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PART III

HARYANA GOVERNMENT

FISHERIES DEPARTMENT

Notification

The 30th May, 1980

G.S.R.70/Const./Art.309/80.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rule regulating the recruitment and conditions of service of persons appointed to the Haryana Fisheries State Service, Group B, Rules, namely :—

PART I—GENERAL

1. These rules may be called the Haryana Fisheries Group B Service Short Title Rules, 1980.

2. In these rules, unless the context otherwise requires,—

Defini-
tions.

(a) "Commission" means the Haryana Public Service Commission ;

(b) "direct recruitment" means an appointment made otherwise than by promotion or by transfer of an official already in the service of the Government of India or any State Government ;

(c) "Government" means the Haryana Government in the Administrative Department ;

(d) "recognised university" means,—

(i) any university incorporated by law in India, or

(ii) in the case of a degree, diploma certificate obtained as a result of an examination held before the 15th August, 1947, the Punjab, Sind or Dacca University, or

(iii) any other university which is declared by Government to be a recognised university for the purpose of these rules.

(e) "Service" means the Haryana Fisheries Department State Service Group B.

PART II—RECRUITMENT TO SERVICE

3. The Service shall comprise the posts shown in Appendix 'A' to these rules : Number and character

Provided that nothing in these rules shall affect the inherent right of Government to make additions to or reduction in the number of posts.

Nationality
domicile
and
character
of candi-
dates
appointed
to the
Service.

4. (1) No person shall be appointed to the Service, 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 1st January, 1962 with the intention of permanently settling in India ; or

(e) a person of Indian origin who has migrated from Pakistan, Burma, Srilanka, 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 category (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government.

(2) A person in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Haryana Public Service Commission or any other recruiting authority, but the offer of appointment may be given only after certificate has been issued to him by the Government.

(3) No person shall be appointed to the Service by direct recruitment unless he produces a certificate of character from the principal academic officer of the university, college, school or institution last attended. If any, and similar certificates from two other responsible persons not being his relatives who are well acquainted with him in his private life and are unconnected with his university, college, school or institution.

Age. 5. No person shall be appointed to the Service by direct recruitment who is less than seventeen years or more than twenty-seven years of age, on the last date of submission of applications to the Commission.

Appointing Authority. 6. Appointments to the posts in the Service shall be made by the Government after consultation with the Commission.

Qualifications. 7. No person shall be appointed to the Service, unless he is in possession of qualifications and experience specified in Appendix B to these rules.

Disqualification. 8. No person—

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

Provided that the Government may, if 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 so doing; exempt any person from the operation of this rule.

9. (1) Recruitment to the Service shall be made :—

- | | | |
|---|----------|--------------------------|
| (a) by promotion | 50 %; or | Method of
recruitment |
| (b) by direct recruitment | 50 %; or | |
| (c) by transfer or deputation of a person already in the service of any State Government or the Government of India ; provided no eligible person is available for promotion or direct recruitment. | | |

(2) When any vacancy occurs or is about to occur in the Service, the appointing authority shall determine in what manner such vacancy shall be filled.

(3) Appointment to any post by promotion shall be made strictly on the basis of seniority-cum-merit and no person shall be entitled to claim promotion on the basis of seniority alone.

10. (1) Persons appointed to the Service shall remain on probation for a period of two years, if appointed by direct recruitment and one year, if appointed otherwise : **Probation.**

Provided that—

- (a) any period after such appointment spent on deputation on a corresponding or a higher post shall count towards the period of probation ;
- (b) in the case of an appointment by transfer, any period of work in equivalent or higher rank, prior to appointment to the Service may, at the discretion of the appointing authority, be allowed to count towards the period of probation fixed under this rule ; and
- (c) any period of officiating appointment shall be reckoned as period spent on probation but no person who has so officiated shall, on the completion of prescribed period of probation be entitled to be confirmed, unless he is appointed against a permanent vacancy.

(2) If, in the opinion of the appointing authority the work or conduct of a person during the period of probation is not satisfactory, it may—

- (a) if such person is appointed by direct recruitment, dispense with his services ; and
- (b) if such person is appointed otherwise than by direct recruitment,—
 - (i) revert him to his former post ; or
 - (ii) deal with him in such other manner as the terms and conditions of his previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may,—

(a) If his work or conduct has, in its opinion, been satisfactory—

- (i) confirm such person from the date of his appointment, if appointed against a permanent vacancy ; or
- (ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy ; or
- (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy ; or

(b) If his work or conduct has in its opinion, been not satisfactory,—

- (i) dispense with his services, if appointed by direct recruitment, if appointed otherwise, revert him to his former post or deal with him in such other manner as the terms and conditions of his previous appointment permit ; or
- (ii) extend his period of probation and thereafter pass such order, as it could have passed on the expiry of the first period of probation :

Provided that the total period of probation, including extension, if any, shall not exceed three years.

