

Rajasthan Fisheries State and Subordinate Service Rules, 2012

RAJASTHAN

India

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Rule

RAJASTHAN-FISHERIES-STATE-AND-SUBORDINATE-SERVICE-RULES of 2012

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Rajasthan Fisheries State and Subordinate Service Rules, 2012 Published vide Notification No. G.S.R. 72, dated 8.11.2012 G.S.R. 72. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following rules regulating the recruitment to posts in, and the conditions of service of persons appointed to the Rajasthan Fisheries State and Subordinate Service, namely: -Part-I General

1. Short title and commencement.

(1) These rules may be called the Rajasthan Fisheries State and Subordinate Service Rules, 2012. (2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Appointing Authority" means the Government of Rajasthan in case of State Service posts and the Director, Fisheries Department, Rajasthan in case of Subordinate Service posts; (b) "Committee" means a committee constituted under rule 29; (c) "Commission" means the Rajasthan Public Service Commission; (d) "Director" means the Director, Fisheries Department, Rajasthan; (e) "Department" means the Department of Fisheries, Rajasthan, Jaipur; (f) "Direct recruitment" means recruitment made according to the procedure prescribed in Part IV of these rules; (g) "Government" means Government of Rajasthan; (h) "Member of the Service" means a person appointed to a post in the service on the basis of regular selection under the provisions of these rules or the rules or order superseded by these rules; (i) "Schedule" means the Schedule appended to these rules; (j) "Service" means the Rajasthan Fisheries State and Subordinate Service; (k) "Service" or "Experience" wherever prescribed in these

rules as a condition for promotion from one service to another or within the service from one category to another or to senior posts, in the case of a person holding a lower post eligible for promotion for higher post shall include the period for which the person has continuously worked on such lower post after regular selection in accordance with rules promulgated under proviso to Article 309 of the Constitution of India; Note: Absence during service e.g. training, leave and deputation etc. which are treated as 'duty' under the Rajasthan Service Rules, 1951 shall also be counted as service for computing experience or service required for promotion; (l) "Substantive appointment" means an appointment made under the provisions of these rules to a substantive vacancy after due selection by any of the methods of recruitment prescribed under these rules and includes an appointment on probation or as a probationer followed by confirmation on the completion of the probationary period; Note: "Due selection by any methods of recruitment prescribed under these rules" shall include recruitment either on initial constitution of service or in accordance with the provisions of any rules promulgated under proviso to Article 309 of the Constitution of India, except urgent temporary appointment. (m) "State" means the State of Rajasthan; and (n) "Year" means the financial year.

3. Interpretation.

- Unless the context otherwise requires, the Rajasthan General Clauses Act, 1955 (Rajasthan Act No. VIII of 1955) shall apply for the interpretation of these rules as it applies for the interpretation of Rajasthan Act. Part-II Cadre

4. Composition and Strength of the service.

(1) The nature of posts included in the service shall be as specified in column 2 of the Schedule-I and Schedule-II, as the case may be. (2) The strength of posts in the service shall be such as may be determined by the Government, from time to time: Provided that the Government may -(a) create any post, permanent or temporary from time to time, as may be considered necessary and it may abolish any such posts in the like manner without thereby entitling any person to any compensation; and (b) leave unfilled or hold in abeyance or abolish any post, permanent or temporary from time to time, without thereby entitling any person to any claim or compensation.

5. Constitution of the Service.

- The service shall consist of -(a) all persons holding substantively the posts specified in the Schedule-I and Schedule-II, as the case may be, on the date of commencement of these rules; (b) all persons recruited to the posts included in the service before the commencement of these rules; (c) all persons recruited by any of the methods of recruitment laid down in rule 6 of these rules; and (d) all persons recruited to the service in accordance with the provisions of these rules, except an urgent temporary appointment. under rule 33. Part-III Recruitment

6. Methods of recruitment.

(1) Recruitment to the post(s) in the service after the commencement of these rules shall be made by the following methods in proportion as indicated in column 3 of the Schedules, namely: -(a) by direct recruitment in accordance with the provisions of the Part-IV of these rules; and (b) by promotion in accordance with the provisions of the Part-V of these rules. (2) Recruitment to the service by the aforesaid method shall be made in such a manner that the persons appointed to the service by each method do not at any time exceed the percentage laid down in the rules/Schedules of the total cadre strength sanctioned for each category from time to time: Provided -(i) that if the Appointing Authority is satisfied in consultation with the Commission, that suitable persons are not available for appointment by either method of recruitment in a particular year, appointment by the other method in relaxation of the prescribed proportion, may be made in the same manner as specified in these rules; (ii) that appointment, promotion, seniority and confirmation etc. of a person who joins the Army/Air Force/Navy during an Emergency shall be regulated by such orders and instructions, as may be issued by government, from time to time, provided that these are regulated mutatis mutandis according to the instructions issued on the subject by the Government of India.

7. Compassionate Appointment of Dependents of the Deceased/Permanently Incapacitated Armed Forces Service Personnel/Para-Military Personnel.

(1) Notwithstanding anything contained in these rules, the Appointing Authority may fill the vacancies of the : -(i) Post upto Grade Pay No. 10 (Rs.2800/-) to be filled in by direct recruitment by appointing on compassionate ground one of the dependents of a member of Armed Forces/Para Military Forces belonging to the State who becomes permanently incapacitated on or after 01.04.1999 in any defence operations including counter insurgency operations and operations against terrorists. (ii) Post up to Grade Pay No. 11 (Rs.3200/-) to be filled in. by direct recruitment by appointing on compassionate ground one of the dependents of a member of Armed Forces/Para Military Forces belonging to the State who dies on or after 01.04.1999 in any defence operations including counter-insurgency operations and operations against terrorists; (iii) Post up to Grade Pay No. 10 (Rs.2800/-) to be filled in by direct recruitment by appointing on compassionate ground, one of the dependent of a member of Armed Forces belonging to the State who died or was permanently incapacitated in war or any defence operations including counter insurgency operations and operations against terrorists during the period from 01.01.71 to 31.03.1999. Subject to fulfilment of the educational qualifications and other service conditions prescribed under the relevant Service Rules and with the concurrence of Department of Personnel and the Rajasthan Public Service Commission if the post falls within the purview of the Commission. Provided that (a) if the upper age limit shall be relaxed up to 45 years in case a dependent of a member of Armed Forces who died or was permanently incapacitated during the period from 1.1.1971 to 31.3.1999, applies for appointment within one year of the commencement of these rules. (b) if the Armed Forces/Para Military Personnel who are permanently incapacitated are capable of and desirous of obtaining employment for themselves under the State Government, employment shall be given to them. (c) if the widow or the children of the Armed Forces/Para Military Personnel who are killed or permanently incapacitated are riot in a position to take up employment immediately, employment will be given to them on acquiring of eligibility for appointment. (2) Appointment shall be given to a

