

# The Indian Forest Service (Probation) Rules, 1968

UNION OF INDIA

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### Rule THE-INDIAN-FOREST-SERVICE-PROBATION-RULES-1968 of 1968

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The Indian Forest Service (Probation) Rules, 1968Published vide Notification No. 2/4/65-AIS (4), dated 6th May, 1968In 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 (Probation) Rules, 1968.(2)They shall be deemed to have come into force on the 1st day of October,

#### 2. Definitions.

- In these rules, unless the context otherwise requires,-(a)'Commission' means the Union Public Service Commission;(b)'Institute' means the Forest Research Institute and College, Dehra Dun;(c)'Period of probation' in relation to a probationer means the period of probation specified in Rule 3;(d)'President' means the President of the Forest Research Institute and Colleges, Dehra Dun;(e)'Probationer' means a person appointed to the Service on probation;(f)'Schedule' means the Schedule appended to these rules;(g)'Service' means the Indian Forest Service;(h)'State' means a State specified in the First Schedule to the Constitution and includes a Union Territory;(i)[ 'State Government' means the Government of that State to which a probationer is allotted or deputed for practical training and in relation to a probationer allotted to a Joint Cadre, the Joint Cadre Authority.] [Inserted by D.P. Notification No. 13/4/71-AIS (I), dated 11th January, 1972.]

#### 3. Period of Probation.

(1)Every person recruited to the Service in accordance with sub-rule (1) of Rule 4 of the Indian Forest Service (Recruitment) Rules, 1966, shall be appointed to the Service on probation for a period

of one year :Provided that the Central Government may, on the recommendation of the State Government, dispense with the period of probation of a person, who prior to his recruitment to the Service, was holding substantively the post of or above the rank of Conservator of Forests or its equivalent.(2)Every person recruited to the service in accordance with the Indian Forest Service (Appointment by Competitive Examination) Regulations, 1967 or the Indian Forest Service (Released Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) Regulations, 1968 shall be appointed to the Service on probation for a period of three years :Provided that any period of training for Diploma Course in Forestry at the Institute or in any other Institution recognised by the Central Government as equivalent thereto when followed by appointment to a gazetted post in State Forest Service may be counted towards the period of probation on the recommendation of the State Government.(3)Every person recruited to the Service in accordance with the Indian Forest Service (Appointment by Promotion) Regulations, 1966, shall be appointed to the Service on probation for a period of one year :Provided that in the case of any person so recruited any period for which he has been appointed to a cadre post may, having regard to his performance in such post, be counted towards the period of probation :Provided further that the Central Government may, in exceptional circumstances of any case, after consulting the Commission, reduce the period of probation.(4)[ The Central Government may, if it so thinks fit in any case or class of cases extend the period of probation subject to the conditions, that-(a)the total period upto which a person recruited to the service referred to in sub-rule (1) or sub-rule (3) may be kept on probation, shall not ordinarily exceed two years; and(b)the total period upto which a person recruited to the service referred to in sub-rule (2) or sub-rule (3) may be kept on probation, shall not ordinarily exceed six years.(4-A) Notwithstanding anything contained in sub-rule (4) if during the period of probation, a probationer is placed under suspension, or disciplinary proceedings are contemplated, or started against him, or an investigation, inquiry or trial relating to a criminal charge is pending against him, the period of his probation may be extended for such period as the Central Government may think fit in the circumstances of the case.] [Substituted by D.P. & A.P. Notification No. 11037/8/75-AIS (III)-C, dated 4th September, 1976.](5)In this rule, 'cadre post' has the same meaning as in Clause (b) of Rule 2 of the Indian Forest Service (Cadre) Rules, 1966.

#### **4. Confirmation.**

- Where a probationer has completed his period of probation to the satisfaction of the Central Government, he shall subject to the other provisions of these rules, be confirmed in the Service at the end of his period of probation.

#### **5. Execution of agreement.**

- A probationer shall on appointment to the Service execute an agreement in the form specified in the Schedule binding himself and one surety, jointly and severally, in the event of his failing to comply with any of the provisions of these rules to the satisfaction of the Central Government to refund any moneys paid to him consequent on his appointment as a probationer :Provided that the provisions of this rule shall not apply to probationer appointed to the Service in accordance with the Indian Forest Service (Appointment by Promotion) Regulations, 1966.

