

**THE HARYANA ELECTRICITY REGULATORY COMMISSION**  
**BAYS NO. 33-36, SECTOR-4, PANCHKULA, HARYANA**  
**NOTIFICATION**

**The 23<sup>rd</sup> December of 2011**

**THE HARYANA ELECTRICITY REGULATORY COMMISSION**  
**(OFFICERS AND EMPLOYEES CONDITIONS OF SERVICE)**  
**REGULATIONS, 2011**

Regulation No. **HERC / 24 / 2011**- In exercise of the powers conferred by section 91 and 181(2)(zk) of The Electricity Act, 2003 (36 of 2003) read with the provisions of The Haryana Electricity Reform Act 1997 (10 of 1998) which are not inconsistent with the Electricity Act, 2003 and all enabling provisions in that behalf, the Haryana Electricity Regulatory Commission, after previous publication and approval of the Government of Haryana, makes the following regulations:-

**1. Short title, commencement, interpretation.-** (1) These regulations may be called the Haryana Electricity Regulatory Commission (Officers and Employees Conditions of Service) regulations, 2011.

(2) These regulations shall come into force from the date of their publication in the official Gazette.

(3) The Punjab General Clauses Act, 1898 (Act No. 1 of 1898), as applicable to the State of Haryana, shall apply qua the interpretation of these regulations.

**2. Applicability.-** These regulations shall apply to all the officers and employees of the Haryana Electricity Regulatory Commission.

**3. Definitions.-** In these regulations unless the context otherwise requires:-

- a) "Government" means Government of Haryana or Government of India, as the context may require;
- b) "Commission" means the Haryana Electricity Regulatory Commission;
- c) "Chairperson" means the Chairperson of the Haryana Electricity Regulatory Commission;
- d) "Recognized University" means:-
  - i) any University established by Central or State Law in India or;
  - ii) Any other Institute / Board / University / Deemed University which is declared by the Government or appropriate authority to be a recognized University for the purpose of these rules.

**4. Number, Nature and Categories of posts.**– (1) The number, nature and categories of officers and employees required to assist the Commission in discharge of its functions, shall be as per Appendix ‘A’ to these regulations, as amended from time to time.

(2) The Commission may vary, alter, modify, change, increase, and decrease the number, nature and categories of its officers and employees, with the prior approval of the Government.

**5. Nationality, domicile and character of a person to be appointed in the Commission.**–(1) No person shall be appointed to any post in the Commission, unless he is

- a) a citizen of India, or
- b) a subject of Nepal, or
- c) a subject of Bhutan, or
- d) a Tibetan refugee who came over to India before the 1<sup>st</sup> day of January 1962, with intention of permanently settling in India, or
- e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India;

Provided that a person belonging to any of the categories b), c), d) or e) above shall be a person in whose favour a certificate of eligibility has been issued by the competent authority and presented before the Commission.

(2) All appointments under these regulations shall be subject to verification of character and antecedents, as per the Government instructions issued from time to time.

**6. Modes of Appointment.** - Recruitment to the posts under these regulations shall be made by any of the following modes:-

- (a) By direct recruitment - A post can be filled up by giving wide publicity by way of advertisement in at least two newspapers, Employment News and by hosting it on the official website of the Commission;
- (b) By deputation – A post can be filled by way of deputation from amongst the employees of Government Departments, Public Sector Undertakings / Power Utilities (Centre and States), State Electricity Regulatory Commissions, etc. initially for a fixed term, which can be extended from time to time by the Commission;
- (c) By contractual appointment - A post can be filled on contract basis as per the policy for outsourcing of services / activities issued by the Government from time to time;
- (d) By promotion from amongst the officers and employees of the Commission;

- (e) By permanent absorption - A post can be filled on permanent absorption basis from amongst the officers and employees who are already working on deputation basis in the Commission for at least last three years and as specified in the 'Post-wise Recruitment and Promotion Policy' as per Appendix 'F' to these regulations.

**7. Appointing Authority.**– (1) The Commission shall be the appointing authority in respect of all the posts mentioned in Part 'A' of Appendix 'A' to these regulations;

(2) The Chairperson shall be the appointing authority in respect of all the posts, mentioned at Sr. No. 1 to 10 in part 'B' of Appendix 'A' to these regulations;

(3) Secretary to the Commission shall be the appointing authority in respect of all the posts mentioned at Sr. No. 11 & 12 in part 'B' of Appendix 'A' to these regulations.

**8. Selection Committee.**– There shall be a Selection Committee comprising of such persons as specified in Appendix 'E' to select the personnel for appointment as officers and employees of the Commission. The Commission may lay down the procedure to be followed by the Selection Committee in the selection of the personnel.

**9. Reservations.**– The Commission shall follow the Government instructions, issued from time to time, regarding reservation and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and / or other special categories of persons.

**10. Age Limit.** – (1) The age limit for the direct recruitment to the posts mentioned in Part 'B' of Appendix 'A' shall be as per the prevailing rules of the Government;

(2) The upper age limit for the direct recruitment to all the posts mentioned in Part 'A' of Appendix 'A', to these regulations shall be 45 years;

Provided that in exceptional circumstances the Commission may relax the upper age limit, after recording the reasons in writing, with the approval of the Government.

**11. Qualifications.**– No person shall be appointed to any post in the Commission under these regulations, unless he is in possession of qualifications and experience specified in Appendix 'C' to these regulations;

Provided that the qualifications and experience specified in Appendix 'C' to these regulations shall not be applicable in case of appointment to any post by promotion, unless specified otherwise in 'Post-wise Recruitment and Promotion Policy' as per Appendix-F to these regulations;

Provided further that in exceptional circumstances the Commission may relax the qualification criteria and experience specified in Appendix 'C' to these regulations after recording the reasons in writing, with the prior approval of the Government.

## **12. Disqualifications. –**

No person

- a) who has entered into or contracted a marriage with a person having a spouse living, or
- b) who is having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to any post in the Commission;

Provided that the Commission may exempt any person from the operation of this regulation, with the approval of the Government, if the Government is satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for doing so.

**13. Medical Examination.**– (1) A person to be appointed in the Commission, on any post should be of sound health;

(2) Every candidate who is directly recruited for appointment shall be got medically examined as per the Government rules. A candidate, who is declared medically unfit, by the competent medical board, shall not be appointed on a regular basis;

(3)The condition of medical examination shall not apply to those persons who have been appointed either on contract or on deputation.

**14. Probation.**– (1) Person appointed to any post in the Commission by direct recruitment shall remain on probation for a period of two years from the date of appointment;

Provided that after such appointment any period spent on deputation on a corresponding or a higher post shall count towards the period of probation.

(2) Person appointed to any post in the Commission by promotion shall remain on probation for a period of one year;

(3) Person appointed to any post in the Commission on permanent absorption shall remain on probation for a period of one year. During the period of probation, he shall continue to hold lien on the post in his parent organisation;

(3) No probation shall be required for persons appointed on deputation or contract;

(4) If in the opinion of the appointing authority, the work and conduct of an officer or an employee is not satisfactory during the period of probation, it may:

- a) before considering to dispense with services of such officer or employee, extend the period of probation by one year, if such person is appointed by direct recruitment;
- b) before considering to revert him to his former post, extend the period of probation by one year, if such person is appointed by promotion;

- c) before considering to revert him to his parent organisation, extend the period of probation by one year, if appointed by permanent absorption;

(5) If during the period of probation, the work and conduct of an officer or employee has been found to be satisfactory, then on completion of the period of probation of such officer or employee, the appointing authority may:

- a) confirm him from the date of appointment, if appointed against a permanent vacancy, or
- b) confirm him from the date from which a permanent vacancy occurs, if appointed against temporary vacancy; or
- c) declare that he has completed period of probation satisfactorily, if there is no permanent vacancy;

(6) Total period of probation, including extension, if any, shall not normally exceed three years.

**15. Seniority.**– (1) Inter-se seniority of the officers and employees of the Commission shall be determined by the length of continuous service on any post in the Commission.

(2) where there are different divisions in the Commission, the seniority shall be determined separately for each division;

(3) in the case of an officer or an employee appointed by direct recruitment, the order of merit determined by the appointing authority at the time of appointment, shall not be disturbed in determining the seniority;

(4) in the case of two or more officers or employees appointed on the same date, their seniority shall be determined as follows:

- a) an officer or an employee appointed by direct recruitment shall be senior to the officer or employee appointed by any other mode of appointment;
- b) an officer or an employee appointed by promotion shall be senior to the officer or employee appointed by deputation or permanent absorption;
- c) in case of the officers or employees appointed by promotion, seniority shall be determined according to the seniority of such officers or employees in the posts from which they were promoted; and
- d) in case of officers or employees appointed by transfer from different division from within the Commission, their seniority shall be determined according to pay, preference being given to an officer or employee who was drawing higher pay in the previous post; and if the pay drawn is also the same, then by the length of their service in the post, and if the length of such service is also the

same, in such a case, the age of the employee shall be reckoned with while determining seniority.

**16. Liability to serve.-** An officer or employee of the Commission shall be liable to serve at any place, within or outside the state of Haryana, on being ordered by the appointing authority.

**17. Pay, allowances, leave, pension and other matters.-** (1) The scale of pay applicable to the posts and / or categories of the officers and employees of the Commission shall be as specified in Appendix 'B' to these regulations, as amended from time to time;

(2) All the allowances including Dearness Allowance, House Rent Allowance, Travelling Allowance, Daily Allowance, Medical Allowance, Washing Allowance, Children Education Allowance, LTC, etc., as applicable to the Government employees, shall be admissible to the officers and employees of the Commission, as per the instructions of the Government issued from time to time;

(3) The Commission may, from time to time, allow other allowances / reimbursements to the officers and employees of the Commission, which it may consider necessary for efficient functioning of the Commission;

(4) The allowances, which the officers and employees of the Commission were drawing prior to the notification of these regulations, shall continue to be admissible to them;

(5) The officers and employees of the Commission shall be governed by the Leave Rules as per the instructions of the Government issued from time to time;

(6) The officers and employees of the Commission shall be governed by the rules as applicable to the Government employees for grant of retiral benefits such as pension, gratuity, encashment of leave salary, ex-gratia, etc. and other cognate matters not expressly provided for in these regulations;

(7) Loans and advances such as house building advance, conveyance advance, marriage advance and any other advance shall be granted to the officers and employees of the Commission, as per terms and conditions applicable to the Government employees.

**18. Employees Provident Fund.-** The officers and employees of the Commission shall be eligible for EPF from the date of joining the service in the Commission. The Commission shall contribute employer's share @ 12% of total emoluments i.e. Basic Pay, Grade Pay, Dearness Allowance, Personal Pay, Special Pay.

**19. Accommodation.-** The officers and employees, who are appointed on regular or deputation basis, shall be eligible for allotment of Residential accommodation out of the General pool accommodation of the Government at normal license fee at par with the Government employees.

**20. Recruitment and Promotion Policy.** - The 'Post-wise Recruitment and Promotion Policy' as per Appendix 'F' to these regulations shall be applicable to the officers and employees of the Commission.

**21. Option to change Cadre.-** Within one month of satisfactory completion of probation period as per regulation 14, every employee shall have to exercise an option for the cadre to which he would like to be promoted. Option once exercised shall not be normally allowed to be changed.

**22. Assured Career Progression Rules (ACP Rules).-** The ACP Rules as per Appendix 'G' shall be applicable to the officers and employees of the Commission.

**23. Death while in service.-** In case of death of a regular officer or employee of the Commission while in service, financial assistance shall be admissible to the dependents of the deceased officer or employee as per the "Haryana Compassionate Assistance to the Dependents of the Deceased Government Employees Rules, 2006" as amended by the Government from time to time.

**24. Retirement.** – (1) The officers and employees, appointed on regular basis i.e. direct recruitment or on permanent absorption in the Commission shall retire from the service of the Commission on attaining the age of superannuation in accordance with the prevailing rules of the Government;

(2) Medical benefits shall be admissible to the retired officers and employees of the Commission as per rules applicable to the Haryana Government retirees.

