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GOVERNMENT OF PUNJAB
DEPARTMENT OF AGRICULTURE AND FORESTS

Notification

The 6th September, 1985

No. G. S. R. 74/Const./Art. 309/85.—In exercise of the power conferred by the proviso to article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules for regulating the recruitment, and the conditions of service of persons appointed, to the Punjab Forest (Class II) Service, namely :—

1. *Short Title, commencement and application.*—(1) These rules may be called the Punjab Forest (Class II) Service Rules, 1985.

(2) They shall come into force on and with effect from the date of publication of this notification in the Official Gazette.

(3) They shall apply to the posts specified in Appendix 'A' to these rules.

2. *Definitions.*—In these rules unless the context otherwise requires :

(a) 'Commission' means the Punjab Public Service Commission ;

(b) 'direct appointment' means an appointment made otherwise than by promotion or by transfer of a person already in the service of Government of India or of a State Government ;

(c) 'Government' means the Government of the State of Punjab in the Department of Agriculture and Forests ;

(d) 'recognised university or Institution' means :

(i) any university or institution incorporated by law in any of the State of India ;

(ii) the Punjab, Sind or Dacca University in the case of degrees or diplomas obtained as a result of examinations held by these universities before the 15th day of August, 1947 ; or

(iii) any other university or institution which is recognized by the Government for the purpose of these rules.

(e) "Service" means the Punjab Forest (Class II) Service.

3. *Number and character of posts.*—The service shall comprise the posts shown in Appendix 'A' to these rules :

Provided that nothing in these rules shall affect the inherent right of the Government to add to or reduce the number of such posts or to create new posts with different designations and scales of pay whether permanently or temporarily.

4. Nationality, domicile and character of candidates appointed to Service.—

- (1) No candidate shall be appointed to the Service, unless he is—
 - (a) a citizen of India, or
 - (b) a citizen 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, East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire, Ethiopia and Vietnam 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 given by the Government of India.

(2) A candidate in whose case, a certificate of eligibility is necessary may be admitted to an examination or an interview conducted by the Commission or other recruiting authority of the Government and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

(3) No person shall be recruited to the Service by direct appointment, unless he produces :

- (a) a certificate of character from the principal academic officer of the university, college, school, or institution last attended, if any, and similar certificates from two responsible persons, not being his relatives who are well acquainted with him in his private life and are unconnected with his university, college, school or institution; and
- (b) an affidavit to the effect that he was never convicted for any criminal offence and that he was never dismissed or removed from service of any State Government or the Government of India or any Public Sector Undertaking.

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

6. *Age.*—(1) No person shall be selected for training for recruitment to the Service by direct appointment if he is less than nineteen years or is more than twenty-four years of age on the first day of January immediately preceding the last date fixed for submission of applications for the post in the Service or unless he is within such range of minimum and maximum age limits as may be specifically fixed by the Government from time to time :

Provided that the condition of upper age limit may be relaxed up to forty-five years in the case of persons already in the employment of the Punjab Government and other State Government or Government of India :

Provided further that in the case of candidates belonging to Scheduled Castes and other Backward Classes, the upper-age limit shall be such as may be fixed by the Government from time to time.

Note.—For age limits in case of recruitment of Ex-Serviceman the provision of rule 6 of the Punjab Recruitment of Ex-Servicemen Rules, 1982, apply.

7. *Appointing authority.*—All appointments to the Service shall be made by the Government.

8. *Method of appointment and qualifications.*—(1) Appointment to the posts in the service shall be made in the manner as specified against each post in Appendix 'B' to these rules :

Provided that, if in the opinion of the Government, it is expedient so to do, it may appoint a person already in the service of the Government of India or a State Government, by transfer to the service :

Provided further that a post filled in by transfer shall be counted towards the quota of the direct appointment :

Provided further that appointments to the Service made by transfer shall not exceed five per cent of the total number of posts in the Service.

(2) No person shall be appointed to the service unless he possesses,—

- (a) the experience as specified in Appendix 'B' to these rules in the case of an appointment by promotion ; and
- (b) the educational qualification specified in Appendix 'C' to these rules in the case of recruitment by direct appointment or by transfer.

