

The U.P. Lower Subordinate Forest Service Rules, 1980

UTTAR PRADESH

India

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Rule

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Part I – General

1. Short title and commencement.

(1)These Rules may be called the U.P. Lower Subordinate Forest Service Rules, 1980.(2)They shall come into force at once.

2. Status of the service.

- The Lower Subordinate Forest Service comprises group 'D' posts.

3. Definitions.

- In these Rules, unless there is anything repugnant in the subject or context-(a)"appointing authority" means the Divisional Forest Officer in respect of the posts of Jamadars, Moharrirs and Forest Guards, in the Division under his charge and the Conservator, Wild Life Preservation Organisation, Uttar Pradesh, in respect of the posts of Wild Life Guards, Game Guards and Fishing Guards;(b)"citizen of India" means a person who is or is deemed to be a citizen of India under Part II of the Constitution;(c)"Constitution" means the Constitution of India;(d)"Governor" means the

Governor of Uttar Pradesh;(e)"Government" means the State Government of Uttar Pradesh : (f)"Guard" includes Forest Guards, Grazing Guards, Cattle Guards, Plantation Guards, Wire Guards, Game Guards, Wild Life Guards, Fishing Guard;(g)"Jamadar" includes Cultural Jamadar, Plantation Jamadars, Road Jamadars and Bamboo Jamadar;(h)"member of the service" means a person appointed in a substantive capacity under the provisions of these Rules, or rules and orders in force before the commencement of these Rules, to a post in the cadre of the Service;(i)"Moharrirs" include Export Moharrir, Check Moharrir, Loading Moharrir, Passing Moharrir;(j)"Seasonal Workers" means Stump Moharrirs, Gate Keepers, Fire Watchers, Tractor Drivers, Cleaners and others, whose wages are distributed on monthly basis through vouchers and who have worked as such during at least three seasons;(k)"Service" means the Lower Subordinate Forest Service; and(l)"year of recruitment" means the period of twelve months commencing from the first day of July of a calendar year.

Part II – Cadre

4. Cadre of Service.

(1)There shall be division wise cadres in various categories of the posts in the Service.(2)The strength of the service and of each category of posts therein shall be such as may be determined by the Governor from time to time.(3)The strength of the service and of each category of posts therein shall, until orders varying the same are passed under sub-rule (1), be as given in Appendix 'A' :Provided that-(a)the appointing authority may leave unfilled or the Governor may hold in abeyance arty vacant post without thereby entitling any person to compensation, and(b)the Governor may create such additional, permanent or temporary posts from time to time as he may consider proper.

Part III – Recruitment

5. Sources of recruitment.

- Recruitment to the service shall be made from the following sources :A. Jamadars and Moharrirs-(i)By promotion from amongst permanent Guards (excluding Wild Life Guards); and(ii)By direct recruitment.Note. - Recruitment shall be so arranged that, as far as possible, 50 per cent posts in the cadre are held by direct recruits and the rest by promotions.B. Guards-(1)90 per cent of the vacancies by direct recruitments :Provided that out of such 90 per cent vacancies, recruitment shall be so arranged that, as far as possible-(a)25 per cent vacancies are filled by candidates from open market.(b)65 per cent vacancies are filled from amongst seasonal workers.(2)10 per cent of the vacancies by promotion from amongst permanent Class IV (Group D) employees who have passed the High School Examination in Science or Agriculture :Provided that it shall not be necessary for Class IV (Group D) employees to have High School Examination Certificate if they were recruited before August 1, 1972. But in any case they must have passed the Junior High School Examination.

6. Reservation.

- Reservation for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories shall be in accordance with the orders of the Government in force at the time of the recruitment.

Part IV – Qualifications

7. Nationality.

- A candidate for direct recruitment to a post in the service must be-(a)a citizen of India, or(b)a Tibetan refugee who came over to India before the 1st January, 1962, with the intention of permanently settling in India; or(c)a person of Indian origin who has migrated from Pakistan, Burma, Ceylon or any of the East African countries of Kenya, Uganda and the United Republic of Tanzania (formerly Tanganyika and Zanzibar) with the intention of permanently settling in India :Provided that a candidate belonging to category (b) or (c) above must be a person in whose favour a certificate of eligibility has been issued by the State Government :Provided further that a candidate belonging to category (b) will also be required to obtain a certificate of eligibility granted by the Deputy Inspector General of Police, Intelligence Branch, Uttar Pradesh :Provided also that if a candidate belongs to category (c) above no certificate of eligibility will be issued for a period of more than one year and the retention of such a candidate in service beyond a period of one year shall be subject to his acquiring Indian citizenship.Note. - A candidate in whose case a certificate of eligibility is necessary but the same has neither been issued nor refused, may be admitted to an examination or, interview and he may also be provisionally appointed subject to the necessary certificate being obtained by him or issued in his favour.

