 106.

<sup>2</sup> For Statement of Objects and Reasons, see Haryana Government Gazette (Extraordinary), 1972, Page 46.

<sup>3</sup> For Statement of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 4-3-1973. Page 240.

<sup>4</sup> Inserted by Haryana Act 30 of 2004.

**3. Official language for official purposes of State.—**

- (1) Subject to the provisions of this Act, Hindi shall, as from the appointed day, be the first language to be used for all official purposes of the State of Haryana except such purposes as the State Government may, by notification, specify and the language in use for such excepted purposes immediately before the appointed day may be used as official language for such purposes.
- (2) The State Government may, by notification, specify that Punjabi shall be the second language to be used for all such official purposes which the State Government may deem fit.”]

**4. Language to be used in Bills, etc.—** Notwithstanding anything contained in section 3, Hindi shall, on and from such date as the State Government may be notification appoint in this behalf, be the language to be used—

- (a) in all Bill to be introduced or amendments thereto to be moved in the House of the Legislature of the State;
- (b) in all Acts passed by the Legislature of the State;
- (c) in all Ordinances promulgated under Article 213 of the Constitution; and
- (d) in all orders, rules, regulations and bye-laws issued under the Constitution or under any law for the time being in force in the State :

Provided that different dates may be appointed in respect of any of the matters referred to in clauses (a), (b), (c) or (d).

**5. Authoritative Hindi texts of State laws.** A translation in Hindi published under the authority of the Governor of the State of Haryana in the Official Gazette,—

- (a) of any Haryana Act passed in the English Language, or
- (b) of any Punjab Act as in force in the State of Haryana, or
- (c) of any Ordinance promulgated in the English language by the Governor of Haryana under Article 213 of the Constitution, or
- (d) of any order, rule, regulation or bye-law issued in the English language by the Governor of Haryana or by the Governor of Punjab and in force in the State of Haryana, shall be deemed to be the authoritative text thereof in Hindi.]<sup>1</sup>

**6. Authorised Hindi Translation of Bills.—** The authoritative text in the English language of all Bills to be introduced or amendments thereto to be moved in the

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House of the Legislature of the State shall be accompanied by a translation of the same in Hindi authorised by the State Government.]<sup>1</sup>

7. **Continuance of use of English language in State Legislature.—** Unless and until the State Government otherwise directs by notification, the English language may, as from the appointed day, continue to be used, in addition to Hindi, for the transaction of business in the Legislature of the State.
8. **Language to be used in representations for redress of grievances.—** Nothing in this Act shall debar any person to submit a representation for the redress of any grievance to any officer or authority of the State in any of the languages used in the State.
9. **Notification to be laid before Legislature.—** Every notification made under section 3, section 4 or section 5 shall be laid, as soon as may be after it is made, before the House of the State Legislature while it is in session, and shall be subject to such modifications as the House may make therein during the session in which it is so laid or the session immediately following.
10. **Repeal.—**
  - (1) The Punjab Official Language Act, 1960, in its application to the State of Haryana and the Haryana Official Language Ordinance, 1968 (Haryana Ordinance No. 5 of 1968), are hereby repealed.
  - (2) Notwithstanding such repeal, anything done or any action taken under the Haryana Official Language Ordinance, 1968, shall be deemed to have been done or taken under this Act as if this Act had commenced on the 31st October, 1968.

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## **CHAPTER - XXXIII**

### **THE HARYANA SECRETARIAT LIBRARY**

#### **33.1 Setting up of Haryana Secretariat Library.—**

The Haryana Secretariat Library Caters to the needs of all Government Departments stationed at Headquarters (except High Court and Vidhan Sabha) in respect of Govt. reference books and publication required for official use. The Chief Secretary to Govt. of Haryana may permit such non-officials to make use of this library.

#### **33.2 Duties of Librarian.—**

The Library is under the charge of a trained Librarian who is responsible to the Secretary, Secretariat Establishment for its efficient working. The following instructions may be observed by the Librarian:-

- (1) The Librarian should see that the Library is maintained neatly and the books and furniture are regularly dusted and kept free from savages of insects and pests.
- (2) She should supervise the day-to-day work of the Library staff, technical work and exercise general control over the working of different sections of the Library.
- (3) Immediately after procurement, all books and other literature should be processed. These should be stamped, labeled, entered in the Accession Register and Catalogued online before they are issued to anybody. For classification purposes "Dewey Decimal Classification" should be followed with such modification as may suit the local needs.
- (4) Online Cataloging:- Entries should be done in the computer in software e-granthalaya by the Clerk/D.E.O.
- (5) Publications that are out of print, rare or otherwise required for constant use by Head of Departments should not be issued without the permission of the Head of the Department concerned.
- (6) Monthly List:- A list of the books that are added to the Secretariat Library should be circulated amongst officers and branches of the Secretariat.

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- (7) Stock Taking:- Once in three years in the month of August or whenever otherwise convenient, all books in the Secretariat Library should be checked Physically by the library staff.

**33.3 Duties of Assistant Librarian.—**

- (1) Reminders- if a book is issued to an officer/official and is not returned within a month, a reminder should be issued for its return. If the borrower fails to give a satisfactory cause of its non-return in reply to three consecutive reminders, issued after an interval of one week each, the matter should be brought to the notice of Under Secretary/ Deputy Secretary, Secretariat establishment, who will take such steps as he may consider necessary for the return of book in question to the library.

**33.4 Purchase of Books.—**

New books may be purchased for the Library on the recommendation of officers/ officials of the Secretariat, but the selection of books would be finalised by the Librarian and members of Book Selection Committee appointed by the Chief Secretary, who is the Chairman/Chairperson of this committee. Before, a bill is forwarded for payment to the Accounts Branch, it should be carefully checked by the Librarian that accession number is given to the books having been actually entered in the Library Accession register.

**33.5 Surplus Stock.—**

Papers of ephemeral nature and unimportant magazines or discarded books should be removed from the Library stock when needed and passed on to Store Keeper for disposal.

**33.6 Newspapers.—**

All secretaries & Special Secretaries are entitled for 3 newspapers at their residence. Joint Secretaries and Additional Secretaries are entitled for 2 newspapers and one magazine upto Rs. 100.

**33.7 Issue of Old Magazines.—**

Old issues of magazines and periodicals should be issued on the last working day of the week and received back on the first working day of the next week. Current

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periodicals/magazines should not be issued. They should be displayed in the Library. Old newspapers should be retained in the library only for two months.

### **33.8 Issue of Books.—**

The Officers/officials of the Haryana Civil Secretariat may borrow books from the Secretariat, they are entitled to get a maximum of 10 books issued at a time. Library Books can be issued after obtaining the signature of the officer concerned or his Private Secretary/Personal Assistant/Steno or any other person authorized by the officer on his behalf. The person, who signs the loan register on behalf of his officer, is responsible for returning the book to the Library. Care should, however, be taken that the books which are of general and constant use are returned to the Library when no longer required.

Non-gazetted employees of Haryana Civil Secretariat are entitled to get 4 books issued in their account at a time.

### **33.9 Library Membership.—**

- (1) All the IAS/HCS of Haryana and Officers/Officials of Haryana Civil Secretariat, who seek no dues certificate from Library Haryana Civil Secretariat can become members of this Library.
- (2) Paid Membership:- The retired officers/official of Haryana Civil Secretariat, officers/officials of NIC, IT, IPS officers, LR/Additional LR, Media persons accredited with D.P.R., Haryana, ADP, PPP Expert for Govt. Haryana, MIS expert for Govt., Haryana, Sr. A.O., AOs, S.Os, D.As, D.D.As, ADAs, etc posted in Haryana Civil Secretariat on transfer basis and are dealing with the affairs of State Govt. may be given after depositing a refundable security of Rs. 1500/- with the Cash Branch and they may be allowed to take the books up to the value of security amount.

### **33.10 Fine.—**

If a person does not return a book in the given time. A fine of Rs 1 per day will be imposed and in case of loss of book, the actual amount of the book is to be paid.

### **33.11 Write-off.—**

The books are written off only in case of the Death of a person. In case the book is lost actual amount of the book at the time of purchase will be charged Re 1/- will be charged as fine per day in case of delay in returning the book.

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## CHAPTER - XXXIV

### OATH OF THE GOVERNOR AND MINISTERS

#### **34.1 (1) The Governor Assumption of charge of office and Resignation.—**

- (i) The Governor of a State shall be appointed by the President by warrant under his hand and seal. (Article 155 of Constitution.)
- (ii) The Governor shall hold office during the pleasure of the President.
- (iii) The Governor may, by writing under his hand addressed to the President, resign his office.

Subject to the above, a Governor shall hold office for a term of five years from the date on which he entered upon his office.

#### **(2) Leave, including extension of leave.—**

- (i) The President is entitled, whenever a Governor is unable to discharge his functions as a Governor, to grant him leave of absence and to arrange for such functions to be discharged by appointing a person to act as a Governor in his place (Article 160)
- (ii) The leave, allowances and other benefits of the Governor are governed by the Act namely, Governors (Emoluments, Allowances and Privileges) Act, 1982 and by the Rules namely, Governors (Allowances and Privileges) Rules, 1987, copies of the same are available at **Annexure-A** and **Annexure-B**.

#### **(3) Announcements and Notifications etc.—**

- (i) The Secretary to the President will inform by email to the Chief Secretary to the State Government and the Secretary to Governor then in office the text of the communiqué announcing the appointment of the Governor or acting Governor before the communiqué is issued to the Press.
- (ii) As soon as the warrant of appointment is signed and sealed by the President, copies thereof will be sent to the Chief Secretary to the State Government and the Secretary to the Governor then in office. The original warrant will be sent to the Governor designate directly by the Secretary to the President.

- (iii) The date on which the Governor enters upon his office, by making the prescribed oath or affirmation, will be notified by the Chief Secretary to the State Government in the form given at **Annexure-C** when a permanent Governor returns from leave, the date of resumption of office shall likewise be notified by the Chief Secretary to the State Government.
- (iv) While notifying the date on which the Governor enters upon his office (whether on initial appointment or on return from leave), the Chief Secretary to the State Government will send intimation of this fact to the Secretary to the President and also to the Secretary to the Government of India, Ministry of Home Affairs.

**(4) Oath of Office by the Governor.—**

- (i) Every Governor and every person discharging the functions of the Governor, shall before entering upon his office, make and subscribe, in the presence of the Chief Justice of the High Court exercising jurisdiction in relation to the State or in his absence, the senior most Judge of that Court available, an Oath or affirmation in the following form :—

*I.....do swear in the name of God/Solemnly affirm that I will faithfully execute the office of Governor or discharge the functions of the Governor of Haryana and will, to the best of my ability, preserve, protect and defend the Constitution and the law and that I will devote myself to the service and well-being of the people of Haryana (Article 159).*

- (ii) The Secretary to the Governor will be responsible for arrangements to be made in Raj Bhawan in connection with the swearing in ceremony of the Governor. The Chief Secretary will be responsible for the preparation of the requisite forms for oath or affirmation by the Governor.

**34.2 Oath of Office for a Minister.—**

**(1) Assumption of charge of office by Minister.—**

Before a Minister enters upon his office, the Governor shall administer to him the oath of office and secrecy in accordance with clause 3 of Article 164 of the Constitution and in the form below as set down for the purpose in the Third Schedule of the Constitution :-

**FORM OF OATH OF OFFICE FOR A MINISTER/MINISTER OF STATE.—**

*“I, A. B., do swear in the name of God/Solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will faithfully and conscientiously discharge my duties as a Minister/Minister of State of Haryana and that I will do right to all manner of people in accordance with the Constitution and the law, without fear or favour, affection or ill-will.”*

**FORM OF OATH OF SECRECY FOR A MINISTER/MINISTER OF STATE.—**

“I, A.B., do swear in the name of God/solemnly affirm that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Minister/Minister of State of Haryana except as may be required for the due discharge of my duties as such Minister.”