dependent of Armed Forces/Para Military Personnel only if any of them has not got appointment on any post under the provisions of concerned service rules prevailing in the Government of India.(3)Appointment shall not be given to such dependent if any of the other dependent of the Armed Forces/Para Military Personnel is already employed on regular basis under the Central/any State Government or Statutory Board/ Organisation/Corporation owned or controlled wholly or partially by the Central/any State Government at the time of death of the Armed Forces/Para Military Personnel:Provided that this condition shall not apply where the widow seeks employment for herself.(4)Such dependent shall address an application for the purpose to the Zila Sainik Kalyan Adhikari in the case of Armed Forces and the Officer Commanding the Pam-Military Unit for Para Military Forces duly verified by the Head of the Unit where the deceased/permanently incapacitated member of the Armed Forces/Para Military Forces was serving at the time of death/becoming permanently incapacitated. The application shall be considered in relaxation of the normal recruitment rules subject to the condition that the dependent fulfils the academic qualifications and experience, except for appointment to Class IV for which educational qualification shall be relaxed, and age limit prescribed for the post and is also otherwise qualified for Government Service.(5)The application of such dependent shall be forwarded to the District Collector concerned for suitable appointment according to the qualifications possessed by the dependent. In the event of non-availability of vacancy in the District concerned the application shall be sent to the Divisional Commissioner who shall arrange appointment in any District under his jurisdiction. If vacant post is not available under the jurisdiction of the Divisional Commissioner then the application shall be referred by the Divisional Commissioner to Government in the Department of Personnel for providing appointment.(6)The application shall contain the following information: -(i)Name and designation of the deceased/Permanently incapacitated Armed Force/Para-Military Force personnel:(ii)Unit in which he/she was working prior to death/becoming permanently incapacitated;(iii)Date and place of death with death certificate issued by the Authority competent to declare him a battle casualty or becoming permanently incapacitated; and(iv)Name, date of birth, educational qualification of the applicant and his/her relation with the deceased (with certificates).Explanation. - For purpose of this rule: -(a)"Armed Force" means the Army, Navy and Air Force of the Union.(b)"Dependent" means the spouse of the deceased/permanently incapacitated person, son/adopted son, unmarried daughter/unmarried adopted daughter who were wholly dependent on the deceased/permanently incapacitated Armed Forces Service Personnel/Para Military Personnel;Note: Adopted son/daughter means legally adopted son/daughter by the deceased/permanently incapacitated person during his/her life.(c)"Para-Military Forces" means the Border Security Force, Central Reserve Police Force, Indo Tibetan Border Police and any other Para-Military Force, as may be notified by Central and State Government, from time to time.(d)"Permanently incapacitated" means a person who is covered under the definition of the term "person with disabilities" as provided in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Act No. 1 of 1996).

8. Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes.

(1) Reservation of vacancies for the Scheduled Castes and the Scheduled Tribes shall be in accordance with the provision of law in force at the time of recruitment i.e. by direct recruitment and by promotion. (2) The vacancies, so reserved, for promotion shall be filled in by seniority-cum-merit and merit. (3) In filling the vacancies so reserved the eligible candidates who are members of the Scheduled Castes and the Scheduled Tribes, shall be considered for appointment in the order in which their names appear in the list prepared for direct recruitment by the Commission for the post falling in its purview and by the Appointing Authority in other cases, and the Departmental Promotion Committee or the Appointing Authority, as the case may be, in the case of promotees, irrespective of their relative ranks as compared with other candidates. (4) Appointments shall be made strictly in accordance with the rosters prescribed separately for direct recruitment and promotion. In the event of non-availability of the eligible and suitable candidates among the Scheduled Castes or the Scheduled Tribes, as the case may be, in a particular year, the vacancies, so reserved, for them shall be carried forward until the suitable Scheduled Castes or the Scheduled Tribes candidates, as the case may be, are available. In any circumstances no vacancy reserved for Scheduled Castes and the Scheduled Tribes candidate shall be filled by promotion as well as by direct recruitment from general category candidate. However, in exceptional cases, where in the public interest the Appointing Authority feels that it is necessary to fill up the vacant reserved post by promotion from the general category candidate on urgent temporary basis, the Appointing Authority may make a reference to the Department of Personnel and after obtaining prior approval of the Department of Personnel, they may fill up such post by promoting the general category candidate on urgent temporary basis clearly stating in the promotion order that the general category candidates who are being promoted on urgent temporary basis against the vacant post reserved for Scheduled Castes or the Scheduled Tribes candidates, as the case may be, shall have to vacate the post as and when the candidate of that category become available: Provided that there shall be no carry forward of the vacancies in posts or class/category/group of posts in any cadre or service to which promotion are made on the basis of merit alone under these rules.

9. Reservation of vacancies for the Backward Classes, Special Backward Classes and Economically Backward Classes.

- Reservation of vacancies for the Backward Classes, Special Backward Classes and Economically Backward Classes shall be in accordance with the provision of law in force at the time of direct recruitment. In the event of non-availability of eligible and suitable candidates amongst Backward Classes, Special Backward Classes and Economically Backward Classes in a particular year, the vacancies, so reserved, for them shall be filled in accordance with the normal procedure.