8. Academic qualifications.

- A candidate for direct recruitment to the various categories of posts must possess the following qualifications :(1)Moharrir and Jamadar. - Must have passed High School Examination with Science or Agriculture of the U. P. Board of High School and Intermediate Examination or an examination recognised as equivalent thereto.(2)Guards Essential. - Must have passed the High School Examination with Science or Agriculture of the U. P. Board of High School and Intermediate Examination or an examination recognised as equivalent thereto.Preferential. - (1) In the case of recruitment of candidates from open market preference will be given to ex-Home Guards who have worked as such for at least one year.(2)In the case of seasonal workers weightage shall be given to the total length of service put in as seasonal worker and their record of service.

9. Preferential qualifications.

- A candidate who has-(i)served in the Territorial Army for a minimum period of two years, or(ii)obtained a 'B' certificate of the National Cadet Corps;shall, other things being equal, be given preference in the matter of direct recruitment.

10. Age.

- A candidate for direct recruitment must have attained the age of 18 years and must not have attained the age of more than 28 years on January 1 of the year in which recruitment is to be made, if the posts are advertised during the period January 1 to June 30 and on July 1 if the posts are advertised during the period July 1 to December 31 :Provided that the upper age limit in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and such other categories as may be notified by the Government from time to time shall be greater by such number of years as may be specified.

11. Character.

- The character of a candidate for direct recruitment to a post in the service must be such as to render him suitable in all respects for employment in Government service. The appointing authority shall satisfy itself on this point. Note. - Persons dismissed by the Union Government or by a State Government or by a local authority or a Corporation or Body owned or controlled by the Union Government or a State Government shall be ineligible for appointment to any post in the service. Persons convicted of an offence involving moral turpitude shall also be ineligible.

12. Marital Status.

- A male candidate who has more than one wife living or a female candidate who has married a man already having a wife living shall not be eligible for appointment to a post in the service :Provided that the Government may, if satisfied that there exist special grounds for doing so, exempt any person from the operation of this rule.

13. Physical Fitness.

- No candidate shall be appointed to a post in the service unless he be in good mental and bodily health and free from any physical defect likely to interfere with the efficient performance of his duties. Before a candidate is finally approved for appointment he shall be required to produce a medical certificate of fitness in accordance with the rules framed under Fundamental Rule 10 and contained in Chapter III of Financial Hand Book, Volume II, Part III :Provided that a medical certificate of fitness shall not be required from a candidate recruited by promotion. Note. - In the case of a candidate for direct recruitment the following minimum standards for height and chest measurement shall be necessary :

Height .. 163 cms.

Chest .. Unexpanded 79 cms.

Expanded 84 cms. :

Provided further that in case of candidates of Gurkha, Nepalese, Assamese, Maghalaya, Ladakh, Nefa, Manipuri, Garhwali, Kumaoni, Sikkimese and Bhutanese origin the minimum height limit will be 158 cms.

Part V – Procedure for recruitment

14. Determination of vacancies.

- The appointing authority shall determine and in case of vacancies to be filled by direct recruitment, notify to the Employment Exchange, the number of vacancies to be filled during the course of the year as also the number of vacancies to be reserved for candidates belonging to Scheduled Castes, Scheduled Tribes and other categories under Rule 6.

15. Procedure for direct recruitment.

(1) For the purpose of recruitment, there shall be constituted a Selection Committee comprising : (i) Appointing authority. (ii) Two officers not below the rank of Assistant Conservator of Forests to be nominated by the Conservator of Forest having jurisdiction. (2) The Selection Committee shall scrutinise the applications and require the eligible candidates to appear in a written test. Note. - The syllabus and procedure for written test is given in Appendix B. (3) After the marks obtained by the candidates in the written test have been tabulated, the Selection Committee shall have regard to the need for securing due representation of the candidates belonging to the Scheduled Castes, Scheduled Tribes and others under Rule 6, call for interview such number of candidates as, on the result of the written examination, have come up to the standard fixed by the committee in this respect. The marks awarded to each candidate in the interview shall be added to the marks obtained by him in the written test. (4) The Selection Committee shall prepare a list of candidates in order of merit, as disclosed by the aggregate of marks obtained by them in the written test and interview. If two or more candidates obtain equal marks the candidate obtaining higher marks in the written test shall be placed higher. The number of the names in the list shall be larger but not larger by more than 25 per cent of the vacancies.