## **6. [Training. [Substituted by M.H.A. Notification No. 7/2/69-AIS (IV), dated 7th June, 1969.]**

(1) Every probationer referred to in sub-rule (2) of Rule 3 shall, on appointment to the Service, attend and undergo such training and for such periods as the Central Government may direct in-(i)the [Lal Bahadur Shastri National Academy of Administration]; and(ii)the Institute :Provided that the Central Government may if it thinks fit, dispense with such training or any part thereof with respect to any class of probationers after taking into consideration any training already undergone by such class of probationers.(2)On completion of the training in the [Lal Bahadur Shastri National Academy of Administration] and the Institute, every probationer shall undergo such further training in the State to which he is posted and for such period as the Central Government may in consultation with the State Government concerned, direct.] [Substituted by D.P. & A.P. Notification No. 9/3/73-AIS-C, dated 2nd May, 1974.](3)[ Every probationer referred to in sub-rule (3) of Rule 3 who has not attained the age of 52 years on such appointment and who has not already undergone any training before his appointment to the Service shall undergo such training in the Lal Bahadur Shastri National Academy of Administration, the Forest Research Institute and Colleges, the State Training Institutions and other established training institutions in the country and for such period as the Central Government may consider necessary.] [Inserted by Notification No. 160191/77-A1S (IV), dated 6th November, 1978.]

## **7. Record in the Institute [and in the Lal Bahadur Shastri National Academy of Administration] [Substituted by Notification No. 7/32/70-AIS (IV), dated 6th March, 1973 (w.e.f. 17th March, 1973).]**

(1)A probationer under training shall attend such lectures and undergo such tests and exercises as the President may, from time to time, direct.(2)At the end of the period of training, the President shall assess the record in the Institute of each probationer by awarding him such number of marks out of a maximum of 250 marks as he may, in each case, think fit.(3)[ At the end of the period of training in the Lal Bahadur Shastri Academy of Administration, the Director of the Academy shall assess the record in the Academy of each probationer by awarding him such number of marks out of a maximum of seventy five marks as he may, in each case, think fit on the results of the examination held at the end of the Foundational Course.] [Inserted by Notification No. 7/32/70-AIS (IV), dated 6th March, 1973 (w.e.f. 17th March, 1973).]

## **8. Final examination.**

(1)Every probationer shall be required during the period of training to appear at such examinations to be conducted by the President as may be prescribed by the Central Government.(2)The examinations shall be conducted by the President in accordance with such regulations as the Central Government may, in consultation with the State Governments and the Commission from time to time make.

## **9. Failure to appear at the final examination in certain circumstances.**

- Where a probationer is prevented by sickness or other cause over which he has to control from completing his course of studies for the final examinations or from appearing at such examination, the Central Government, may allow him to appear at the next final examination or any special examination which the President may hold for the purpose, or [may exempt him from appearing in all or any of the subjects prescribed for the final examinations.] [Substituted by M.H.A. Notification No. 7/32/68-A1S (IV), dated 12th August, 1969.]

## **10. Failure to pass the final examination.**

- Where a probationer fails to obtain the minimum number of marks prescribed for any subject, group of subjects or part of the final examinations, under the regulations framed under rule 8 the Central Government may permit him to sit for re-examination in the subject or subjects in which he failed. [ \* \* \* ] [Omitted by D.P. & A.P. Notification No. 11037/3/76-AIS (IH)-C, dated 7th June, 1976.] Provided that the marks awarded to a probationer on such re-examination shall not be taken into account in determining his seniority : [Provided further that the Central Government may exempt a probationer, appointed to the service on the results of the competitive examination held in 1970 or earlier, from re-appearing in the subject or subjects in which he failed, to obtain the prescribed minimum number of marks in the final examination.] [Substituted by Notification No. 7/32/70-AIS (IV), dated 6th March, 1973 (w.e.f. 17th March, 1973).]