10. Reservation of vacancies for Women.

- Reservation of vacancies for woman candidates shall be 30% category wise in direct recruitment out of which 8% shall be for widows and 2% for divorced women candidates. In the event of non-availability of eligible and suitable widows and divorced women candidates in a particular year, the vacancies so reserved for widow and divorced women candidates shall be filled by other women candidates and in the event of non-availability of eligible and suitable women candidates, the vacancies so reserved for them shall be filled up by male candidates and such vacancies shall not be

carried forward to the subsequent year and the reservation shall be treated as horizontal reservation i.e. the reservation of women candidates shall be adjusted proportionately in the respective category to which the women candidates belong. Explanation. - In the case of widow, she will have to furnish a certificate of death of her husband from the Competent Authority and in case of divorcee she will have to furnish the proof of divorce.

11. Reservation of vacancies for Outstanding Sports persons.

- Reservation of vacancies for Outstanding Sports persons shall be 2% of the total vacancies outside the purview of the Commission in that year, earmarked for the direct recruitment. In the event of non-availability of the eligible and suitable sports persons in particular year, the vacancies, so reserved, for them shall be filled in accordance with the normal procedure and such vacancies shall not be carried forward to the subsequent year. The reservation for sports persons shall be treated as horizontal reservation and it shall be adjusted in the respective category to which the sports persons belong. Explanation. - 'Outstanding sportspersons' shall mean and include the sportspersons belonging to the state who have participated individually or in team in the sports and games recognised by the International Olympic Committee and Indian Olympic Association or International championship in Badminton, Tennis, Chess and Cricket recognised by their respective National Level Association, Federation or Board, with following descriptions for each class of the Civil Services:

Class of Service	Description
Subordinate Service	Has represented India in Asian Games, Asian Championships, Common Wealth Games, World Championships, World University Games, World School Games, SAARC Games or Olympic Games where he (in an individual item) or his team (in a team event) has obtained VI, 2nd or 3rd position.

12. Nationality.

- A candidate for appointment to the Service must be, -(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, Sri Lanka and East African Countries of Kenya, Uganda and 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 candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government in the Department of Home Affairs and Justice after proper verification.

13. Conditions of eligibility of persons migrated from other countries to India.

- Notwithstanding anything contained in these rules provisions regarding eligibility for recruitment to the Service with regard to nationality, age limit and fee or other concessions to a person who may migrate from other countries to India with the intention of permanently settling in India shall be

regulated. by such orders or instructions as may be issued by the State Government, from time to time and the same shall be regulated mutatis mutandis according to the instructions issued on the subject by the Government of India.

14. Determination of vacancies.

(1) Subject to the provisions of these rules, the Appointing Authority shall determine on 1st April every year, the actual number of vacancies occurring during the financial year. (2) Where a post is to be filled in by a single method as prescribed in these rules or Schedule-I and Schedule-II, the vacancies so determined shall be filled in by that method. (3) Where a post is to be filled in by more than one method as prescribed in these rules or Schedule-I and Schedule-II, the apportionment of vacancies, determined under sub-rule (1) above, to each such method shall be done maintaining the prescribed proportion for the overall number of posts already filled in. If any fraction of vacancies is left over, after apportionment of the vacancies in the manner prescribed above, the same shall be apportioned to the quota of various methods prescribed in a continuous cyclic order giving precedence to the promotion quota. (4) The Appointing Authority shall also determine the vacancies of earlier years, year wise which were required to be filled in by promotion, if such vacancies were not determined and filled earlier in the year in which they were required to be filled in.

15. Age.

- A candidate for direct recruitment to a post enumerated in the Schedules must have attained the age of 21 years and must not have attained the age of 35 years on the 1st day of January next following the last date fixed for receipt of applications: Provided that - (i) the upper age limit mentioned above shall be relaxed by - (a) 5 years in case of male candidates belonging to the Scheduled Castes and Scheduled Tribes, Backward Classes and Special Backward Classes. (b) 5 years in the case of Woman candidates belonging to General Category, and Economically Backward Classes. (c) 10 years in the case of Woman Candidates belonging to the Scheduled Castes, Scheduled Tribes, Backward Classes and Special Backward Classes. (ii) the upper age limit mentioned above shall not apply in the case of an ex-prisoner who had served under the Government on a substantive basis on any post before conviction and was eligible for appointment under these rules; (iii) the upper age limit mentioned above shall be relaxed by a period equal to the term of imprisonment served in the case of ex-prisoner who was not overage before his conviction and was eligible for appointment under these rules; (iv) the upper age limit mentioned above shall be relaxed by a period equal to the service rendered in the National Cadre Corps in the case of Cadet Instructor, if the resultant age does not exceed the prescribed maximum age limit by more than three years, such candidate shall be deemed to be within the prescribed age limit; (v) the persons appointed temporarily to a post in the service shall be deemed to be within the age limit, had they been within the age limit when they were initially appointed even though they have crossed the age limit when they appear finally before the Commission and shall be allowed up to two chances had they been eligible as such at the time of their initial appointment; (vi) the upper age limit for persons serving in connection with the affairs of the State, Panchayat Samiti and Zila Parishad and in the State Public Sector Undertaking/Corporation in substantive capacity shall be 40 years; (vii) the Released Emergency Commissioned Officers and Short Service Commissioned Officers after release [more than the Army shall

be deemed to be within the age-limit even though they have crossed the age-limit when they appear before the Commission had they been eligible as such at the time of their joining the commission in the Army;(viii)the upper age limit for reservist namely the defence personnel transferred to the reserve and the ex-service personnel shall be 50 years;(ix)there shall be no upper age limit in the case of widow and divorced women:Explanation. - In case of widow, she will have to furnish a certificate of death of her husband from the Competent Authority and in case of divorcee, she will have to furnish the proof of divorce.(x)If a candidate would have been entitled in respect of his/her age for direct recruitment in any year in which no such recruitment was held, he/she shall be deemed to be eligible in the next following recruitment, if he/she is not overage by more than 3 years.