16. Procedure for recruitment by promotion.

(1) Recruitment by promotion shall be made on the basis of seniority subject to the rejection of the unfit through the Selection Committee constituted under Rule 15. (2) The appointing authority shall prepare an eligibility list of the candidates, arranged in order of seniority and place it before the Selection Committee along with their character rolls and such other records pertaining to them, as may be considered proper. (3) The Selection Committee shall consider the cases of the candidates on the basis of records, referred to in sub-rule (2) and if it considers necessary, it may interview the candidates also. (4) Selection Committee shall prepare a list of selected candidates arranged in order of seniority and forward the same to the appointing authority.

17. Combined Select List.

- If appointment has to be made both by direct recruitment and by promotion, a combined select list shall be prepared by taking the names of the candidates alternately from the list prepared under Rule 15 and Rule 16, the first name being from the list prepared under Rule 16.

Part VI

Appointment, Probation, Confirmation and Seniority

18. Appointment.

(1) On the occurrence of substantive vacancies the appointing authority shall make appointment by taking candidates in the order in which they stand in the list prepared under Rules 15, 16 or 17 as the case may be. (2) The appointing authority may make appointments in temporary and officiating vacancies also from the list referred to in the sub-rule (1). If no candidate borne on these lists is available, he may make appointment in such vacancies from persons eligible, for appointment under these rules.

19. Probation.

(1) A person on appointment to a post in the service in or against a substantive vacancy shall be placed on probation for a period of two years. (2) The appointing authority may, for reasons to be recorded, extend the period of probation in individual cases specifying the date up to which the extension is granted : Provided that save in exceptional circumstances, the period of probation shall not be extended beyond one year and in no circumstances beyond two years. (3) If it appears to the appointing authority at any time during or at the end of the period of probation or extended period of probation that a probationer has not made sufficient use of his opportunities or has otherwise failed to give satisfaction he may be reverted to his substantive post, if any, and if he does not hold a lien on any post, his services may be dispensed with. (4) A probationer who is reverted or whose services are dispensed with under sub-rule (3) shall not be entitled to any compensation. (5) The appointing authority may allow continuous service, rendered in an officiating or temporary capacity in a post included in the cadre or any other equivalent or higher post, to be taken into account for the purpose of computing the period of probation.

20. Confirmation.

- A probationer shall be confirmed in his appointment at the end of the period of probation or the extended period of probation if-(a) his work and conduct are reported to be satisfactory; (b) his integrity is certified; (c) he has successfully undergone the prescribed training, if any; and (d) the appointing authority is satisfied that he is otherwise fit for confirmation.

21. Seniority.

- Seniority in any category of post in the service shall be determined from the date of order of substantive appointment and if two or more persons are appointed together from the order in which their names are arranged in the appointment order : Provided that-(1) the inter se seniority of persons directly appointed to the service shall be the same as determined at the time of selection; (2) the inter se seniority of persons appointed to the service by promotion shall be the same

as it was in the substantive post held by them at the time of promotion. Note. - (1) A candidate recruited direct may lose his seniority if he fails to join without valid reasons when vacancy is offered to him. The decision of the appointing authority as to the validity of the reasons will be final. (2) Where the appointment order specified a back date with effect from which a person is to be appointed substantively that date will be deemed to be the date of the order of substantive appointment. In other cases, it will mean the date of the issue of the order.

Part VII – Pay

22. Scale of pay.

(1) The scale of pay admissible to persons appointed to the various categories of posts in the service, whether in a substantive or officiating capacity or as a temporary, measure shall be such as may be determined by the Government from time to time. (2) The scale of pay at the time of the commencement of these rules are given as follows :

Name of post	Scale of pay*
(1) Jamadars and Moharrirs	Rs. 185-3-215-E.B.-4-235-E.B.-6-265.
(2) Guard	Rs. 175-2-205-E.B.-4-225-E.B.-5-250.

