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HIMACHAL PRADESH

Authoritative English Text of this department notification No. Fish-A(3)-12/2001, dated 21-12-2011 as required under clause (3) of Article 348 of the constitution of India.)

Government of Himachal Pradesh  
Department of Fisheries.

No. Fish-A(3)12/2001, dated, Shimla-2 the 21-12-2011

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Himachal Pradesh, in consultation with the H.P. Public Service Commission, is pleased to make the following Rules further to amend the Himachal Pradesh, Department of Fisheries, Assistant Engineer(Civil), Class-I-(Gazetted), Recruitment and Promotion, Rules, 1995 notified vide this Department Notification of even number dated 30.09.1995, namely:-

Short title and Commencement; 1(1) These rules may be called the Himachal Pradesh, Department of Fisheries, Assistant Engineer(Civil), Class-I(Gazetted), Recruitment and Promotion(Second amendment) Rules, 2011

(2) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh.

Amendment of Annexure-A: 2. In Annexure "A" to the Himachal Pradesh Department of Fisheries, Assistant Engineer(Civil), Class-I(Gazetted), Recruitment and Promotion, Rules, 1995,  
(a) for the existing provisions against Col.No.4, the following shall be substituted, namely:-

"Pay Band 10300-34800+ Grade Pay-5400"

(b) for the existing provisions against Col.No.11, the following shall be substituted, namely:-

By promotion from amongst the Junior Engineers having seven years regular or regular combined with continuous adhoc service, if any, in the grade.

Provided that for the purpose of promotion every employee shall have to serve at-least one term in the Tribal/ difficult areas subject to adequate number of posts(s) available in such areas:

Provided further that the proviso (I) supra shall not be applicable in the case of those employees who have five years or less service, left for superannuation.

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Provided further that Officers/Officials who have not served at-least one tenure in Tribal/difficult area shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.

Explanation I: For the purpose of proviso I supra the "term" in Tribal/Difficult areas shall mean normally three years or less period of posting in such areas keeping in view the administrative requirements and performance of the employee.

Explanation II: For the purpose of proviso I supra the Tribal/Difficult Areas shall be as under:-

1. District Lahaul & Spiti
2. Pangi and Bharmour Sub Division of Chamba District.
3. Dodra Kwar Area of Rohru Sub-Division.
4. Pandrah Bis Pargana, Munish Darkali and Gram Panchayat Kashapat, Gram Panchayats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhangal Areas of Baijnath Sub Division of Kangra District.
7. District Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gad-Gussaini, Mathyani, Ghanyar, Thachi, Baggi, Songad and Kholanal of Bali Chowki Sub Tehsil Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Bawara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

(1) In all cases of promotion, the continuous adhoc services rendered in the feeder post, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the adhoc appointment promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R&P rules:

provided that in all cases where a junior person become eligible for consideration by virtue of his total length of service (including the service rendered on adhoc basis followed by regular service/appointment) in the feeder post in view of the provision referred to above, all persons senior to him in the respective category post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided further that all incumbents to be considered for promotion shall possess the minimum qualifying service of atleast three years or that prescribed in the R&P rules for the post, whichever is less;

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

EXPLANATION:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible person happened to be ex-servicemen recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservations of vacancies in Himachal State Non-Technical services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provision of Rule-3 of the Ex-servicemen (Reservations of vacancies in Himachal Pradesh Technical Services) Rules 1985 and having been given the benefit of seniority thereunder.

(2) Similarly in all cases of confirmation continuous adhoc service rendered in the feeder post, if any, prior to the regular appointment against such posts shall be taken into account towards the length of service, if the adhoc appointment/promotion had been made after proper selection and in accordance with the provisions of R&P rules ;

Provided that inter-se-seniority as a result of confirmation after taking into account, adhoc service rendered as referred to above shall remain unchanged.

By order

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

Endst. No. Fish-A (3)-12/2001 dated, Shimla-2 21 December, 2011

Copy to.

1. Administrative Secretaries(Personnel/Finance/Law) to the Govt. of Himachal Pradesh, Shimla-2
2. Controller, Printing & Stationery Dept., I.P., Shimla-5 for publication in the Govt. Gazette.
3. Director-cum-Warden of Fisheries, Himachal Pradesh, Bilaspur.
4. The Sr. Law Officer, Law Dept.(Hindi)I.P. Secretariat Shimla-2.
5. Guard file/ 50 spare copies.

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