**(2) Notification Regarding Appointment and Resignation of Minister.—**

Notifications relating to the appointment and resignation of Ministers as also Notifications regarding allotment of portfolios among them are issued from the Cabinet Section over the signature of the Secretary to the Governor and the Chief Secretary.

**(3) Leave to Ministers.—**

In the absence of any provision in the constitution in regard to the grant of leave to the Ministers, a Minister who wants to take leave has either to resign or be treated as on duty. If, therefore, a Minister remains away from duty due to illness or some other unavoidable reasons, his day to day work is carried on by some other Minister and the former is treated as on duty.

**Annexure-A**  
[See Para-34.1(2)]

**THE GOVERNORS (EMOLUMENTS, ALLOWANCES AND PRIVILEGES) ACT, 1982**

(43 OF 1982)

(28th AUGUST, 1982)

An Act to determine the emoluments, allowances and privileges of Governors.

BE it enacted by Parliament in the Thirty-third Year of the Republic of India as follows: -

**1. Short Title, Extent and Commencement.—**

- (1) This Act may be called the Governors (Emoluments, Allowances and Privileges) Act, 1982.
- (2) It extends to the whole of India except the State of Jammu & Kashmir.
- (3) It shall come into force on such date the Central Government may, by notification in the Official Gazette, appoint.]<sup>1</sup>

**2. In this Act, unless the context otherwise requires.—**

- [(a) “ex-Governor” means a person who has been the Governor of a State or two or more States;]<sup>2</sup>
- (aa) “Governor” means the Governor, or any person discharging the functions of the Governor, of any State or of two or more States;]
- (b) “maintenance”:-
  - (i) in relation to official residences, includes the provisions of electricity, gas and water;
  - (ii) in relation to motor vehicles, includes the pay and allowances of chauffeurs and the provision of oil and petrol and other fuel;
- (c) “**members of the family**”, in relation to a Governor, means [spouse, dependent children and the dependent parents]<sup>3</sup> of the Governor;
- (d) “**official residences**”, in relation to a Governor means such residences as may be specified by the President, by notification in the Official Gazette, as the official residences of the Governor and includes the staff quarters and other buildings appurtenant thereto and the gardens thereof;

<sup>1</sup> With effect from 1<sup>st</sup> April, 1987 [GSR 342(E) dated 30<sup>th</sup> March, 1987].

<sup>2</sup> Substituted by Act 8 of 2014 and made effective from 16th July, 2014.

<sup>3</sup> Deemed to come into effect from 1st January, 2007 (Act 1 of 2009)

- (e) “rules” means rules made under this Act;
- (f) “state” does not include a Union Territory.

### 3. <sup>1</sup> [Emoluments.—

There shall be paid to every Governor emoluments at the rate of ~ (rupees three lakh fifty thousand per mensem).]<sup>2</sup>

Provided that if a Governor, at the time of his appointment: -

- (a) is in receipt of a pension (other than disability or wound pension) in respect of any previous service under the Government of India or any of its predecessor Governments or under the Governments of a State or any of its predecessor Governments, his emoluments shall be reduced:-
  - (i) by the amount of that pension; and
  - (ii) if he has, before such appointment, received in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension; [or]
  - [(iii) Omitted]<sup>3</sup>
- (b) is in receipt of any benefit by way of contributory provident fund, his emoluments shall be reduced by the pension equivalent of such benefit.

### 4. Leave Allowance.—

- (1) Subject to any rules made in this behalf, the President shall grant such leave to a Governor as he may consider necessary.
- (2) Where a Governor is granted leave by the President he shall, during the period of such leave, be paid leave allowance at such rate as the President may by order determine.

Provided that such leave allowance shall be reduced to that extent, if any, to which the emoluments of the Governor are liable to be reduced under the proviso to Section 3.

### 5. Use and Maintenance of Official Residences.—

A Governor shall be entitled, without payment of rent, to the use of his official residences throughout his term of office and no charge fall on the Governor personally in respect of furnishing or the maintenance of such residences.

<sup>1</sup> Section 3 deemed to come into effect from 1<sup>st</sup> April, 1986 (Act 17 of 1987).

<sup>2</sup> Substituted by Finance Act 2018 (Act 17 of 2018) and made effective from 1<sup>st</sup> January, 2016.

<sup>3</sup> Substituted and omitted vide Act 1 of 1994 and deemed to have come into effect from 1<sup>st</sup> June, 1988.

**6. Household Establishment.—**

Subject to any rules made in this behalf, no charge shall fall on a Governor personally in respect of pay, allowances or pension or other emoluments paid to, or facilities provided for, the members of the household establishment provided to the Governor.

**7. Medical Treatment.—**

Subject to any rules made in this behalf, a Governor and the members of his family shall be entitled during the term of his office and thereafter also, to free medical attendance, accommodation and treatment in the hospitals maintained by the Central Government or the Government of any State.

**8. Conveyance.—**

- (1) A Governor shall be entitled to use without payment of rent or hire, such number of motor vehicles as the President, may by order determine.
- (2) No charge shall fall on a Governor personally in respect of the maintenance of such motor vehicles referred to in sub-section (1).
- (3) The use of motor vehicles referred to in sub-section (1) by the members of the family of a Governor shall be regulated by rules made in this behalf.

**9. Travelling Allowance on Assumption or Vacation of Office.—** Subject to any rules, made in this behalf, a Governor shall be entitled to travelling allowance for himself and members of his family and for the transport of his and his family's effects -

- (a) in respect of the journey for assuming office from the place where he is ordinarily residing to the place of his duty; and
- (b) in respect of the journey on relinquishing office from the place of his duty to the place where he would ordinarily reside thereafter or if he is to take up any other office under the Government (including the office of the Governor of another State) after such relinquishment, to the place of duty with respect to such other office.

**10. Allowances for Renewing Furnishings and for Maintenance of Official Residences.—**

Subject to any rules made in this behalf, a Governor shall be entitled to such allowances for renewing the furnishings and for the maintenance of the official residences, as the President may by order determine.

**11. Other Privileges and Allowances.—**

For the purpose of enabling a Governor to discharge conveniently and with dignity the duties of his office, he shall be -

- (i) entitled to such other privileges as may be prescribed by rules made in this behalf, and
- (ii) paid, subject to any rules made in this behalf, such amount, as the President may, by general or special order, determine by way of the following namely: -
  - (a) entertainment allowance;
  - (b) hospitality grant;
  - (c) household establishment expenses;
  - (d) office expenses;
  - (e) contract allowance, i.e. an allowance for miscellaneous expenses;
  - (f) tour expenses; and
  - (g) such other allowances or expenses as may be provided for by the rules.

**12. Additional Expenses: .—**

- (1) Where, in the case of any Governor, the President is satisfied that the amount authorised under this Act by way of any allowances or for meeting any expenses with respect to any matter requires to be increased or that a need has arisen to sanction expenses with respect to any matter for which provision, though permissible, has not been made in the rules made under this Act, he may by special order increase such amount or sanction such expenses to such extent as may be specified in such order.
- (2) An order may be made under sub-section (1) so as to have retrospective effect.
- (3) Every order made under this section shall be laid, as soon as may be after it is made, before both houses of parliament.

**[12A.]** Subject to any rules made in this behalf, the ex -Governor shall, for the remainder of his life, be entitled to secretarial assistance of one Personal Assistant on reimbursement basis:



Provided that where such ex-Governor is re-appointed to the office of the Governor or elected to Parliament or the State Legislature or appointed to any office of profit under the Union or a State Government, he shall not be entitled for such secretarial assistance for the period during which he holds such office.]<sup>1</sup>

### **13. Power to Make Rules.—**

- (1) The President may by notification in the Official Gazette, make rules for the purpose of giving effect to the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-
  - (a) grant of leave to a Governor under Section 4;
  - (b) matters relating to the household establishment provided to a Governor under Section 6;
  - (c) medical attendance, accommodation and treatment of a Governor and the members of his family under Section 7;
  - (d) the use of motor vehicles by the members of the family of a Governor under sub- section 3 of Section 8;
  - (e) the travelling allowance on assumption or vacation of office of a Governor under Section 9;
  - (f) allowances for renewing the furnishing and for the maintenance of the official residences under Section 10;
  - (g) the privileges to which a Governor is entitled and the allowances or expenses payable to a Governor under Section 11.
  - [(h) the manner of providing secretarial assistance and reimbursement under section 12A.]<sup>2</sup>
- (3) Every rule made by the President under this Act shall be laid, as soon as may be after it is made, before, each House of Parliament, while it is in session, for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such

modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**14. Validation.—**

- (1) Every special order issued, before the commencement of this Act, by the President in regard to the allowances, expenses (including medical expenses) or privileges of any Governor (other than the Governor of Nagaland) shall, notwithstanding that such order was made with retrospective effect, or is inconsistent with any general order issued under any law with respect to those matters, be as valid and effective as if such special order formed part of this sub-section and this sub-section had been in force at all material times.
- (2) Every general or special order issued, before the commencement of this Act, by the President in regard to the allowances, expenses (including medical expenses) or privileges of the Governor of Nagaland shall, notwithstanding that such order was made with retrospective effect, be as valid and effective as if it formed part of this sub-section and this sub-section had been in force at all material times.

**15. Saving.—**

Nothing contained in this Act or the rules made there under shall have effect so as to diminish the emoluments and allowances of any Governor during his term of office.

**Annexure-B**  
[See Para-34.1(2)]**Copy of the Governors (Allowances and Privileges) Rules, 1987****Government of India**  
**Ministry of Home Affairs**  
**NOTIFICATION**New Delhi, the 30<sup>th</sup> March, 1987

GSR.343 (E) In exercise of the powers conferred by Section 13 of the Governors (Emoluments, Allowances and Privileges) Act, 1982 (43 of 1982), the [President]<sup>1</sup> hereby, makes the following rules, namely:-

**1. SHORT TITLE AND COMMENCEMENT.—**

- (1) These rules may be called the Governors (Allowances and Privileges) Rules, 1987.
- (2) They shall come into force on the 1<sup>st</sup> day of April, 1987.

**2. DEFINITIONS.—**

In these rules, unless the context otherwise requires:-

- (a) “Act” means the Governors (Emoluments, Allowances and Privileges) Act, 1982 (43 of 1982);
- (b) “Official residence” in relation to a Governor of a particular State means the corresponding residence (s) specified in column (2) of Schedule I to these rules;
- (c) “Schedule” means a Schedule appended to these rules;
- (d) Words and expressions used herein and not defined shall have the meaning respectively assigned to them in the Act.

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<sup>1</sup> Substituted by GSR 949 (E) dated 28.12.1992.

**3. RENEWAL OF FURNISHINGS OF OFFICIAL RESIDENCES.—**

- (1) There shall be paid, from time to time, to each Governor an allowance equal to the actual expenses in renewing the furnishings of his official residence(s) subject to the maximum amount specified in column (3) of Schedule-I.

Provided that if, when the Governor assumes office, the period which has elapsed since his predecessor assumed office (persons appointed to discharge the functions of the Governor being disregarded) falls short of five years, the maximum amount so specified shall be decreased by such amount as the President may by order determine;

Provided further that in the case of Governors holding office immediately before the commencement of these rules, the amount admissible to them during their entire terms shall be such as the President may by order determine.