16. Academic and technical qualifications and experience.

- A candidate for direct recruitment to the posts enumerated in the Schedule I and Schedule II, as the case may be, shall possess -(1)The qualifications and experience as laid down in schedule i and Schedule II, as the case may be and(2)Working knowledge of Hindi written in Devnagri Script and knowledge of Rajasthani Culture :Provided that the person who has appeared or is appearing in the final year examination of the course, which is requisite educational qualification for the post as mentioned in the rules or Schedule-I and Schedule-II, as the case may be, for direct recruitment, shall be eligible to apply for the post but he/she shall have to submit proof of having acquired the requisite educational qualification to the appropriate selection agency: -(i)before appearing in the main examination, where selection is made through two stages of written examination and interview;(ii)before appearing in interview, where selection is made through written examination and interview;(iii)before appearing in the written examination or interview where selection is made through only written examination or only interview, as the case may be.

17. Character.

- The character of a candidate for direct recruitment to the service must be such as shall qualify him for employment in the service. He must produce a certificate of good character from the Principal Academic Officer of the University or College in which he was last educated and two such certificates, written not more than six months prior to the date of application from two responsible persons not connected with his college or university or school and not related to him.Note: (1) A conviction by a Court of Law need not of itself involve the refusal of a certificate of good character. The circumstances of the conviction should be taken into account and if they involve no moral turpitude or association with crimes of violence or with a movement which has as its object to overthrow the Government by violent means by law established, the mere conviction need not be regarded as a disqualification.(2)Ex-prisoners who by their disciplined life while in prison and by their subsequent good conduct, have proved to be completely reformed, should not be discriminated against, on grounds of the previous conviction for the purpose of employment in the Service. Those who are convicted of offences not involving moral turpitude shall be deemed to have been completely reformed on the production of a report to that effect from the Superintendent, 'After Care Home' or if there are no such Homes in a particular district, from the Superintendent of Police of that district.(3)Those convicted of offences involving moral turpitude shall be required to produce

a certificate from the Superintendent, 'After-Care Home', or if there is no such Home in a particular district, from the Superintendent of Police of that district, endorsed by the Inspector General of Prisons, to the effect that they are suitable for employment as they have proved to be completely reformed by their disciplined life while in prison and by their subsequent good conduct in an 'After-Care Home'.

18. Physical Fitness.

- A candidate for direct recruitment to the service, must be in good mental or bodily health and free from any mental or physical defect likely to interfere with The efficient performance of his duties as a member of Service and if selected must produce a certificate to that effect from a Medical Authority notified by the Government for the purpose. The Appointing Authority may dispense with production of such certificate in the case of candidate promoted in the regular line of promotion or who is already serving in connection with the affairs of the State, if he has already been medically examined for the previous appointment and the essential standards of medical examination of the two posts held by him are to be comparable for efficient performance of duties of the new post and his age has not reduced his efficiency for the purpose.

19. Employment of irregular or improper means.

- A candidate who is or has been declared by the Commission/Appointing Authority guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statements which are incorrect or false or of suppressing material information or, using or attempting to use unfair means in the examination or interview or otherwise resorting to any other irregular or improper means for obtaining admission to the examination or interview, may in addition to rendering himself liable to criminal prosecution, be debarred either permanently or for a specified period -(a)by the Commission/Appointing Authority from admission to any examination or appearance at any interview held by the Commission/Appointing Authority for selection of candidates, and(b)by the Government from employment under the Government.

20. Canvassing.

- No recommendation for direct recruitment either written or oral other than that required under these rules, shall be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his/her candidature by any mean may disqualify him/her for recruitment.

Part-IV Procedure for Direct Recruitment

21. Inviting of Applications.

- Applications for direct recruitment to posts in the service, shall be invited by the Commission or the Appointing Authority, as the case may be, by advertising the vacancies to be filled in the official Gazette or in such other manner as they may deem fit. The advertisement shall contain a clause that a candidate who accepts the assignment on the post being offered to him/her shall be paid monthly

fixed remuneration at the rate fixed by the Government from time to time during the period of probation and the grade pay of the post as shown else-where in the advertisement shall be allowed only from the date of successful completion of the period of probation mentioned in these rules: Provided that while selecting candidates for the vacancies, so advertised, the Commission or the Appointing Authority, as the case may be, may, if intimation of additional requirement not exceeding 50% of the advertised vacancies, is received by it before selection, also select suitable persons to meet such additional requirement.

22. Frequency of direct recruitment.

- Direct recruitment to the posts specified in the Schedule-I and Schedule-II, as the case may be, shall be held at least once a year unless the Government decides that a direct recruitment for any of these posts shall not be held in any particular year.

23. Form of Application.

- The application shall be made in the form prescribed by the Commission or the Appointing Authority, as the case may be, and obtainable from the Secretary to the Commission/Appointing Authority, as the case may be, on payment of such fee if any, as the Commission/Appointing Authority, as the case may be, may fix from time to time.

24. Application Fee.

- A candidate for direct recruitment to a post in the Service must pay the fee fixed by the Commission/Appointing Authority, as the case may be, in such manner as may be indicated by them.

25. Scrutiny of Application.

- The Commission or the Appointing Authority as the case may be, shall scrutinise the applications received by them/it and require as many candidates qualified for appointment under these rules as seem to them/it desirable to appear before them/it for interview: Provided that the decision of the Commission or the Appointing Authority, as the case may be, regarding the eligibility or otherwise of a candidate shall be final.

