

THE INDIAN FOREST SERVICE (RECRUITMENT) RULES, 1966

(Amended Upto 31.12.1997)

In exercise of the powers conferred by sub-section (1) of Section 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;

*(aa) "Direct Recruit" means a person appointed to the service after recruitment under clause (a) of sub-rule (2) of rule 4 ;

(b) "Scheduled Castes" means such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 of the Constitution to be Scheduled Castes for the purposes of the Constitutions;

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

(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) Omitted.

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

***3. Constitution of the Service.** -(1) The Service shall consist of the persons recruited to the Service in accordance with the provisions of these rules.

4. Method of recruitment to the Service.-

*(1) Omitted.

(2) Recruitment to the service shall be by the following methods, namely

(a) by a competitive examination:

(aa) Omitted.

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

*(3) Subject to the provisions of these rules,

(a) the method or methods of recruitment to be adopted for the purpose of filling up any particular vacancy or vacancies as may be required, to be filled during any particular period of recruitment, shall be determined by the Central Government in consultation with the Commission and the State Government concerned;

(b) the number of persons to be recruited by each method shall be determined on each occasion by the Central Government in consultation with the State Government concerned;

*3 (3A) Omitted.

(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.

(5) Omitted.

5. Disqualifications for appointment -

- (1) No person shall be qualified for appointment to the service unless he is a citizen of India, or belong to such categories of persons as may, from time to time be notified in this behalf by the Central Government.
- (2) No Person
 - (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 pally to the marriage and there are other grounds for so doing, exempt any person from the operation of this rule.

6. Appointment to the Service -

- (1) All appointment 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.
- (2) The appointment of persons recruited to the service under clause (a) of sub rule (2) of rule 4 shall be in the junior time-scale of pay.
- * (3) The initial appointment of persons recruited to the Service under clause (b) of sub-rule (2) of rule 4 shall be in the senior scale of pay.

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

- (1) Appointment of officers recruited to the Service under clause * (a) 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.

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 all 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 examinations, 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.

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, the *Scheduled Tribes and Other Backward Classes issued by the Central Government from time to time:

*Provided that candidates belonging to the Scheduled Castes or the Scheduled Tribes or Other Backward Classes and declared by the Commission to be suitable for appointment to the Service shall be appointed against unreserved vacancies, in case they qualify for appointment to the Service based on their merit without recourse to the benefit of reservation.

*(4) Omitted.

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 a 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) The number of persons recruited under rule 8 in any State or group of States shall not, at any time, exceed $33 \frac{1}{3}$ per cent of the number of senior posts under the State Government, Central Deputation Reserve, State Deputation reserve and the training reserve in relation to that State or to the group of States, in the Schedule to the Indian Forest Service (Fixation of cadre Strength) Regulations, 1966 :

Explanation: For the purpose of calculation of the posts under this sub-rule, fractions, if any, are to ignored.

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

(3) Notwithstanding anything contained in this rule, in relation to the State of Jammu and Kashmir, the number of persons recruited under sub-rule (1) shall not upto the 30th April, 2002 exceed at any time, fifty per cent, of the number of senior posts under the State Government, Central deputation reserve, State deputation reserve and the training reserve in relation to that State in the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966.

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

[MHA Notification No. 2/6/64-AIS(IV) dated 1st September, 1966.]

Explanatory note. The provisions for reservations in respect of the Other Backward Classes for recruitment to the service was commenced by the Central Government from the year 1994 onwards and hence it is proposed to give retrospective effect to the provisions of sub-rule (3) of rule 7 from the 1st day of January, 1994. It is certified that by giving retrospective effect to the provisions of sub-rules(3) of rule 7, nobody is being adversely affected.

* Substituted/Inserted/added vide Department of Personnel and Training Notification No. 14015/51/96-AIS(I)-C, Dated the 31st December, 1997.