- (2) The provisions of this rule shall not apply to persons appointed to discharge the functions of the Governor under article 160 of the Constitution of India.

**4. HOUSEHOLD ESTABLISHMENT.—**

- (1) The total number of officers and other staff on household establishment at official residences shall be as the President may prescribe, from time to time, by an Order and their scale of pay, allowances, other emoluments and facilities shall be such as are admissible to the State Government officers and other employees of the corresponding posts in the concerned State Government from time to time.
- (2) The officers, and the staff of the household establishment shall be entitled to rent free accommodation and those of the officers and the staff who are not provided any Government accommodation shall be allowed house rent allowances at the rates admissible to the State Government Officers and other employees of the corresponding posts working in the concerned State Government and in such cases the first charge of ten percent on the pay shall also be met out of the Governor's allowances.

(3) The staff of the household establishment shall not be allowed overtime allowance.

(4) The officers and staff of the household establishment, who are provided government accommodation, shall be provided free electricity and water subject to the limit laid down by the Governor from time to time but such limit shall not exceed 6¼ percent of the pay of the members of the staff for the supply of both electricity and water.

Provided that out of the limit of 6¼ percent the electricity charges shall not exceed 5 per cent in any case.

(5) Any expenditure on consumption of electricity and water in excess of the limit specified in sub-rule (4) shall be borne by the concerned officers or the member of the staff, as the case may be.

(6) No member of the household establishment shall be allowed free use of official transport for private purpose.

Provided that the staff of the household establishment may be allowed to use government vehicles on payment of usual charges, subject to availability of vehicles.

(7) The staff of the household establishment shall be entitled to pension and other retirement benefits including medical facilities as are admissible to the concerned State Government employees of the corresponding posts.

(8) The expenditure to be incurred under sub-rule (1) shall be part of the governor's allowance and shall be drawn separately under the sub-head "Household Establishment".

## **5. EXPENDITURE ON GOVERNOR'S SECRETARIAT ETC.—**

(1) In addition to the household establishment, the Governor shall be entitled to a separate secretarial staff which shall be provided by the concerned State Government.

(2) The expenditure incurred on the establishment of the Governor's Secretariat and the expenditure on pension and other retirement benefits including medical

facilities of the household medical establishment staff shall be charged on the Consolidated Fund of the concerned State.

- (3) The expenditure referred to in sub-rule (2) shall not form part of the Governor's allowance.

## **6. ALLOWANCES OF THE GOVERNORS.—**

- (1) In order that the Governor may be able to discharge conveniently and with dignity the duties of his office, the Governor shall be paid annually the following allowances or grants, namely:-

- (a) entertainment allowance – to be spent for patronising art, culture and music and any unspent portion of the allowance under this sub-head shall lapse at the end of the financial year to which it relates;
- (b) hospitality grant – for meeting hospitality expenses of the official guests and any unspent portion of the grant under this sub-head shall lapse at the end of the financial year to which it relates;
- (c) office expenses allowance – for meeting expenditure on the following items:-
  - (i) telephone charges; (ii) service postage (iii) books and periodicals; (iv) stationery and printing; (v) maintenance of motor cycles, scooters and cycles including POL for these vehicles; (vi) miscellaneous expenses;

Provided that any expenditure on the purchase of cycles, scooters or motor cycles shall be met directly by the State Government;

- (d) contract allowance – for being utilised for expenditure on the following items:-
  - (i) special stationery; (ii) laundry contingencies; (iii) sports; (iv) fire wood (v) presents; (vi) soaps, cleansing material, insecticides; (vii) liveries; (viii) POL (other than expenditure from tour expenses); (ix) maintenance of cars (x) Library; and (xi) other miscellaneous expenditure;
- (e) grant for maintenance and repairs of furnishings – to be utilised for maintenance and repairs of furnishings of the official residence (s) and / or for the purchase of new items of furniture provided that maximum amount does not exceed the amount specified under this sub- head;

- (f) tour expenses grant to be utilised for the tour expenses of the governor and expenditure on POL for cars of official residence (s) used for tours of the Governor.
- (2) The amount admissible under different sub-heads under sub-rule (1) shall be as specified in Schedule II.
- [Provided that the Governor may, without exceeding the maximum amount specified in column (8) of the said Schedule, re-appropriate whenever necessary, from one sub-head to another sub-head thereof.]<sup>1</sup>
- [(3) (a) and (b) omitted]<sup>2</sup>
- (4) The amount specified under sub-heads relating to office expenses, maintenance and repairs of furnishings, contract allowance and tour expenses of Schedule II may, in any year, be increased by the amount not expended in previous years under the same sub-heads.

## 7. ALLOWANCES FOR MAINTENANCE OF OFFICIAL RESIDENCE(S).—

The Governor shall also be paid such allowances, each year, for the maintenance of Governor's official residence(s) under various sub-heads as specified in Schedule III;

Provided that the Governor may, without exceeding the maximum amount specified in column 7 of the said schedule, re-appropriate whenever necessary, from one sub-head to another sub-head thereof;

Provided further that the maximum amount specified in column 7 of the said Schedule may, in any year be increased by the amount not expended in the previous years.

## 8. TRAVELLING ALLOWANCE ON ASSUMPTION OR VACATION OF OFFICE.—

- (1) The Governor shall be paid an allowance equal to the actual expenses incurred in undertaking journeys for the purposes specified in Section 9 of the Act, as travelling allowance for himself and members of his family and for transportation of his and his family's effects.

<sup>1</sup> Inserted *vide* GSR 70(E) dated 1<sup>st</sup> February, 1989.

<sup>2</sup> Deleted *vide* GSR 70 (E) dated 1<sup>st</sup> February, 1989.

- (2) The expenditure to be incurred under sub-rule (1) shall be charged on the Consolidated Fund of the concerned State but shall not form part of the Governor's allowance.

**9. LEAVE.—**

The President may grant leave to a governor for such duration as he may consider necessary.

**10. MEDICAL ATTENDANCE AND TREATMENT.—**

- (1) A Governor and members of his family shall be entitled, free of charge to medical attendance, accommodation and treatment on the scale and conditions applicable to the highest ranking member of the All India Services under the All India Services (Medical Attendance) Rules, 1954 as amended from time to time.
- (2) While on duty outside India, a Governor shall also be entitled, free of charge, to medical attendance, accommodation and treatment as may be admissible to the Head of Indian Mission at that place or at the place of treatment.
- (3) The State Government shall make adequate provisions for medical facilities for the Governor and his family and the expenditure on this account shall be charged on the Consolidated Fund of the State and this shall not form part of the Governor's allowances.
- (4) Medical attendance, accommodation and treatment of an Ex-Governor and his family shall be governed by the Rules/Orders issued by the Government of India in the Ministry of Health from time to time.

**11. TOURS AND OTHER JOURNEYS.—**

- (1) The Governor shall be entitled to requisition a railway saloon for all his journeys within the State and shall be entitled to take with him not more than three persons without payment of any fare for them.
- (2) The cost of haulage and requisitioning of saloon under sub-rule(1) shall be met from the sub-head "tour expenses".



- (3) If, for his journey within the State by rail, a Governor chooses not to requisition a saloon under sub-rule (1), he shall be entitled to travel in a four berth compartment or coupe, whether first-class air-conditioned or first-class and during such a journey a Governor shall be entitled to take with him three persons in case of a four berth compartment and one person in case of a coupe, without any extra charge.
- (4) For journeys on official business to places outside the State, a Governor shall be entitled to travel in a four berth compartment or coupe, whether first class air-conditioned or first class and during such a journey, shall be entitled to take with him three persons in the case of a four berth compartment and one person in the case of a coupe, without any extra charge.
- (5) The spouse of the Governor may travel within the State by rail for attending functions organised by any organisation or associations connected with art, culture, science and literature and for that purpose may reserve a single seat in first-class air-conditioned or first class compartment and expenditure for such journey shall be met :
- (i) from the sub-head "tour expenses" if she is not associated in any capacity with that organisation or association; and
  - (ii) by the organisation or association with which she is associated in any capacity; Provided that this facility shall not be available for private journeys of the spouse of the Governor.
- (6) A Governor travelling on duty (but not on non-official business) shall be entitled to travel by air and during such travel, shall be entitled to take one person with him at Government expenses.
- [(7) A governor while travelling on duty by air under sub-rule (6) may at his discretion travel in the executive class along with his spouse or with any person in lieu of his spouse and the person accompanying him during such a journey shall also be entitled to travel in the executive class.]<sup>1</sup>

[(8)(a) Save as otherwise provided in clause (b), a Governor shall not be entitled to travel on private business by air at Government expenses and shall not also be entitled to take any person with him at Government expenses.]<sup>1</sup>

(b) A Governor shall be entitled to travel on private business twice in a year during which he shall be entitled to take his spouse [or one person along with him in lieu of his spouse]<sup>2</sup> by air, steamer, or rail by the highest class or by road, to any part of India and such travel shall be deemed to be travel on duty;

Provided that the duration of such journey does not exceed [ten] days on each occasion;]<sup>3</sup>

[Second proviso omitted]<sup>4</sup>

[Provided further that –

- (i) before undertaking private visits within India, the Governor shall seek approval of the President and any communication for such approval shall be forwarded to the President's Secretariat at least two weeks in advance, except in exceptional circumstances;
- (ii) where such private visit is to a foreign country, the communication shall be forwarded to the President's Secretariat at least six weeks in advance;
- (iii) the Governor shall leave the State for any foreign visit or, as the case may be, domestic visit outside his State only after receiving due approval of the President except in emergent or extraordinary circumstances;
- (iv) in the case of emergent or extraordinary circumstances, the President's Secretariat shall be intimated as soon as the programme is finalised and such intimation shall contain details of the circumstances and compelling reasons why it was not possible to obtain prior permission for the visit and the proposal for according ex-post facto approval shall be forwarded to the President before the departure of the Governor.

<sup>1</sup> Substituted by GSR 275 (E) dated 11.03.1993.

<sup>2</sup> Inserted *vide* GSR 87(E) dated 10.02.2009.

<sup>3</sup> Substituted by GSR 696 (E) dated 26.09.2001.

<sup>4</sup> Omitted *vide* GSR 87(E) dated 10.02.2009

*Explanation: For the purpose of this clause, a journey shall mean a point-to-point journey by the shortest route.]<sup>1</sup>*

(9) A Governor on his private journey outside the State [except for the two private journeys referred to in clause (b) of sub-rule (8)] may travel in a four berth compartment or a coupe, whether first-class air-conditioned or first-class and he shall pay -]<sup>2</sup>

- (i) the fare for two berths of the appropriate class if he travels in four berths compartments in addition to his own fare;
- (ii) for his own fare, if he travels in a coupe; and
- (iii) the reservation charges for the compartment or the coupe, as the case may be, and any other expenses incurred during the journey.

(10)(a) For the journeys performed under sub-rule (9), the cost of one fare only shall be met by the Government from the sub-head "tour expenses" and against that fare the Governor may take any person along with him who need not necessarily be a member of his family.

(b) For journeys performed by the Governor under clause (b) of sub-rule 8, the expenditure shall be met by the Government under column (7) "tour expenses" of Schedule-II.]<sup>3</sup>

[(11) omitted]<sup>4</sup>

(12) Where there is no railway station or airport in a State, any journey performed by the Governor or by the spouse of the Governor, for private purposes, to reach the nearest railway station or airport situated in a neighbouring State, shall be deemed to be an official journey.

[(13) Any visit by the Governor outside his State shall be regulated in the following manner, namely :-

(a) in case of official visits outside the State:-

<sup>1</sup> Inserted vide GSR 80(E) dated 10.2.2015.