11. (1) Every member of the Service, shall within two years from the date of his appointment to the Service, pass the departmental examination as prescribed in the Appendix 'E' to these rules.

(2) If a member has already passed the departmental examination in both the papers in Haryana Fisheries Department State Service Group C with credit he shall not be required to pass the same in this Service.

(3) In order to pass the departmental examination, a member shall have to obtain 50 per cent marks in each paper. A member getting 66 per cent marks or above in each paper shall be deemed to have qualified the departmental examination with credit and he shall not be required to pass the said examination in Class I Service again.

(4) If any member fails to pass the departmental examination, his services shall be terminated ; provided that the Government may exempt any member of the Service from passing the whole or any portion of the departmental examination or may extend the period within which the member of the Service shall pass the examination.

(5) The increments of a member of the Service shall be regulated as under :—

- (i) If a member of the Service passes the departmental examination within a period of two years from the date of his appointment, he shall be entitled to get two increments, including that already earned by him from the date, if any, following the last day, on which the departmental examination is completed. However, he shall be entitled to get the third increment after the completion

(ii) in case a member of the Service is allowed extension in the period within which the said examination is required to be passed, his next increment(s) for the period subsequent to that within which the departmental examination was to be passed, shall be released only from the date following the last day on which the examination is completed ;

(iii) If a member of the Service fails to pass the departmental examination, or any part thereof, and is subsequently exempted by the Government from passing the departmental examination or any part thereof, as the case may be, his increment(s) for the period subsequent to that within which the departmental examination was to be passed, shall be released from the date he is given such exemption ;

(iv) further increments shall normally be admissible on the dates on which they would have become otherwise due.

12. The seniority, *inter se* of members of the Service shall be determined Seniority by the length of continuous service on any post in the service :

Provided that where there are different cadres in the service, the seniority shall be determined separately for each cadre :

Provided further that in the case of members appointed by direct recruitment, the order of merit determined by the Commission shall not be disturbed in fixing the seniority :

Provided further that in the case of two or more members appointed on the same date, their seniority shall be determined as follows :—

(a) a member appointed by direct recruitment shall be senior to a member appointed by promotion or by transfer ;

(b) a member appointed by promotion shall be senior to a member appointed by transfer ;

(c) in the case of members appointed by promotion or by transfer, seniority shall be determined according to the seniority of such members in the appointments from which they were promoted or transferred ; and

(d) in the case of members appointed by transfer from different cadres their seniority shall be determined according to pay, preference being given to a member, who was drawing a higher rate of pay in his previous appointment ; and if the rates of pay drawn are also the same, then by the length of their service in the appointments, and if the length of such service is also the same, the older member shall be senior to the younger member.

13. A member of the Service shall be liable to serve under the State Government at any place whether within or outside the State of Haryana. Liability to serve.

A member of the Service may also be deputed to serve under—

- (i) a company, an association or body of individuals whether incorporated or not, which is wholly or substantially owned or controlled by the State Government, a municipal corporation or a local authority within the State of Haryana ;
- (ii) the Central Government or a company, an association or body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Central Government ;
- or
- (iii) any other State Government, an international organisation, an autonomous body not controlled by the Government, or a private body ;

Provided that no member of the Service shall be deputed to the Central or any other State Government or any organisation or body referred to in clauses (ii) and (iii), except with his consent.

14. In respect of pay, leave, pension and all other matters, not expressly provided for in these rules, the members of the Service shall be governed by such rules and regulations as may have been, or may hereafter be adopted or made by the competent authority under the Constitution of India or under any other law for the time being in force.

15. (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Punjab Civil Services (Punishment and Appeal) Rules, 1952, as applicable to the State of Haryana :

Provided that the nature of penalties which may be imposed, the authority empowered to impose such penalties and appellate authority shall, subject to the provisions of any, be such as are specified in Appendix 'C' to these rules.

(2) The authority competent to pass an order under clauses (c) and (d) of the Sub-rule (1) of rule 10 of the Punjab Civil Service (Punishment and Appeal) Rules, 1952 and the appellate authority shall also be as specified in Appendix 'D' to these rules.

16. Every member of the Service shall get himself vaccinated and revaccinated if and when the Government so directs by a special or general order.

17. Every member of the Service unless he has already done so, shall be required to take the oath of allegiance to India and to the Constitution of India as by law established.

18. Where the 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, relax any of the provisions of these rules with respect to any class or category or persons.

