

INDIAN FOREST SERVICE (RECRUITMENT) RULES, 1966

CONTENTS

1. Short title and commencement
2. Definitions
3. Constitution of the Service
4. Method of recruitment to the Service
5. Disqualifications for appointment
6. Appointment to the Service
- 6A. Appointment of officers in the junior time scale of pay to posts in the senior time scale of pay
7. Recruitment by competitive examination
- 7A. Recruitment by selection of persons from among the released Emergency Commissioned Officers and Short Service Commissioned Officers Commissioned in the Armed Forces of the Union after the 1st November, 1962 2 [but before the 10th January, 1968]
8. Recruitment by promotion
9. Number of persons to be recruited under rule 8
10. Interpretation

INDIAN FOREST SERVICE (RECRUITMENT) RULES, 1966

¹1 . Vide M.H.A. Notification No. 2/6/64-A.I.S.(IV), dated 1st September, 1966. In exercise of the powers conferred by sub-section (1) of Sec. 3 of the All India Services Act, 1951 (61 of 1951), the Central Government, after consultation with the Governments of the States concerned, hereby makes the following rules, namely :-

1. Short title and commencement :-

(1) These rules may be called the Indian Forest Service (Recruitment) Rules, 1966.

(2) They shall be deemed to have come into force with effect from 1st July, 1966.

2. Definitions :-

In these rules, unless the context otherwise requires;-

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

(b) "Scheduled Castes" means such castes, races or tribes or parts

of or groups within such castes, races or tribes as are deemed under Art. 341 of the Constitution to be Scheduled Castes for the purposes of the Constitution ;

(c) "Schedule Tribes" means such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under Art. 342 of the Constitution to be Scheduled Tribes for the purposes of the Constitution;

(d) "Service" means the Indian Forest Service ;

(e) "State' means a State specified in the First Schedule to the Constitution and includes a Union Territory ;

(f) "State Cadre" and "Joint Cadre" have the meanings respectively assigned to them in the Indian Forest Service (Cadre) Rules, 1966 ;

(g) "State Forest Service" means:-

(i) any such service in a State, being a service connected with forestry and the members thereof having gazetted status, as the Central Government may, in consultation with the State Government, approve for the purpose of these rules; or

(ii) any service in such Central Civil Post; Class I or Class II, connected with forestry, as may be approved by the Central Government for the purposes of these rules;

¹ [(h) "State Government concerned" in relation to a Joint Cadre, means the Joint Cadre Authority.]

1. Subs. by D.P. Notification No. 13/4/71-AIS(I), dated 11th January, 1972.

3. Constitution of the Service :-

The Service shall consist of the following persons, namely:-

(a) Members of the State Forest Service recruited to the service at its initial constitution in accordance with the provisions of sub-rule (1) of Rule 4; and

(137)

(b) persons recruited to the service in accordance with the provisions of sub- rules (2) to (4) of Rule 4.

4. Method of recruitment to the Service :-

(1) As soon as may be after the commencement of these rules, the

Central Government may recruit to the Service any person from amongst the members of the State Forest Service adjudged suitable in accordance with such regulations as the Central Government may make in consultation with the State Government and the Commission : Provided that no member holding a post referred to in sub-clause(ii) of Cl. (g) of Rule 2 and so recruited shall at the time of recruitment, be allocated to any State cadre other than the cadre of a Union Territory.

(2) After the recruitment under sub-rule (1), subsequent recruitment to the Service, shall be by the following methods, namely :-

(a) by a competitive examination;

¹[(aa) by selection of persons from amongst the Emergency Commissioned Officers and Short Service Commissioned Officers of the Armed Forces of the Union who were commissioned after the 1st November, 1962, ²[but before the 10th January, 1968] and who are released in the manner specified in sub-rule (1) of Rule 7A);

(b) by promotion of substantive members of the State Forest Service.

(3) Subject to the provisions of these rules, the method or methods of recruitment to be adopted for the purpose of filling any particular vacancy or vacancies in the Service as may be required to be filled during any particular period of recruitment and the number of persons to be recruited by each method shall be determined on each occasion by the Central Government in consultation with the Commission: Provided that where any such vacancy or vacancies relates or relate to a State Cadre or a Joint Cadre, the State Government concerned shall also be consulted.