<sup>2</sup> Added vide GSR 275 (E) dated 11.3.1993.

<sup>3</sup> Added vide GSR 275 (E) dated 11.3.1993.

<sup>4</sup> Omitted vide GSR 708 (E) dated 16.11.1993.

- (i) all visits outside the State shall be undertaken only with the prior permission of the President and any communication soliciting such approval shall be forwarded to the President's Secretariat-
  - (A) in the normal course, at least seven days before the commencement on any such visit; and
  - (B) in emergent circumstances, as soon as the programme is finalised;
- (ii) no visits shall be undertaken without obtaining the prior permission of the president or in emergent or extra-ordinary circumstances, without prior intimation to the President's Secretariat;
- (iii) in case of emergent or extraordinary circumstances, the intimation shall contain details of the circumstances and compelling reasons why it was not possible to obtain prior permission for the visit, and a proposal for according ex-post facto approval shall be forwarded to the President's Secretariat before the departure of the Governor;
- (iv) while permission is sought for visits, the details of the finalised engagements and the programmes for which the permission is sought may be clearly itemised in the communications;
- (v) the duration of such visits of the Governor shall not exceed twenty percent of the days in a calendar year;
- (b) in case of any official foreign visit:-
  - (i) the communication seeking approval of the President for undertaking such foreign visits shall be received in the President's Secretariat at least six weeks in advance;
  - (ii) the details of engagements during the foreign visit shall be clearly stated and itemised in the communication;
  - (iii) the Governor shall invariably obtain clearance under the Foreign Contributions Regulation Act (FCRA clearance) and Political clearance before undertaking the foreign visit;
- (iv) the Governor shall leave the State only after due approval of the President;

- (c) the schedule of the visit once approved by the President shall not ordinarily be revised, but in case of any revision in the schedule in extraordinary or emergent circumstances, the approval for the revised programme shall be forwarded to the President's Secretariat as soon as possible and in any case, before the departure of the Governor from his State;
- (d) in addition to the requirements contained in clauses (a), (b) and (c),-
  - (i) copies of all communications soliciting the approval of the President for visits shall also be endorsed to the Principal Secretary to the Prime Minister and to the Home Minister;
  - (ii) frequency of visits to the home State shall be avoided or limited.]<sup>1</sup>

**12. ENTITLEMENT OF TRAVELLING ALLOWANCE AND DAILY ALLOWANCE OF THE HOUSEHOLD ESTABLISHMENT ACCOMPANYING THE GOVERNOR:**

- (1) Any member of the Governor's household establishment accompanying the Governor on his visits within the state or outside the State, whether official or private, shall be treated as on duty and shall be entitled to draw travelling allowance and daily allowance as admissible under the State Government rules;
- (2) Any member of the Governor's household establishment accompanying the spouse of the Governor during her journey within the State only shall be treated as on duty and shall be entitled to draw travelling allowance and daily allowance as admissible under the State Government rules.

Provided that no travelling allowance or daily allowance shall be admissible to any member of the Governor's household establishment accompanying any other member of the Governor's family or Governor's personal guest.

**13. USE OF MOTOR VEHICLES BY THE GOVERNOR ETC.—**

- (1) Any private journeys performed by the Governor outside the State by motor vehicles of the official residence(s) (except for the two private journeys referred

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<sup>1</sup>

Inserted vide GSR 80(E) dated 10.2.2015.

to in clause (b) of sub-rule (8) of rule 11) shall be paid for by the Governor at the staff car rates of the State Government.]<sup>1</sup>

- (2) The spouse of the Governor shall be entitled to use, free of charge, the motor vehicles of the official residence(s) within the State only and for her journeys outside the State, if not accompanied by the Governor on official duty, shall be paid for by the Governor at the staff cars rates of the State Government.
- (3) Any other members of the Governor's family or personal guests of the Governor not accompanying the governor or spouse of the Governor, may be allowed to use motor vehicles of the official residences within the State and charges for such journeys shall be paid for by the Governor at the staff car rates of the State Government.

**[13A. SECRETARIAL ASSISTANCE TO EX-GOVERNOR.—**

- (1) An ex-Governor shall be entitled to secretarial assistance in the form of one Personal Assistant who may be appointed by the ex-Governor-, on a reimbursable basis, on a maximum remuneration of Rs. 25,000 per month.
- (2) A person shall not be qualified for appointment as a Personal Assistant under sub-rule (1) unless [he has passed 12th Class or equivalent from a recognized Board or University].
- (3) The remuneration referred to in sub-rule (1) shall be borne by the Central Government.
- (4) The amount required by the ex-Governor for the purposes of remuneration referred to in sub-rule (1) shall be drawn in the form of a simple receipt.
- (5) The information regarding the person appointed under sub-rule (1) and the period of such appointment thereof shall be furnished to the office from which the amount shall be drawn under sub-rule (4).
- (6) At the end of each year, a certificate to the effect that the amount drawn has been expended for the purposes for which it had been drawn, shall be given by the ex-Governor in Form I of these rules.

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<sup>1</sup> Inserted *vide* GSR 275 (E) dated 11.3.1993.

- (6) An acknowledgement from the Personal Assistant of the ex-Governor of having received the remuneration is also to be furnished.]<sup>1</sup>

**14. INTERPRETATION.—**

If any question arises as to the interpretation of these rules, it shall be referred to the Central government, who shall decide the same.

**15. REPEAL AND SAVING.—**

- (1) All the orders in force immediately before the commencement of these rules in so far as they relate to matters provided for in these rules are hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the orders so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

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<sup>1</sup> Inserted *vide* GSR 518 (E) dated 16.07.2014.

**FORM-I****Form of certificate***[see rule 13A(6)]*

Certified that the amount of Rs..... (Rupees ..... ) drawn by me during the year ending 31<sup>st</sup> March, ..... has been expended on the maintenance of my Personal Assistant. It is further certified that, any time during the period for which the reimbursement was claimed, I was not re-appointed to the office of the Governor or elected to Parliament or the State Legislature or appointed to any office of profit under the Union or a State Government.

Signature :.....

Date :.....

Place :.....



**[Schedule – I]<sup>1</sup>***[See sub-rule 1 of rule 3]***Official residence(s) of the Governors and maximum amount admissible for renewal of their furnishings**

Sl No.	Name of the State	Official residence(s)	Maximum allowance for renewal of furnishing (in rupees)
1.	Andhra Pradesh & Telangana <sup>2</sup>	The Government House at Hyderabad	6,00,000
2.	Arunachal Pradesh	The Government House at Itanagar	10,00,000
3.	Assam	The Government House at Guwahati	6,00,000
4.	Bihar	The Government House at Patna	62,00,000
5.	Chhattisgarh	The Government House at Raipur	8,06,000
6.	Goa	The Government House at Daunapaula, Panaji	8,00,000
7.	Gujarat	The Government House at Gandhinagar and Rajbhawan Annexe, Ahmedabad	15,00,000
8.	Haryana	The Government House at Chandigarh	10,00,000
9.	Himachal Pradesh	The Government House at Shimla	4,50,000
10.	Jharkhand	The Government House at Ranchi	7,25,000
11.	Karnataka	The Government House at Bangalore	6,50,000
12.	Kerala	The Government House at Thiruvanthpuram	4,00,000
13.	Madhya Pradesh	The Government House at Bhopal & Panchmarhi	7,50,000
14.	Maharashtra	The Government House at Mumbai, Ganeshkind (Pune) and Nagpur	26,70,000
15.	Manipur	The Government House at Imphal	5,75,000
16.	Meghalaya	The Government House at Shilong	8,00,000
17.	Mizoram	The Government House at Aizwal	6,80,000
18.	Nagaland	The Government House at Kohima	8,00,000
19.	Odisha	The Government House at Bhubaneswar	9,50,000
20.	Punjab	The Government House at Chandigarh	9,00,000
21.	Rajasthan	The Government House at Jaipur and Mount Abu	1,00,000
22.	Sikkim	The Government House at Gangtok	3,85,000
23.	Tamil Nadu	The Government House at Guindy & Ootacamund	7,50,000
24.	Tripura	The Government House at Agartala	4,50,000
25.	Uttarakhand	The Government House at Dehradun and Nainital	6,50,000
26.	Uttar Pradesh	The Government House at Lucknow	10,00,000
27.	West Bengal	The Government House at Kolkata and Darjeeling	8,00,000

<sup>1</sup> Substituted by GSR 486 (E) dated 24.05.2018<sup>2</sup> Substituted by GSR 546(E) dated 12.06.2018

**Schedule-II***[See sub-rule 2 of rule 6]<sup>1</sup>***(Allowances of Governors in respect of certain matters) (in Rupees)**

Sr. No.	Name of the State	Hospitality Expenses	Entertainment Expenses	Office Expenses	Maintenance and repairs of furnishings of official residence	Contract Allowances	Tour Expenses	Total (maximum amount)
1.	Andhra Pradesh & Telangana <sup>2</sup>	5,00,000	2,00,000	8,00,000	3,00,000	15,00,000	20,00,000	53,00,000
2.	Arunachal Pradesh	3,00,000	2,00,000	6,00,000	3,00,000	8,00,000	32,00,000	54,00,000
3.	Assam	1,50,000	75,000	4,00,000	2,00,000	5,00,000	15,00,000	28,25,000
4.	Bihar	16,00,000	1,00,000	50,00,000	15,00,000	10,00,000	70,00,000	1,62,00,000
5.	Chhattisgarh	2,01,000	67,000	4,03,000	2,01,000	6,72,000	20,16,000	35,60,000
6.	Goa	1,50,000	75,000	5,00,000	2,75,000	6,75,000	20,00,000	36,75,000
7.	Gujarat	15,00,000	2,00,000	8,00,000	3,00,000	12,00,000	15,00,000	55,00,000
8.	Haryana	4,00,000	1,50,000	8,00,000	3,00,000	18,00,000	20,00,000	54,50,000
9.	Himachal Pradesh	8,00,000	60,000	5,00,000	3,50,000	10,00,000	12,00,000	39,10,000
10.	Jharkhand	2,17,500	72,500	4,35,000	2,17,500	7,25,000	21,75,000	38,42,500
11.	Karnataka	8,00,000	5,00,000	10,00,000	2,50,000	25,00,000	50,00,000	1,00,50,000
12.	Kerala	2,00,000	70,000	4,00,000	2,00,000	10,00,000	13,00,000	31,70,000
13.	Madhya Pradesh	4,37,500	93,750	6,25,000	3,75,000	18,12,500	15,00,000	48,43,750
14.	Maharashtra	25,00,000	1,50,000	18,00,000	10,00,000	37,00,000	23,00,000	1,14,50,000
15.	Manipur	2,00,000	1,00,000	5,75,000	1,15,000	5,00,000	17,50,000	32,40,000
16.	Meghalaya	7,00,000	50,000	4,50,000	2,10,000	6,75,000	21,00,000	41,85,000
17.	Mizoram	2,50,000	1,00,000	3,75,000	2,00,000	5,60,000	18,75,000	33,60,000
18.	Nagaland	3,00,000	1,00,000	4,00,000	2,00,000	7,00,000	30,00,000	47,00,000
19.	Odisha	5,00,000	1,00,000	5,50,000	3,40,000	8,20,000	15,00,000	38,10,000
20.	Punjab	4,00,000	1,30,000	6,00,000	4,00,000	10,00,000	12,00,000	37,30,000
21.	Rajasthan	20,00,000	11,00,000	26,00,000	1,00,000	10,00,000	25,00,000	93,00,000
22.	Sikkim	1,10,000	27,500	2,75,000	1,10,000	4,40,000	25,00,000	34,62,500
23.	Tamil Nadu	50,00,000	1,00,000	15,00,000	10,00,000	40,00,000	50,00,000	1,66,00,000
24.	Tripura	3,50,000	25,000	2,50,000	1,00,000	4,00,000	15,00,000	26,25,000
25.	Uttarakhand	8,00,000	50,000	4,00,000	3,50,000	9,00,000	11,00,000	36,00,000
26.	Uttar Pradesh	8,00,000	8,00,000	6,00,000	3,00,000	15,00,000	26,00,000	66,00,000
27.	West Bengal	12,00,000	70,000	10,00,000	3,50,000	60,00,000	95,00,000	1,81,20,000