26. Recommendations of the Commission or the Appointing Authority.

- The Commission/Appointing Authority, as the case may be, shall prepare a list of the candidates, whom they consider suitable for appointment to the posts concerned and arrange in order of merit and forward the same to the Government or the Appointing Authority, as the case may be: Provided that the Commission/Appointing Authority/Committee, as the case may be, may also to the extent of 50% of the advertised vacancies, keep names of suitable candidates on the reserve list. The Commission/Appointing Authority/Committee, as the case may be, may, on requisition,

recommend such names in order of merit to the Appointing Authority within six months from the date on which the original list is forwarded by the Commission/Appointing Authority/Committee to the Government/Appointing Authority, as the case may be.

27. Disqualification for appointment.

(1) No male/female candidate who has more than one wife/husband living shall be eligible for appointment to the service unless the Government after being satisfied that there are special grounds permissible under personal law for doing so, exempt any candidate from the operation of this rule. (2) No female candidate who is married to a person having already a wife living shall be eligible for appointment to the service unless the Government, after being satisfied that there are special grounds for doing so, exempt any female candidate from the operation of this rule. (3) No married candidate shall be eligible for appointment to the Service if he/she had at the time of his/her marriage accepted dowry. Explanation. - For the purpose of this rule, 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961 (Central Act No. 28 of 1961). (4) No candidate shall be eligible for appointment to the service who has more than two children on or after 1.6.2002: Provided that the candidate having more than two children shall not be deemed to be disqualified for appointment so long as the number of children he/she has on 1st June, 2002, does not increase. Provided further that where a candidate has only one child from earlier delivery but more than one child are born out of a single subsequent delivery, the children so born shall be deemed to be one entity while counting the total number of children. Provided also that this sub-rule shall not be applicable to the appointment of a widow, to be made under the Rajasthan Compassionate Appointment of Dependents of Deceased Government Servants Rules, 1996. Provided also that while counting the total number of children of a candidate, the child born from earlier delivery and having disability shall not be counted.

28. Selection by the Appointing Authority.

- Subject to the provisions of rule 8, 9, 10 and 11 the Appointing Authority shall select candidates, in the order of merit in the list prepared by the Commission/Appointing Authority/Committee referred to in rule 26: Provided that inclusion of a candidate's name in the list confers no right to appointment unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that such candidate is suitable in all other respects for appointment to the post concerned. Part-V Procedure for recruitment by promotion

29. Constitution of the Departmental Promotion Committee.

- The Constitution of the Departmental Promotion Committee shall be as under, -(a) For post(s) falling within the purview of the Commission. - Chairman of the Commission or a Chairman

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| 1. Member thereof nominated by him. Principal Secretary to the Government | Member |
| 2. in the Department of Personnel or his nominee not below the rank of Deputy Secretary to the Government in the Department of Personnel. | Member |

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| 3. Principal Secretary/Secretary to the Government in the Department of Fisheries | Member |
| 4. Director, Department of Fisheries | Member-Secretary |
| (b) For post(s) falling outside the purview of the Commission: - | |
| 1. Director, Department of Fisheries | Chairman |
| 2. Deputy Secretary to the Government, Department of Fisheries | Member |
| 3. Deputy Secretary to the Government, in the Department of Personnel | Member |
| 4. Establishment Officer or an officer not below the rank of Assistant Director, Department of Fisheries | Member-Secretary |

Provided that in case any Member /Member Secretary, as the case may be constituting the Committee has not been appointed to the post concerned, the officer holding charge of the post for the time being shall be the Member /Member Secretary of the Committee.

30. Criteria, eligibility and procedure for promotion.

(1) As soon as the Appointing Authority determines the number of vacancies under rule 14 and decides that certain number of posts are required to be filled in by promotion, it shall, subject to provisions of sub-rule (6), prepare a correct and complete list of the senior-most persons who are eligible and qualified under these rules for promotion on the basis of seniority-cum-merit or on the basis of merit to the class of posts concerned. (2) The persons enumerated in the relevant column regarding post from which promotion is to be made, of the relevant Schedule shall be eligible for promotion to posts specified against them in column 2 thereof to the extent indicated in column 3 subject to their possessing minimum qualifications and experience on the first day of the month of April of the year of selection as specified in the relevant column regarding minimum qualification and experience for promotion. (3) No person shall be considered for first promotion in the service unless he is regularly selected on the post from which promotion is to be made in accordance with one of the methods of recruitment prescribed under the provisions of these rules. Explanation. - In case direct recruitment to a post has been made earlier than regular selection by promotion in a particular year, such of the persons who are or were eligible for appointment to that post by both the methods of recruitment and have been appointed by direct recruitment first, shall also be considered for promotion. (4) No person shall be considered for promotion for five recruitment years from the date on which his promotion becomes due, if he/she has more than two children on or after 1.06.2002: Provided that, 4-(i) the Government servant having more than two children shall not be deemed to be disqualified for promotion so long as the number of children he/she has on 1st June, 2002 does not increase. (ii) Where a Government servant has only one child from earlier delivery but more than one child are born out of a single subsequent delivery, the children so born shall be deemed to be one entity while counting the total number of children. (iii) While counting the total number of children of a candidate, the child born from earlier delivery and having disability shall not be counted. (5) Selection for promotion on the post included in the service shall be made on the basis of seniority-cum-merit: Provided that promotion on the highest post in the state service, if it is at least third promotion shall be made on the basis of merit alone: Provided further that if the Departmental Promotion Committee is satisfied that suitable persons are not available for selection by promotion to the highest post(s) strictly on the basis of merit in a particular year, selection by

promotion to the highest post(s) on the basis of seniority cum merit may be made in the same manner as specified in these Rules;(6)The zone of consideration of persons eligible for promotion shall be as under:

- | | |
|--------------------------------|---|
| (i) Number of vacancies | Number of eligible persons to be considered |
| (a) for one vacancy | five eligible persons |
| (b) for two vacancies | eight eligible persons |
| (c) for three vacancies | ten eligible persons |
| (d) for four or more vacancies | three times the number of vacancies |

