

***The Orissa Forest Service, Class II (Recruitment and Conditions of Service) Rules, 1984**

Notifications No. 20079- F.F. A.H., dated the 25th September 1984- In exercise of the powers conferred by the provision to Article 309 of the Constitution of India, the Governor of Orissa hereby makes the following rules for the regulation of recruitment to the Orissa Forest Service, Class II, namely;

1. Short title and commencement- (1) These rules may be called the Orissa Forest Service, Class II (Recruitment and Conditions of Service) Rules, 1984.

(2) They shall come into force on the date of their publication in the official Gazette.

2. Definitions- (1) In these rules unless the context otherwise requires-

- (a) **"Chief Conservator"** means the Chief Conservator of Forests, Orissa;
- (b) **"Chief Conservator (Kendu Leaf)"** means the Chief Conservator of Forests (Kendu Leaf), Orissa.
- (c) **"Commission"** means the Orissa Public Service Commission;
- (d) **"Departmental Committee"** means the Departmental Committee constituted under Rule 13;
- (e) **"Government"** means the Government of Orissa;
- (f) **"Governor"** means the Governor of Orissa;
- (g) **"Probationer"** means a person appointed to the service on probation and shall include a person appointed to officiate in the Orissa Forest Service, Class II prior to commencement of these rules;
- (h) **"Regulations"** means the regulations made under Rule 6;
- (i) **"Scheduled Castes"** shall have reference to the Scheduled Castes specified under Article 341 of the Constitution of India as amended from time to time;

- (j) **"Scheduled Tribes"** shall have reference to the Scheduled Tribes specified under Article 342 of the Constitution of India as amended from time to time;
- (k) **"Select List"** means the list finally approved by Government under Section 15;
- (l) **"Service"** means the Orissa Forest Service, Class II;
- (m) **"State"** means the State of Orissa;

(2) All other words and expressions used but not defined in these rules shall have the same meaning, respectively assigned to them in the Orissa Service Code as amended from time to time.

3. Cadre- (1) The shall consist of Assistant Conservator of Forests and shall be in Class II Gazetted rank.

(2)The Government shall determine from time to time the number of posts both permanent and temporary to be created in the service on such conditions as they may consider necessary and may keep in abeyance or leave on filled any post or posts in the service.

4. Method of recruitment- Recruitment to the service shall be made by the Government by the following methods, namely:

- (a) by direct recruitment by competitive examination ; and
- (b) by promotion from among the Forest Rangers.

5. Recruitment to the service- (1) Competitive examination for direct recruitment to the service under Clauses (a) of Rule 4 shall be held at such intervals as the Government may, in consultation with the Commission from time to time, determine.

(2) Appointment to the service by promotion under Clauses (b) or Rule 4 shall be at such intervals as the Government may, in consultation with the Commission from time to time, determine.

6. Power to make regulations- (1) Recruitment to the service shall, subject to the provisions of these rules, be in accordance with such regulations as the Government may, in consultation with the Commission, make in this behalf.

(2) Such regulation in the case of direct recruitment shall inter alia, provide syllabus and rules for competitive examination.

7. Determine of number of vacancies- The number of vacancies in the service to be filled up in any particular year by direct recruitment and by promotion shall be determined by the Government.

8. Disqualification for appointment- No person who has more than one wife living shall be eligible for direct appointment to the service:

Provided that the Government, may, if satisfied that there are special reasons for doing so, exempt any person from the operation of this rule if such exemption is permissible under law.

9. Eligibility for direct recruitment- A candidate in order to be eligible to compete at the examination for direct recruitment must satisfy the following conditions, namely:

- (i) he shall be a citizen of India;
- (ii) he shall be able to speak, read and write Oriya and has passed-
 - (a) At least an examination in Oriya equivalent to the Middle English School standard conducted by the Board of Secondary Education; or
 - (b) The matriculation or its equivalent examination with Oriya as medium of non language subjects or as a language subject (to be certified by the concerned High School or recognized by the Board of Secondary Education, Orissa); or
 - (c) at least a test in Oriya equivalent to Middle English Schools standard conducted by the District Inspector of schools in the State;
- (iii) He must not be less than nineteen years and more than twenty six years of age on the 1st day of April of the year of admission to the Diploma Course in Forestry or such other date as may be notified by the Government:

Provided that the upper age limit may be relaxed in case of departmental candidates such as trained Forest Rangers in Government service and in case of Scheduled Caste or Scheduled Tribe candidates by not more than five years.