1 Substituted by GSR 486 (E) dated 24.05.2018.

2 Substituted by GSR 546(E) dated 12.06.2018

**[Schedule – III**(See rule 7)]<sup>1</sup>**(Allowances for the maintenance of Official Residence) (in Rupees)**

Sl. No.	Name of the State	Repairs	Gardens	Electricity	Water	Improvement	Total (maximum)
1.	Andhra Pradesh & Telangana <sup>2</sup>	6,10,000	3,00,000	5,50,000	1,50,000	2,20,000	18,30,000
2.	Arunachal Pradesh	10,00,000	8,00,000	7,00,000	75,000	5,00,000	30,75,000
3.	Assam	6,60,000	4,00,000	4,00,000	1,00,000	1,20,000	16,80,000
4.	Bihar	7,00,000	60,00,000	5,00,000	2,20,000	6,00,000	80,20,000
5.	Chhattisgarh	8,87,000	5,38,000	5,38,000	1,01,000	1,61,000	22,25,000
6.	Goa	10,50,000	6,00,000	8,00,000	2,00,000	2,00,000	28,50,000
7.	Gujarat	6,00,000	4,00,000	4,00,000	2,00,000	4,00,000	20,00,000
8.	Haryana	4,50,000	6,00,000	6,00,000	3,00,000	2,10,000	21,60,000
9.	Himachal Pradesh	5,00,000	4,00,000	9,00,000	1,50,000	1,00,000	20,50,000
10.	Jharkhand	9,57,000	5,80,000	5,80,000	1,08,750	1,74,000	23,99,750
11.	Karnataka	7,60,000	12,00,000	7,00,000	4,00,000	7,60,000	38,20,000
12.	Kerala	6,50,000	3,50,000	4,00,000	2,00,000	5,00,000	21,00,000
13.	Madhya Pradesh	8,37,500	9,37,500	3,75,000	62,500	3,00,000	25,12,500
14.	Maharashtra	82,00,000	13,00,000	45,00,000	15,00,000	25,00,000	1,80,00,000
15.	Manipur	7,59,000	4,02,500	4,60,000	86,250	1,38,000	18,45,750
16.	Meghalaya	15,84,000	7,00,000	8,00,000	1,05,000	2,50,000	34,39,000
17.	Mizoram	7,25,000	4,40,000	10,00,000	2,75,000	1,50,000	25,90,000
18.	Nagaland	10,00,000	4,00,000	8,00,000	1,00,000	3,00,000	26,00,000
19.	Odisha	5,35,000	3,40,000	5,50,000	1,35,000	1,35,000	16,95,000
20.	Punjab	6,00,000	6,00,000	6,00,000	3,00,000	3,00,000	24,00,000
21.	Rajasthan	10,000	5,00,000	65,00,000	3,00,000	10,000	73,20,000
22.	Sikkim	7,26,000	3,30,000	4,40,000	1,10,000	1,32,000	17,38,000
23.	Tamil Nadu	1,00,00,000	20,00,000	70,00,000	60,00,000	4,00,00,000	6,50,00,000
24.	Tripura	6,60,000	3,00,000	4,00,000	1,00,000	1,20,000	15,80,000
25.	Uttarakhand	3,80,000	18,00,000	4,00,000	1,50,000	1,00,000	28,30,000
26.	Uttar Pradesh	2,50,00,000	28,00,000	70,00,000	40,000	5,00,000	3,53,40,000
27.	West Bengal	36,31,500	10,00,000	5,50,000	18,25,000	2,00,000	72,06,500

1 Substituted by GSR 486 (E) dated 24.05.2018.

2 Substituted by GSR 546(E) dated 12.06.2018.

**Note.—** The principal rules were published in the Gazette of India vide number G.S.R. 343(E), dated, the 30<sup>th</sup> March, 1987 and were subsequently amended vide the following numbers:-

- (i) G.S.R. 532(E), dated, the 29<sup>th</sup> May, 1987;
- (ii) G.S.R. 70(E), dated the 1<sup>st</sup> February, 1989;
- (iii) G.S.R. 675(E), dated the 30<sup>th</sup> July, 1990;
- (iv) G.S.R. 64(E), dated the 15<sup>th</sup> February, 1991;
- (v) G.S.R. 949(E), dated the 28<sup>th</sup> December, 1992;
- (vi) G.S.R. 275(E) , dated the 11<sup>th</sup> March, 1993;
- (vii) G.S.R. 708(E), dated the 16<sup>th</sup> November, 1993;
- (viii) G.S.R. 475(E), dated the 23<sup>rd</sup> May, 1994;
- (ix) G.S.R. 538(E) dated the 6<sup>th</sup> July, 1995;
- (x) G.S.R. 326(E), dated the 17<sup>th</sup> June, 1997;
- (xi) G.S.R. 166(E), dated the 1<sup>st</sup> April, 1998;
- (xii) G.S.R. 832(E) dated the 23<sup>rd</sup> October, 2000;
- (xiii) G.S.R. 696(E), dated the 26<sup>th</sup> September, 2001;
- (xiv) G.S.R. 781(E) dated the 22<sup>nd</sup> November, 2002;
- (xv) G.S.R. 193(E), dated the 31<sup>st</sup> March, 2006;
- (xvi) G.S.R. 506(E) dated the 8<sup>th</sup> July, 2008;
- (xvii) G.S.R. 87(E) dated the 10<sup>th</sup> February, 2009;
- (xviii) G.S.R. 288(E) dated the 31<sup>st</sup> March, 2011;
- (xix) G.S.R. 518(E) dated 16<sup>th</sup> July, 2014;
- (xx) G.S.R. 788 (E) dated 11<sup>th</sup> November, 2014;
- (xxi) G.S.R 486 (E) dated 24<sup>th</sup> May, 2018 and
- (xxii) G.S.R 546(E) dated 12<sup>th</sup> June, 2018

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**Annexure-C**

(See Para-34(1)(3))

**PROFORMA**

Whereas Shri.....has on the forenoon/afternoon of the  
.....20 vacated the office of the Governor of the State  
of.....and whereas the President of India has been pleased to  
appoint Shri.....to be the Governor of the State of  
.....to be the Shri....., it is hereby notified that  
Shri .....has on the forenoon/afternoon of this day entered  
upon his office.

By order of the Governor  
for Chief Secretary to Government of  
Haryana.

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## CHAPTER - XXXV

### DEATH OF HIGH DIGNITARIES

#### 35.1 Action to be taken on the death of High Dignitaries of the Government of India.—

The following instructions shall be followed in the event of the death of the President, Vice President, Prime Minister, former President, Union Cabinet Minister and other members of the Council of Ministers of the Union :-

Designation of the Dignitary	Number of days for the close of		No. of days for the observance of State mourning	Whether State funeral to be accorded	Number of days for half-masting of National Flag
1	2		3	4	5
	Offices	Industrial Establishments			
	(a)	(b)			
President	Two-on the day on which the death occurs as also on the day of funeral, Holidays to be observed throughout the State	On the day of funeral all Industrial Establishment of the State Government will be closed at the place of funeral and a public holiday under the Negotiable Instrument Act to be declared at the place of funeral	13 days	Yes	13 days throughout the State
Vice-president	One on the day on which the death occurs, holiday to be observed throughout the State and for half-a-day on the day of the funeral at the place where funeral takes place	--	--	--	On the day of death throughout the state also on the day of the funeral at the place where funeral takes place
Prime Minister	Two-on the day on which death occurs and also on the day of funeral, Holidays to be observed throughout the State	---	12 days	Yes	12 days throughout the State
Former President	-	---	7 days	Yes	7 days throughout the State

Speaker of the Lok Sabha and Chief Justice of India	-	---	---	---	Only on the day of death and that also at Delhi.
Union Cabinet Ministers	For half-a-day at Delhi and if the funeral takes place outside Delhi, for half-a-day at the place where the funeral takes place	---	---	---	One day at Delhi and at the State Capital on the day of death
Other Members of the Council of Ministers of the Union including Ministers of State and Deputy Ministers of the Union	For half-a-day at Delhi and if the funeral takes place outside Delhi, for half-a-day at the place where the funeral takes place	---	---	---	One day at Delhi only

### 35.2 Action to be taken on the death of High Dignitaries of Haryana State.—

In case of death of High Dignitaries of Haryana State viz. Governor, Chief Minister, Chief Justice of the High Court, Speaker, Haryana Vidhan Sabha, Ministers of State in Haryana State.—

- (1) On receipt of intimation of the death any of the above mentioned dignitaries of Haryana State while they are holding office, the Chief Secretary to the Government of Haryana, (in the Political Branch) will immediately send intimation through Email/Telephone to :-
  - (i) The Governor.
  - (ii) The Chief Minister.
  - (iii) The Chief Justice of the Punjab and Haryana High Court.
  - (iv) The Speaker, Haryana Vidhan Sabha.
  - (v) All the Cabinet Ministers including Ministers of State of Haryana.
  - (vi) The Commissioners of Divisions and all the Deputy Commissioners in the Haryana State.
  - (vii) The Secretary to the President of India (in the case of death of the Governor).
  - (viii) The Government of India, Ministry of Home Affairs.
  - (ix) The All India Radio and Door Darshan (through D.I.P.R).

**Note.—** Intimation to Nos. (i) to (vi) as in **Draft-I of Annexure-A**. Intimation to Nos. (vii) and (viii) as in **Draft-II of Annexure-A**.

- (2) In the event of the death of the Governor, the procedure as indicated in the Government of India's letter No. 44/2/51-Public, dated the 1st July, 1953 shall be adopted. **(Extract enclosed at Annexure-B).**
- (3) (a) The Chief Secretary will issue a gazette extra-ordinary (black edged) announcing the death of these dignitaries of Haryana State as in Draft-III of Annexure- 'A'. The Gazette Extra-ordinary as in **Draft-III of Annexure-A** will be followed by another Gazette Extra-ordinary setting out a brief sketch of the life of the deceased.
- (b) The Chief Secretary will also issue a letter or Email of condolences to the Chief Mourner in **Draft-IV or V of Annexure-A**.
- (c) The Secretary to the Governor or the Principal Secretary to the Chief Minister, as the case may be, will obtain instructions of the Governor/ Chief Minister as to whether a message of sympathy and condolence should issue from the Governor/Chief Minister.
- (4) Procedure for the closing of offices and Industrial Establishments, State Mourning, State Funerals and half-masting of National Flags will be observed as under :-

Designation of the Dignitary	Number of days for the close of		No. of days for the observance of State Mourning	Whether State Funeral to be accorded	No. of days for Half-Masting of the National Flag
1	2		3	4	5
	Offices	Industrial Establishment			
	(a)	(b)			
<b>Governor</b>	Two - on the day on which the death occurs and on the day of funeral (throughout the State.	-	7 days	Yes	7 days throughout the State
<b>Chief Minister</b>	Two-on the day on which the death occurs and on the day of funeral (throughout the State.	- - -	- - -	- - -	On the day of death throughout the State and also on the day of the funeral at the place where funeral takes place



<b>Chief Justice of High Court/ Speaker, Vidhan Sabha/ Cabinet Ministers, Ministers of State in Haryana.</b>	Half-a-day at State Headquarter on the day of death. Also for half-a-day on the day of funeral at the place where funeral takes place	---	---	---	On the day of the death at State Capital and also on the day of funeral at the place where the funeral takes place
--	---	-----	-----	-----	--

- (5) Instructions with regard to the action to be taken on the above lines will be intimated by the Chief Secretary in the Political Department through Email to all concerned.

