

[Published in the Haryana Government Gazette, Legislative Supplement, dated the 24th June, 1980]

PART III

HARYANA GOVERNMENT FISHERIES DEPARTMENT

Notification

The 30th May, 1980

No. G.S.R. 71/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 rules regulating the recruitment and conditions of service of persons appointed to the Haryana Fisheries Service Class I, namely :—

PART I—GENERAL

1. These rules may be called the Haryana Fisheries Department, State Short title. Service Group A Rules, 1980.
2. In these rules, unless the context otherwise requires,—

Definitions.

- (a) "Commission" means the Haryana Public Service Commission;
- (b) "direct recruitment" means an appointment made otherwise than by promotion from within the Service 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 A.

PART II—RECRUITMENT OF SERVICE

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

Provided that nothing in these rules shall affect the inherent right of the Government to make additions to or reduction in the number of such posts or to create new posts with different designations and scales of pay, either permanently or temporarily.

**Nationality,
Domicile
and**

4. (1) No person shall be appointed to the Service, unless he is—

- a citizen of India ; or
- a subject of Nepal ; or
- a subject of Bhutan ; or
- a Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India ; or
- a person of Indian origin who migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda and United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malaya, Zaire and Ethiopia with the intention of permanently settling in India :

Provided that a person belonging to any of the categories (b) to (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 Commission or any other recruiting authority but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government.

(3) No person shall be appointed to any post in 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 the 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 thirty 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.

**Qualifi-
cations.**

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.

**Disqualifi-
cations.**

8. No person—

- who has entered into or contracted a marriage with a person having a spouse living, or
- 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—

Method of recruitment.

(a) by promotion; or

(b) by direct recruitment; or

(c) by transfer or deputation of an officer/official already in the service of any State Government or the Government of India.

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

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

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) any period of work in equivalent or higher rank, prior to appointment to the Service may, in the case of an appointment by transfer, at the discretion of the Government, 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 the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.

(2) If, in the opinion of the Government 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 the previous appointment permit.

(3) On the completion of the period of probation of a person, the Government 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;

- (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 previous appointment permit; or
 - (ii) extend his period of probation and thereafter pass such orders 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.

Members of service to pass departmental examination within two years.

11. (1) Every member of the Service shall within a period of two years from the date of his appointment to the Service pass the departmental examination as prescribed in the Appendix E to these rules, held by the Secretary, Central Committee of Examinations.

(2) If a member of the Service has already passed the departmental examination in both the papers referred to in Appendix E to these rules or in the Haryana Fisheries Department (State Service Group B) Rules, or the Haryana Fisheries Department (State Service Group C) Rules, 1979, with credit, he shall not be required to pass the same.

(3) In order to pass the departmental examination, a member of the Service shall have to obtain fifty per cent marks in each paper. A member getting sixty-six per cent or above in each paper shall be deemed to have qualified the departmental examination with credit.

(4) If any member fails to pass the departmental examination his services may be terminated; provided that the Government may exempt any member of the Service from passing the whole or any part of the departmental examination or may extend the period up to 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, if any, from the date following the last day on which the departmental examination is completed. However, he shall be entitled to get the third increment after the completion of three years service;
- (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 will normally be admissible on the dates on which they would have become otherwise due.

12. Seniority, *inter se* of members of the Service shall be determined by the length of continuous service on any post in the Service: Seniority of the members of 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. (1) A member of the Service shall be liable to serve at any place, Liability to serve. whether within or outside the State of Haryana.

(2) A member of the Service may also be deputed for service under—

- (i) a company, 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) another 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.

Pay, leave, pension or other matters.

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 article 309 of the Constitution of India or under any other law for the time being in force.

Discipline, penalties and appeals.

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 amended from time to time :

Provided that the nature of penalties which may be imposed, the authority empowered to impose such penalties and the appellate authority shall, subject to the provisions of any law or rules made under article 309 of the Constitution of India 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 sub-rule(1) of rule 10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1952, shall be such as are specified in Appendix 'D' to these rules.

Vaccination.

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

Oath of allegiance.

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.

Power of relaxation.

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 of persons.