**25. Resignation / premature retirement / compulsory retirement.-** The officers and employees of the Commission shall be governed by the instructions issued in this regard by the Government from time to time.

**26. Discipline, penalties and appeals.-** (1) The disciplinary authority, appellate authority, and reviewing authority, in respect of the officers and employees of the Commission, shall be as specified in Appendix 'D' to these regulations;

(2) The procedure for taking disciplinary action, levying of penalties etc. applicable to the officers and employees of the Commission shall be as applicable to the Government employees.

**27. Conditions of Service.** – (1) The Commission may specify conditions of service for its officers and employees, with the prior approval of the Government;

(2) Subject to sub regulation (1) and other provisions of these regulations and conditions mentioned in Appendix 'A' to 'G' to these regulations, the service conditions applicable to employees appointed to any civil service or post in connection with the affairs of the State of Haryana, including the Government Employees (Conduct) Rules, 1966, the Haryana Civil Services (Punishment and Appeal) Rules, 1987 and other applicable rules and regulations in the case of the Civil Services in Haryana, shall apply mutatis mutandis to the officers and employees of the Commission. In case of any inconsistency between these regulations as amended from time to time and the terms and conditions contained in the letters of appointment on

the one part and the above rules and regulations of employees of Haryana Civil Services applied mutatis mutandis on the other part, the former shall prevail.

**28. Power to issue Instructions.** - The Commission may from time to time issue such instructions or directions as may, in its opinion, be necessary for giving effect to or carrying out the provisions of these regulations.

**29. Interpretations.** - In case any question arises regarding interpretation of any of the provisions of these regulations, the same shall be decided by the Commission. However, doubt, if any, remains even after the interpretation by the Commission then the matter shall be referred to the Government, whose interpretation shall be final and binding.

**30. Power to relax.**- The Commission may, after recording the reasons in writing, relax any of the provisions of these regulations, in appropriate cases, with the prior approval of the Government.

**31. Savings and repeal.**- (1) These regulations shall not be detrimental in any sense to those officers and employees who have joined the commission prior to notification of these regulations;

(2) In case any officer or employee who was appointed on regular basis prior to notification of these regulations and is aggrieved by any of the provisions of these regulations, then such officer or employee shall continue to be governed by the provisions of those regulations under which he was appointed as a measure personal to him;

(3) These regulations shall repeal regulation no. 6/99 dated 11<sup>th</sup> October 1999 i.e. Haryana Electricity Regulatory Commission (Officers and Employees Conditions of Service) Regulations 1999 from the date of notification of these regulations,

By Order of the Commission

Secretary



**APPENDIX 'A'**

**Number, Nature and Categories of Posts**

**PART – A**

<b>Sr. No.</b>	<b>Designation of posts</b>	<b>No. of sanctioned posts</b>	<b>Category of Post</b>
1.	Commission's Secretary	1	Equivalent to Group 'A' in Haryana Government
2.	Director (Tariff)	1	--do--
3.	Director (Technical)	1	--do--
4.	Joint Director (Accounts)	1	--do--
5.	Joint Director (Economics)	1	--do--
6.	Joint Director (Finance)	1	--do--
7.	Joint Director (Transmission)	1	--do--
8.	Joint Director (Distribution) - I	1	--do--
9.	Joint Director (Distribution) - II	1	--do--
10.	Joint Director (Law)	1	--do--
11.	Deputy Director (Accounts)	1	--do--
12.	Deputy Director (Economics)	1	--do--
13.	Deputy Director (Finance)	1	--do--
14.	Deputy Director (Transmission)	1	--do--
15.	Deputy Director (Distribution) – I	1	--do--
16.	Deputy Director (Distribution) - II	1	--do--
17.	System Manager	1	--do--
18.	Law officer	2	--do--
19.	Deputy Director (Media)	1	--do--
20.	Deputy Secretary (Personnel)	1	--do--
21.	Assistant Director (Accounts)	1	Equivalent to Group 'B' in Haryana Government
22.	Senior Private Secretary	3	--do--
23.	Private Secretary	3	--do--

**PART – B**

1.	Section Officer (Accounts)	1	Equivalent to Group 'C' in Haryana Government
2.	Personal Assistant	8	--do--
3.	Clerical Assistant	3	--do--
4.	Care – taker	1	--do--
5.	Cashier	1	--do--
6.	Senior Scale Stenographer	3	--do--
7.	Junior Scale Stenographer	3	--do--
8.	Assistant Librarian	1	--do--
9.	Driver	6	--do--
10.	Clerk – cum - Computer Operator	5	--do--
11.	Process Server	1	Equivalent to Group 'D' in Haryana Government
12.	Peon	18	--do--

**APPENDIX 'B'****Scale of pay of officers and employees****PART – A**

<b>Sr. No.</b>	<b>Designation of posts</b>	<b>Pay Band</b>	<b>Pay Band</b>	<b>Grade pay</b>
1.	Commission's Secretary	PB-4	37400-67000	10000
2.	Director (Tariff)	PB-4	37400-67000	10000
3.	Director (Technical)	PB-4	37400-67000	10000
4.	Joint Director (Accounts)	PB-4	37400-67000	8900
5.	Joint Director (Economics)	PB-4	37400-67000	8900
6.	Joint Director (Finance)	PB-4	37400-67000	8900
7.	Joint Director (Transmission)	PB-4	37400-67000	8900
8.	Joint Director (Distribution) - I	PB-4	37400-67000	8900
9.	Joint Director (Distribution) - II	PB-4	37400-67000	8900
10.	Joint Director (Law)	PB-4	37400-67000	8900
11.	Deputy Director (Accounts)	PB-4	37400-67000	8800
12.	Deputy Director (Economics)	PB-4	37400-67000	8800
13.	Deputy Director (Finance)	PB-4	37400-67000	8800
14.	Deputy Director (Transmission)	PB-4	37400-67000	8800
15.	Deputy Director (Distribution) – I	PB-4	37400-67000	8800
16.	Deputy Director (Distribution) - II	PB-4	37400-67000	8800
17.	System Manager	PB-4	37400-67000	8800
18.	Law officer	PB-4	37400-67000	8800
19.	Deputy Director (Media)	PB-4	37400-67000	8800
20.	Deputy Secretary (Personnel)	PB-4	37400-67000	8800
21.	Assistant Director (Accounts)	PB-2	9300-34800	5400
22.	Senior Private Secretary	PB-2	9300-34800	4600
23.	Private Secretary	PB-2	9300-34800	4200

**PART – B**

1.	Section Officer (Accounts)	PB-2	9300-34800	4600
2.	Personal Assistant	PB-2	9300-34800	3600
3.	Clerical Assistant	PB-2	9300-34800	3200
4.	Caretaker	PB-2	9300-34800	3200
5.	Cashier	PB-2	9300-34800	3200
6.	Senior Scale Stenographer	PB-1	5200-20200	2400
7.	Junior Scale Stenographer	PB-1	5200-20200	2400
8.	Assistant Librarian	PB-1	5200-20200	2400
9.	Driver	PB-1	5200-20200	2400
10.	Clerk – cum - Computer Operators	PB-1	5200-20200	1900
11.	Process Server	-1S	4440-7440	1300
12.	Peon	-1S	4440-7440	1300

**APPENDIX 'C'**

**POST- WISE QUALIFICATIONS AND EXPERIENCE**

**PART - A**

<b>Sr. No.</b>	<b>Name of Post</b>	<b>Minimum Required Qualifications and Experience, if any</b>	<b>Additional Desirable Qualifications</b>
1.	Secretary	1) Bachelor's Degree from a recognized university 2) Minimum fifteen years of administrative experience 3) Adequate professional experience in managing employees, budgets and projects 4) Excellent writing and verbal communication skills 5) Computer literacy	1) Experience in a government organization 2) Demonstrated knowledge and / or experience in the power sector 3) Knowledge of Hindi
2.	Director (Tariff)	1) Master's degree in Economics or MBA in Finance or M.Com or CA from a recognized university with specialization in Micro - Economics 2) Fifteen years professional experience in economic / financial / accounting analysis of which at least five years in managing professional employees 3) Expert knowledge in tariff design and rate-making and adequate experience in the practical development of tariffs 4) Skills in economic analysis and modeling 5) Excellent written and verbal communication skills	1) Demonstrated knowledge of and / or experience in the power sector 2) Experience in commercial enterprises 3) Knowledge in the economic discipline of industrial organization 4) Knowledge of regulatory accounting and general business accounting 5) Rate making experience in regulated industries 6) Knowledge of Hindi

3.	Director (Technical)	<ol style="list-style-type: none"> <li>1) Bachelor's degree in Electrical/Power Engineering or Mechanical Engineering</li> <li>2) Fifteen years of professional engineering experience with at least one year of experience at Superintendent Engineer (SE) level in a large power utility/ organization with generation, transmission and distribution in the business of power</li> <li>3) Planning/ design/operational experience in generation, transmission, and distribution, with particular experience in all matters related to network reliability and stability, power quality and flows</li> <li>4) Good written and communication skills</li> <li>5) Computer literacy</li> </ol>	<ol style="list-style-type: none"> <li>1) Experience in the development of tariffs in regulated industries and power sector reform in India</li> <li>2) Experience in commercial issues, or power purchase agreements</li> <li>3) Management or operational experience in all three utility functional areas i.e. generation, transmission and distribution</li> <li>4) Experience or training in economic regulation</li> <li>5) Demonstrated capability in analytical modeling</li> <li>6) Knowledge of Hindi</li> </ol>
4.	Joint Director (Accounts)	<ol style="list-style-type: none"> <li>1) Master's degree in Commerce or CA or ICWA from a recognized university</li> <li>2) Twelve years of professional experience in accounting</li> <li>3) Demonstrated capability in generally accepted accounting practices, financial analysis, spreadsheets</li> </ol>	<ol style="list-style-type: none"> <li>1) Good written and verbal communication skills</li> <li>2) Experience in employees and budget management</li> <li>3) Database and modeling capabilities</li> <li>4) Knowledge of regulatory – as opposed to commercial – accounting</li> <li>5) Member of the Institute of Chartered Accountants</li> <li>6) Knowledge of Hindi</li> </ol>

5.	Joint Director (Economics)	<ol style="list-style-type: none"> <li>1) Master's degree in Economics from a recognized university, with specialization in micro-economics</li> <li>2) Minimum twelve years of professional experience as an economist with at least two years of experience as Deputy Director (Economics) or equivalent</li> <li>3) Demonstrated capability in economic analysis, modeling, and statistical techniques and database capabilities</li> <li>4) Strong familiarity with theory and practice of tariff design and rate-making</li> </ol>	<ol style="list-style-type: none"> <li>1) Good written and verbal communication skills</li> <li>2) Experience in employees management</li> <li>3) Knowledge of accounting and principles of finance</li> <li>4) Knowledge of Hindi</li> </ol>
6.	Joint Director (Finance)	<ol style="list-style-type: none"> <li>1) Master's degree in Commerce or MBA with specialization in finance or from a recognized university or Chartered Accountant</li> <li>2) Minimum twelve years of professional experience in finance with at least two year of experience as Deputy Director (Finance) or equivalent</li> <li>3) Demonstrated capability in financial, modeling, and spreadsheets analysis</li> </ol>	<ol style="list-style-type: none"> <li>1) Good written and verbal communication skills</li> <li>2) Experience in employees management</li> <li>3) Database capabilities</li> <li>4) Knowledge of accounting</li> <li>5) Knowledge of Hindi</li> </ol>

