

# **The Orissa Forest Service, Class-I (Recruitment) Rules, 1980**

**Notification No. 4419-F.F.H. dated the 28<sup>th</sup> Feb. 1980-** In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following rules for regulation of recruitment by promotion to the Orissa Forest Service, Class I, namely:

**1. Short title and commencement** – (1) These rules may be called the Orissa Forest Service Class I, (Recruitment) Rules, 1980.

(2) They shall come into force with effect from the date of their publication in the Orissa Gazette.

**2. Status of the Service** – The Orissa Forest Service, Class I, shall be in the Gazetted rank.

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

(a) “**Commission**” means the Orissa Public Service Commission;

(b) “**Government**” means the State Government of Orissa;

(c) “**Governor**” means the Governor of Orissa;

(d) “**Chief Conservator**” means the Chief Conservator of Forests Orissa;

[(e) “**Chief Conservator (Kendu Leaf)**” means the Chief Conservator of Forests (Kendu Leaf), Orissa;]

(f) “**Probationer**” means a person appointed to the service on probation and shall include a person appointed to officiate in the Orissa Forest Service, Class I, Prior to commencement of these Rules.

(g) “**Service**” means the Orissa Forest Service Class I;

(h) “**State**” means the State of Orissa;

[(i) “**Departmental Committee**” means the committee constituted under Rule 6 of these rules];

(j) “**Select List**” means the list finally approved by Government under Rule 10;

(k) “**Scheduled Castes**” shall have reference to the Scheduled Castes specified in the Constitution (Scheduled Castes) Order, 1950, made under Art. 341 of the Constitution of the India as amended from time to time.

(l) “**Scheduled Tribes**” shall have reference to the scheduled tribe specified in the Constitution (Scheduled Tribes) Order, 1950, made under Art. 342 of the Constitution of India as amended from time to time.

(2) All other words and expressions which have not been defined in these rules shall have the same meaning as respectively assigned to them in the Orissa Service Code.

**4. Cadre-** (1) The cadre of the service shall consist of officers of Orissa Forest Service, Class I. A member of the service shall be designated as Deputy Conservator of Forests.

(2) The Government may determine from time to time the strength of the Service and may create additional, permanent or temporary posts on such conditions as they may deem fit and may also keep abeyance or leave unfilled any posts in the cadre.

**5. Method of recruitment** – Recruitment to the service shall be made by Government by promotion from among the members of the Orissa Forest Service, Class II in accordance with these rules.

**6. Constitution of the Departmental Committee** – (1) There shall be constituted a Departmental Committees for selection of officers for promotion to the Orissa Forest Service, Class I.

<sup>1</sup>[(2) The Departmental Committee shall consist of-

- |   |              |
|---|--------------|
| (a) Chief Secretary to Government                       | ... Chairman |
| (b) Secretary to Government of the Forest<br>Department | ... Member   |
| (c) Chief Conservator                                   | ... Member   |
| (d) Chief Conservator (Kendu Leaf)                      | ... Member   |

(3) The Chief Secretary to Government shall preside at the meeting 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 of other than the Chairman, provided the members so absenting was duly invited to attend the meeting and the majority of the members constituting the Departmental Committee were present in the meeting.

(5) Any officer not below the rank of Under- Secretary to Government in the Forest Department shall act as Secretary to the Departmental Committee.

**7. Selection by the Board** – (1) The Departmental Committee will ordinarily meet at least once during each calendar year and prepare a list of such members of the Orissa Forest Service, Class II as are eligible and held by them suitable, for appointment to the Service. The number of members of the Orissa Forest Service, Class II to be included in the list shall not be more than twice the number of vacancies in the service existing and anticipated in the course of that calendar year and the next. The Departmental Committee may, if required meet again in that year to add more names to the list, should this be required, on account of additional unforeseen vacancies being anticipated during the above period subsequently. For this purpose records of all the eligible members of the service and other particulars and information as are required should be furnished by the Forest Department.

(2) The Departmental Committee shall for inclusion in the list, consider the cases of the members of the Orissa Forest Service, Class II in order of seniority up to a number not more than thrice the number of anticipated vacancies as referred to in sub-rule (1).

