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Authoritative English text of Government Notification No. Fish-A(3)-2/2000, dated 28/4/2010 as required under Article 348 (3) of the Constitution of India
Government of Himachal Pradesh
Department of Fisheries

No. Fish-A(3)-2/2000

Dated Shimla-2, the 28 April, 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 H.P. Public Service Commission is pleased to make the Recruitment & Promotion Rules for the post of Superintendent Grade-I Class-I (Gazetted) in the Department of Fisheries, HP as per Annexure-A attached this notification, namely :-

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| Short title and Commencement | 1 | (i) | These rules may be called the Himachal Pradesh Department of Fisheries, Superintendent Grade-I, Class-I (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, Superintendent Grade-I, class-I (Gazetted) R&P Rules, 2005 notified vide notification No. Fish-A(3)-2/2000 dated 02-09-2005 are hereby repealed.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| | | (ii) | Notwithstanding such repeal any appointment made or anything done or any action taken under the rules so repealed under sub-rule(i) supra shall be deemed to have been validly made, done or taken under these rules. |
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By Order,

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

Endst. No.: Fish-A(3)-2/2000

Dated Shimla-2, 28 April, 2010

Copy is forwarded to the following:-

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1. Administrative Secretary (Personnel/Finance/Law) to the Govt. of HP.
 2. Spl. Secretary (GAD) to the Government of Himachal Pradesh Shimla-2 with reference to item No-6 of Cabinet Meeting held on 2-01-2010.
 3. The Controller, P&S Deptt., Shimla-5 for publication in the Rajpatra.
 4. The Assistant Legislative Draftsman (English), HP Sectt. Shimla-2.
 5. The Director-cum-Warden of Fisheries, H.P., Bilaspur-174001.

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

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Annexure-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF Superintendent Gr.I(Class-I, Gazetted) IN THE DEPARTMENT OF FISHERIES.

1. Name of the post Superintendent Grade-I
2. Number of posts 1 (one)
3. Classification Class-I (Gazetted)
4. Scale of Pay Rs. 10300-34800+Rs. 5000/- G.P.
5. Whether selection post or Non-Selection.
Non-selection post
6. Age for direct recruitment. N.A.
7. Minimum Educational qualification and other qualifications required for direct recruits N.A.
8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees. 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.
11. In case of recruitment by promotion, deputation, transfer, grade from which promotion/ transfer is to be made. By promotion from amongst the Superintendents Grade-II and Personal Assistants with three years regular service or regular combined with continuous adhoc service in the grade failing which by promotion from amongst the Superintendent Grade-II/ Personnel Assistants with 9 years regular service or

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regular combined with continuous adhoc service as Superintendent Grade-II and Senior Assistants/Personal Assistant and Senior Scale Stenographers combined out of which two years service as Superintendent Gr-II/ Personal Assistant is essential.

Failing both by promotion from amongst the Sr. Asstts / Sr. Scale Stenographer with 11 years regular service or regular combined with continuous adhoc service in the respective grade.

Note: 1 For the purpose of promotion from amongst the Superintendent Gr.II & Personal Assistant a combined seniority list of eligible officials on the basis of length of service from their initial rung i.e. Clerk and Steno-typist without disturbing their unit-wise inter-se-seniority shall be prepared.

Note-II For the purpose of promotion from amongst the Sr. Assistants/Sr. Scale Stenographers a combined seniority list of eligible officials on the basis of length of service from their initial rung i.e. clerk and steno-typist without disturbing their unit-wise inter-se-seniority shall be prepared

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:

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.

Provided further that Officers/Officials who have not served atleast 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:-4.

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 Bhawal 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, 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.

In all cases of promotion, the continuous adhoc service rendered in the feeder post, if any, prior to 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:-

(i) 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 promotions 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:- The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be ex-servicemen

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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.

(2) Similarly, in all cases of confirmation continuous adhoc service rendered on the 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.

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| 12. | If a departmental promotion committee, exists, what is its composition | As may be constituted by the Government from time to time. |
| 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. | N.A. |
| 15. | Selection for appointment to post by direct recruitment. | N.A. |
| 16. | Reservation | The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Caste/ Scheduled Tribes/ other Backward Classes/ other categories of persons issued by the HP Government from time to time. |
| 17. | Departmental Examination | Not applicable. |
| 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. |