(ii)Where, the number of eligible persons for promotion to higher post is less than the number specified above, all the persons so eligible shall be considered.(iii)Where, adequate number of the candidates belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be, are not available within the zone of consideration specified above, the zone of consideration may be extended to seven times the number of vacancies and the candidates belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be (and not any other) coming within the extended zone of consideration shall also be considered against the vacancies reserved for them.(iv)For any post in the Service:(a)if promotion is from more than one categories of posts in the same Grade Pay, eligible persons upto two in number from each category of posts in the same Grade Pay shall be considered for promotion;(b)if promotion is from more than one categories of posts carrying different Grade Pay, eligible persons in the higher Grade Pay shall be considered for promotion first and if no suitable person is available for promotion on the basis of merit or seniority cum merit, as the case may be, in the higher Grade Pay than only the eligible persons of other categories of posts in lower Grade Pay shall be considered for promotion and so on and so forth. The zone of consideration for eligibility in this case shall be limited to five senior most eligible persons in all.(7)Except as otherwise expressly provided in this rule, the conditions of eligibility for promotion, constitution of the Committee and procedure for selection shall be the same as prescribed elsewhere in these Rules.(8)The Departmental Promotion Committee shall consider the cases of all the senior most persons who are eligible and qualified for promotion to the class of post(s) concerned under these rules and shall prepare a list containing names of the persons found suitable on the basis of seniority-cum-merit or on the basis of merit, as the case may be, as per the criteria for promotion laid down in these rules equal to the number of vacancies determined under these rules. The list so prepared on the basis of seniority-cum-merit and / or on the basis of merit, as the case may be, shall be arranged in the order of seniority of the category of post(s) from which selection is made.(9)The Departmental Promotion Committee shall also prepare a separate list on the basis of seniority-cum-merit and/or on the basis of merit, as the case may be, as per the criteria for promotion laid down in these rules, containing number of persons selected in the list prepared under sub-rule (8) above to fill temporary or permanent vacancies, which may occur subsequently. The list so prepared on the basis of seniority-cum-merit or on the basis of merit shall be arranged in the order of seniority in the category of posts from which selection shall be made. Such a list shall be reviewed and revised by the Departmental Promotion Committee that meets in the subsequent year and that such list shall remain in force till the end of the last day of the year for which the meeting of the Departmental Promotion Committee is held.(10)List prepared under sub-rule (8) and (9) shall be sent to the Appointing Authority together with Annual Confidential Reports/Annual Performance

Appraisal Reports and other Service Records of all the candidates included in the list as also of those not selected, if any. Explanation. - For the purpose of selection for promotion on the basis of merit, no person shall be selected if -he does not have "Outstanding" or "Very Good" record of at least four out of seven years preceding the year for which the meeting of the Committee is held.(11)If in any subsequent year, after promulgation of these Rules, vacancies relating to any earlier year are determined under these rules which were required to be filled in by promotion, the Departmental Promotion Committee shall consider the cases of all such persons who would have been eligible in the year to which the vacancies relate irrespective of the year in which the meeting of the Departmental Promotion Committee is held and such promotions shall be governed by the criteria and procedure for promotion as was applicable in the particular year to which the vacancies relate and the service/experience of an incumbent who has been so promoted, for promotion to higher post for any period during which he has not actually performed the duties of the post to which he would have been promoted, shall be counted. The pay of a person who has been so promoted shall be re-fixed at the pay which he would have derived at the time of his promotion but no arrears of pay shall be allowed to him.(12)The Government or the Appointing Authority as the case may be, may order for the review of the proceedings of the Departmental Promotion Committee held earlier on account of some mistake or error apparent on the face of record, or on account of a factual error substantially affecting the decision of the Departmental Promotion Committee or for any other sufficient reasons e.g. change in seniority, wrong determination of vacancies, judgement direction of any Court or 'Tribunal, or where adverse entries in the confidential reports of an individual are expunged or toned down or a punishment inflicted on him is set aside or reduced. The concurrence of the Department of Personnel and the Commission, (where Commission is associated) shall always be obtained before holding the meeting of the review Departmental Promotion Committee.(13)Where consultation with the Commission is necessary, the lists prepared by the Committee shall be forwarded to the Commission by the Appointing Authority along with the Personal Files and Annual Confidential Rolls/Annual Performance Appraisal Reports of all the persons whose names have been considered by the committee.(14)The Commission shall consider the lists prepared by the committee along-with other relevant documents received from the Appointing Authority and unless any change is considered necessary, shall approve the lists. In case the Commission consider it necessary to make any change in the lists received from the Appointing Authority, it shall inform the Appointing Authority of the changes proposed by it. After taking into account the comments of the Commission, if any, the Appointing Authority may approve the lists finally with such modification, as may in its opinion, be just and proper and when the Appointing Authority is an authority subordinate to the Government, the lists approved by the Commission shall be disturbed only with the approval of the Government.(15)Appointments shall be made by the Appointing Authority taking persons out of the lists finally approved under the Sub-rule (14) above in the order in which they have been placed' in the lists, till such lists are exhausted or reviewed and revised or remained in force, as the case may be.(16)The Government may issue instructions for provisionally dealing with promotions, appointments or other ancillary matters in an equitable and fair manner of persons who may be under suspension, or against whom departmental proceeding is under progress, at the time promotions are considered to a post to which they are eligible or would have been eligible but for such suspension or pendency of such enquiry or proceedings.(17)The provisions of this rule shall have effect notwithstanding anything to the contrary contained in any provision of these rules.

31. Restriction of promotion of persons foregoing promotions.

- In case a person, on his/her appointment by promotion to the next higher post either on the basis of urgent temporary appointment or on regular basis on the recommendations of the Departmental Promotion Committee, foregoes such an appointment through his/her written request, and if the concerned Appointing Authority accept his/her request, the person concerned shall be debarred from consideration for promotion (both on the basis of urgent temporary appointment or on regular basis), for subsequent two recruitment years for which the departmental Promotion Committee is held and the name of such person who foregoes promotion shall not be included in the seniority cum eligibility list to be placed before the Departmental Promotion Committee for the subsequent two recruitment years. Part-VI Appointment, Probation and Confirmation

32. Appointment to the Service.

- Appointments to the posts in the Service by direct recruitment as probationer trainees on fix remuneration or by promotion, as the case may be, shall be made by the Appointing Authority on occurrence of substantive vacancies from the candidates selected under rule 26 in order of merit and by promotion from the persons selected under rule 30.