### 35.3 State Funeral.—

- (1) In the event of death of any one of the dignitaries mentioned in these instructions in whose case State Funeral has not been prescribed, the orders of the Governor will be obtained, as to whether a State funeral is to be accorded and, if it is decided to accord to a State Funeral the instructions contained in **Annexure-C** will be observed.
- (2) The State funeral will be attended by all gazetted officers of the State Government present at the place of funeral. Service Personnel will wear dress as for State Function.

### 35.4 State Mourning.—

- (1) In the event of the death of the Chief Minister, the Chief Secretary will obtain orders of the Governor whether State Mourning is to be observed as also the period for which State mourning is to be observed within the State which should not be more than 7 days.
- (2) In the event of the death of any other dignitary, ordinarily there will be no State mourning but in individual cases the State Government may issue special instructions.
- (3) There will be no official entertainment during the period of State mourning.
- (4) State Government may modify these instructions according to the circumstances and issue instructions on the death of any dignitaries not mentioned above.

### 35.5 Special Instructions.—

#### (A) Closure of offices.—

- (1) On receipt of the intimation of the death of any of the above mentioned dignitaries of the Government of India and the State Government, the Chief

Secretary will send intimation to all concerned. The All India Radio/ Door Darshan will also make an announcement in that respect. All concerned throughout the State will arrange for the closure of their offices as soon as intimation is received by them from the Chief Secretary or through the announcement in the AIR or Door Darshan, whichever is earlier.

- (2) If intimation of the death of the President, Vice-President, Prime Minister, Governor, Haryana and the Chief Minister, Haryana is received after office hours, all the State Government offices will be closed, on the following day if it is otherwise a working day.
- (3) If intimation of the death of the President, Vice-President, Prime Minister, Governor of Haryana and the Chief Minister, Haryana is received during office hours late in the afternoon, offices will be closed for rest of the day but if it is not possible to effect closure for more than three hours, the Chief Secretary may issue instructions for closing the offices on the following day also if it is otherwise working day.
- (4) In the event of the death of dignitaries other than the President, Vice-President, Prime Minister, Governor of Haryana, and the Chief Minister of Haryana, the Chief Secretary will intimate the particular half day when offices at the State Headquarter and/or at the Place of the funeral may remain closed.

**(B) Half-masting of the National flag and observance of State mourning.—**

- (1) If the intimation of the death of any dignitary is received in the afternoon, the flags will be half-masted on the following day also at the place or places indicated above, provided the funeral has not taken place before sun-rise on that day.
- (2) If the State mourning is to be observed on the death of any dignitary, the flags will be half-masted throughout the period of the mourning throughout the State.
- (3) There shall be no State mourning or half-masting of the National Flag on the Republic Day, Independence Day and Mahatma Gandhi's birthday as these are days of national rejoicing. The practice of half-masting of the National flag over the building in which the body of the dignitary is lying so long as it continues to remain there (**vide para 11.6 of the Flag Code-India**), may be continued. Official entertainment scheduled on these days may also be cancelled without formally declaring State mourning.

- (4) There need be no bar to observance of State mourning and half-masting on day of National Week (6th April to 13th April) or on 25th, 27th, 28th and 29th January.
- (5) In the event of the death of a foreign dignitary, if the day on which State mourning and half-masting would normally have been observed, falls on the Republic Day, Independence Day or Mahatma Gandhi's birthday these may be observed on the following day.
- (6) In case of death of Indian dignitary, if the State mourning to be observed extends over a number of days, and this period is interrupted by any of the three National Days mentioned above, the rest of the prescribed period of the State mourning may be observed immediately after the interruption.

**Annexure-A**  
**DRAFT- I (Email)**  
*[See para 35(2)(1)]*

**[Email to Sr. No. (i) to (vi) para 35(2)(1)]**

**Intimation regarding.....**

Most profoundly regret to state that Governor / Chief Minister / Chief Justice. High Court/ Speaker, Vidhan Sabha / Cabinet Minister /State Minister/Deputy Minister\_\_\_\_\_ passed away at\_\_\_\_\_ on \_\_\_\_\_at\_\_\_\_\_. All Government Offices, Courts and Institutions to be closed for\_\_\_\_\_ as a mark of respect. \*State mourning for him will be observed for (\_\_\_\_\_) days up to and including\_\_\_\_\_ \*Flags will be flown at half-mast and there will be no public entertainment during the period.

Chief Secretary to Government, Haryana.

A copy each is forwarded by post in confirmation to all concerned.

Sd/-  
Under Secretary (Administration),  
for Chief Secretary to Government, Haryana

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**Annexure-A**  
**DRAFT-II (Email)**  
*[See para 35.2(1)]*

**[Email to Sr. No. (vii) to (viii) para 35.3.2(1)]**

**Intimation regarding.....**

Most profoundly regret to inform that\_\_\_\_\_ Governor/Chief Minister/Chief Justice, High Court/Speaker, Vidhan Sabha/Cabinet Minister/State Minister/Deputy Minister, Haryana passed away at \_\_\_\_\_ (Place) on \_\_\_\_\_ (date) at \_\_\_\_\_ (Time).

Chief Secretary to Government, Haryana.

A copy each is forwarded by post in confirmation to all concerned.

Sd/-  
Under Secretary (Administration),  
for Chief Secretary to Government, Haryana.

\_\_\_\_\_

**Annexure-A**

**DRAFT-III**

[See para 35.2(3)]

General Administration Department  
(Political Branch)

Notification No. \_\_\_\_\_

Dated the \_\_\_\_\_

The Haryana Government announce with profound regret the death of \_\_\_\_\_ Governor/Chief Minister/Chief Justice, High Court/Speaker, Vidhan Sabha/Minister/Deputy Minister, Haryana, (time) at \_\_\_\_\_ (date) on \_\_\_\_\_ (place) at \_\_\_\_\_

A further Gazette Extraordinary will be issued in due course.

Sd/-

Chief Secretary to Government Haryana.

No. \_\_\_\_\_

Dated: \_\_\_\_\_

A copy each is forwarded for information to :-

- (1) All Heads of Departments, Commissioners of Divisions and all Deputy Commissioners in the State.
- (2) The Registrar, Punjab and Haryana High Court and all District and Sessions Judges in the State.

By order,

Under Secretary (Administration),  
for Chief Secretary to Government, Haryana.

A copy each is forwarded for information to all the Additional Chief Secretaries / Principal Secretaries and other Administrative Secretaries to Government, Haryana.

Under Secretary (Administration),  
for Chief Secretary to Government, Haryana.

To

The Additional Chief Secretaries / Principal Secretaries and other Administrative Secretaries to Government, Haryana.

U.O. No. \_\_\_\_\_

dated : \_\_\_\_\_

Endst. No. \_\_\_\_\_ dated : \_\_\_\_\_

A copy each is forwarded for information to the :-

- (1) Secretary to the Government of India, Ministry of Home Affairs, New Delhi.
- (2) Chief Secretaries to the Governments of the All States /and Administrators of all Union Territories in India.

Under Secretary (Administration),  
for Chief Secretary to Government, Haryana.

**Annexure-A**  
**DRAFT-IV (Email)**  
*[See Para 35.2(3)]*

**(D.O. letter to CHIEF MOURNER)**

D.O. No. \_\_\_\_\_

Haryana Civil Secretariat,

Dated the \_\_\_\_\_

Dear/Respected

I am desired to convey the heart-felt sympathies and condolences of the State Government to you and other members of the family on the sad and untimely demise of \_\_\_\_\_ (name) Governor/Chief Minister/Chief Justice High Court/ Speaker Vidhan Sabha/Minister/Deputy Minister, Haryana, which has plunged the entire State into mourning.

Yours sincerely,

Chief Secretary to Government, Haryana.

Shri/Shrimati \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Annexure-A**

**DRAFT-V (Email)**

*[See para 35.2(3)]*

**(Email to CHIEF MOURNER)**

Please accept heart-felt sympathies of Haryana Government and convey same to other members of family on sad and untimely demise of \_\_\_\_\_(name) Governor/ Chief Minister, Haryana/Chief Justice, High Court/Speaker, Vidhan Sabha/ Minister/Deputy Minister, Haryana, which has plunged entire State into mourning.

Chief Secretary to Government Haryana.

A copy is forwarded to \_\_\_\_\_ by post, in confirmation.

Under Secretary (Administration),  
for Chief Secretary to Government, Haryana.

**Annexure-B**  
[See Para 35.2(2)]

**Action to be taken on the death of Governor of the State of Haryana.—**

- (1) In the event of the death of a Governor of a State, while holding office, the Secretary, to the Governor will at once inform the Secretary to the President of the event by Most Immediate Email. He will at the same time inform the Government of India (Ministry of Home Affairs) all Governors'/Lt. Governors' Secretaries and Chief Commissioners of the event by most immediate Email and endorse a copy of Email to local military authorities, for their information. He will by a subsequent Email inform them of the day and the time fixed for the funeral as soon as a decision has been taken.  
The same information will be supplied by the Governors' Secretary to the Chief Secretaries of the States and to the Heads of Offices of the Government of India in the State.
- (2) On receipt of intimation of the death of Governor, the Ministry of Home Affairs will by immediate Email issue instructions to all State Governments regarding the closing of Government Offices and flying of flags at half-mast in State Capitals. A copy of these orders will also be endorsed to all the Ministries etc., for necessary action.
- (3) The State Government will publish a Gazette Extra-ordinary announcing the death copies of which they will send to the Government of India in the Ministry of Home Affairs.
- (4) The Government will issue instructions regarding the period for which State mourning will be observed, which shall not exceed seven days within the State concerned.
- (5) The State Government will make arrangements for the funeral in conjunction with the Secretary to Governor and the local military authorities will arrange for the firing of 17 minute guns at the time of the funeral, at the Headquarters of the State Government provided artillery units are available locally or within a distance of 50 miles.
- (6) The State Government will issue such orders as they consider necessary for the closing of Offices under their control. The Offices of the Central Government in the State will follow the orders issued by the State Government, in the matter of closing of Offices, flying of flags and mourning.

- (7) The Secretary to the Government of India in the Ministry of Home Affairs will prepare an obituary notification for the consideration of the President and when approved publish it in a Gazette of India Extra-ordinary (Part I, Section 1 black edged).

### **Annexure-C**

*[See Para 35.3(1)]*

#### **Detailed procedure for State Funerals to be accorded to dignitaries of the State of Haryana.**

##### **GENERAL**

- (1) A State Funeral will, if so decided by Government be accorded to the following dignitaries of the Haryana State in the event of their death while holding office:-
  - (i) The Governor.
  - (ii) The Chief Minister.
  - (iii) The Chief Justice, Punjab and Haryana High Court.
  - (iv) The Speaker, Haryana Vidhan Sabha.
  - (v) Ministers of the Haryana Government.
  