7.	<p>Joint Director (Transmission)</p> <p>Joint Director (Distribution) – I</p> <p>Joint Director (Distribution) – II</p>	<ol style="list-style-type: none"> <li>1) Bachelor’s degree in Electrical/Power Engineering or Mechanical Engineering</li> <li>2) Twelve years experience, with a minimum of two years at the Executive Engineer level in a large power utility / organization with generation, transmission and distribution facilities</li> <li>3) Depending on whether the Joint Director position is for transmission, distribution, or power procurement/systems operations, the candidate should have adequate design/planning/operational experience in one of the following areas: <ul style="list-style-type: none"> <li><b>For the post of Joint Director (Transmission):</b></li> <li>* transmission – planning and operation with particular experience in network reliability, stability, power quality and flows</li> <li><b>For the post of Joint Director (Distribution):</b></li> <li>* distribution – planning and operation, network reliability as well as commercial aspects of distribution (metering, billing, collection etc)</li> </ul> </li> <li>4) Computer literacy should include demonstrated capability in analytical modeling</li> <li>5) Good written and verbal skills</li> </ol>	<ol style="list-style-type: none"> <li>1) Familiarity with electricity tariff issues and power sector reform</li> <li>2) Knowledge of Hindi</li> <li>3) power procurement / systems operations – competitive procurement, power purchase agreements, least-cost planning, scheduling and dispatch</li> </ol>
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8.	Joint Director (Law)	<ol style="list-style-type: none"> <li>1) Degree in law from recognized university</li> <li>2) Admitted to legal association/bar</li> <li>3) Twelve years experience in legal practice</li> <li>4) Excellent written and oral communication skills</li> <li>5) Computer literacy</li> </ol>	<ol style="list-style-type: none"> <li>1) Experience in utility or regulatory law</li> <li>2) Demonstrated knowledge and / or experience in the power sector</li> <li>3) Litigation experience</li> <li>4) Adequate experience in contract and / or administrative law and civil procedure</li> <li>5) Knowledge of Hindi</li> </ol>
9.	Deputy Director (Accounts / Finance)	<ol style="list-style-type: none"> <li>1) Bachelor's degree in Commerce, Cost Accountant or Chartered Accountant</li> <li>2) Nine years of professional experience in accounting and / or finance</li> <li>3) Demonstrated capability in analysis of company accounts, financial analysis, modeling including spreadsheet and database skills</li> </ol>	<ol style="list-style-type: none"> <li>1) Good written and verbal communication skills</li> <li>2) Knowledge of microeconomics</li> <li>3) Demonstrated knowledge and / or experience in the power sector</li> <li>4) Member of professional accountancy organization</li> <li>5) Knowledge of Hindi</li> </ol>
10.	Deputy Director (Economics)	<ol style="list-style-type: none"> <li>1) Bachelor's degree in Economics with specialization in micro-economics from a recognized university</li> <li>2) Nine years of professional experience as an economist with either a government department or commercial enterprise</li> <li>3) Demonstrated capability in economic analysis, modeling, and spreadsheet analysis and database skills</li> </ol>	<ol style="list-style-type: none"> <li>1) Good writing and verbal communication skills</li> <li>2) Knowledge of accounting and principles of finance</li> <li>3) Demonstrated knowledge and / or experience in the power sector</li> <li>4) Knowledge of Hindi</li> </ol>

11.	<p>Deputy Director (Transmission)</p> <p>Deputy Director (Distribution) – I</p> <p>Deputy Director (Distribution) – II</p>	<p>1) Bachelor’s degree in Electrical / Power Engineering or Mechanical Engineering</p> <p>2) Minimum nine years experience with a large power utility / organization with generation, transmission and distribution facilities</p> <p>3) Depending on whether the Deputy Director position is for transmission, distribution, or power procurement / systems operations, the candidate should have design / planning / operational experience in one of the following areas:</p> <p><b>For the post of Deputy Director (Transmission)</b></p> <p>* transmission – planning and operation with particular experience in network reliability, stability, power flows and quality;</p> <p><b>For the post of Deputy Director (Distribution)</b></p> <p>* distribution – planning and operation, network reliability as well as commercial aspects of distribution (metering, billing, collection etc)</p> <p>4) Computer literacy should include demonstrated capability in analytic modeling and database management</p> <p>5) Good written and verbal skills</p>	<p>1) Familiarity with electricity laws, tariff issues and power sector reform in India</p> <p>2) Knowledge of economics and / or finance</p> <p>3) Knowledge of Hindi</p> <p>4) power procurement / systems operations – competitive procurement, power purchase agreements, least-cost planning, scheduling and dispatch</p>
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12.	System Manager	<ol style="list-style-type: none"> <li>1) Bachelor in Engineering or B. Tech or Masters in Computer Science or MCA</li> <li>2) Nine years experience in information technology management, network management, and software development</li> <li>3) Experience with managing employees and budgets</li> <li>4) Excellent communication skills</li> </ol>	<ol style="list-style-type: none"> <li>1) Knowledge of Hindi</li> </ol>
13.	Law Officer	<ol style="list-style-type: none"> <li>1) Degree in law from recognized university</li> <li>2) Admitted to legal association/bar</li> <li>3) Nine years experience in legal practice</li> <li>4) Excellent written and oral communication skills</li> <li>5) Computer literacy</li> </ol>	<ol style="list-style-type: none"> <li>1) Experience in utility or regulatory law</li> <li>2) Demonstrated knowledge and / or experience in the power sector</li> <li>3) Litigation experience</li> <li>4) Experience in contract and / or administrative law</li> <li>5) Knowledge of Hindi</li> </ol>
14.	Deputy Director (Media)	<ol style="list-style-type: none"> <li>1) Master's degree in relevant discipline (e.g. journalism, or mass communications) from a recognized university</li> <li>2) Nine years of professional experience in journalism, mass communications, or public relations</li> <li>3) Excellent written and verbal communication skills</li> <li>4) Background in financial or economic writing/analysis.</li> <li>5) Computer skills, especially word-processing and presentation programs</li> <li>6) Adequate experience preparing and delivering public presentations</li> </ol>	<ol style="list-style-type: none"> <li>1) Experience in two or more of various forms of media (press, TV, radio, multimedia)</li> <li>2) Knowledge of electricity industry</li> <li>3) Experience in writing corporate and other organizational annual reports</li> <li>4) Knowledge of Hindi</li> </ol>

15.	Deputy Secretary (Personnel)	<ol style="list-style-type: none"> <li>1) Bachelor's Degree from a recognized university</li> <li>2) Nine years professional experience in personnel management and administrative matters</li> <li>3) Excellent interpersonal and communication skills</li> <li>4) Computer literacy</li> </ol>	<ol style="list-style-type: none"> <li>1) Experience in a government organization</li> <li>2) Knowledge of power sector reform efforts in India.</li> <li>3) Knowledge of Hindi</li> </ol>
16.	Assistant Director (Accounts)	<ol style="list-style-type: none"> <li>1) The post shall be filled up by promotion from the section officer (Accounts) on seniority cum merit basis provided he has put in seven years service as Section Officer (Accounts)</li> </ol>	
17.	Senior Private Secretary	<ol style="list-style-type: none"> <li>1) The post shall be filled up by promotion from amongst the private secretaries on seniority cum merit basis provided he has put in seven years service as private secretary</li> </ol>	
18.	Private Secretary	<ol style="list-style-type: none"> <li>1) The post shall be filled up by promotion from amongst the personal assistant(s) on seniority cum merit basis provided he has put in one year service as personal assistant</li> </ol>	

**PART - B**

<b>Sr. No.</b>	<b>Name of Post</b>	<b>Minimum Required Qualifications and Experience, if any</b>	<b>Additional Desirable Qualifications</b>
1.	Section Officer (Accounts)	(i) Subordinate Accounts Service Or B.Com with First Division  (ii) Three years experience in reputed commercial organization  (iii) One year certificate course in computer applications	
2.	Personal Assistant	(i) Graduate / 10+2 (vocational) 2 <sup>nd</sup> Division / Intermediate 2 <sup>nd</sup> Division / Higher Secondary 2 <sup>nd</sup> Division / Matric 1 <sup>st</sup> Division or equivalent from a recognized University / Education Board (For Ex-Serviceman Matric only)  (ii) Hindi up to Matric Standard  (iii) English shorthand at a speed of 100 words per minute and transcription thereof at a speed of 20 words per minute  (iv) Hindi shorthand at a speed of 100 words per minute and transcription thereof at a speed of 20 words per minute  (v) Has passed the test conducted by the Commission  (vi) Computer literacy	

3.	Clerical Assistant / Care-taker / Cashier	<p>(i) Graduate / 10+2 (vocational) / Intermediate 2<sup>nd</sup> Division / Higher Secondary 2<sup>nd</sup> Division / Matric 1<sup>st</sup> Division or equivalent from a recognized University / Education Board (For Ex-serviceman Matric only)</p> <p>(ii) Hindi up to Matric Standard</p> <p>(iii) Computer literacy</p>	
4.	Assistant Librarian	<p>(i) Graduate of recognized University</p> <p>(ii) Bachelor in Library and Information Science</p> <p>(iii) Knowledge of Hindi or Sanskrit upto Matric standard</p> <p>(iv) Computer literacy</p>	
5.	Senior Scale Stenographer	<p>(i) Graduate / 10+2 (Vocational) 2<sup>nd</sup> Division / Intermediate 2<sup>nd</sup> Division / Higher Secondary 2<sup>nd</sup> Division / Matric 1<sup>st</sup> Division or equivalent from a recognized University / Education Board (For Ex-Serviceman Matric only)</p> <p>(ii) Hindi up to Matric Standard</p> <p>(iii) English shorthand at a speed of 100 words per minute and transcription thereof at a speed of 20 words per minute and</p> <p>(iv) Hindi shorthand at a speed of 80 words per minute and transcription thereof at a speed of 15 words per minute</p> <p>(v) Has passed the test conducted by the Commission</p> <p>(vi) Computer literacy</p>	

6.	Junior Scale Stenographer	<p>(i) Graduate / 10+2 (Vocational) 2<sup>nd</sup> Division / Intermediate 2<sup>nd</sup> Division / Higher Secondary 2<sup>nd</sup> Division / Matric 1<sup>st</sup> Division or equivalent from a recognized University / Education Board (For Ex-Serviceman Matric only)</p> <p>(ii) Hindi up to Matric Standard</p> <p>(iii) English shorthand at a speed of 100 words per minute and transcription thereof at a speed of 20 words per minute and</p> <p>(iv) Hindi shorthand at a speed of 80 words per minute and transcription thereof at a speed of 15 words per minute</p> <p>(v) Has passed the test conducted by the Commission</p> <p>(vi) Computer literacy</p>	
7.	Driver	<p>(i) Has passed Matric and able to maintain log book</p> <p>(ii) Two years experience of driving light vehicle with driving license (light)</p>	
8.	Clerk-Cum-Computer Operator	<p>(i) Graduate / 10+2 (Vocational) 2<sup>nd</sup> Division / Intermediate 2<sup>nd</sup> Division / Higher Secondary 2<sup>nd</sup> Division / Matric 1<sup>st</sup> Division or equivalent from a recognized University / Education Board (For Ex-serviceman Matric only)</p> <p>(ii) Hindi/Sanskrit upto Matric Standard</p> <p>(iii) Hindi or English typing at a speed of 25 or 30 words per minute respectively</p> <p>(iv) One year certificate course in Computer Applications</p>	
9.	Peon / Process Server	<p>(i) Matriculation with Hindi / Sanskrit</p>	

## APPENDIX 'D'

### COMPETENT AUTHORITY FOR PUNISHMENT AND APPEALS

a) For posts equivalent to Group A in Government of Haryana:

Appointing Authority : Commission

Disciplinary Authority : Chairperson

Appellate Authority : Commission

Reviewing Authority : Commission

b) For posts equivalent to Group B and C in Government of Haryana:

Appointing Authority : Chairperson

Disciplinary Authority : Chairperson

Appellate Authority : Commission

Reviewing Authority : Commission

c) For posts equivalent to Group D in Government of Haryana.