³[(3-A) Notwithstanding anything contained in this rule, where appointments to the Service in pursuance of the recruitment under sub-rule (1) have become invalid reason of any judgement or order of any court, the Central Government may make fresh recruitment under that sub-rule and may give effect to the appointments to the service in pursuance of such fresh recruitment from the same date on which the appointments which have become invalid as aforesaid had been given effect to.]

(4) Notwithstanding anything contained in sub-rule (2), if in the

opinion of the Central Government the exigencies of the service so require, the Central Government may, after consultation with the State Government and the Commission, adopt such methods of recruitment to the Service other than those specified in the said sub-rule as it may by regulations made in the behalf prescribe.

4 [(5) Notwithstanding anything hereinbefore contained in this rule in relation to the State of Sikkim, recruitment to the State Cadre on its initial constitution shall be made by such method, as the Central Government may, after consultation with the State Government and the Commission prescribe.]

1. Ins. by M.H.A. Notification No.3/8/67-(i)-AIS(IV), dated 14th June, 1968 (w.e.f. dated 1st January 1968).
2. Ins. by D.P. Notification No. 3/6/71-(i)-AIS(IV), dated 7th October, 1971.
3. Subs. by D.P. Notification No. 3/30/70-(i)AIS(IV), dated 1st March, 1971.
4. Ins. by D.P. Notification No. 16012/778 AIS(IV), dated 13th July, 1978.

5. Disqualifications for appointment :-

1[(1) No person shall be qualified for appointment to the service unless he is a citizen of India, or belongs to such categories of persons as may, from time to time be notified in this behalf by the Central Government.]

(2) No person-

2 [* * *]

(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 Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to permissible and there are other grounds for so doing, exempt any person from the operation of this rule.

1. Subs by M.H-A. Notification No3/2/67-AIS(IV), dated 15th March, 1967.
2. Deleted by D.P. Notification No. 3/14/72-AIS(IV), dated 22nd September, 1973.

6. Appointment to the Service :-

(1) All appointments to the Service shall be made by the Central Government and no such appointment shall be made except after recruitment by one of the methods specified in Rule 4.

¹[(2) The appointments of persons recruited to the service under Cls. (a) ² [and (aa)] of sub-rule (2) of Rule 4 shall be in the junior time-scale of pay.]

(3) The appointments of persons recruited to the Service under Cl. (b) of sub- rule (2) of Rule 4 shall be in the senior time-scale of pay.

1. Ins. by M.H.A. Notification No.3/8/66-AIS(IV), dated 8th June, 1967.

2. Subs. by D.P. Notification No. 3/15/70-(i)-AIS(IV), dated 26th April, 1971 (w.e.f. dated 8th May, 1971).

6A. Appointment of officers in the junior time scale of pay to posts in the senior time scale of pay :-

(1) Appointments of officers recruited to the Service under Cl. (a) or Cl. (aa) of sub-rule (2) of Rule 4 to posts in the senior time-scale of pay shall be made by the State Government concerned.

(2) An Officer, referred to in sub-rule (1), shall be appointed to a post in the Senior time-scale of pay if, having regard to his length of service and experience, the State Government is satisfied that he is suitable for appointment to a post in the senior time-scale of pay: ¹[Provided that, if he is under suspension or disciplinary proceedings are instituted against him, he shall not be appointed to a post in the senior time-scale of pay, until he is reinstated in the Service, or the disciplinary proceedings are concluded and final orders are passed thereon, as the case may be: Provided further that on the conclusion of the disciplinary proceedings,

(a) if he is exonerated fully and the period of suspension, if any, is treated as duty for purposes, he shall be appointed to the senior time-scale of pay from the date on which he would have been so appointed, had the disciplinary proceedings not been instituted against him, and paid accordingly, and

(b) if he is not exonerated fully, and if the State Government, after considering his case on merits, proposes not to appoint him to the senior time-scale of pay from the date on which he would have

been so appointed had the disciplinary proceedings not been instituted against him, he shall be given an opportunity to show cause against such action.]