NOTES: 1. A Government servant, whether temporary or permanent or on probation against a vacancy in permanent post in any Department of Government shall be eligible to appear at the competitive examination for recruitment to the service if he is within the prescribed age limit:

2. Applications from candidates who are in employment under the Government must be submitted through the authorities who happen to be their appointing authorities for the time being:

(iv) he must be of sound health, good physique and active habits and be free from any organic defect or bodily infirmity;

(v) he must be of good character in support of which he must submit to the Commission along with his application a certificate of character from the Principal, Proctor, Dean or Professor in charge of Department of Teaching of the College of University in which he last studied;

(vi) he must have any of the following qualifications from a recognized University or Institution in India or abroad or any equivalent qualification, namely:

- (i) Bachelor's degree or Master's degree with or in any one of the following subjects namely:
Physics, Chemistry, Botany, Zoology, Geology or Forestry; or
- (ii) Master's Degree in Mathematics, Statistics or Economics. Provided that he has completed his graduation in science ; or
- (iii) Bachelor's degree in Mechanical, Civil or Chemical Engineering; or
- (iv) Bachelor's degree in Agriculture or Agricultural Engineering.

10. Physical standard and test- Candidates who qualify in the written test shall confirm to the following physical standard test for being selected by the Commission, namely:

- (a) a candidate shall not be less than one hundred and sixty-three centimeters in height and shall have measurement of at least seventy-nine centimeters expanded to at least eighty-four centimeters, thus the minimum expansion of chest being not less than five centimeters;
- (b) the candidates shall be required to undergo a physical test of walking over twenty-five kilometers to be covered within four hours.

NOTES: 1. For the purpose of this test, necessary arrangement will be made by the Commission. An officer of the Forest Department deputed by the Chief Conservator shall assist the Commission in conducting the test. The Commission shall determine the number of successful candidates required to undergo physical test depending upon the number of vacancies.

2. The Government do not accept any responsibility for any injury sustained by a candidate in course of such physical test.

3. Failure of candidate to fulfill any of the provisions of this rule shall disqualify him for the purpose of appointment under these rules.

11. Appointment of direct recruits- Appointment of direct recruits to the service shall be made after they obtain a diploma in forestry on successful completion of training from a recognized Forest College.

12. Percentage of recruitment- (1) The percentage of direct recruits and persons recruited by way of promotion shall, as far as may be $66 \frac{1}{3}$ and $33 \frac{1}{3}$ respectively, of the total strength of the cadre.

(2) If adequate number of candidates is not available for direct recruitment, the resulting vacancies shall be filled up by way of promotion.

13. Constitution of Departmental Committee- (1) There shall be constituted a Departmental Committee for selection of persons for promotion to the service under Clause (b) of Rule 4-

(2) The Departmental Committee shall consist of-

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| (a) Secretary to Government in the Forest Department
Chairman | |
| (b) Chief Conservator | Member |
| (c) Chief Conservator (Kendu Leaf)
Member | |
| (d) Joint Secretary or, when he is unable to attend, the Deputy
Secretary to Government in the Forest Department
Member | |

(3) The Secretary to Government in the Forest Department shall preside at the meetings of the Departmental Committee.

(4) The recommendation of the Departmental committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman.

Provided that the member so absenting was duly invited to attend the meeting.

14. Eligibility for promotion- No Forest Rangers shall ordinarily be eligible for promotion to the service, unless-

- (a) he is confirmed in the post;

- (b) he has passed the departmental tests or has been exempted from such tests; and
- (c) he has put not less than five years of service as a Forest Ranger.

15. Select List- (1) The recommendation of the Commission made for promotion of Forest Rangers in accordance with the regulations shall be placed before the Government for approval after which, such list shall, subject to modifications, if any by the Government, from the select list for appointment to the service by promotion, which shall ordinarily be in force for one year from the date of its approval by the Government:

Provided that the Government may in consultation with the Commission, for any grave lapse in the conduct or deterioration in the standard of performance of the duties on the part of the Forest Range include in the select list, remove the name of the Forest Ranger from such list before he is appointed to the service.

(2) The inclusion on the name of a Forest Ranger in the select list shall not confer on him any right to appointment to the service.

