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Ed. Fisheries-37
07/07/2012

Authoritative English text of Government Notification no. Fish-A (3)-2/2011, dated 13th June, 2012 as required under Article 348 (3) of the Constitution of India.

Government of Himachal Pradesh
Department of Fisheries



No. Fish-A (3)-2/2011, Dated Shimla-2, the 13th June, 2012

NOTIFICATION

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

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| Short title and Commencement | (i) These rules may be called the Himachal Pradesh Department of Fisheries, Deputy Director of Fisheries, Class-I (Gazetted), Recruitment & Promotion Rules, 2012. |
| | (ii) These rules shall come into force from the date of publication in the Rajpatra, Himachal Pradesh. |

By Order

Pr. Secretary (Fisheries) to the
Government of Himachal Pradesh
the 13th June, 2012

Endst. Fish-A (3)2/2011 .Dated Shimla-2,
Copy is forwarded to the following:-

1. The Administrative Secretaries(Personnel/Finance/Law Departments) 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.

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Under Secretary (Fisheries) to the
Government of Himachal Pradesh

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Annexure-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF Deputy Director (Fisheries)
(Class-I, Gazetted) IN THE DEPARTMENT OF FISHERIES.

1	Name of the post	Deputy Director(Fisheries)
2	Number of posts	2 (Two)
3	Classification	Class-I (Gazetted)
4	Scale of Pay	(i) Pay scale for regular incumbents: Pay Band ₹ 10300-34800+ ₹ 5400 G.P. (ii) Emoluments for Contract employees: ₹ 15700/- fixed
5	Whether selection post or Non-selection post	Selection.
6	Age for direct recruitment.	45 years and below

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 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 adhoc or contract appointment;

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

Provided further that employees of all the Public Sector Corporations/ 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 Corporations/Autonomous Bodies after initial constitution 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 Exchange or as the case may be.
- (ii) Age and experience in the case of direct recruitment relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is otherwise well qualified.

7	Minimum qualifications and other required for direct recruits Educational and other required for	<p>Essential Qualification</p> <p>(i) Master's Degree in Zoology or Fisheries Science or its equivalent from recognized University or from an Institute duly recognized by the Central/State Govt.</p> <p>Or</p> <p>Associate Diploma of the Central Institute of Fisheries Education, Trombay or its equivalent from an Institute duly recognized by the Central/State Govt.</p> <p>(ii) 10 years experience in Development and Management of Fisheries.</p> <p>Desirable Qualification:- Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.</p>
8.	Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees.	Age: Not applicable. Educational Qualifications : 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.
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 Promotion, failing which by direct recruitment on a regular basis or by recruitment on contract basis, as the case may be. The contract employee(s) 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 promotion, deputation, transfer, grade from which promotion/ transfer is to be made.	<p>By promotion from amongst the Assistant Director of Fisheries having at least 5 years regular service or regular combined with continuous adhoc service in the grade.</p> <p>A (1) Provided that for the purpose of promotion every employee shall have to serve atleast one term in the Tribal/ difficult areas subject to adequate number of posts(s) available in such areas:</p> <p>Provided further that the proviso (1) supra shall not be applicable in the case of those employees who have five years or less service, left for superannuation.</p> <p>Provided further that Officers/Officials, who have not served atleast one tenure in Tribal/difficult areas shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.</p> <p>Explanation- I: For the purpose of proviso A (1) 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</p>

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requirements and performance of the employee.

Explanation II: For the purpose of proviso A (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 Kawar 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, Mathiyani, Ghanyar, Thachi, Baggi, Somgad 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 Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

(I) In all cases of promotion, the continuous adhoc service rendered in the feeder post, if any, prior to

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the 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 conditions 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 Recruitment and Promotions Rules,

Provided that in all cases where a junior person becomes 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 provisions 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 at least three years or that prescribed in the Recruitment and Promotion Rules for the Post, whichever is less;

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

Explanation:-

1) The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened

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		<p>to be ex-servicemen recruited under the provisions of Rule-3 of the Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non- Technical Services) Rules, 1972 and having been given the benefit of seniority there under or recruited under the provisions of Rule-3 of the Ex-Servicemen (Reservation of Vacancies in the Himachal Pradesh Technical services) Rules, 1985 and having been given the benefit of seniority there under.</p> <p>(2) Similarly, in all cases of confirmation, adhoc service rendered on feeder post, if any, prior to the regular appointment against such post 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 provision of Recruitment and Promotion 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.</p>
12.	If a departmental promotion committee, exists, what is its composition?	DPC to be presided over by the Chairman, Himachal Pradesh Public Service Commission or a member thereof to be nominated by him.
13.	Circumstances under which the HP PSC to be consulted in making recruitments.	As required under the Law.
14.	Essential requirement for a 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, if Himachal Pradesh Public Service Commission or

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		<p>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 recruiting authority, as the case may be.</p>
15-A	<p>Selection for appointment to the post by contract appointment</p>	<p>“Notwithstanding anything contained in these rules, contract appointments to the post will be made subject to the terms and conditions given below:-</p> <p>(I) <u>CONCEPT</u></p> <p>(a) Under this policy, the Deputy Director, Fisheries 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.</p> <p>Provided that for extension /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/her period of contract is to be renewed/extended.</p> <p>(b) <u>POST FALLS WITHIN THE PURVIEW OF HPPSC:-</u></p> <p>The Secretary (Fisheries) to the Government of Himachal Pradesh 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. Public Service Commission.</p>

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

(II) **CONTRACTUAL EMOLUMENTS:-**

The Deputy Director (Fisheries) appointed on contract basis will be paid consolidated fixed contractual amount @ Rs 15700/- P.M.(which shall be equal to minimum of the pay band+Grade pay). An amount of Rs 480/-(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:-**

The Secretary (Fisheries) to the Government of Himachal Pradesh* 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. Public Service Commission.

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

As may be constituted by the concerned recruiting agency i.e. the H.P. Public Service Commission 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 contract appointee will be paid fixed contractual amount @ Rs. 15700/- per month (which shall be equal to minimum of the pay band + Grade Pay). An amount @ Rs. 480/-(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) Contract appointee will be entitled for one day casual leave after putting one month service. This leave can be accumulated up-to 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

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		<p>appointee shall not be entitled for contractual amount for the period of absence from duty.</p> <p>(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.</p> <p>(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 fitness from an authorized Medical officer/ Practitioner.</p> <p>(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 officials at the minimum of the pay scale.</p> <p>(h) Provisions of service rules like FR SR, Leave Rules, GPF Rules, Pension Rules & Conduct Rules etc. as are applicable to regular employees will not be applicable in case of contract appointees. They will be entitled for emoluments etc. as detailed in this Column.</p>
16.	Reservation	The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/ Scheduled Tribes/ other Backward

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		Classes/ other categories of persons issued by the HP Government from time to time.
17.	Departmental Examination	Every member of the service shall pass a Departmental Examination as prescribed in the Departmental Examination Rules, 1997 as amended from time to time.
18.	Power to relax.	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 HP PSC, relax any of the provisions of these rules with respect to any class or category of persons or posts.