Special provisions.

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

Repeal and savings.

20. Any rule applicable to the Service and corresponding to any of these rules which is in force immediately, before the commencement of these rules is hereby repealed :

Provided that any order 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.

APPENDIX 'A'

(See Rule 3)

Designation of post	Number of posts			Scale of pay
	Permanent	Temporary	Total	
	1	2	3	4
Director of Fisheries, Haryana	1	..	1	Rs. 1,300—50—1,800

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APPENDIX 'B'

(See Rule 7)

Designation of post	Academic qualifications and experience, if any, for direct recruitment and by transfer	Academic qualifications and experience, if any, for promotion
1	2	3
Director of Fisheries, Haryana	<p>(a) Master's Degree in Zoology from recognised university.</p> <p>(b) One year training in Fisheries from recognised Institute i. e., Central Inland Fisheries Research Institute, Barakpore.</p> <p>(c) Experience in fresh water Biological Research and ability to guide on research problem.</p> <p>(d) Ability to organise both Economic and Scientific aspects of Fishing Industries.</p> <p>(e) Adequate knowledge of Hindi language, upto Matric Standard.</p> <p>(f) At least 5 years experience in Class I in service, after training in Fisheries, Fisheries Development and Management work in Central or State Government Department of the Fisheries.</p>	<p>(a) B.Sc. with Zoology.</p> <p>(b) 10 years experience as Fisheries Development Officer / Fisheries Research Officer.</p>

APPENDIX 'C'

[See rule 15(1)]

Designation of post	Appointing authority	Name of penalty	Authority empowered to impose penalty	Appellate Authority
1	2	3	4	5
Director of Fisheries, Government of Haryana		<ul style="list-style-type: none"> (a) Warning with a copy on the personal file; (b) Censure; (c) Withholding of increments or promotion, including stoppage at an efficiency bar; (d) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of order; (e) Reduction to a lower post or time scale or to a lower stage in a time scale; (f) Removal from the service which does not disqualify from future employment; (g) Dismissal from the service which does ordinarily disqualify from future employment. 	Government	Nil

APPENDIX 'D'

[See Rule 15(2)]

Designation of post	Nature of order	Authority empowered to make the order	Appealate authority
1	2	3	4
Director of Fisheries, Haryana	<p>(i) Reducing or withholding the amount of ordinary/additional pension admissible under the rules governing pension</p> <p>(ii) Terminating the appointment of a member of the Service otherwise than on his attaining the age fixed for superannuation</p>	<p>Government</p>	Nil

APPENDIX 'E'

(See Rule 11)

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

		<i>Marks</i>
1st Paper	... Inland Fisheries Science and Circulars of the Fisheries Department	100
2nd Paper	... Accounts (With the aid of books)	120

The syllabus for the accounts paper shall be as follows :—

- (i) Punjab C.S.R. Vol. I, Part I, Chapters I to V, VIII (Rules 8.1 to 8.91, 8.113 to 8.140), IX, XII and XV.
- (ii) Punjab C.S.R. Vol. I, Part II, Appendices 8A, 12, 17, 20, 23 and 24.
- (iii) Punjab C.S.R. Vol. II, Chapters I to VII, IX to XI, XIII and Appendix 2.
- (iv) Punjab C.S.R. Vol. III, Chapters I to 3 including Appendices A to S.
- (v) Punjab Financial Rules Vol. I, Chapter 1, 2, 4 to 8, 10, 12, 15, 17 to 19.
- (vi) Punjab Financial Rules Vol. II, Appendices 2 to 6, 10 to 12, 14 to 17 & 19.
- (vii) Financial Hand Book No. 1 (Treasury Rules), Part I (whole) and Part II, Chapters II, III, rules 4.1 to 4.59, 4.92 to 4.109, 4.113 to 4.114, 4.119 to 4.140, 4.168 to 4.181 of Chapter IV and Chapter V, Appendix B & C.
- (viii) Punjab Budget Manual Chapters I to 3, 7 and 10 to 15, 18, 21, 26 to 28.

KULWANT SINGH,

Commissioner and Secretary to Government, Haryana.
Fisheries Department.