Appointing Authority : Secretary

Disciplinary Authority : Secretary

Appellate Authority : Chairperson

Reviewing Authority : Commission

**SELECTION COMMITTEES**

1. In case of appointments to the posts equivalent to Group A in Government of Haryana, the selection committee shall comprise of the Chairperson and the Members of the Commission and one or more subject matter specialists to be nominated by the Commission.
2. In case of appointments to the posts equivalent to Group B, C and D, the selection Committee shall be constituted by the Commission in each case from time to time.

**APPENDIX 'F'****POST- WISE RECRUITMENT AND PROMOTION POLICY**

<b>Sr. No.</b>	<b>Name of Post</b>	<b>Recruitment and promotion policy</b>
1.	Secretary	<p>i) by direct recruitment or</p> <p>ii) by promotion from Joint Director (Law) (with knowledge of Administration / Accounts) having minimum of five years experience as such or equivalent or amongst Deputy Secretary (Personnel) / Deputy Director (Media) / System Manager (with knowledge of Administration / Accounts) having minimum of ten years experience as such or equivalent or</p> <p>iii) by deputation of the officers of Indian Administrative Services or of Haryana Civil Service (Executive Branch) officers in selection Grade and above or other eligible officer in accordance with regulation 6 (b)</p> <p>iv) by permanent absorption of the officer, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an officer, who was working as Deputy Secretary (Personnel) / Deputy Director (Media) / System Manager in the Commission on deputation basis for the last three years and has been promoted as Secretary, the condition for serving for three years on deputation in the Commission on the post of Secretary shall not be applicable</p>



2.	Director (Tariff)	<p>i) by direct recruitment or</p> <p>ii) by promotion from amongst Joint Directors (Accounts / Finance / Economics) having minimum of five years experience as such or equivalent or</p> <p>iii) by deputation or</p> <p>iv) by permanent absorption of the officer, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an officer, who was working as joint Director (Accounts / Finance / Economics) in the Commission on deputation basis for the last three years and has been promoted as Director (Tariff), the condition for serving for three years on deputation in the Commission on the post of Director (Tariff) shall not be applicable</p>
3.	Director (Technical)	<p>i) by direct recruitment or</p> <p>ii) by promotion from amongst Joint Directors (Transmission /Distribution) having minimum of five years experience as such or equivalent or</p> <p>iii) by deputation or</p> <p>iv) by permanent absorption of the officer, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an officer, who was working as Joint Director (Transmission /Distribution) in the Commission on deputation basis for the last three years and has been promoted as Director (Technical), the condition for serving for three years on deputation in the Commission on the post of Director (Technical) shall not be applicable</p>

4.	<p>Joint Director (Accounts)  Joint Director (Economics)  Joint Director (Finance)</p>	<p>i) by direct recruitment or</p> <p>ii) by promotion from amongst Deputy Directors (Accounts / Economics / Finance) having minimum of five years experience as such or equivalent or</p> <p>iii) by deputation or</p> <p>iv) by permanent absorption of the officer, who is be already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an officer, who was working as s Deputy Director (Accounts / Economics / Finance) in the Commission on deputation basis for the last three years and has been promoted as Joint Director (Accounts / Economics / Finance), the condition for serving for three years on deputation in the Commission on the post of Joint Director (Accounts / Economics / Finance) shall not be applicable</p>
5.	<p>Joint Director (Transmission)  Joint Director (Distribution)–I  Joint Director (Distribution)–II</p>	<p>i) by direct recruitment or</p> <p>ii) by promotion from amongst Deputy Directors (Transmission / Distribution) having minimum of five years experience as such or equivalent or</p> <p>iii) by deputation or</p> <p>iv) by permanent absorption of the officer, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an officer, who was working as Deputy Director (Transmission / Distribution) in the Commission on deputation basis for the last three years and has been promoted as Joint Director (Transmission / Distribution), the condition for serving for three years on deputation in the Commission on the post of Joint Director (Transmission / Distribution) shall not be applicable</p>

6.	Joint Director (Law)	<p>i) by direct recruitment or</p> <p>ii) by promotion from amongst Law Officers having minimum of five years experience as such or equivalent or</p> <p>iii) by deputation or</p> <p>iv) by permanent absorption of the officer, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an officer, who was working as Law Officer in the Commission on deputation basis for the last three years and has been promoted as Joint Director (Law), the condition for serving for three years on deputation in the Commission on the post of Joint Director (Law) shall not be applicable</p>
7.	All Deputy Directors / System Manager / Law Officers / Deputy Secretary (Personnel)	<p>i) by direct recruitment or</p> <p>ii) by deputation or</p> <p>iii) by permanent absorption of the officer, who may be already working on the post on deputation in the Commission after completion of three years service in the Commission</p>
8.	Assistant Director (Accounts)	<p>i) by promotion from Section Officer (Accounts) having minimum of seven years experience as such or equivalent or</p> <p>ii) by deputation or</p> <p>iii) by permanent absorption of the officer, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an officer, who was working as Section Officer (Accounts) in the Commission on deputation basis for the last three years and has been promoted as Assistant Director (Accounts), the condition for serving for three years on deputation in the Commission on the post of Assistant Director (Accounts) shall not be applicable</p>

9.	Senior Private Secretary	<p>i) by promotion from amongst the private secretaries having minimum seven years service as Private Secretary in the Commission or</p> <p>ii) by deputation or</p> <p>iii) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Private Secretary in the Commission on deputation basis for the last three years and has been promoted as Senior Private Secretary, the condition for serving for three years on deputation in the Commission on the post of Senior Private Secretary shall not be applicable</p>
10.	Section Officer (Accounts)	<p>i) by direct recruitment or</p> <p>ii) by promotion from amongst the Clerical Assistants / Care-taker / Cashier having five years experience as such (with knowledge of Accounts), and B.Com or SAS or equivalent from a recognized University or</p> <p>iii) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Clerical Assistant / Care-taker / Cashier in the Commission on deputation basis for the last three years and has been promoted as Section Officer (Accounts), the condition for serving for three years on deputation in the Commission on the post of Section Officer (Accounts) shall not be applicable</p>

11.	Private Secretary	<p>i) by promotion from amongst the Personal Assistants having minimum one year service as Personal Assistant in the Commission or</p> <p>ii) by deputation or</p> <p>iii) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Personal Assistant in the Commission on deputation basis for the last three years and has been promoted as Private Secretary, the condition for serving for three years on deputation in the Commission on the post of Private Secretary shall not be applicable</p>
12.	Personal Assistant	<p>i) by direct recruitment or</p> <p>ii) by promotion amongst the Senior Scale Stenographers having minimum five years experience as such or</p> <p>iv) by deputation of the employees having one year experience as Personal Assistant and studied Hindi up to Matric or</p> <p>v) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Senior Scale Stenographer in the Commission on deputation basis for the last three years and has been promoted as Personal Assistant, the condition for serving for three years on deputation in the Commission on the post of Personal assistant shall not be applicable</p>

13.	Clerical Assistant / Caretaker / Cashier	<p>i) by direct recruitment or</p> <p>ii) by promotion amongst Clerk-cum-Computer Operators (with knowledge of Clerical / Accounts work) having minimum five years experience as such or by promotion amongst Assistant Librarian (with knowledge of Clerical / Accounts work) having minimum three years experience as such or</p> <p>iii) by deputation of the employee having one year experience as Clerical Assistant and having studied Hindi up to Matric or</p> <p>iv) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Clerk-cum-Computer Operator / Assistant Librarian in the Commission on deputation basis for the last three years and has been promoted as Clerical Assistant / Caretaker / Cashier, the condition for serving for three years on deputation in the Commission on the post of Clerical Assistant / Caretaker / Cashier shall not be applicable</p>
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14.	Senior Scale Stenographer	<p>i) by direct recruitment or</p> <p>ii) by promotion amongst Junior Scale Stenographers having three years experience as such or by promotion amongst Assistant Librarian having three years experience as such and English shorthand at a speed of 100 words per minute and transcription thereof at a speed of 20 words per minute and Hindi shorthand at a speed of 80 words per minute and transcription thereof at a speed of 15 words per minute and has passed the test conducted by the Commission</p> <p>iii) by deputation of the employee having one year experience as Senior Scale Stenographer and having studied Hindi up to Matric or</p> <p>iv) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Junior Scale Stenographer / Assistant Librarian in the Commission on deputation basis for the last three years and has been promoted as Senior Scale Stenographer, the condition for serving for three years on deputation in the Commission on the post of Senior Scale Stenographer shall not be applicable</p>
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15.	Junior Scale Stenographer	<p>i) by direct recruitment or</p> <p>ii) by promotion amongst Clerk-cum-Computer Operators having two years experience as such and having English shorthand at a speed of 100 words per minute and transcription thereof at a speed of 20 words per minute and Hindi shorthand at a speed of 80 words per minute and transcription thereof at a speed of 15 words per minute and has passed the test conducted by the Commission or</p> <p>iii) by deputation of the employee having one year experience as Junior Scale Stenographer and having studied Hindi up to Matric or</p> <p>iv) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Clerk-cum-Computer Operator in the Commission on deputation basis for the last three years and has been promoted as Junior Scale Stenographer, the condition for serving for three years on deputation in the Commission on the post of Junior Scale Stenographer shall not be applicable</p>
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16.	Assistant Librarian	<p>i) by direct recruitment or</p> <p>ii) by promotion amongst Clerk-cum-Computer Operators having two years experience as such and with Graduate from a recognized University and Bachelor in Library and Information Science and Knowledge of Hindi or Sanskrit upto Matric or</p> <p>v) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Clerk-cum-Computer Operator in the Commission on deputation basis for the last three years and has been promoted as Assistant Librarian, the condition for serving for three years on deputation in the Commission on the post of Assistant Librarian shall not be applicable</p>
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17.	Clerk-cum-Computer Operator	<p>i) by direct recruitment or</p> <p>ii) by promotion amongst the employees having five years regular service on the post of Peon / Process Server and having Matric or equivalent from a recognized University / Education Board and having one year certificate course in Computer Applications and having Hindi or English typing at speed of 25 or 30 words per minute respectively or</p> <p>iii) by deputation of the employee having one year experience as Clerk-cum-Computer Operator and having Matric or equivalent from a recognized University / Education Board and having One year certificate course in Computer Applications and having Hindi or English typing at speed of 25 or 30 words per minute respectively or</p> <p>iv) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Peon / Process Server in the Commission on deputation basis for the last three years and has been promoted as Clerk-cum-Computer Operator, the condition for serving for three years on deputation in the Commission on the post of Clerk-cum-Computer Operator shall not be applicable</p>
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18.	Drivers	<p>i) by direct recruitment or</p> <p>ii) by promotion from amongst Group D employees of the Commission who have completed five years of regular service, and having passed middle Class examination, and able to maintain log book and two years experience of driving light vehicle with a valid driving license (light) or</p> <p>iii) by deputation of the employee having one year experience as Driver and having studied Hindi up to Matric or</p> <p>iv) by permanent absorption of the employee, who is already working on the post on deputation in the Commission, after completion of three years of service in the Commission. However, in case of permanent absorption of an employee, who was working as Peon / Process Server in the Commission on deputation basis for the last three years and has been promoted as Driver, the condition for serving for three years on deputation in the Commission on the post of Driver shall not be applicable</p>
19.	Peon / Process Server	<p>i) by direct recruitment or</p> <p>ii) by permanent absorption of the employee, who may be already working on the post on deputation in the Commission, after completion of three years service in the Commission</p>

**Haryana Electricity Regulatory Commission (Assured Career Progression) Rules**

**1. Short title, commencement and objective:-**

- (1) These rules may be called the Haryana Electricity Regulatory Commission (Assured Career Progression) Rules.
- (2) They shall be deemed to have come into force on the first day of January, 2006, unless otherwise provided by the Commission for any class or category of persons.
- (3) The objective of these rules is to provide two categories of assured career progression schemes for the officers and employees of the Commission - the first category of scheme is cadre-specific Assured career progression schemes for some cadres/posts prescribing time scales. The second category of scheme is primarily to remove stagnation in service, in the form of a general assured career progression scheme. The second category scheme seeks to ensure that all Commission officers and employees, whose cadres are not covered by any cadre-specific assured career progression scheme, get at least three financial upgradations, including financial upgradation, availed by such officers and employees of the Commission as a consequence of functional promotion during their entire career. It also seeks to ensure that no officer and employee of the Commission stagnates without any financial upgradation for more than ten years unless he has already availed three financial upgradations in his career.