## **11. Seniority of probationers.**

(1) The Central Government shall prepare a list of all probationers who are appointed to the Service on the results of the same competitive examination. Such list shall be arranged in order of merit, which shall be determined on the basis of the marks obtained by each probationer, calculated in the manner specified below : (a) full aggregate marks in the competitive examination; and (b) 50% of the aggregate marks in the Indian Forest Service Probationer's Final Examination and the assessment of the record in the Institute [and in the Lal Bahadur Shastri National Academy of Administration:] [Substituted by Notification No. 7/32/70-AIS (IV), dated 6th March, 1973 (w.e.f. 17th March, 1973).] Provided that in determining such order of merit no account shall be taken of marks awarded to a probationer in any subject in which he has failed to satisfy the President : [Provided further that if two or more probationers have secured equal number of marks in the aggregate, their order of merit shall be the order of their dates of birth.] [Inserted by Notification No. 11037/1/80-AIS (III)-C, dated 22nd April, 1981.] Explanation. - In the case of probationers exempted under proviso to Rule 6 from undergoing training at the Institute, the marks obtained in the Final Diploma Course Examination or in any other Institution recognised by the Central Government as equivalent thereto passed by them before their appointment to the State Forest Service shall be transformed in the ratio that the total aggregate marks of the Diploma Course Examination, or an examination recognised as equivalent thereto, passed by them bears to the aggregate marks in the examination referred to in rule 8 and the maximum marks referred to in Rule 7 (2). The number thus arrived at shall be further reduced by 50% for purposes of sub-clause (b) of this sub-rule. Further in such cases as it may be applicable, the marks obtained by probationers covered by this explanation in any

subject in which they were re-examined shall be excluded in terms of the proviso to Rule 10.(2)The seniority inter se of the probationers recruited on the basis of each competitive examination shall be determined in accordance with the list prepared under sub-rule (1).(3)[ The provisions of sub-rules (1) and (2) shall not apply to probationers appointed to the Service in accordance with Rule 7-A of the Indian Forests Service (Recruitment) Rules, 1966.] [Inserted by D.P. Notification No. 7/31/69-AIS (IV), dated 16th April, 1970 (w.e.f. 2nd May, 1970).]

## **12. Discipline and conduct.**

(1)A probationer referred to in Rule 5 shall be under the disciplinary control of the President while undergoing training in the Institute and of the Director, Lal Bahadur Shastri National Academy of Administration while undergoing training in the said Academy and shall obey such general or special orders as may be given by the President or the Director, Academy from time to time.(2)While working in the State every probationer shall be under the disciplinary control of the State Government.(3)A probationer shall be liable to be removed or dismissed from service if he fails to obey an order which he may receive from the Central Government, or from any other competent authority or if, in the opinion of the Central Government, he has wilfully neglected his probationary studies or duties or is guilty of conduct unbecoming a member of the service :[Provided that before any action is taken against a probationer under this sub-rule, the procedure prescribed in Rule 8 of the All India Services (Discipline and Appeal) Rules, 1969, shall be followed :Provided further that before any final order is passed against a probationer under this sub-rule, the Commission shall be consulted.] [Substituted by Notification No 11037/8/81-AIS (III)-C, dated 14th July, 1983.]

## **13. Discharge of a probationer.**

- A probationer shall be liable to be discharged from the Service, or, as the case may be, reverted to [the permanent post on which he holds a lien, or would hold a lien,] [Substituted by D.P. Notification No. 7/26/72-AIS (IV), dated 12th September, 1972 (w.e.f. 23rd September, 1972).] had it not been suspended under the. rules applicable to him prior to his appointment to the Service.(a)if he fails to pass the final examination in the circumstances mentioned in Rule 10; or(b)if the Central Government is satisfied that the probationer was ineligible for recruitment to the service or is unsuitable for being a member of the service; or(c)if he is found lacking in qualities of mind and character needed for the service or in the constructive outlook and human sympathy needed in the public services generally, or(d)if he fails to comply with any of the provisions of these rules.