- (2) The main procession will normally start from the residence of the deceased or the place where the body is lying. But if the aforesaid residence or place is too far away from the place of burial/cremation or is unsuitable for the procession to form up, another suitable place will be selected where the main procession will form up. The body will be brought up to this selected place escorted by a front and rear escort each consisting of one jeep.

##### **Procedure before Procession starts.—**

- (3) The order of forming up at the deceased's residence is given in at Appendix-I. The following points are for clarifications—
  - (a) The main procession will normally be formed up on the road.
  - (b) The Chief mourners, bearers and Pall bearers will be inside the building.
  - (c) The carriage will be just outside the building with the detachment from the leading escort (firing party), on the right or left of the carriage depending on the direction in which the carriage is to move.
  - (d) Mourners who have to lay wreaths will be behind the carriage and the firing party.
  
- (4) The coffin suitably draped by a National Flag will be brought out by the bearers accompanied by Pall bearers and followed by the Chief mourners.

- (5) As the body is brought out of the building all those near the carriage will come to attention. The firing party will give 'Present Arms', and 'Reverse Arms' as the coffin is placed on the carriage. Officers in uniform will salute. When the coffin has been properly placed on the carriage, the mourners will lay the wreaths in order of precedence and then proceed to join the mourners lining the road.
- (6) The cortege is now ready to move off. The Leading Detachment (firing party) and the remainder of the leading portion of the procession (i.e. the leading jeep and the Front Escort) will pass through the mourners and, when available and present, the band and drummers (with drums, muffled), who will have formed up in two ranks facing inwards 2 paces interval between men and 8 paces distance between ranks.
- (7) If the procession is to start from a selected place the procedure will be as follows :-
- (a) The order of forming up is given in Appendix-II.
  - (b) The order of march from the residence of the deceased to the selected place will be as follows :-

Front Escort		One jeep
Vehicle carrying the body-		
Bearers	}	
Pall Bearers	}	in Vehicles
Chief Mourners	}	
Rear Escort		One jeep

- (c) The rest of the procedure will be the same as in paras 5 and 6 above.

**The Procession.—**

- (8) The order of the march is given in Appendix-III
- (9) After laying the wreaths the mourners will join the other mourners lining up the road. The A.S.I.-in-charge of the leading detachment (firing party) will give the command 'right' or 'left turn'- 'slow march'. The carriage will follow the leading detachment (firing party).
- (10) The front escort will move off in "slow time" and resume its correct position i.e. in front of the leading detachment (firing party)

- (11) The mourners, and band and drummers (when available) will get into their proper position in the procession as the leading detachment (firing party) and the remainder of the leading position of the procession (i.e. the leading jeep, the Front Escort, the Bearer Party, the carriage carrying the body, and the Pall Bearers) passes between their ranks. The Officers in uniform will salute as the carriage carrying the body passes them.

**(12) (a) When a band is available.—**

The band and drums will begin to play the “Dead March” after joining the procession and when 300 yards from the residence of the deceased and continue for such a distance as the officer-in-charge may have ordered before marching off. The leading detachment (firing party) will receive the command “Quick March” (the remainder confirming) when the band/drummers cease playing.

When at a convenient distance from the burial/cremation ground and at the instance of the officer-in-charge the A.S.I.-in-charge of the leading detachment (firing party) will give the command “Slow March” and the band/drummers will again begin playing.

**(b) When no band is available.—**

The leading detachment (firing party) and the remainder of the Escort (i.e. the Front Escort and the Rear Escort) will continue at the Slow March for such a distance as the officer-in-charge may have ordered before marching off. The leading detachment will receive the command “Quick March” (the remainder confirming) at the end of that prescribed distance.

When at a convenient distance from the burial/cremation ground and at the instance of the officer-in-charge the A.S.I.-in-charge of the leading detachment (firing party) will give the command “Slow March” the remainder confirming.

- (13) When marching in slow time arms will be carried at the reverse, and in quick time at the trail. The party will NOT march at ease.

**Procedure at Burial/Cremation Ground.—**

**(14) Arrival at the place of Cremation/Burial.—**

- (a) When the head of the procession arrives near the cremation/burial ground, the ranks of the leading detachment and the band and drums

(if available) will open out to 6 paces distance, and on order of the A.S.I.-in-charge 'halt' - 'turn inwards'-rest on their arms reversed.

- (b) Leading jeep will move to the car park.
- (c) Front escort will line up the remainder of the route and thicken the cordon around the cremation/burial ground. The rear Escort may also be used for cordoning the area.
- (d) The coffin is then moved by the bearers and carried feet-end foremost.
- (e) The vehicles of the VIPs, accompanying the procession will proceed to the car park.

**(15) The order of the procession.—**

The order of the procession will be as under:

Pandit / Granthi / Maulvi, etc.

Coffin with bearers and Pall bearers.

Mourners

Band and drums (when available)

Leading detachment (firing party)

- (16)** The order of forming up at the cremation/burial ground is given at Appendix-IV.

**Procedure during Cremation/Burial.—**

- (17)** Before fire is set to the pyre or the coffin lowered into the grave, the flag, head dress and weraths will be removed.
- (18)** During this time, if the deceased is a Hindu/Sikh selected bhajans may be sung by the bhajan party.
- (19)** Three volleys of small arms fire will be fired when the fire is being set to the pyre or when the body has been lowered into the grave.
- (20)** After the volleys of small arms fire have been fired the buglers will sound the 'Last Post'-a short interval-then the 'Rouse'. During the sounding of these calls, all will stand to attention. The leading detachment (firing party) will fix

bayonets and present arms. Officers will remain at the Salute during the sounding of the Last Post and the Rouse.

**Procedure at the Conclusion of the Ceremony.—**

- (21) The band and drums (when available) will move off followed by the leading detachment (firing party), mourners, and thereafter by the rest inside the enclosure in that order. Service personnel when marching off the enclosure will get into fours without any word of command having been given.
- (22) The firing party will unfix bayonets at the first opportunity after leaving the burial/cremation ground. The band will not play, nor the drums beat until the party is entirely clear of the cremation/burial ground.
- (23) The mourners will move off to their respective car parks after coming out of the enclosure.
- (24) The portion of Escort not required for cordoning any more will also move off.

**General Instructions.—**

**(25) Bearers and Pall Bearers.—**

The Pall bearers will march immediately on either side of the carriage, and the bearers on the outer flanks at 2 paces interval. The position of the Pall bearers will be in the order of seniority alternately on either side of the coffin, the senior being in the rear on the right hand side, the next senior in the rear on the left-hand side, and so on.

If the space does not permit the bearers and/or Pall bearers will march behind the coffin.

**(26) The Leading Detachment (Firing Party) .—**

The leading Detachment (firing party) consists of 1 A.S.I., 1 H.C. and 12 Constables and forms part of the Escort.

**(27) Escort .—**

The strength will be 3 N.G.Os., 5 H.Cs., 62 Constables as follows :

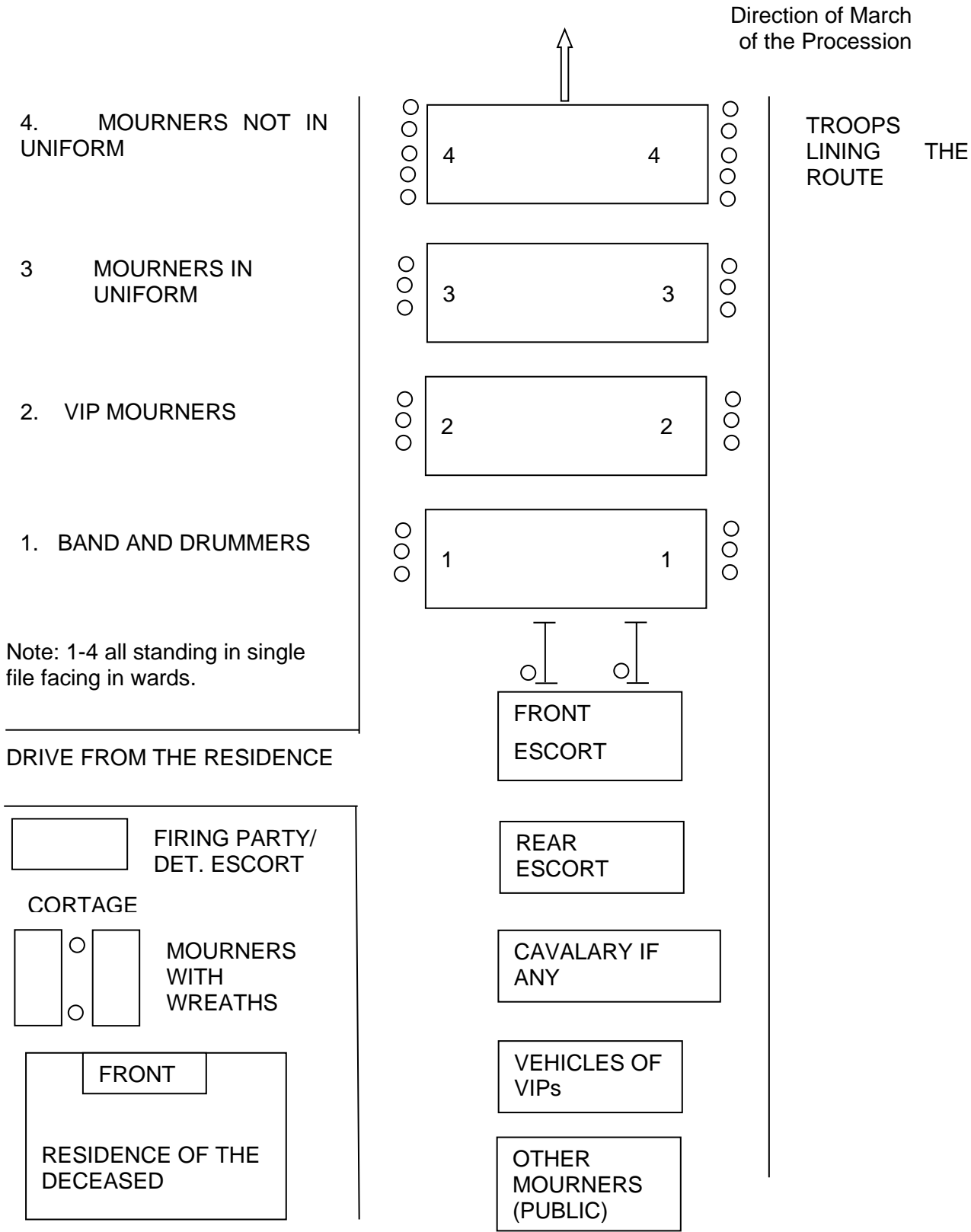
- |       |                      |            |         |               |
|-------|----------------------|------------|---------|---------------|
| (i)   | Leading detachment : | 1 A.S.I.   | 1 H.C.  | 12 Constables |
| (ii)  | Front Escort         | : 1 N.G.O. | 2 H.Cs. | 25 Constables |
| (iii) | Rear Escort          | : 1 N.G.O. | 2 H.Cs  | 25 Constables |