**2. Categories of the officers and employees of the Commission to whom the rule apply:-**

- (1) Save as otherwise provided, these rules shall apply to persons appointed in the Commission on any post in connection with the affairs of the Commission and to those who are under the administrative control of the Commission and who are paid by the Commission and are mentioned in the Schedule I of these rules.
- (2) These rules shall not apply to:-
  - (a) Persons not in whole time employment;
  - (b) Persons paid out of contingencies;
  - (c) Persons paid otherwise than on monthly basis, including those paid on a piece-rate basis or on the basis of daily wages or on consolidated contractual payment;
  - (d) Any other class or category of persons whom the Commission may by order, specifically exclude from the operation of all or any of the provisions contained in these rules;

**3. Definitions:-**

In these rules, unless the context otherwise requires:-

- (a) **“cadre specific Assured Career Progression Scheme”** means a scheme falling within the scope of these rules and as mentioned in the Part I of Scheme I of these rules;
- (b) **“Commission”** means the the Haryana Electricity Regulatory Commission;
- (c) **“CSR”** means the Punjab Civil Services Rule as amended from time to time and as applicable in connection with the affairs of the Commission;
- (d) **“direct recruit fresh entrant”** with reference to a post or an officer or an employee of the Commission means the post on which such officer or employee of the Commission was recruited as a regular and direct recruit in the Commission service and is in continuous employment of Commission since such recruitment;
- (e) **“existing basic pay”** means pay drawn in a prescribed pre-revised scale of pay as on 1.1.2006 for the post held by the person(s) as present scale of pay for such post including stagnation increments but not including any other type of pay like “special pay”, “personal pay” etc.;
- (f) **“existing pay scale”** in relation to any post or any officer or employee of the Commission means the pre revise functional pay scale as on 01.01.2006 prescribed for the post on which such officer or employee of the Commission was recruited as a direct recruit fresh entrant;
- (g) **“functional pay scale”** in relation to an officer or an employee of the Commission means the pay scale which is prescribed for the post held by the officer or employee of the Commission. It does not mean any other pay scale in which the officer or employee of the Commission is drawing his pay as a personal measure to him on account of either length of service or higher/additional qualification or upgradation of pay scale due to any other reason;
- (h) **“first assured career progression pay band and grade pay under general ACP scheme”** means the first financial upgradation in terms of increased grade pay in the same pay band for all the officers and employees of the Commission covered under the general ACP scheme, as mention in column 4 of Part II of Schedule I with reference to the pay structure mentioned in column 3 of Part II of Schedule I;

Provide that the First Assured Career Progression pay band and grade pay may also be referred to as 1<sup>st</sup> ACP PB and GP;

- (i) **“The officer and employee of the Commission”** for the purposes of these rules means person(s) appointed to the post(s) in connection with the affairs of the Commission which are under the administrative control of the Commission and who are paid by the Commission and on whom these rules apply;
- (j) **“leave”** means any sanctioned leave as defined in C.S.R. except “casual leave”. Any type of absence without the sanction of competent authority shall not be considered as leave;

- (k) **“memorandum explanatory;** means the memorandum explanatory appended to these rules, briefly explaining the nature, philosophy, justification objectives, applicability etc. of these rules;
- (l) **“officiating post”** means the post which is held by the officer or employee of the Commission to which he has not been confirmed or to which he has been appointed as a temporary measure while still retaining his lien to a different post or to which he performs the duties while another person holds a lien to such post. The officer and employees of the Commission occupying a post while still on probation is also to be considered to be holding an officiating post. Further if competent authority has appointed an officer or employee of the Commission on a vacant post on which no other officer or employee of the Commission holds a lien, even such appointment shall be an appointment as against an officiating post;
- (m) **“present scale”** in relation to any officer or employee of the Commission who falls within the scope of these rules means the pay scale in which such officer and employee of the Commission was drawing his pre revised pay on 1.1.06, if such pay scale happened to be different from the functional pay scale prescribed for the post on which such officer or employee of the Commission was working;
- (n) **“pay scale as a personal measure to the officer and employee of the Commission”** with reference to any officer or employee of the Commission means any scale of pay, other than the functional scale in which such officer and employee of the Commission is drawing his pay, including 1st ACP, 2nd ACP and 3<sup>rd</sup> ACP, as the case may be;
- (o) **“persons”** mean persons who are the officers and employees of the Commission for the purpose of these rules;
- (p) **“pay”** means the amount drawn monthly by an officer or an employee of the Commission, in the pay scale in which he was drawing his salary before 31.12.2005;
- (q) **“revised ACP pay structure”** in relation to any the officer and employee of the Commission means revised corresponding Assured Career Progression pay band and grade pay in which the officer or employee of the Commission is eligible or entitled to be placed as a consequence of application of these rules of the present scale for the purpose of drawing the pay as a personal measure to such officer or employee of the Commission;
- (r) **“revised emolument”** means pay in the pay band + grade pay of an officer or an employee of the Commission in the revised pay structure in which the officer or employee of the Commission has been placed for drawing his pay by or under these rules and includes the revised non practicing allowance, if any, admissible to him in addition to the pay in the revised pay structure;
- (s) **“second assured career progression pay band and grade pay under general ACP”** means second financial upgradation in the form of increasing grade pay in the same pay band for all officers

and employees of the Commission who are covered in the general assured career progression scheme, as mentioned in column 5 of Part II of Schedule with reference to the grade pay mentioned in column 4 of the Part II of Scheme I. however, in case of an employee holding a post after promotion, the second ACP pay band and grade pay will be the pay band of the promotional post and the next available grad pay with reference to his existing grade pay;

Provided that the Second Assured Career Progression pay band and grade pay may also be referred to as 2<sup>nd</sup> ACP PB and GP;

- (t) **“Schedule”** means Schedule appended to these rules;
- (u) **“substantive pay”** means pay drawn by an officer or an employee of the Commission on the post to which the officer or employee of the Commission has been appointed substantively or by reason of his substantive position in a cadre;
- (v) **“third assured career progression pay band and grade pay under general ACP”** means third financial upgradation in the form of increasing grade pay in the same pay band for all officers and employees of the Commission who are covered in the general assured career progression scheme, as mentioned in column 6 of Part II of Schedule I with reference to the grade pay mentioned in column 5 of the Pat II of Schedule I. However, in case of an employee holding a post after promotion, the second ACP pay band and grade pay will be the pay band of the promotional post and the next available grade pay with reference to his existing grade pay;

Provided that the Third Assured Career Progression pay band and grade pay may also be referred to as 3<sup>rd</sup> ACP PB and GP;

#### **4. Cadre specific assured progression scheme:-**

The ACP Pay band and grade pay as time scales mentioned in column 3 of Part I of Schedule I to certain cadres/posts mentioned in column 2 of Part I of Schedule I shall be admissible to all the officers and employees of the Commission who become members of such cadres by way of direct recruitment or promotion or permanent absorption.

#### **5. General Assured Career Progression scheme:-**

Financial up gradation in the form of the first, the second and the third ACP pay band and grade pay as mentioned in column 4, 5 and 6 of Part II of Schedule I will be admissible to all the officers and employees of the Commission covered under this scheme with reference to their pre revised functional pay scale and the corresponding revised pay structure pay structure mentioned in column 2 and 3 respectively of Part II of Schedule I of these rules. However, in case of an employee holding a post after promotion, the entitled ACP pay band and grade pay will be the pay band of the promotional post and the next available grade pay with reference to his existing grade pay.

**6. Eligibility for grant of cadre specific ACP pay band and grade pay:-**

For the grant of cadre specific ACP pay band and grade pay the eligibility conditions will be the same as mentioned in Part I of Schedule I of these rules, apart from the general conditions of eligibility given in rule 8 hereunder.

**7. Eligibility for Grant of ACP grade pay under the general ACP scheme:-**

- (1) Every officer and employee of the Commission covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the first ACP grade pay (given in column 4 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 10 years of regular satisfactory service and has not got any financial upgradation in these ten years with reference to the functional pay structure of the post to which he was recruited as a direct entrant. Financial upgradation in this context includes functional promotion in the hierarchy or further revision/modification of the pay structure for the same post after 1.1.2006.
- (2) Every officer and employee of the Commission under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the second ACP grade pay (given in column 5 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 20 years of regular satisfactory service and has not got any financial upgradation in the last ten years. Financial upgradation in this context includes functional promotion in the hierarchy or further revision/modification of the pay structure for the same post after 1.1.2006.
- (3) Every officer and employee of the Commission covered under the general ACP scheme shall, for the purposes of drawal of pay, be eligible for the third ACP grade pay (given in column 6 of Part II of Schedule I in respect of the functional pay scale or pay structure of his post) if he has completed 30 years of regular satisfactory service and has not got any financial upgradation in the last ten years and has not got more than two financial upgradation so far. Financial upgradation in this context includes functional promotion in the hierarchy or further revision/modification of the pay structure for the same post after 1.1.2006.
- (4) In case of an officer or an employee of the Commission who gets promoted, he will be considered for the next ACP grade pay after he completes 10 years of regular satisfactory service in the promotional post without any financial upgradation and will be entitled to the next ACP grade pay with reference to the grade pay of the promotional post he holds;

Provided that an officer or an employee of the Commission shall not be entitled to avail ACP upgradation if, he has already availed of three financial upgradation of any kind in his career.



**Note:-** For the purpose of these rules, “regular satisfactory service” means continuous service counting towards seniority under the Commission, commencing from the date on which the officer or employee of the Commission joined his service after being recruited through the prescribed procedure or rules etc. for regular recruitment, in the cadre in which he is working at the time of his eligibility being considered for grant of ACP pay band and grade pay under these rules and further fulfilling all the requirements prescribed for determining the suitability of grant of ACP pay structure.

**Explanation. -** The ACP pay structure upgradation in the form of first ACP grade pay will come into play only if the officer or employee of the Commission has not got the benefit of at least one grade pay upgradation within the prescribed period of first ten years. Similarly, the second and third ACP grade pay will come into play only if the officer or employee of the Commission does not get two upgradations after twenty years of service and three upgradations after thirty years of service. If within ten years of service the officer or employee of the Commission has already got at least one financial upgradation or within twenty years of service, the officer or employee of the Commission has already got at least two financial upgradation, or within 30 years of service, the officer or employee of the Commission has already got at least three financial upgradation, benefit of these rules will not be extended to such officers or employees save if otherwise provided in these rules.

#### **8. Other general conditions of eligibilities of ACP pay structure:-**

The following general conditions shall also be fulfilled by an officer or an employee of the Commission for availing benefit of ACP:-

- (a) After completing the **respective** prescribed period for the eligibility for the grant of ACP pay structure the officer or employee of the Commission should be fit to be promoted to the next higher post in the functional hierarchy in his cadre, but could not be functionally promoted due to lack of vacancy in the promotional post in the hierarchy to which he is eligible to be promoted;
- (b) If such promotion involved passing of any departmental test or other test etc., such condition should also be fulfilled by such officer or employee of the Commission.

#### **9. Responsibility to be discharged etc:-**

On placement in the ACP pay structure, the officer or employee of the Commission shall continue to hold operational duties of his previous post held by him and will continue to hold the previous designation till such time he is actually promoted to the higher post on the occurrence of a vacancy.