(3) All appointments to the Service by promotion shall be made by selection on the basis of merit and seniority and no person shall be entitled to claim promotion on the basis of seniority alone.

9. *Recruitment to Service by direct appointment.*—The recruitment to the Service by direct appointment shall be made in the following manner :—

- (i) Firstly the candidates shall be selected by the Commission as trainees on the basis of educational qualifications, physical standard and written examination as specified in Appendix 'C' to these rules.

(ii) The candidates selected under clause (i), shall be deputed for such training for such period and at such places and at such institutions as may be specified by the Government from time to time :

Provided that the Government may exempt a candidate from the training if he has already undergone such training or any other training declared equivalent to such training by the Government.

(iii) After the completion of the aforesaid training, the successful candidates shall be appointed to the Service on the basis of merit declared by the head of the institution in which the training is given.

10. *Execution of bond for training to serve Government.*—(1) All expenses by way of fees, if any, paid at the Institution, travelling expenses and stipend as may be specified by the Government in this behalf will be borne by the Government in respect of each candidate deputed to training.

(2) Before a candidate is deputed for training under rule 9, he shall execute a bond to work diligently to complete the training successfully and thereafter to serve the Government for not less than five years and in case of default, to refund all moneys expended by the Government on his training and education. The bond shall be executed in such form as may be specified by the Government from time to time.

11. *Departmental Examination.*—Every person appointed to the post of Extra Assistant Conservator of Forests shall be required to pass departmental examination in such syllabus and standard as may be specified by the Government from time to time within a period of two and a half years from the date of his appointment to the Service.

12. *Probation of persons appointed to Service.*—(1) Persons appointed to the Service shall remain on probation for a period of two years, if recruited by direct appointment and one year, if recruited otherwise : provided that—

- (a) any period, after such appointment, spent on deputation on a corresponding or a higher post shall count towards the period of probation ;
- (b) in the case of an appointment by transfer, any period of work in equivalent or higher rank, prior to appointment to the service may at the discretion of the appointing authority, be allowed to, count towards the period of probation ; and
- (c) any period of officiating appointment to the service shall be reckoned as period spent on probation but no person who has so officiated shall, on the completion of the prescribed period of probation, be entitled to be confirmed, unless he is appointed against a permanent vacancy.

(2) If, in the opinion of the appointing authority, the work or conduct of a person during the period of probation is not satisfactory, or if he has failed to pass the prescribed departmental examination within a period not exceeding two and a half years from the date of appointment, it may—

- (a) if such person is recruited by direct appointment, dispense with his services, or revert him to a post on which he held lien prior to his appointment to the Service by direct appointment; and
- (b) if such person is recruited otherwise :
 - (i) revert him to his former post, or
 - (ii) deal with him in such other manner as the terms and conditions of his previous appointment permit.

(3) On the completion of the period of probation of a person, the appointing authority may—

- (a) if his work and conduct has, in its opinion, been satisfactory,—
 - (i) confirm such person from the date of his appointment if appointed against a permanent vacancy; or
 - (ii) confirm such person from the date from which a permanent vacancy occurs, if appointed against a temporary vacancy; or
 - (iii) declare that he has completed his probation satisfactorily, if there is no permanent vacancy; or
- (b) if his work or conduct has not been, in its opinion satisfactory, or if he has failed to pass the prescribed departmental examination,—
 - (i) dispense with his services, if appointed by direct appointment or if appointed otherwise, revert him to his former post or deal with him in such other manner as the terms and conditions of his previous appointment may permit; or
 - (ii) extend his period of probation and thereafter pass such orders as it could have passed on the expiry of the period of probation as specified in sub-rule (1) :

Provided that the total period of probation including extension, if any, shall not exceed three years.

13. *Seniority of member of Service.*—The seniority *inter se* of the member of the Service on each cadre shall be determined by the length of continuous appointment on a post in that cadre of the Service :

Provided that in the case of members recruited to the Service by direct appointment who join within the period specified in the order of appointment or within such period as may from time to time be extended by the appointing authority subject to a maximum of four months from the date