## **14. Salary during the period of probation.**

- [(1) A person recruited to the Service,-(i)in accordance with the Indian Forest Service (Appointment by Competitive Examination) Regulations, 1967, referred to in sub-rule (2) of Rule 3, shall receive salary in the lowest stage of the junior time scale applicable to the Service during the first year, at the second stage of that scale during the second year and the third stage of that scale during the remaining period of probations, and(ii)in accordance with the Indian Forest Service (Released Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) Regulations, 1968, referred to in sub-rule (2) of Rule 3 shall receive

salary in the stage fixed for him, of the junior time scale during the first year, the next higher stage of that scale during the second year and the next higher stage after that of the junior time scale during the remaining period of probation :Provided that, if the pay of the permanent post on which a person, referred to in Clause (i) holds a lien, or would hold a lien, had it not been suspended, under the rules applicable to him prior to his appointment to the Service is, at any time, more than the minimum of the junior time scale, he shall draw the pay of the permanent post.] [Substituted by D.P. Notification No. 7/26/72-AIS (IV), dated 12th September, 1972 (w.e.f. 23rd September, 1972).](2)A person referred to in sub-rule (3) of Rule 3 shall receive salary in the stage fixed for him in the senior scale in accordance with Rule 4 of the Indian Forests Service (Pay) Rules, 1968 [and also draw increments which may be due to him.] [Inserted by D.P. Notification No. 7/13/71-AIS (IV), dated 27th August, 1971 (w.e.f. 9th October, 1971).]

#### **14A. [ Travelling Allowance. [Substituted by D.P. & A.P. Notification No. 16019/4/75-AIS (III)-A, dated 21st January, 1976.]**

(1)A probationer shall be entitled-(a)for the journey from the Forest Research Institute and Colleges to the Lal Bahadur Shastri National Academy of Administration, to travelling allowance as may be admissible to a member of the Service on tour.(b)for the journey from the Lal Bahadur Shastri National Academy of Administration to the State, to travelling allowance as may be admissible to a member of the Service on tour plus a lump sum of Rs. 100 [and also to joining time as on transfer.](2)A probationer shall not be entitled to any daily allowance during his halt at the Forest Research Institute and Colleges or Lal Bahadur Shastri National Academy of Administration or at various places to which he may be posted in the course of his practical training in the State.(3)A probationer shall be entitled to travelling allowance for the journeys which he may undertake,-(a)while undergoing training at the Forest Research Institute and Colleges, Lal Bahadur Shastri National Academy of Administration, and(b)while undergoing training in the State, on the same scale as may be admissible to a member of the service on tour under the All India Services (Travelling Allowance) Rules, 1954.]

#### **15. Saving.**

- Nothing in these rules shall be construed as limiting the power of the Central Government, for good and sufficient reasons, to dismiss or remove a probationer at any time from the service.

#### **16. Interpretation.**

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

### **Schedule**

[See Rule 5]ToThe President of India.Whereas I, [.....] [Full name and address of the Probationer should be inserted here.]a probationer in the Indian Forest

Service (hereinafter referred to as "the probationer") being entitled [subject to compliance with the Indian Forest Service (Probation) Rules, 1968] [Inserted by D.P. & A.P. Notification No. 16/19(1)/74-AIS (IV), dated 15th June, 1974.] to receive from the President of India (hereinafter referred to as the Central Government) or from the Government of the State to which I may be posted pay and allowances during the period in which I am under training. Now, we, the probationer, and [.....] [Full name, address and occupation of the Surety should be indicated here.](hereinafter referred to as "the surety") jointly and severally do hereby in pursuance of the said rules, promise and agree in the event of the failure of the probationer to complete probation to the satisfaction of the Central Government, to refund to the Central Government on demand any moneys paid to him-, including the pay and travelling expenses to join appointment. The surety hereby agrees that his liability herein under shall not be affected by the Central Government extending the period of probation or giving the probationer an extension of time for payment of or compounding the amount payable hereunder. Stamp duty payable on this bond shall be borne and paid by the Government. Dated this ..... day of ..... 19.... Signature of probationer ..... Signed by the probationer in the presence of ..... Name of witness ..... Address ..... Occupation ..... Signature of the surety ..... Signed by the surety in the presence of ..... Name of witness ..... Address ..... Occupation ..... I [.....] [Full name, address and occupation of the Surety should be indicated here.] whose signature is appended to the above agreement as surety, do hereby declare that I am-\*(a) in the permanent service of the Government of/or\*(b) ordinarily resident in India and that I possess means which will enable me to repay to the Central Government the sums of money referred to in the event of my being called upon to do so in accordance with the terms of the agreement. Signature of the surety ..... Signed by the surety in the presence of ..... Name of witness ..... Address ..... Occupation ..... \* Strike out one of these which is not applicable.