

(Authoritative English text of Government Notification No. Fish-A(3)-6/2001, dated the August, 2010 as required under Article 348 (3) of the Constitution of India).

26/8/10

**Government of Himachal Pradesh  
Department of Fisheries**

No. Fish-A(3)-6/2001

Dated Shimla-2, the 26 August, 2010

**NOTIFICATION**

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment & Promotion Rules for the post of Junior Technician(Machenic) Class-III (Non-Gazetted) in the Department of Fisheries, Himachal Pradesh as per Annexure-A, attached to this notification, namely :-

- |                              |   |  |
|------------------------------|---|--|
| Short title and Commencement | 1 | (i) These rules may be called the Himachal Pradesh Department of Fisheries, Junior Technician(Machenic), Class-III (Non-Gazetted), Recruitment & Promotion Rules, 2010   |
|                              |   | (ii) These rules shall come into force from the date of their publication in Rajpatra, HP  |
| Repeal and Savings           | 2 | (i) The Himachal Pradesh Fisheries Department's Machenic Class-III(Non-Gazetted Executives)Recruitment and Promotion Rules, 1985 notified vide notification No. Matysa-Kha(1)-1/83 dated 24.12.1985 are hereby repealed.   |
|                              |   | (ii) Notwithstanding such repeal any appointment made or anything done or any action taken under the rules so repealed under sub-rule(i) supra shall be deemed to have been validly made, done or taken under these rules. |

By Order

Pr. Secretary (Fisheries) to the  
Government of Himachal Pradesh

Dated Shimla-2, 26 August, 2010

Endst. No.: As above.

Copy is forwarded to the following:-

1. All the Administrative Secretaries to the Govt. of HP, Shimla-2
2. The Controller, P&S, Shimla-5 for publication in the Rajpatra.
3. The Assistant Legislative Draftsman (English) HP Sectt. Shimla-2.
4. The Director-cum-Warden of Fisheries, H.P., Bilaspur-174001.

*(Signature)*  
Under Secretary (Fisheries) to the  
Government of Himachal Pradesh

Annexure-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF Junior Technician (Mechanic) (Non-GAZETTED) CLASS-III IN THE DEPARTMENT OF Fisheries HIMACHAL PRADESH.

- 1. Name of the Post: Junior Technician(Mechanic)
- 2. Number of posts 1 (one)
- 3. Classification Class-III, NON-GAZETTED
- 4. (i)Pay Scale for regular Pay Band =5910-20200  
incumbents Grade Pay= 1900  
Initial Pay. 7810/-
- (ii)Emoluments for Contract Rs.7810/-  
employees
- 5. Whether Selection or Non- N.A.  
Selection post:
- 6. Age for direct recruitment; Between 18 and 45 years.

Provided that the upper age limit for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on adhoc or on contract basis;

Provided further that if a candidate appointed on adhoc or on contract basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such adhoc or contract appointment;

Provided further that upper age limit is relaxable for Scheduled Castes/ Scheduled Tribes/ Other Backward categories of persons to the extent permissible under the general or special order(s) of the Himachal Pradesh Government;

Provided further that the employees of all the Public Sector Corporation and Autonomous Bodies who happened to be Government servants before absorption in Public Sector Corporations/Autonomous Bodies at the time of initial constitutions of such Corporations/ Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector Corporations/ Autonomous Bodies who were/ are subsequently appointed by such Corporations/ Autonomous Bodies and who are / were finally absorbed in the service of such Corporation/ Autonomous Bodies after initial constitutions of the Public sector Corporations/ Autonomous Bodies.

- (i) Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) is / are advertised for inviting applications or notified to the Employment Exchanges or as the case may be.
- (ii) Age and experience in the case of direct recruitment relaxable at the discretion of the H.P. Public Service Commission in case the candidate is otherwise well qualified.

- 7. Minimum Educational and other qualifications required for direct recruits; a) ESSENTIAL QUALIFICATION  
(i) Matriculations /Higher Secondary Part-I from a recognized Board/Institution.

(ii) Certificate in the Trade of Motor Mechanic from a recognized ITI/Institution.