## **10. Consequences of ACP pay structure etc:-**

Placement in the ACP pay structure will entitle only financial benefit of drawal of pay and dearness relief on pay in the ACP pay structure. The other entitlement including the entitlement generally dependent on the status of the employee shall continue to be determined with reference to his post on which he is working in the substantive capacity or to the functional pay structure of the post against which he was working substantively, before being granted the ACP pay structure.

## **11. Grant of Assured Career Progression grade pays:-**

- (1) The rule 7 and 8 only prescribe eligibility conditions for placement in the relevant ACP pay structure and does not authorize automatic placement in ACP pay structure in which the officer or employee of the Commission is eligible to be placed under these rules. The authority competent to grant promotion in case of an officer or an employee of the Commission shall be required to pass suitable orders for grant of ACP pay structure under these rules, authorizing the placement of an officer or an employee of the Commission in the appropriate ACP pay structure. Before passing such order
  - (a) the authority competent shall ensure that if there is a Departmental Promotion Committee, such Committee should consider the cases for grant of ACP pay structure as if there were cases for determining the suitability for promotion and that its recommendations are considered in the manner as considered in case of functional promotions;
  - (b) the authority competent shall ensure that the conditions and provisions laid down in these rules or any other order/instructions etc. issued under these rules or otherwise with this purpose, are strictly adhered to;
  - (c) the authority competent shall ensure that the number of financial upgradations granted to an officer or an employee of the Commission is counted with reference to the pay scale or pay structure of the post to which the officer and employee of the Commission was inducted as a direct recruit fresh entrant. For this purpose, each promotion, each grant of ACP grade pay or any other upgradation will be counted as one upgradation. The benefit of ACP shall not be extended to an officer or an employee of the Commission if he has already availed three financial upgradations in his career by way of ACP or otherwise.
  - (d) the authority competent shall also ensure compliance with the provision of these rules or any other rules or instructions issued by Commission.

**Explanation.-** The “authority competent “for the purpose of this rule would mean the authority competent in case of promotion for the respective categories of posts.

- (2) The ACP pay structure so granted shall be effective from the date it is due and not from the date on which the orders are issued by the competent authority, if the orders so issued by the competent authority have been issued on a date which is different from the due date of eligibility;

Provided that the officer and employee of the Commission shall draw his pay only after the orders for granting such pay structure are issued by the competent authority in the relevant ACP pay structure.

- (3) In case of the officers and employees of the Commission who are drawing pay in a pay scale other than the functional pay scale of the post held by them on or before the date of notification of these rules, there shall be no need to pass any orders under the provisions of sub-rules (1) and (2) above and they shall be entitled to draw their pay in the ACP pay structure corresponding to the pay scale in which they are drawing their pay;

Provided that this deemed grant of ACP pay structure will not affect his entitlement for revised pay structure in which he will be placed as a consequence of application of these rules. Such officers and employees of the Commission shall be placed in the appropriate revised ACP pay structure as per their eligibility under these rules for the purposes of fixation of pay as a consequence of application of these rules.

#### **12. Admissibility of stepping up in certain cases:-**

If the service rules provides for or circumstances warrant filling up of a post through direct recruitment as well as through promotion, benefit of stepping up of pay band and grade pay shall be admissible to the directly recruited senior officer or employee of the Commission if the junior promoted officer or employee of the Commission junior to him is drawing salary in higher pay band and grade pay on the basis of the benefit of ACP up gradation. However, the benefit of stepping up shall not be admissible to a promotee if he has already got three financial upgradation as provided under these rules in his service career.

#### **13. Special entitlement for ACP scales:-**

Where the functional pay structure of promotional post in the hierarchy is inferior to the ACP pay structure entitlement of the officer or employee of the Commission, had he not been promoted, as per his eligibility and entitlement on completion of prescribed length of service for the 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure entitlement, as the case may be, the officer or employee of the Commission shall be entitled to be placed in the 1<sup>st</sup> or 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure as the case may be after completing the prescribed period of service for being placed in the 1<sup>st</sup> or 2<sup>nd</sup> or 3<sup>rd</sup> ACP pay structure;

Provided that such functional promotion to a post with such inferior pay structure shall not be counted as a financial upgradation for the purposes of these rules.

#### **14. Ceasing of entitlement of ACP pay structure:-**

In case the officer or employee of the Commission chooses to forego any functional promotion on any ground whatsoever, while drawing his pay in any ACP pay structure with reference to him, he shall cease to be entitled to draw his pay in the ACP pay structure last granted to him and shall draw his pay in the pay band and grade pay he was drawing before the grant of the last ACP grade pay from the date of such forgoing of promotion.

#### **15. Scale of pay posts:-**

The pay scale for the purpose of these rules for the officer or employee of the Commission shall be as under:-

- (a) The revised ACP pay structure in case of cadre specific ACP schemes shall be as mentioned in Part I of Schedule I;
- (b) The revised pay structure in case of General ACP scheme shall be as specified in Part II of Schedule I.

#### **16. Drawal of pay in revised ACP structure:-**

- (1) Save as otherwise provided in these rules, an officer or an employee of the Commission shall draw pay in the revised ACP pay structure that is in ACP-I or ACP-II or ACP-III, as applicable in his case;

Provided that an officer or an employee of the Commission may elect to continue to draw pay in the present pay scale until the date on which he earns his next or any subsequent increment in the existing pay scale or until he vacates his post or ceases to draw pay in that pay scale;

**Explanation.** - The option to retain the present scale under the proviso of this rule shall be admissible in respect of only one scale out of the present scale(s) or existing scale(s).

#### **17. Exercise of option:-**

- (1) The option under the proviso to rules 16 shall be exercised in writing in the form appended to the Schedule II so as to reach the authority mentioned in sub-rule (2) within three months of the date of notification of these rules;

Provided that in the case of the officer or employee of the Commission who is on the date of such publication on leave or on deputation or on foreign service, the said option shall be exercised in writing so as to reach the said authority within three months of the date of his taking charge of his post in the Commission or on the expiry of the sanctioned leave, whichever is earlier;

Provided further that where an officer or an employee of the Commission is under suspension on the date of publication of these rules or, as the case may be, on the date of such order the option may be exercised within three months of the date of his return to his duty.

- (2) The option shall be intimated by the officer and employee of the Commission to the Head of his office.
- (3) If the intimation regarding option is not received within the time mentioned in sub-rule(1), the officer or employee of the Commission shall be deemed to have elected to be governed by the revised ACP pay structure on and from the 1<sup>st</sup> day of January, 2006.
- (4) The option once exercised shall be final.

**Note1.-** Persons whose services were terminated on or after the 1<sup>st</sup> January, 2006 and who cannot exercise the option within the prescribed time limit on account of death, discharge on the expiry of the sanctioned post, resignation, dismissal or removal on account of disciplinary proceeding, are entitled to the benefit of this rule.

**Note2.-** Persons who have died on or after the 1<sup>st</sup> day of January, 2006, and could not exercise the option within the prescribed time limit are deemed to have opted for the revised pay structure on and from the 1<sup>st</sup> day of January, 2006, or such later date as is most beneficial to their dependents, if the revised pay structure is more favourable and in such cases, necessary action for payment of arrears should be taken by the Head of Office.

#### **18. Fixation of initial pay in the revised ACP pay structure:-**

The initial pay of an officer or an employee of the Commission who elects or is deemed to have elected under sub-rule (3) of rule 17 to be governed by the revised ACP pay structure on and from the 1<sup>st</sup> day of January, 2006, shall, unless in any case the Commission by special order otherwise directs, be fixed in the revised ACP pay structure depending upon his eligibility in the following manner, namely:-

##### **(A) in case of all employees covered under ACP scheme-**

- (a) for employees covered under cadre specific ACP scheme-
  - (i) The pay in the ACP pay band/pay structure will be determined by multiplying the existing basic pay as on 1.1.2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10;
  - (ii) If the minimum of the revised ACP pay band/pay structure is more than the amount arrived at as per (i) above, the pay shall be fixed at the minimum of the revised ACP pay band/pay structure and grade;
- (b) for employees covered under general ACP scheme
  - (i) in case of the officers and employees of the Commission who are drawing pay in a pay scale other than the functional pay of the post held by them (ACP scale) on or before of the date of the notification of these rules, their pay shall be fixed in the functional pay band of the post

held by them by multiplying the existing basic pay as on 1.1.2006 by a factor of 1.86 and rounding the resultant figure to the next multiple of 10. The grade pay corresponding to the existing ACP pay scale will be payable in addition;

- (ii) if the minimum of the revised ACP pay band/pay structure is more than the amount arrived at as per (i) above, the pay shall be fixed at the minimum of the revised ACP pay band/pay structure and grade pay;

**Provided that:-**

- (I) where, in the fixation of pay, the pay of the officers and employees of the Commission drawing pay at two or more consecutive stages in present scale gets bunched, that is to say, gets fixed in the revised ACP pay structure at the same stage in the pay band, then, for every two stages so bunched, benefit of one increment shall be given so as to avoid bunching of more than two stages in the revised running ACP pay bands. For the purpose, the increment will be calculated on the pay in the ACP pay band. Grade pay would not be taken into account for the purpose of granting increments to alleviate bunching.
  - (II) In the case of pay scales in higher administrative grade (HAG) in the pay band PB-4, benefit of increments due to bunching shall be given taking into account all the stages in different pay scales in this grade.
  - (III) If by stepping up of the pay as above, the pay of an officer or an employee of the Commission gets fixed at a stage in the revised ACP pay band/pay structure (where applicable) which is higher than the stage in the revised ACP pay band at which the pay of an officer or an employee of the Commission who was drawing pay at the next higher stage or stages in the same present scale is fixed, the pay of the latter shall also be stepped up only to the extent by which it falls short of the of the former.
- (iii) the pay in the ACP pay band will be determined in the above manner. In addition to the pay in the ACP pay band, grade pay corresponding to the existing pay structure will be admissible.
- (B) in the case of the officers or employees of the Commission who are in receipt of special pay/ allowance in addition to pay in the present scale which has been recommended for replacement by a pay band and grade pay without any special pay/allowance, pay shall be fixed in the revised pay structure in accordance with provisions of (A) above.

(C) in the case of officers or employees of the Commission who are in receipt of special pay component with any other nomenclature in addition to pay in the present scales, such as personal pay for promoting small family norms, etc., and in whose case the same has been replaced in the revised structure with corresponding allowance/pay at the same rate or at a different rate, the pay in the revised structure shall be fixed in accordance with the provisions of clause (A) above. In such cases, the allowance at the new rate as recommended shall be drawn in addition to pay in the revised structure of pay from the date specified in the relevant notifications related to these allowances;

**Note1.** - An **officer** or an employee of the Commission who is on leave on the 1<sup>st</sup> day of January, 2006, and is entitled to leave salary shall become entitled to pay in the revised pay structure from 1.1.2006 or the date of option for the revised pay structure. Similarly, where an officer or an employee of the Commission is on study leave on the first day of January, 2006, he will be entitled to the benefits under these rules from 1.1.2006 or the date of option.

**Note2.** -In case of the officer or employee of the Commission under suspension, he shall continue to draw subsistence allowance based on present scale of pay and his pay in the revised structure of pay will be subject to final order on the pending disciplinary proceedings or otherwise a final order, as the case may be.

**Note3.**- Where the 'existing emoluments' exceed the revised emoluments in the case of any officer or employee of the Commission, the difference shall be allowed as personal pay to be absorbed in future increases in pay.

**Note4.** - Where in the fixation of pay under sub-rule (I), the pay of an officer or an employee of the Commission, who, in the present scale was drawing immediately before the 1<sup>st</sup> day of January, 2006 more pay than another officer or employee of the Commission junior to him in the same cadre, gets fixed in the revised pay band at a stage lower than that of such junior, his pay shall be stepped up to the same stage in the revised pay band as that of the junior.