(3) The Departmental Committee shall not ordinarily consider the case of a member of the Orissa Forest Service, Class II unless he has been confirmed in his appointment in the Orissa Forest Service, Class II and has put in not less than 5 years' service in that cadre from the date of his regular appointment to that service/cadre.

(4) The selection for inclusion in the list be based strictly on merit and suitability in all respects with due regard to seniority.

(5) The name of the officers selected for inclusion in the list shall be arranged in orders their seniority in the Orissa Forest Service, Class II:

Provided that any junior officer who, in the opinion of the Departmental Committee is of exceptional merit and suitability, may be assigned a place in the list higher than that of officers senior to him who are to themselves of such exceptional merit. The Departmental Committee shall assign specific reasons for superseding any senior member of the service by any of the juniors.

**8. Consultation with the Commission** – The list prepared by the Departmental Committee under Rule 7 shall be forwarded by it to the Commission in such manner as may be prescribed by the Government from time to time for concurrence together with the following documents, namely:

(i) The records of all members of the Orissa Forest Service, Class II included in the list;

(ii) The record of all members of the Orissa Forest Service, Class II who are proposed to be superseded by the recommendations made in the list along with the reasons as recorded by the Departmental Committee for such super session.

**9. Recommendation of the Commission** – (1) The Commission shall consider the list prepared by the Departmental Committee on the basis they may require from the department following the principles set out in Rule 7 and make their recommendations to Government.

(2) Commission shall follow the principles set out in Rule 7 in making their recommendations:

Provided that if the Commission recommends super session of any senior member of the Orissa Forest Service, Class II by any of his juniors it shall assign specific reasons for the same.

**10. Select List** – (1) The recommendations of the Commission made in accordance with Rule 9 shall be placed before the Government and after approval by

Government with modification, if any; shall form the Select List of that year for appointment to the service. The Select List shall ordinarily be in force from the date of its approval by Government for two years or till the next Select List is prepared in accordance with these rules whichever is earlier:

Provided that the Government may, in consultation with the Commission for a grave lapse in the conduct or deterioration in the standard of performance of the duties on the part of any member of the Orissa Forest Service, Class II included in the Select List remove the name of the member from such list before he is appointed to the service.

(2) The inclusion of the name of any officer in the Select List shall confer no right to appointment in the service.

**11. Recruitment to the service** – (1) Every person recruited to the service shall be appointed on probation for a period of one year; provided that the Government may if they think fit in any case or class of cases, extend the period of probation.

(2) The appointment of a probationer may, for good and sufficient reasons, be terminated by Government at any time without previous notice during the period of probation including extension of such period, if any, and upon such termination, the officer shall be reverted to the Orissa Forest Service, Class II.

**12. Appointment to The Orissa Forest Service, Class I** – (1) Appointment to the service shall be made in the order in which the names appear in the Select List.

(2) The inter se seniority of officers appointed to the service shall be determined by the order indicated in the Select List.

**13. Reservation for Scheduled Castes and Scheduled Tribes** – Notwithstanding anything contained in these rules, vacancies shall be reserved for promotion in favour of candidates belonging to Scheduled Castes and Scheduled Tribes in accordance with the existing laws in force.

**14. Confirmation** – A probationer upon completion of the period of probation to the satisfaction of Government shall be eligible for confirmation against a permanent post in the service.

**15. Efficiency bar** – (1) No officer of the service shall be allowed to cross the efficiency bar unless his work is considered satisfactory in every respect and integrity is certified.

(2) When an officer of the service is not allowed to cross the efficiency bar, which he would have been entitled to by virtue of his period of service, he shall be informed of the defects in his work or conduct which have led to the stoppage of his advancement on the time scale. The officer under whom he is working shall, unless Government otherwise

direct thereafter report annually whether his work or conduct shows such an improvement as to justify reconsideration of his case.

**16. Relaxation** – Whenever it is considered necessary in the special circumstances in the interest of the public service, the State Government may, in consultation with the Commission, relax all or any of the provisions of the these rules.

**17. Repeal and saving** – The Orissa Forest Service, Class I, Recruitment Rules, 1958 is hereby repealed:

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

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

**18. Interpretation** – If any question arises relating to the interpretation of these rules it shall be referred to Government for decision.