**(b) DESIRABLE QUALIFICATIONS**

Knowledge of customs, manner and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

- 8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees: **Age:-----Not applicable. Educational qualification ---N.A.**
- 9. Period of probation, if any; Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing .  
Provided that the provisions of this Rule shall not be applicable in the case of Contract appointments.
- 10. Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of posts to be filled in by various methods. 100% by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be. The contract employees will get emoluments as given in Col. 15-A and will be governed by service conditions as specified in the said column.
- 11. In case of recruitment by promotions, deputation, transfer grade from which promotion/ deputation/ transfer is to be made; N.A.
- 12. If a Departmental Promotion Committee exists, what is its composition; N.A.
- 13. Circumstances under which the H.P.P.S.C. is to be consulted in making recruitment; As required under the law.
- 14. Essential requirement for direct recruitment; A candidate for appointment to any service or post must be a citizen of India.
- 15. Selection for appointment to post by direct recruitment. Selection for appointment to the post in the case of direct recruitment shall be

made on the basis of viva-voce test and if Himachal Pradesh Public Service commission or other recruiting authority as the case may be, so consider necessary or expedient by a written test or practical test, the standard syllabus etc. of which, will be determined by the commission/other recruiting authority as the case may be.

15 A Selection for Appointment to the post by contract appointment.

Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:-

**(I) CONCEPT**

(a) Under this policy, the Junior Technician(Mechanic) in the Department of Fisheries, H.P. will be engaged on contract basis initially for one year, which may be extendable on year to year basis.

Provided that for extention/renewal of contract period on year to year basis the concerned HOD shall issue a certificate that the service and conduct of the contract appointee is satisfactory during the year and only then his period of contract is to be renewed/extended.

**(b) POST FALLS WITHIN THE PURVIEW OF HPSSSB:-**

The Director-cum-Warden of Fisheries, after obtaining the approval of the Government to fill up the vacant posts on contract basis will place the requisition with the concerned recruiting agency i.e. H.P. Subordinate Services Selection Board Hamirpur.

(c) The selection will be made in accordance with the eligibility conditions as prescribed in these Rules.

**(II) CONTRACTUAL EMOLUMENTS**

The Junior Technician(Mechanic) appointed on contract basis will be paid consolidated fixed contractual amount @ Rs 7810/- P.M. (which shall be equal to minimum of the Pay Band+ Grade Pay). An amount of Rs 240/-(3% of the minimum of Pay Band+Grade Pay of the post) as annual increase in contractual emoluments for the subsequent year(s) will be allowed if contract is extended beyond one year.

**(III) APPOINTING /DISCIPLINARY AUTHORITY.**

Director-cum-Warden of Fisheries H.P. will be appointing and disciplinary authority.

**(IV) SELECTION PROCESS.**

Selection for appointment to the post in the case of Contract Appointment will be made on the basis of viva-voce test or if considered necessary or expedient by a written test or practical test the standard/syllabus etc. of which will be determined by the concerned recruiting agency i.e. H.P.S.S.S.B.

**(V) COMMITTEE FOR SELECTION OF CONTRACTUAL APPOINTMENTS:-**

As may be constituted by the concerned recruiting agency i.e. the H.P.S.S.S.B. from time to time.

**(VI) AGREEMENT :**

After selection of a candidate, he/she shall sign an agreement as per Annexure-B appended to these Rules.

**(VII) TERMS AND CONDITIONS:**

(a) The contractual appointee will be paid fixed contractual amount @ Rs. 7810/- P.M. (which shall be equal to minimum of the Pay Band+ Grade Pay). An amount of Rs 240/-(3% of the minimum of Pay Band+Grade Pay of the post) for further extended years and no other allied benefits such as senior/selection scales etc. shall be given .

(b) The service of the Contract appointee will be purely on temporary basis. The appointment is liable to be terminated in case the performance/ conduct of the contract appointee is not found satisfactory.

(C) Contractual appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated upto one year. No. leave of any other kind is admissible to the contract appointee. He/she shall not be entitled for Medical Reimbursement and LTC etc. only maternity leave will be given as per Rules.

(d) Unauthorized absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. Contract appointee shall not be entitled for contractual amount for the period of absence from duty.