**Note5.**- Where an **officer** or an employee of the Commission is in receipt of personal pay on the 1<sup>st</sup> day of January, 2006, which together with his existing emoluments exceeds the revised emoluments, then, the difference representing such excess shall be allowed to such officer or employee of the Commission as personal pay to be absorbed in future increase in pay.

**Note6.**- In case where a senior officer or employee of the Commission has moved into first, second or third ACP pay structure, as the case may be, before the 1<sup>st</sup> day of January, 2006 and draws less pay in the revised pay structure than his junior who moves into the same entitled first, second or third ACP pay structure on or after the 1<sup>st</sup> day of January, 2006, the pay in the pay band of the senior officer or employee of the Commission should be stepped up to an amount equal to the pay in the pay band as fixed for his junior in that ACP pay structure. The stepping up should be done with

effect from the date on which the Junior officer or employee of the Commission moved into the same ACP pay structure subject the fulfillment of the following conditions, namely:-

- (a) both the junior and the senior officers or employees of the Commission should belong to the same cadre and the ACP pay band in which they have been moved should be same and in the same cadre;
- (b) the present scale of pay and the revised grade pay of the lower and higher posts in which they are entitled to draw pay should be same;
- (c) the senior officers or employees of the Commission at the same time he moved into the first, second or third ACP pay band, as the case may be, should have been drawing equal or more pay than the junior.

The order relating to re-fixation of the pay of the senior officer in accordance with the above provisions should be issued under these rules and the senior officer will be entitled to the next increment on completion of his required qualifying service with effect from the date of re-fixation of pay.

**Note.-** The placement in the first, second or third ACP pay structure, as the case may be, does not amount to a functional promotion and therefore the presumption of higher responsibility cannot be taken in such placements in the ACP pay structure. However, still the benefit of fixation of pay corresponding to the placement in the higher pay structure as a consequence of promotion that is presuming the higher responsibility shall be extended at the stage of fixation of pay in the first, second or third ACP pay structure, as the case may be. Therefore, if the grade pay of the promotional post and the ACP pay structure in which the officer and employee of the Commission is drawing his pay prior to the promotion are identical, his pay will not again be fixed in the functional pay structure of the promotional post which is identical to the ACP pay structure in which he was drawing his pay before promotion. He will continue to draw his salary at the same stage and his date of increment will also continue to be the same as before the promotion.

#### **19. Rate of increment in the revised ACP pay structure:-**

The rate of increment in the revised ACP pay structure will be 3% of the sum of the pay band and grade pay applicable, which will be rounded off to the next multiple of 10. The amount of increment will be added to the existing pay in the pay band. Illustration in this regard is in the Explanatory Memorandum of these rules.

#### **20. Date of next increment in the revised pay structure:-**

There will be a uniform date of annual increment, viz. 1<sup>st</sup> July of every year. The officers and employees of the Commission completing 6 months and above in the revised ACP pay structure as on 1<sup>st</sup> July will be



eligible to be granted the increment. The first increment after fixation of pay of 1.1.2006 in the revised ACP pay structure will be granted on 1.7.2006 for those employees for whom the date of next increment was between 1<sup>st</sup> July 2006 to 1<sup>st</sup> January 2007:

Provided that in the case of persons who had been drawing maximum of the present scale for more than a year as on the 1<sup>st</sup> day of January 2006, the next increment in the revised ACP pay structure shall be allowed on the 1<sup>st</sup> day of January 2006. Thereafter, the provision of rule 17 would apply:

Provided further that in cases where an officer or an employee reaches the maximum of his pay band, shall be placed in the next higher pay band after one year of reaching such a maximum. At the time of placement in the higher pay band, benefit on one increment will be provided. Thereafter, he will continue to move in the higher pay band till in the pay band reaches the maximum of PB-4, after which no further increments will be granted.

#### **21. Fixation of pay in the revised ACP pay structure subsequent to the 1st day of January 2006:-**

Where an officer or an employee of the Commission continues to draw his pay in the present scale and is bought over to the revised ACP pay structure from a date later than the 1<sup>st</sup> day of January 2006, his pay from the later date in the revised ACP pay structure shall be fixed in the following manner:-

Pay in the pay band will be fixed by adding the basic pay applicable on the later date, the dearness pay applicable on that date and the pre-revised dearness allowance based on rates applicable as on 1.1.2006. This figure will be rounded off to the next multiple of 10 and will then become the pay in the applicable pay band. In addition to this, the grade pay corresponding to the pre-revised pay scale will be applicable. Where the officer or employee of the Commission is in receipt of special pay or non-practicing allowance, the methodology followed will be as prescribed in rule 18(A), (B), (C), (D) as applicable, except that the basic pay and dearness pay to be taken in to account will be the basic pay and dearness pay applicable as on that but dearness allowance will be calculated as per rates applicable on 1.1.2006.

#### **22. Fixation of pay on placing in ACP pay structure on or after 1.1.2006:-**

- (1) In the case of moving from one grade pay to another in the revised ACP pay structure, the fixation will be done as follows;

One increment equal to 3% of the pay in the ACP pay band and the existing be computed and rounded off to the next multiple of 10. This will be added to the existing pay in the pay band. The grade pay corresponding to the immediate next higher present pay scale will thereafter be granted in addition to this pay in the ACP pay band. In cases where ACP involves change in the pay in the ACP pay band after

adding the increment is less than the minimum of the higher ACP pay band to which ACP is taking place, pay in the ACP pay band will be stepped up to such minimum.

- (2) On upgradation in ACP pay structure from one grade pay to another, an officer or an employee of the Commission has an option under CSR to get his pay fixed in the immediate higher grade pay either from the date of his upgradation in ACP pay structure, or from date of his next increment, viz, 1<sup>st</sup> July of the years. The pay will be fixed in the following manner in the revised ACP pay structure:-
- (i) In case the officer or employee of the Commission opts to get his pay fixed from his date of next increment, then, on the date of upgradation in ACP pay structure, pay in the pay band shall continue unchanged, but the grade pay of the higher ACP pay structure will be granted. Further re-fixation will be done on the date of his next increment i.e. 1<sup>st</sup> July. On that day, he will be granted two increment; one annual increment and the second on account of upgradation in ACP pay structure. While computing these two increments, basic pay prior to the date of upgradation in ACP pay structure shall be taken into account. To illustrate, if the basic pay prior to the date of upgradation in ACP pay structure was Rs 100. First increment would be computed on Rs. 100 and the second on Rs.103.
  - (ii) In case the officer or employee of the Commission opts to get his pay fixed in the higher grade from the date of his upgradation in ACP pay structure, he shall get his first increment in the higher grade on the next 1<sup>st</sup> July if he was upgraded in ACP pay structure between 2<sup>nd</sup> July and 1<sup>st</sup> January. However, if he was upgraded in ACP pay structure between 2<sup>nd</sup> January and 30<sup>th</sup> June of particular year, he shall get his increment on 1<sup>st</sup> July of next year.

### **23. Mode of payment of arrears of pay:-**

The arrears shall be paid in cash in two installments. The first installments should be restricted to 40% of the total arrears. The remaining 60% of arrears should be paid during the next financial year.

**Explanation;** - For the purpose of this rule-

- (a) “arrears of pay” in relation to a The officer and employee of the Commission means the difference between;

the aggregate of the pay and allowances to which he is entitled on account of the revision of his pay and allowances under these rules, for the relevant period. Revised allowances (except for dearness allowance and non practicing allowance) will be payable only with effect from 1.1.2009 the aggregate of the pay and allowance to which he would have been entitled (Whether such pay and allowance had been received or not) for that period had his pay and allowances not been so revised;

(b) “relevant period” means the period commencing on the 1<sup>st</sup> day January 2006 and ending with the 31.12.2008.

**24. Overriding effect of rules:-**

The provisions of CSR or any other rules made in this regard shall not, save as otherwise provided in these rules apply to cases where pay is regulated under these rules to the extent they are inconsistent with these rules.

**25. Power of relax:-**

Where the Commission is satisfied that the operation of all or any of the provision of these rules causes undue hardship in any particular case, it may, by order dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

**Note.-** The relaxation so granted under this rule shall be deemed to have been given depending upon the merit of such class and categories of the officers and employees of the Commission and therefore will not amount to any discrimination with other class and categories of the officers and employees of the Commission.

**26. Power to make addition or deletion etc:-**

Where the Commission is satisfied that there is a necessity to make any addition or delete any class or categories of posts or change temporarily in the Schedule to the rules, the Commission will be competent to add or delete or change such conditions. The provisions of these rules will apply on such additions or deletions or changes as the Commission may direct by specific orders or in the absence of that all the provision of these rules shall apply as if the changes were made.

**27. Interpretation:-**

If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Commission for decision.

**28. Residuary provisions:-**

In the event of any general or special circumstance which is not covered under these rules or about which certain inconsistency comes to the notice, the matter shall be referred to the Commission and Commission will prescribe the conditions to be followed under such circumstances. Such conditions as prescribed by the Commission under this rule shall be deemed to be part of these rules. Further, if the Commission is satisfied that there is a requirement to prescribe certain additional conditions under these rules, the Commission shall prescribe such additional conditions and such additional conditions shall be deemed to be the part of these rules.

**Schedule I**  
**Part I**  
[see rules 2 (1), 3(a), 4, 6, and 15 (a)]

S. No.	Name of the Post	ACP Pay Structure		
		Pay Band	Pay Band Code	Grade Pay
1	2	3		
1	Secretary / Director (Tariff) / Director (Technical)	(i) 37400-67000 (Entry Level Pay Band)	PB-4	10000
		(ii) 37400-67000 (after 5 years of regular satisfactory service)	PB-4	12000
2	Joint Directors	(i) 37400-67000 (Entry Level Pay Band)	PB-4	8900
		(ii) 37400-67000 (after 5 years of regular satisfactory service)	PB-4	10000
		(iii) 37400-67000 (after 10 years of regular satisfactory service)	PB-4	12000
3	Deputy Directors / System Manager / Law Officers / Deputy Secretary (Personnel)	(i) 37400-67000 (Entry Level Pay Band)	PB-4	8800
		(ii) 37400-67000 (after 5 years of regular satisfactory service)	PB-4	8900
		(iii) 37400-67000 (after 10 years of regular satisfactory service)	PB-4	10000
		(iv) 37400-67000 (after 15 years of regular satisfactory service)	PB-4	12000

**Schedule I**  
**Part II**  
[see rules 3 (g), (s), (v), 5,7 and 15 (b)]

Sr. No.	Functional Pay scale to the post as on 31.12.05 on which the Commission officer or employee was recruited / promoted	Corresponding Pay Band and Grade Pay as per 6 <sup>th</sup> Pay Commission			ACP Pay Structure		
		Pay Band Code	Pay Band	Grade Pay	First Assured Career Progression Grade Pay	Second Assured Career Progression Grade Pay	Third Assured Career Progression Grade Pay
1	2	3			4	5	6
1.	2550-3200	-1S	4440-7440	1300	1650	1800	1900
2.	3050-4590	PB-1	5200-20200	1900	2400	3200	3300
3.	4000-6000	PB-1	5200-20200	2400	3200	3300	3600
4.	5000-7850	PB-2	9300-34800	3200	3300	3600	4000
5.	5500-9000	PB-2	9300-34800	3600	4000	4200	4600
6.	6500-10500	PB-2	9300-34800	4200	4600	4800	5400
7.	6500-8500	PB-2	9300-34800	4600	4800	5400	6000
8.	7450-11500	PB-2	9300-34800	4600	4800	5400	6000
9.	9025-325-14550	PB-2	9300-34800	5400	6000	6400	6600
10.	14700-400-18700	PB-4	37400-67000	8800	8900	9500	9800
11.	15950-450-20000	PB-4	37400-67000	8900	9500	9800	10000
12.	18400-500-22400	PB-4	37400-67000	10000	12000	No Change	No Change

**SCHEDULE II**  
**Form of Option**  
**[see rule 17(1)]**

\* (i) I \_\_\_\_\_ hereby elect the revised pay structure with effect from 1st January, 2006.