(3) Notwithstanding anything contained in sub-rule (2) the State Government may-

(a) withhold the appointment of an officer, referred to in sub-rule (1), to a post in the senior time-scale of pay,-

(i) till he is confirmed in the Service, or

(ii) till he passes the prescribed departmental examination or examination, and appoint, to such a post, an officer junior to him,

(b) appoint an officer, referred to in sub-rule (1), at any time to a post in the senior time-scale of pay as a purely temporary or local arrangement.]

GOVERNMENT OF INDIA'S DECISIONS ²: A question was raised what should be length of Service for direct recruits appointed on the basis of the competitive examinations for promotion to the posts in the senior time scale in the Indian Forest Service. (2) It has been decided that in order to determine the suitability of direct recruits to the Indian Forest Service for promotion to the posts in the senior time scale, their works and performances should be watched for a period of at least two years after they have completed successfully the period of probation of three years. In other words, the direct recruits to the Indian Forest Service may be considered for promotion to senior time scale on completion of five years of service including the period of their training.

1. Ins. by D.P. Notification No. 11027/1/75-AIS(1)-C, dated 29th June, 1976.

2. [DP and AR letter No. 3/7/72-AIS(IV), dated 24th September, 1973.]

7. Recruitment by competitive examination :-

(1) A competitive examination for recruitment to the Service shall be held at such intervals as the Central Government may, in consultation with the Commission, from time to time, determine.

(2) The examination shall be conducted by the Commission in accordance with such regulations as the Central Government may from time to time make in consultation with the Commission and the State Governments.

(3) Appointments to the Service will be subject to orders regarding special representation in the Service for Scheduled Castes and Scheduled Tribes issued by the Central Government from time to time.

7A. Recruitment by selection of persons from among the released Emergency Commissioned Officers and Short Service Commissioned Officers Commissioned in the Armed Forces of the Union after the 1st November, 1962² [but before the 10th January, 1968] :-

(1) Till the 28th January, 1974¹ [20 per cent] of the permanent vacancies in the Indian Forest Service to be filled by direct recruitment in any year shall be reserved for being filled by Emergency Commissioned Officers and Short Service Commissioned Officers of the Armed Forces of the Union who were Commissioned after the 1st November, 1962; and who

(i) In the case of Emergency Commissioned Officers are released according to a phased programme; or

(ii) in the case of Short Service Commissioned Officers are released on the expiry of the tenure of their service; or

(iii) are invalided owing to a disability attributable to or aggravated by military service;

Note (I).-In this sub-rule, the expression 'release' means-

²[(i) release as per Scheduled year of the release according to a phased programme in the case of Emergency Commissioned Officers, or]

[(ii) release as per the Scheduled year of the release at the end of the tenure of their service in the case of Short Service Commissioned Officers, or]

(iii) invalidement owing to a disability attributable to or aggravated by military service.

³[Note (II).-The expression "scheduled year of release" means-

(i) in so far as it relates to the Emergency Commissioned Officers, the year in which they are due for release in accordance with the phased programme approved by the Government of India in the Ministry of Defence; and

(ii) in so far as it relates to the Short Service Commissioned Officers, the year in which their normal tenure of 5 years as Short Service Commissioned Officers is to expire.]

⁴[Note (III).-Engineers and Doctors employed under the Central Government or State Governments or Government-owned industrial undertakings after 1963, who are required to serve in the Armed Forces for a minimum prescribed period under the Compulsory Liability Scheme and who are granted Short Service Commission under the rules during the period of such service, are not eligible for the vacancies reserved for the Emergency Commissioned Officers and Short Service Commissioned Officers of the Armed Forces in the Indian Forest Service.]

⁴[Note (IV).-Officers belonging to the Volunteer Reserve Forces of the Armed Forces and called upon for temporary service are not eligible for the reserved vacancies.]