(e) An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

(f) Selected candidate will have to submit a certificate of his/her fitness from a Government/ Registered Medical Practitioner. Women candidate pregnant beyond twelve weeks will stand temporarily unfit till the confinement is over. The women candidate will be re-examined for the fitness from an authorized Medical officer/ Practitioner.

(g) Contract appointee will be entitled to TA/ DA if required to go on tour in connection with his/her official duties at the same rate as applicable to regular counter-part officials at the minimum of the pay scale.

(h) Provisions of service rules like FR SR, Leave Rules, GPF Rules, Pension Rules & Conduct Rules etc. as are applicable in case of regular employees will not be applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this Column.

16. Reservation

The appointment to the service shall be subject to orders regarding reservation in the service for scheduled castes/Sch. Tribes/other Backward Classes/ Other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental Examination  
18. Powers to Relax:

N.A.  
Where the State Government. is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these Rules with respect to any class or category of persons or posts.

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**Annexure-B**

**Form of contract/agreement to be executed between the Junior Technician(Mechanic) & the Government of Himachal Pradesh through Director-cum-Warden of Fisheries**

This agreement is made on this ..... day of ..... in the year..... between Sh/Smt. ....S/o/D/o Shri.....R/o.....

..... contract appointee (hereinafter called the FIRST PARTY), AND The Governor, Himachal Pradesh through Director-cum-Warden of Fisheries Himachal Pradesh (here-in-after the SECOND PARTY). Whereas, the SECOND PARTY has engaged the aforesaid FIRST PARTY and the FIRST PARTY has agreed to serve as a Junior Technician(Mechanic) on contract basis on the following terms & conditions:-

1. That the FIRST PARTY shall remain in the service of the SECOND PARTY as a Junior Technician(Mechanic) for a period of 1 year commencing on day of ..... and ending on the day of ..... It is specifically mentioned and agreed upon by both the parties that the contract of the FIRST PARTY with SECOND PARTY shall ipso-facto stand terminated on the last working day i.e. on ..... and information notice shall not be necessary.  
 Provided that for-further extention/renewal of contract period the HOD shall issue a certificate that the service and conduct of the contract appointee was satisfactory during the year and only then the period of contract is to be renewed/extended.
2. The contract salary of the FIRST PARTY will be Rs. 7810/- Per month.
3. The service of FIRST PARTY will be purely on temporary basis. The appointment is liable to be terminated in case the performance/conduct of the contract appointee is not found good.
4. Contractual Junior Technician(Mechanic) will be entitled for one day casual leave after putting one month service. This leave can be accumulated upto one year. No leave of any kind is admissible to the contractual Junior Technical (Mechanic). He will not be entitled for Medical Reimbursement and LTC etc. Only maternity leave will be given as per Rules.
5. Unathorised absence from the duty without the approval of the controlling officer shall automatically lead to the termination of the contract. A contractual Junior Technician(Mechanic) will not be entitled for contractual amount for the period of absence from duty.
6. An official appointed on contract basis who have completed five years tenure at one place of posting will be eligible for transfer on need based basis wherever required on administrative grounds.

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- 7. Selected candidate will have to submit a certificate of his/her fitness from a Government/Registered Medical Practitioner. In case of women candidates pregnancy beyond twelve weeks will render her temporarily unfit till the confinement is over. The women candidate should be re-examined for fitness from an authorized Medical Officer/ practitioner.
- 8. Contractual Junior Technician mechanic shall be entitled to TA/DA if required to go on tour in connection with his official duties at the same rate as applicable to regular counter part official at the minimum of pay scale.
- 9. The Employees Group Insurance Scheme as well as EPF/GPF will not be applicable to the contractual appointee (s).

**IN WITNESS the FIRST PARTY AND SECOND PARTY** have herein to set their hands the day, month and year first, above written.

**IN THE PRESENCE OF WITNESS:**

1. ....  
 .....  
 .....  
 (Name and Full Address)

(signature of the FIRST PARTY)

2. ....  
 .....  
 .....  
 (Name and Full Address)

**IN THE PRESENCE OF WITNESS:**

1. ....  
 .....  
 .....  
 (Name and Full Address)

(signature of the SECOND PARTY)

2. ....  
 .....  
 .....  
 (Name and Full Address)