19. Notwithstanding anything contained in these rules the appointing authority may impose special terms and conditions in the order of appointment of a person if it is deemed expedient to do so.

20. The Punjab Fisheries Rules, 1935 are hereby repealed :

Provided that any orders made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provision of these rules.

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APPENDIX A

(See rule 3)

Serial No.	Designation of post	Number of posts			Scale of Pay
		Perma- nent	Tempo- rary	Total	
1	2	3	4	5	6
					Rs.
1	Fisheries Development Officer	3	6	9	350—25—500/30—590/ 30—830/35—900
2	Fisheries Research Officer		1	1	350—25—500/30—590/ 30—830/35—900

APPENDIX B

(See rule 7)

Serial No.	Designation of post	Academic qualifications and experience, if any, for direct recruitment and transfer	Academic qualifications and experience, if any, for appointment by promotion
1	2	3	4
1	Fisheries Development Officer	I. (a) B.Sc. of a recognised University with Zoology as one of the subject. (b) Post-graduate Training in Fisheries from Central Inland Fisheries Research Institute Barrackpore, Calcutta with 3 years practical experience of Fisheries Development Programme. or 7 years experience in Fisheries Development after attainment of basic qualification. or II. (a) M. Sc. Zoology with specialisation in Fish and Fisheries. (b) Four years experience in Fisheries Development after M.Sc. <i>Note</i> —The experience in each case will be counted after attaining of basic qualification. III. Adequate knowledge of Hindi	(a) B.Sc. with Zoology from a recognised University with ten years experience as Fisheries Officer.
2	Fisheries Research Officer		(b) One year training in Fisheries from the Central Indian Fisheries Research Institute, Barrackpore, Calcutta.

APPENDIX C

[See rule 15(1)]

Sr. No.	Designation of post	Appointing authority	Nature of Penalty	Authority empowered to impose penalty	Appellate authority
1	2	3	4	5	6
1	Fisheries Development Officer	Government	(a) Warning with a copy in the personal file;	Head of Department	Government
2	Fisheries Research Officer		(b) Censure;	Ditto	Do
			(c) Withholding of increments including stoppage at an efficiency bar ;	Ditto	Do
			(d) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders ;	Ditto	Do
			(e) reduction to a lower post or time scale or to a lower stage in a time scale;	Government	Do
			(f) removal from the Service which does not disqualify from future employment;	Do	Do
			(g) dismissal from the Service which does ordinarily disqualify from future employment.	Do	Do

APPENDIX D

[See rule 15(2)]

Serial No.	Designation of post	Nature of order	Authority empowered to make the order	Appellate authority
1	2	3	4	5
1	Fisheries Development Officer	(a) Reducing or withholding the amount of ordinary additional pension admissible under the rules governing pension	Government	Nil
2	Fisheries Research Officer			
		(b) Terminating the appointment of a member of the Service otherwise than on his attaining the age fixed for superannuation	Government	Nil

APPENDIX E

(See rule 11)

The examination shall consist of the following papers having the marks noted against each :—

1st Paper	Inland Fisheries Science and Circulars of the Fisheries Department	50 marks
2nd Paper	Accounts (With the aid of books)	120 marks

The Syllabus for the Account Paper shall be as follows :—

- (I) Punjab Civil Services Rules, Volume I, Part I.
Chapters I to V, VII, VIII (Rules 8·1. to 8·91, 8·113 to 8·140), IX, XII and XV.
- (II) Punjab Civil Services Rules, Vol. I, Part II.
Appendix I, 8·A, 12, 17, 20, 23 and 24.
- (III) Punjab Civil Services Rules, Vol. II.
Chapters I to VII, IX to XI, XIII and Appendix 2.
- (IV) Punjab Civil Services Rules, Vol. III.
Chapters 1 to 3 (including Appendices 'A' to 'S').
- (V) Punjab Financial Hand Book, Part I.
Chapters 1, 2, 4 to 8, 10, 12, 15, 17 to 19.
- (VI) Punjab Financial Rules, Volume II.
Appendices 2 to 6, 10 to 12, 14 to 17 and 19.
- (VII) Punjab Financial Hand Book I (Treasury Rules, Part I, Part II).
Chapters 2, 3 Rule 4·1 to 4·49, 4·92 to 4·109, 4·113 to 4·114, 4·119 to 4·140, 4·168 to 4·181 of Chapter IV & Chapter VI Appendix B & C.
- (VIII) Punjab Budget Manual.
Chapters 1 to 3, 7, 10 to 15, 18, 21, 26 to 28.
- (IX) Introduction to Government Audit & Accounts —
Chapters 6, 7, 11, 13, 14, 15, 18, 21, 26 to 28.

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