(ii) I \_\_\_\_\_ hereby elect to continue on the existing scale of pay of my substantive/officiating post mentioned below until:

\* the date of my next increment;

the date of my subsequent increment raising my pay to Rs. \_\_\_\_\_:

I vacate or cease to draw pay in the existing scale:

the date of my promotion to \_\_\_\_\_

Present Scale \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Designation \_\_\_\_\_

Office in which employed \_\_\_\_\_

Date:

Station:

\*To be scored out, if not applicable

**MEMORANDUM EXPLANATORY TO HARYANA ELECTRICITY REGULATORY  
COMMISSION (ASSURED CAREER PROGRESSION) RULES**

**Rule1.** This rule is self explanatory.

The objective of this rule is to provide two kinds of Assured Career Progression Scheme namely:-

- (1) Cadre Specific Assured Progression Scheme for certain categories of officers and employees/cadres.
- (2) General Assured Career Progression Scheme for all other group A, B, C and D officers and employees of the Commission who are not covered under scheme (1).
- (3) The object is that in case of stagnation i.e. in the absence of promotion for a certain years of service, the officer or employee will move to the Ist, IInd and IIIrd ACP structure or pay though he shall continue to discharge the same responsibility. Functionally, therefore, this movement shall not amount to a promotion and the objective of this scheme is to offset the financial stagnation as a consequence of non-availability or non requirement of financial promotion posts. These rules have been framed so that this facility is available to all the officers and employees equally under equal circumstances. The classification, therefore, is based on the principle that one requires reasonable financial upgradations at different stages of his career if the requirements do not allow him an opportunity of functional promotion and consequential financial upgradation due to non availability of functional promotional avenues.

The problem of stagnation was widely recognized throughout the country in Government employments. It was felt that to keep the level of motivation of the employees at a satisfactory level it is required that this general problem of lack of promotional avenues and thereby lack of financial advantages should be addressed to adequately.

The entire scheme of Assured Career Progression is about granting a person pay upgradation, when functional considerations do not permit him to rise in the hierarchy. He continues to perform the same job as before but moves into the prescribed higher pay band and grade pay, subject to his eligibility. The idea here is the basic one that reasonable financial upgradation at different stages of his career can be provided in the absence of opportunity of functional promotion. The efforts of these rules are to relieve stagnation without unduly upsetting the hierarchy. Thus, the Commission officers and employees of group A,B,C and D shall be covered under this scheme in following manner:-

- (i) The scheme will provide opportunities of financial upgradation to officers and employees on completion of 10, 20 and 30 years of

services, if they have not got promotion during previous 10 years of service. For this purpose, every officer's or employee's service record may be reviewed on completion of 10, 20 and 30 years. If on these landmarks of career, it is found that they have not been promoted in the last 10 years, then they may be given financial upgradation in the form of conferring the next available grade pay. The admissible grade pay is to be followed as per Schedule-I of this report.

- (ii) When an officer or an employee gets promoted, for the purpose of admissibility of ACP subsequent to the promotion, his service in the promoted cadre/post will be taken into consideration to determine if he has stagnated at that stage. For example, if a peon gets promoted as Clerk, his case will be reviewed after 10, 20 and 30 years as clerk and ACP will be given with reference to the pay scale of clerk.
- (iii) As per General ACP Scheme, an officer or an employee can get a maximum of three ACPs in his career. This means, if the officer or employee has got ACP upgradation in the post in which he was initially recruited, then in the promotional post, the number of ACPs will be reduced after adjusting the number of ACPs he got in the post of his initial recruitment. However, direct recruitment to a higher post will not debar for the entitlement of ACP Scheme. An officer or an employee initially appointed to a lower post and subsequently appointed to a higher post through direct recruitment or limited competition of existing officer or employee will also be entitled to full range of ACP.

The ACP scheme through these rules provides for the following:

- (i) every officer or employee recruited in a particular grade pay shall be allowed to move to his respective and specific higher grade pay on completion of specified period of residency in the lower pay band and grade pay, with reference to the pay band and grade pay or post in a pay band and grade pay, to which he was recruited as a direct recruited fresh entrant.
- (ii) on placement in next higher grade pay, the incumbent shall continue to perform duties of his original posts and will continue to hold the old designation till such time as he is actually promoted to the higher grade pay on the occurrence of a vacancy.
- (iii) placement in higher grade pay will entail only the financial benefits.



- (iv) the number of financial upgradations to be given shall be counted from the grade where an officer or an employee was inducted on direct recruitment basis. The number of financial upgradations shall be strictly adhered to and there shall be no additional financial upgradation for a senior officer or employee on the ground that a junior officer or employee in the pay band and grade pay got higher pay band and grade pay under this scheme, if both the senior and junior are not subject to identical circumstances.

The present scheme provides for following distinguishing features:-

- (i) the classification is based on the differentiation distinguishing the direct recruits in a lower pay band and grade pay and the direct recruits in a higher pay band and grade pay. Further it differentiates the officers and employees of the Commission based on the length of service. For example a suitable eligible officer or employee in a lower pay band and grade pay may be granted the higher pay band and grade pay after completing 10, 20 and 30 years of service while he still continues functionally holding the same post on which he was recruited. He may, therefore, actually be placed in a higher grade pay after completion of 20 or 30 years of service, as the case may be, in the lower post than the pay band and grade pay prescribed for the next promotional post in the hierarchy. But he constitutes a different class and category of officers or employees recruited directly against such higher post, which is the next promotional post for the post on which an officer or an employee has been granted the benefit of ACP pay structure under these rules, based on a different principle.
- (ii) The objective sought is to compensate financially an officer or an employee who is stagnating without any promotion in a lower post in cases for example for 10, 20 and 30 years. There is no functional requirement for creating posts in the higher hierarchy for all such employees. Therefore, they are being allowed a higher grade pay in compensation. The classification explained in (i) above meets this objective and therefore, is having a rational relation to the object sought to be achieved by these rules.

**Rule 2.** This rule lays down the categories of officers or employees of whom the rules apply. Except for the categories excluded under sub-rule (2) of this rule, the rules are applicable to all the officers and employees of the Commission appointed under the rule serving in connection with the affairs of the Commission and who are paid by the Commission.

**Rule 3.** This rule is self explanatory.

Further, wherever the terms defined under this rules or any other rules/instructions/orders/notifications etc. issued in connection with these rules, definition as prescribed under this rule is to be taken as the meaning of such terms unless specifically a different definition is prescribed for such terms to be taken as meaning for and in these rules or, as the case may be, in any other rules / instructions / orders / notifications etc.

**Rule 4.** This rule is self explanatory

**Rule 5.** This rule is self explanatory

**Rule 6.** This rule is self explanatory.

**Rule 7 and 8.** These rules are self explanatory.

It lays down the conditions which are essential to be met by an officer or employee of the Commission to be eligible for grant of the benefit under these rules.

**Rule 9 and 10.** These rules are self explanatory.

The objective of grant of ACP pay structure is only limited to offset financial consequences of stagnation. No other benefit in any way or in any manner is to be extended to the officers and employees of the Commission.

**Rule 11.** This rule is self explanatory.

The rule lays down the authorisation of grant of the benefit to be extended under these rules. It further exempts the categories of the officers and employees of the Commission who have already been extended the corresponding benefit in the past. In case of such officers and employees of the Commission the eligibility is not be assessed afresh or a formal order granting the benefit is not to be passed separately. However, for the purposes of providing and placing in the revised pay scales and for all other purpose under these rules they shall be governed by the conditions laid down in this rule.

**Rule 12.** This rule is self explanatory.

**Rule 13.** This rule is self explanatory.

The rule aims at removing the distortions which may crop up in isolated cases where if the employee had not been promoted, he would have been entitled to better financial benefits.

**Rule 14.** This rule is self explanatory.

This rule provides that the benefit of these rules are not granted as a matter of right, rather it is granted as a consequence of non-availability of posts in the hierarchy for such officers and employees of the Commission to be promoted against and as a consequence to get the financial upgradation based on the concept of responsibility and status. Therefore, after having taken the benefit as a consequence of non-availability if adequate number of posts in the promotional hierarchy, if some body foregoes the promotion and thereby refuses to shoulder higher responsibility, he is not entitled for the benefit of these rules.

**Rule15.** This rule is self explanatory.

**Rule 16.** This rule is self explanatory.

**Rule 17.** This rule prescribes the manner in which option has to be exercised and also the authority who should be apprised of such option. The option has to be exercised on the appropriate proforma appended to the rule. It should further be noted that it is not sufficient for an officer or employee of the Commission to exercise the option within the specified time limit, but also to ensure that it reaches the prescribed authority within the time limit officially and in writing on the prescribed proforma. In the case of persons who are on leave or on deputation or on foreign service at the time these rules are notified, the period within which the option has to be exercised is three months from the date they take over charge of the post. It is further made clear that unauthorized absence shall not entitle an officer or employee of the Commission to get the relief as granted under these rules for the officers and employees of the Commission who are on leave. The period of 3 months shall be counted from the date on which the sanctioned leave expires. No other exigency shall enable such the officers and employees of the Commission the above said relief.

The persons, who have retired between 1<sup>st</sup> January, 2006 and the date of issue of these rules are also eligible to exercise the option.

**Rule 18.** (1) This rule deals with the actual fixation of pay in the revised functional pay scales on 1<sup>st</sup> January, 2006. For the purposes of these rules the procedure under this rules and no other procedure under a different rule shall be followed.

**Rule 19 &20.** This rule prescribes the manner in which the next increment in the new scale should be regulated. The provisos to this rule are intended to eliminate the anomalies of junior officers and employees of the Commission drawing more pay than their senior by the operation of substantive part of this rule and also taking care of the officers and employees of the Commission who have been drawing pay at the maximum of the existing scale for more than one year as on 1.1.2006 and also those officers and employees of the Commission who have been stagnating at the maximum of the existing scale and are actually in receipt of stagnation increments on ad hoc basis.

However, the benefit of this rule will be granted in relation to both the senior and junior drawing their pay in the functional pay scales prescribed for the posts.

**Rule 21 to 23.** These rules are self explanatory.

**Rule 24.** This rule relates to the overriding effect to the rule which provides that the provisions of these rules will regulate and the provisions of any other rule will not regulate the conditions as prescribed in these rules and to the extent of any inconsistency between the provision of these rules and provisions of any other rules, the provisions of these rules shall prevail and apply.

**Rule 25.** This rule is self explanatory.

There could be a possibility that these rules may cause some hardship in any particular case or to a class or category of posts. Under such circumstances the provisions of rule is clear that it has to be invoked only if the Commission is satisfied about the existence of some hardship which is required to be relaxed. The relaxation of such hardship shall be based on the merit of individual cases or the cases of class and categories of employees where such hardship is found to be justified for relaxation. Removal of such hardship would therefore, not amount to any discrimination where such hardship has either not been found to exist or has not been found to be justified for relaxation.

**Rule 26.** This rule is self explanatory.

If the circumstance so require the Commission can add or delete or change any of the parameters as mentioned in the 1<sup>st</sup> Schedule and may further direct the mode in which the provisions of these rules shall be applicable on such changes either generally or specifically. However, in event of absence of any general or specific direction for the applicability of the provisions laid down under these rules, it shall be presumed that the entire rule shall be applicable on such changes.

**Rule 27.** This rule is self explanatory.

**Rule 28.** This rule is self explanatory.

### Illustration

Pay fixation on grant of increment in the revised ACP pay structure

1.	Pay in the PB-2	Rs. 9300
2.	Grade Pay	Rs. 4200
3	Total of pay +grade pay	Rs. 13500
4.	Rate of increment	3% of 3 above
5.	Amount of increment	Rs. 405 rounded off to Rs. 410
6.	Pay in the pay band after increment	Rs. 9300+410
7.	Pay after increment	Rs. 9710
8.	Grade pay applicable	Rs. 4200