* Subject to revised pay scales as have been declared by the Pay Rationalization Committee Report, from time to time.

23. Pay during probation.

(1) Notwithstanding any provisions in the Fundamental Rules to the contrary, a person on probation if he is not already in permanent Government service shall be allowed his first increment in the time-scale when he has completed one year of satisfactory service, and second increment after two years' service when he has completed the probationary period and is also confirmed: Provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the appointing authority directs otherwise. (2) The pay during probation of person who was already holding a post under the Government, shall be regulated by the relevant fundamental rules : Provided that if the period of probation is extended on account of failure to give satisfaction, such extension shall not count for increment unless the appointing authority directs otherwise. (3) The pay during probation of person already in permanent Government service shall be regulated by the relevant rules applicable to Government servants generally serving in connection with affairs of the State.

24. Criteria for crossing efficiency bar.

- No person shall be allowed to cross- (1) the first efficiency bar unless his work and conduct is found to be satisfactory and unless his integrity is certified; (2) the second efficiency bar unless he is found to have worked diligently and to the best of his ability, his work and conduct is found to be satisfactory and unless his integrity is certified.

Part VIII – Other Provisions

25. Canvassing.

- No recommendations, either written or oral, other than those required under the rules, applicable, to the post or service will be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for his candidature will disqualify him for appointment.

26. Regulation of other matters.

- In regard to the matters not specifically covered by these rules, or special orders, persons appointed to the service shall be governed by the rules, regulations and orders applicable generally to Government servants serving in connection with the affairs of the State.

27. Relaxation from the conditions of service.

- Where the State Government is satisfied that the operation of any rule regulating the conditions of service of persons appointed to the service cause undue hardship in any particular case it may notwithstanding anything contained in the rules applicable to the case, by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manner.

28. Transfer.

- Conservator of Forests may transfer a Jamadar, Moharrir or a Guard within the divisions under his charge, Additional Chief Conservator of Forest may do so within the circles under his charge and the Chief Conservator of Forest may transfer from a circle under the charge of an Additional Chief Conservator of Forest to a circle under the charge of another Additional Chief Conservator of Forest. Note. - Normally transfer of a person outside his cadre shall not be made. If the transfer is made on the request of the official, he shall be placed for seniority below the last man in the cadre to which he is transferred. If he is transferred otherwise than on his request, he shall retain his lien in his own cadre and transfer in such a case shall be as a temporary measure only.

29. Saving.

- Nothing in these rules shall effect reservations and other concessions required to be provided for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders of the Government issued from time to time in this regard. Appendix A

Name of post	Sanctioned Strength of post of various categories
Permanent	Temporary

	1	2	3	4
1.	Resin Moharrirs	.. 429	393	36
2.	Export Moharrirs	.. 186	117	69
3.	Check Moharrirs	.. 2	2	..
4.	Loading Moharrirs	.. 69	15	54
5.	Passing Moharrirs	.. 70	48	22
6.	Cultural Jamadars	.. 151	102	49
7.	Plantation Jamadars	.. 7	3	4
8.	Road Jamadars	.. 52	34	18
9.	Bamboo Jamadars
10.	Forest Guards	.. 3200	2823	377
11.	Grazing Guards	.. 242	212	30
12.	Cattle Guards	.. 2	2	..
13.	Plantation Guards	.. 17	17	..
14.	Wire Guards	.. 10	8	2
15.	Wild Life Guards	.. 290	210	80
16.	Game Guards	.. 1	1	..
17.	Fishing Guards	.. 6	4	2

Appendix B The subjects for examination and the maximum mark allowed for each shall be as follows :

Subject	Maximum
(a) For candidates sponsored through Employment Exchange	
1. Agriculture or Science 40
2. General Knowledge and Essay 40
3. Interview 20
(b) For Seasonal Employment	
1. Essay and Composition 40
2. General knowledge including questions relating to forest, knowledge about which the candidate is expected to have acquired during his service in the department 40
3. Interview 40
4. Physical Test-	

Selected candidates will be required to undergo physical test (at their expenses) comprising of a brisk walk of 25 kms. carrying a pack of 10 kgs. on their backs, to be completed in 4 hours.

Notes. - The written test will be in Hindi and the standard of the papers will be that of Hindi School. In order to qualify a candidate must obtain at least 40 per cent of the maximum marks in each subject.

2. No physical test will be necessary for candidates to be appointed by promotion from Class IV.