(2) The selection of persons referred to, in sub-rule (1) for appointment to the Service against the vacancies reserved for them shall be made in accordance with such regulations as the Central Government may, from time to time, make in consultation with the Commission and the State Governments.

⁶[(3) The regulations made under sub-rule (2) shall provide for the reservation, in favour of candidates belonging to the Scheduled Castes and the Scheduled Tribes to the extent prescribed by the Central Government by orders issued by it, from time to time, in consultation with the State Governments of the number of vacancies to be filled on the results of each examination.]

(4) Candidates belonging to the Scheduled Castes or the Scheduled Tribes declared by the Commission to be suitable for appointment to the Service with due regard to the maintenance of efficiency of administration may be appointed to the vacancies reserved for the candidates of the Scheduled Castes or the Scheduled Tribes, as the case may be, under sub-rule(3).

(5) If a sufficient number of persons referred to in sub-rule (1) of the requisite calibre is not available for filling the vacancies reserved for them, the unfilled vacancies shall be treated as unreserved and filled on the results of the competitive examination referred to in Cl. (a) of sub-rule (2) of Rule 4, but a corresponding number of vacancies shall be carried forward to the next succeeding

year or 7 [years].

(6) The total number of vacancies reserved for the persons referred to in sub-rule (1) under this rule and for the members of the Scheduled Castes and Scheduled Tribes under any other rule or order for the time being in force in any year, shall not exceed 45 per cent of the total number of vacancies to be filled in that year through the competitive examination and selection referred to in Cls. (a) and (aa) of sub-rule (2) of Rule 4.

(7) If the number of persons referred to in sub-rule (1) selected for appointment in a particular year exceeds the number of vacancies reserved for them, the names of the persons in excess shall be kept on the waiting list for filling vacancies reserved for the released Emergency Commissioned or Short Service Commissioned Officers referred to in Cl. (aa) of sub-rule (2) of Rule 4 in the next succeeding year.

1. Subs. by Notification No. 3/6/71-(i)-AIS(IV), dated 19th July, 1971 (w.e.f. 11th September, 1977).
2. Subs. by D.P. Notification. No. 3/6/69-AIS (IV), dated 31st August, 1970.
3. Ins. Subs. by D.P. Notification. No. 3/6/69-AIS (IV), dated 31st August, 1970.
4. Renumbered by D.P. Notification No 3/6/69-A.I.S. (IV), dated 31st August, 1970.
6. Subs. by D.P. Notification No. 3/6/71-(i)-AIS(IV), dated 19th July, 1971 (w.e.f. 11th September 1971).
7. Subs. by D.P. Notification No 3/6/71-(i)-A.I.S. (IV), dated 19th July, 1971. lw.e.f. 11th September 1971).

8. Recruitment by promotion :-

(1) The Central Government may, on the recommendations of the State Government concerned and in consultation with the Commission and in accordance with such regulations as the Central Government may, after consultation with the State Governments and the Commission from time to time, make recruit to the Service persons by promotion from amongst the substantive members of the State Forest Service.

(2) Where a vacancy occurs in a State Cadre which is to be filled under the provision of this rule the vacancy shall be filled by promotion of a member of the State Forest Service.

(3) Where a vacancy occurs in the Joint Cadre which is to be filled under the provision of this rule, the vacancy shall, subject to any

agreement in this behalf, be filled by promotion of a member of the State Forest Service of any of the State constituting the group.

9. Number of persons to be recruited under rule 8 :-

1 [(1) The number of persons recruited under Rule 8 in any State or group of States shall not, at any time, exceed 33-1/3 per cent. of the number of posts as are shown against item 1 and 2 of the cadre in relation to that State of the group of States, in the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966.

(2) For the purpose of determining-the percentage specified in sub-rule (1) the officers of a State Forest Service, who may be appointed to any of the vacancies caused by the transfer of cadre officers to another service or by their quasi-permanent deputation to the Centre shall be excluded.

1. Sub. by G>S>R> 1116 (E) dated 22nd Feb.,1989.

10. Interpretation :-

If any question arises as to the interpretation of these rules, the same shall be decided by the Central Government.