16. Seniority- The seniority of officers appointed to the service under Clauses (a) and (b) of Rule 4 in any year shall be in the following order namely:

- (a) when officers are appointed by promotion and by direct recruitment during the same year, the directly recruited officers shall en bloc be senior to the promoted officer irrespective of their dates of appointment;
- (b) in case of officers appointed to the service on promotion, the inter se seniority shall be determined in accordance with their position in the select list;
- (c) in case of officers directly recruited to the service, the inter se seniority shall be determined according to the merit achieved in the examination in the Forest College.

Explanation- For the purpose of Clause (a) the year of appointment of direct recruits shall be deemed to be the year arrived at after deducting two years from the date of successful completion of the training in the Forest College.

17. Probation – (1) Every person recruited to the service under Rule 4 shall be appointed to the service on probation.

(2) Every probationer shall ordinarily be on probation for a period of two years from the date he actually joins his appointment:

Provided that the whole or any part of the period of continuous officiating or temporary appointment in a post including in or sanctioned in addition to the cadre of the service may be allowed by Government to count towards the period of probation specified under this rule:

Provide further that if there is a substantive vacancy in the cadre to which an officer has been promoted, the probationary period may be reduced by one year in the case of a promoted officer, who has rendered satisfactory service and has passed the departmental examinations completely.

(3) Government may, in any special case, extend the period of probation by such further period as they deem fit.

(4) Government may dispense with the service of an officer appointed on probation or revert him to his substantive appointment, if any during or at the end of the period of probation, if the performance of the officer is found to be unsatisfactory or the officer is found to be otherwise unfit for permanent appointment to the service.

18. Confirmation- After satisfactory completion of the probationary period, an officer shall be eligible for confirmation if he has passed the required departmental examinations, unless exempted, as provided in Rule 19.

19. Departmental examination- (1) All members of the service, unless in any case specifically exempted by Government, shall be required to pass the departmental examinations according to the syllabus and the rules prescribed by Government under the Orissa Forest Department Code, 1979.

(2) A member of service failing to pass the Departmental examinations in four successive chances may, at the discretion of the Government, be reverted to his permanent post, if he is a promoted officer, or be discharged from service, if he is a direct recruit:

Provided that an officer may in any special case, for reasons to be recorded, be allowed such further time to pass the departmental examinations as the Government may consider fit.

(3) No member of the service, whether temporary or on probation, shall be allowed to draw his fourth increment, unless he is confirmed in his appointment or it is declared by the Government that he is fit for confirmation, but not confirmed due to administrative difficulties.

20. Efficiency bar- (1) No member of the service shall be allowed to cross the efficiency bar unless his work is considered satisfactory in every respect, his integrity is certified and he has passed the departmental examinations completely.

(2) In every case where a member of the service has not been allowed to cross the efficiency bar, the Chief Conservator (Kendu Leaf) under whom he is working, shall unless Government otherwise direct, report to Government annually whether his work or conduct shows any improvement as to justify reconsideration of his case.

21. Pay, allowance, leave, pension and other conditions of service- Except as otherwise provided on these rules, the pay, allowance, leaves, pension and other conditions of service of the members of the service shall be regulated by the rules applicable to the members of the corresponding classes of other service of the State Government.

22. Posting and transfer- Posting and transfer of members of the service shall be made by the Chief Conservator or by the Chief Conservator (Kendu Leaf) upon written direction of the Chief Conservator.

23. Reservation of vacancies for Scheduled Cast and Scheduled Tribe candidates- Notwithstanding anything contained in these rules, Reservation of vacancies to be filled up by candidates belonging to Scheduled Cast and Scheduled Tribes shall be in accordance with provisions contained in the Orissa Reservation of Vacancies in Posts and Services (for Scheduled Cast and Scheduled Tribes) Act, 1975 and the rules made there under.

24. Repeal and savings- All rules and orders corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed.

Provided that nothing in these rules shall be construed as affecting or invalidating the appointment already made or orders issued in accordance with the provisions of any rules in force immediately before the commencement of these rules and that all such appointments and orders shall continue in force and shall, as far as may be, be deemed to have been made and issued under the appropriate provisions of these rules:

Provided further that Government may be order, direct that any of the provisions of these rules shall not apply to the officers already appointed under the rules and orders in force immediately before the commencement of these rules or shall apply to them with such modifications as the Government may specify in that order.

25. Interpretation- If any question arises relating to the interpretation of these rules and the regulations made there under it shall be referred to Government for decision.

26. Issue of instructions- The Government may issue such instructions not inconsistent with the provisions of these rules as they consider necessary to regulate matters not specifically covered by the provisions of these rules.