**(28) Dress .—**

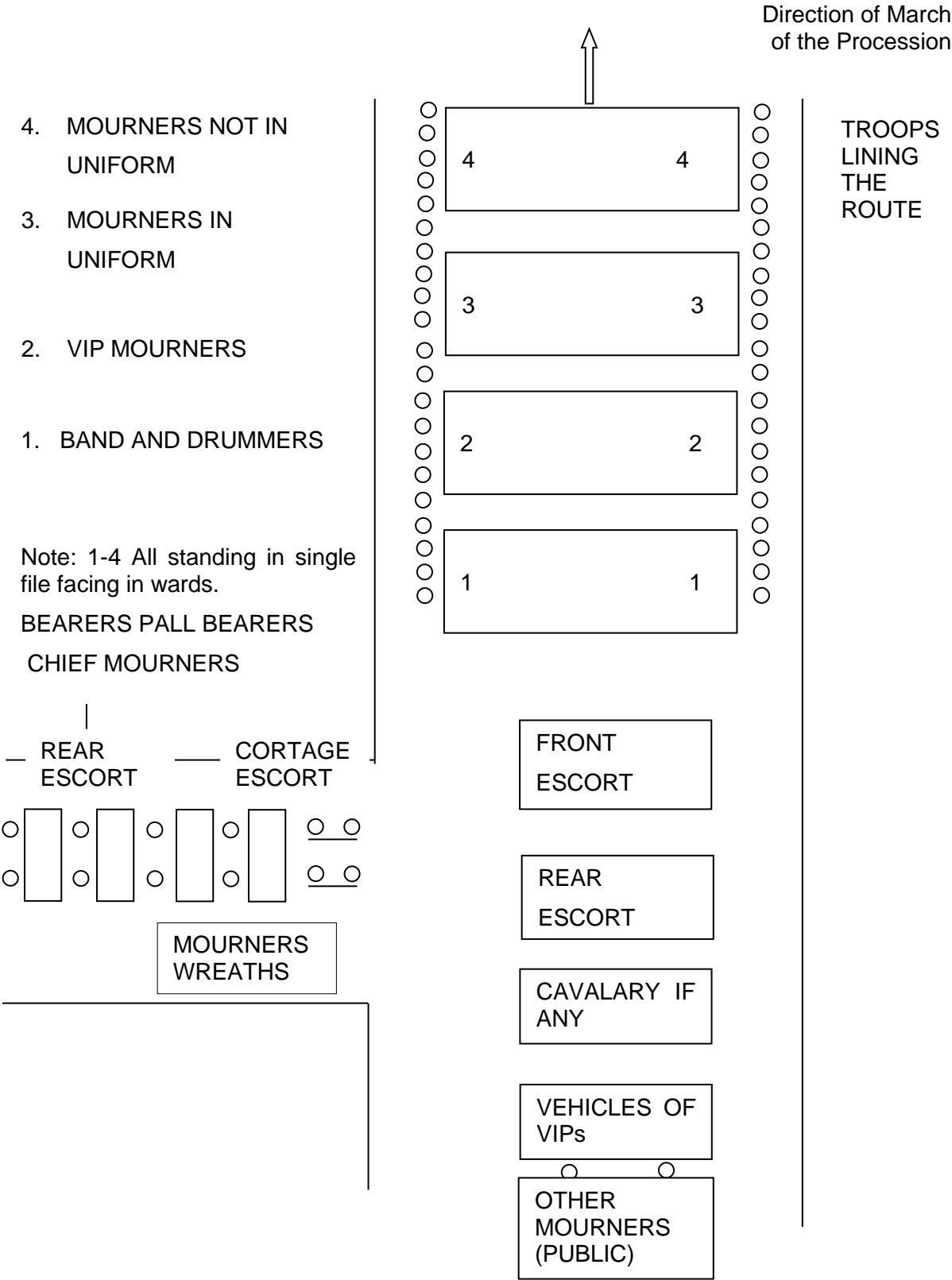
- |     |  |                                      |
|-----|--|--------------------------------------|
| (a) | For Government Civil Officers              | Dress as for State<br>function       |
| (b) | For Armed Services and<br>Police Personnel | Ceremonial Order and<br>review order |

**APPENDIX-I to Annexure-C**  
**Forming up of procession if at the residence of the VIP**



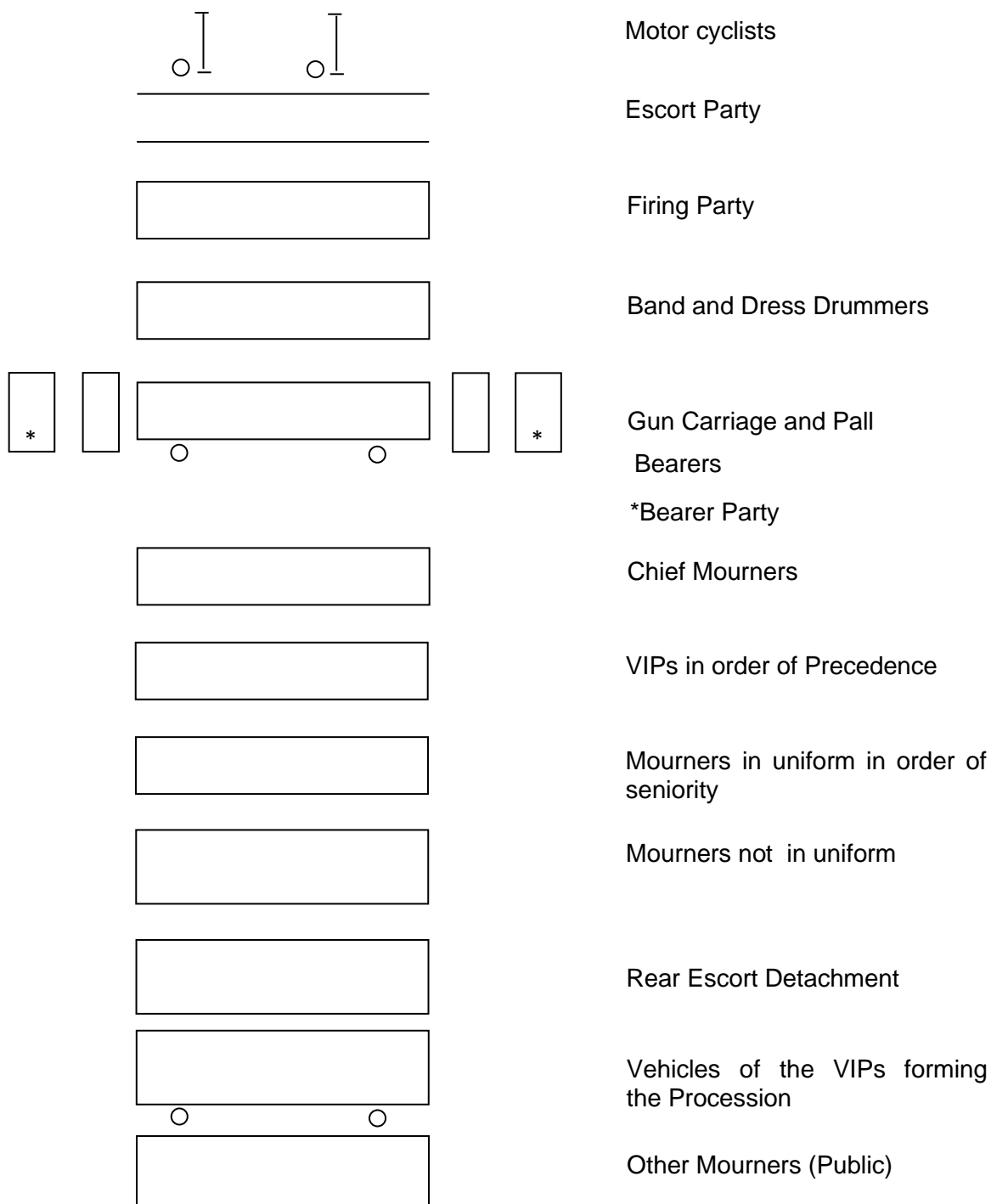
APPENDIX-II to Annexure-C

Forming up of procession if at a Selected Place



### APPENDIX-III to Annexure-C

#### Order of March of the Procession when formed up

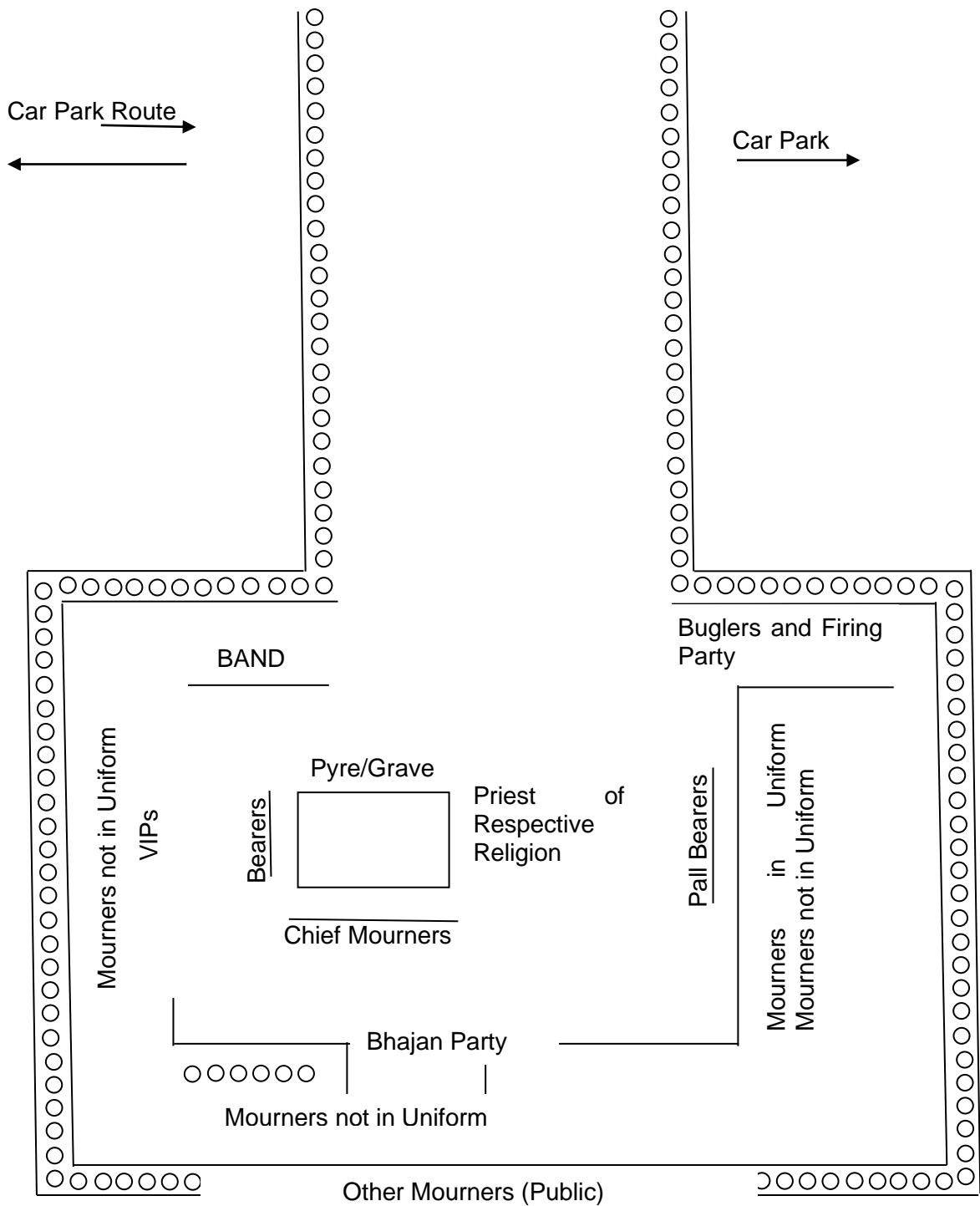



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Note.— Those in uniform will form up in threes; others in sixes depending on the width of the road, otherwise in threes

**APPENDIX-IV to Annexure-C**

Forming up at Cremation/Burial Ground



Note.— The dots denote the troops cordoning

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