33. Urgent Temporary Appointment.

(1) A vacancy in the Service which cannot be filled in immediately either by direct recruitment or by promotion under the rules may be filled in by the Government or b' the authority competent to make appointment, as the case may be by appointing in an officiating capacity thereto an officer eligible for appointment to the post by promotion or by appointing temporarily thereto a person eligible for direct recruitment to the Service, where such direct recruitment has been provided under the provisions of these rules: Provided that, - (i) Such an appointment shall not be continued beyond a period of one year without referring the case to the Commission for concurrence, where such concurrence is necessary and shall be terminated immediately on its refusal to concur; and (ii) In respect of the Service or a post in the Service for which both the above methods of recruitment have been prescribed, the Government or the authority competent to make appointment, as the case may be, shall not, save with the specific permission of the Government in the Department of Personnel in the case of State Services and Government in the Administrative Department concerned in respect of other services, fill in the temporary vacancy against the direct recruitment quota by a whole time appointment for a period exceeding three months, otherwise than out of persons eligible for direct recruitment and after a short term advertisement. (2) In the event of non-availability of suitable persons fulfilling the requirements of eligibility for promotion, Government may, notwithstanding the condition of eligibility for promotion required under sub-rule (1) above, lay-down general instructions for grant of permission to fill the vacancies on urgent temporary basis subject to such conditions and restriction's regarding pay and other allowances as it may direct. Such appointments shall, however, be subject to concurrence of the Commission as required under the said sub-rule (1) above.

34. Seniority.

- Seniority of persons appointed to the post encadred in the service shall be determined from the date of appointment on the post after regular selection in accordance with the provisions of these rules. Appointment on ad-hoc or urgent temporary basis shall not be deemed to be appointment after regular selection. Provided that, -(i) the inter se seniority of persons appointed to a post in a particular category by direct recruitment on the basis of one. and the same selection, except those who do not join service when a post is offered to them within a period of six weeks from the date of issue of order unless the period is extended by the Appointing Authority, shall follow the order in which their names have been placed in the lists prepared under rule 26; (ii) if two or more persons are appointed to the service during the same year a person appointed by promotion, shall be senior to a person appointed by direct recruitment; (iii) persons selected and appointed as a result of a selection, which is not subject to review and revision, shall rank senior to the persons who are selected and appointed as a result of subsequent selection; and (iv) seniority inter se of persons selected on the basis of seniority-cum-merit and on the basis of merit in the same selection shall be same as in the next below grade.

35. Period of Probation.

(1) A person entering the service by direct recruitment against a clear vacancy shall be placed as Probationer-trainee for a period of 2 years: Provided that any period after such appointment during which a person has been on deputation on a corresponding or higher post shall count towards the period of probation. (2) During the period of probation specified in sub-rule (1), each probationer trainee may be required to pass such Departmental Examination and to undergo such training as the Government may, from time to time, specify.

36. Confirmation in certain cases.

(1) Notwithstanding anything to the contrary contained in the preceding rule, a person appointed to a post in the service temporarily or on officiating basis who, after regular recruitment by any one of the methods of recruitment prescribed under these rules, has not been confirmed within a period of six months after satisfactory completion of the period of probation of two years service in case he is appointed by direct recruitment or within a period of one year's service in case he is appointed by promotion, shall be entitled to be treated as confirmed in accordance with his seniority, if -(i) he has worked on the post or higher post under the same Appointing Authority or would have so worked but for his deputation or training; (ii) he fulfils conditions as are prescribed under rule relating to confirmation subject to the quota prescribed under these rules; and (iii) permanent vacancy is available in the department. (2) If an employee referred to in sub-rule (1) above fails to fulfil the conditions mentioned in the said sub-rule (1), the period mentioned in sub-rule (1) above, may be extended as prescribed for a probationer under the Rajasthan Civil Services (Departmental Examinations) Rules, 1959 and any other rules or by one year, whichever is longer if the employee still fails to fulfil the conditions mentioned in sub-rule (1) above, he will be liable to be discharged or terminated from such post in the same manner as a probationer or reverted to his substantive or lower post, if any, to which he may be entitled. (3) The employee referred to in sub-rule (1) above,

shall not be debarred from confirmation after the said period of service if no reasons to the contrary about the satisfactory performance of his work are communicated to him within the said period of service.(4)The reasons for not confirming of any employee referred to in sub-rule (1) above shall be recorded by the Appointing Authority in his Service Book and Annual Performance Appraisal Report.Explanation. - (i) Regular recruitment for the purpose of this rule shall mean:-(a)appointment by either method of recruitment or on initial constitution of service in accordance with the rules made under the proviso to Article 309 of the Constitution of India;(b)appointment to the posts for which no service rules, exist, if the posts are within the purview of the Commission, recruitment in consultation with them;(c)appointment by transfer after regular recruitment where the rules specifically permit; and(d)persons who have been made eligible for substantive appointment to a post under these rules shall be treated as having been regularly recruited;Provided that it shall not include urgent temporary appointment or officiating promotion which, is subject to review and revision.(ii)Persons who hold lien on another cadre shall be eligible to be confirmed under these rules and they will be eligible to exercise an option whether they do not elect to be confirmed on the expiry of two years of their temporary appointment under this rule. In the absence of any option to the contrary, they shall be deemed to have exercise option in favour of confirmation under this rule and their lien on the previous post shall cease.

37. Unsatisfactory progress during probation.

- If it appears to the Appointing Authority, at any time, during or at the end of the period of probation, that services of a probationer trainee are not found to be satisfactory, the Appointing Authority may revert him/her to the post on which he/she is regularly selected immediately preceding his/her appointment as probationer trainee or in other cases may discharge or terminate him/her from service. The Appointing Authority shall accord appropriate opportunity to the probationer-trainee before final orders are passed in this respect:Provided that the Appointing Authority may, if it so thinks fit in any case or class of cases, extend the period of probation of any probationer trainee by a specified period not exceeding one year.

38. Confirmation.

- A person placed on probation under rule 35 shall be confirmed in his appointment at the end of his period of probation if-(a)he/she has passed the Departmental Examination, and has successfully undergone such training as the Government may from time to time, specify;(b)he/she has passed Departmental Test of proficiency in Hindi; and(c)the Appointing Authority is satisfied that his/her integrity is unquestionable and that he/she is otherwise fit for confirmation.Part-VII Pay

39. Grade Pay.

- The Grade Pay of a person appointed to a post in the Service shall be such as may be admissible under the rules, referred to in rule 41 or as may be sanctioned by the Government, from time to time.

40. Pay during probation.

- A probationer Trainee appointed to the service by direct recruitment, shall be paid monthly fixed remuneration during the period of probation at such rates as may be fixed by the Government, from time to time; Provided that an employee having been regularly selected as per provisions of recruitment rules in the Government service may be allowed emoluments in his/her own Grade Pay in the existing Grade Pay scale of the post during service as probationer trainee or fixed remuneration of the new post, whichever is advantageous to him/her.

41. Regulations of pay, allowances, leave pension etc.

- Except as provided in these rules, the pay, allowances, pension, leave, and other conditions of service of the member of the Service shall be regulated by-(1)The Rajasthan Service, Rules, 1951, as amended from time to time;(2)The Rajasthan Civil Services (Classification, Control and Appeal) Rules 1958, as amended from time to time;(3)The 'Rajasthan Travelling Allowance Rules 1971, as amended from time to time'(4)The Rajasthan Civil Services (Conduct) Rules, 1971, as amended from time to time;(5)The Rajasthan Civil Services (Pension) Rules, 1996: as amended from time to time;(6)The Rajasthan Civil Services (Revised Pay Scales) Rules, 1998, as amended from time to time;(7)The Rajasthan Civil Services (Contributory Pension) Rules, 2005 as amended from time to time;(8)The Rajasthan Civil Services (Revised Pay) Rules, 2008 as amended from time; and(9)Any other rules prescribing general conditions of service made by the Appropriate Authority under the proviso to Article 309 of the constitution of India and for the time being in force.

42. Removal of doubts.

- If any doubt arises relating to the application and scope of these rules, it shall be referred to the Government in the Department of Personnel whose decision thereon shall be final.

43. Repeal and Saving.

- All rules and orders in relation to matters covered by these rules and in force immediately before the commencement of these rules are hereby repealed: Provided that any action taken under the rules and orders, so superseded, shall be deemed to have been taken under the provision of these rules.

44. Power to relax rules.

- In exceptional cases where the Administrative Department of the Government is satisfied that operation of the rules relating to age or regarding requirement of experience for recruitment causes undue hardship in any particular case or where the Government is of the opinion that it is necessary or expedient to relax any of the provisions of these rules with respect to age or experience of any person, it may with the concurrence of the Department of Personnel and in consultation with the Commission where necessary, by order, dispense with or relax the relevant provisions of these rules

to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner, provided that such relaxation shall not be less favourable than the provisions already contained in these rules. Such cases of relaxation shall be referred to the Commission by the Administrative Department concerned: Provided that relaxation in the prescribed period of service or experience under this rule shall only be granted to the extent of 1/3 period of the service or experience prescribed for promotion to any post before holding the meeting of the Departmental Promotion Committee.

I

State Service

S.No.	Name of Posts	Source of recruitment with percentage	Minimum qualification and experience for direct recruitment	Post from which promotion is to be made	Minimum qualification and experience for promotion	Remarks
1	Joint Director	-	100%	-	Deputy Director	3 year's experience on the post Mentioned incol. 6
2	Deputy Director	-	100%		Assistant Director	3 year's experience on the post Mentioned incol. 6
3	Assistant Director	-	100%		Fisheries Development Officer/Fisheries	3 year's experience on the post

Project Officer

Mentioned
in col. 6Junior
Grade II
Post

4	Fisheries Development Officer/Fisheries Project Officer	50%	50%	Master Degree in Fisheries Science (M.F.Sc.) or M.Sc. Zoology with Special paper in Fisheries from a recognised established by law in India	Assistant Fisheries Development Officer/Lecture Fisheries Training School/Fisheries Research Assistant/Fisheries Assistant University	5 year's experience on the post Mentioned in col. 6 Extension
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II

Subordinate Service

S.No.	Name of Posts	Source of recruitment with percentage	Minimum qualification and experience for direct recruitment	Post from which promotion is to be made
Direct Selection Grade Post	Promotion			
1	2	3	4	5
1	Assistant Fisheries Development Officer/Lecturer, Fisheries Training School/ Fisheries Research Assistant/Fisheries Extension	75%	25%	Master Degree in Fisheries Science (M.F.Sc.) or M.Sc. Zoology with special paper in Fisheries from a recognised University established by law in India Or Bachelor of Fisheries Science (B.F.Sc.) with one year diploma in Professional Development Program from Central Institute of Fisheries Education, Mumbai.

Assistant

2	Fisheries Inspector	75%	25%	B.Sc. Biology/B.F.Sc. from a recognised University established by law in India.
3	Fish Lab Assistant	100%	50%	Senior Secondary in Science with Biology as one of subjects from a recognised Board/Institution or equivalent qualification.
4	Fish Fieldman	50%	50%	VIII standard from a recognised Board and its equivalent qualification.
5	Fisherman	100%	-	Vth standard or equivalent qualification
6	Boat Driver	100%	-	Certificate of IIIrd category Engine Driver from Mercantile Marine Department of Mumbai/Chennai/kolkata/Cochin/Vishakhapatnam