

Manipur Forest Service Rules, 1986

MANIPUR

India

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Rule MANIPUR-FOREST-SERVICE-RULES-1986 of 1986

- Published on 16 June 1986
- Commenced on 16 June 1986
- [This is the version of this document from 16 June 1986.]
- [Note: The original publication document is not available and this content could not be verified.]

Manipur Forest Service Rules, 1986Published vide Notification No. 1/67/82 (Rules)/DP, Imphal, dated 16th June, 1986Last Updated 7th February, 2020Notification No. 1/67/82 (Rules)/DP, Imphal, dated the 16th June, 1986. - In exercise of the powers conferred by the proviso to Article of 309 of the Constitution of India, the Governor of Manipur is pleased to make the following rules, namely :-Part-IGeneral

1. Short title and commencement.

- (i) These rules may be called the Manipur Forest Service Rules, 1986.(ii)They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires,(a)"Commission" means the Manipur Public Service Commission';(b)"Committee" means the Departmental Promotion Committee referred in rule 6;(c)"Duty post" means any post specified in Schedule-I and includes a temporary post carrying the same designation as that post and any other temporary post declared as duty post by the Governor ;(d)"Governor" means the Governor of Manipur ;(e)"Government" means the Government of Manipur ;(f)"Institute" means the Forest Research Institute and College, Dehradun or any other institute recognised by the Government as equivalent;(g)"Member of the Service" means a person appointed to the service in the substantive capacity;.(h)"Schedule" means a Schedule attached to these rules ; and(i)"Service" means the Manipur Forest Service.

3. Constitution of Service and its classification.

(1)There shall be constituted a State Forest Service to be known as Manipur Forest Service.(2)The Sendee shall have the following 3(three) grades, namely :-(i)M.F.S. Selection Grade.(ii)M.F.S. Grade-I.(iii)M.F.S. Grade-II.(3)The posts in Selection Grade, Grade-I and Grade-II of the Manipur

Forest Service shall be Class-I Gazetted. Part-II Authorised Strength

4. Strength of the Service.

(1) The authorised permanent strength of the Service and the posts included therein shall be as determined by the Governor from time to time. (2) On the commencement of these rules authorised permanent strength of the Service and the posts included therein shall be as specified in Schedule-I. (3) The Governor may, by order, create duty posts for such period as may be specified therein. Part-III Method of Recruitment

5. Method of Recruitment.

(1) Appointment to Grade-I and Selection Grade of the service shall be made by promotion in the manner specified in Part-IV of these rules. (2) (i) 40% of the sanctioned strength of (Grade-II) posts of Manipur Forest Service shall be filled up by selection in the manner specified in part-IV of these rules. (ii) another 60% of the sanctioned strength of Grade-II posts of Manipur Forest Service shall be filled up by direct recruitment's in the manner specified in part-V of these rules. Part-IV Appointment by Promotion

6. Constitution of Departmental Promotion Committee./Section Committee.

- Appointment of the members of the Service to the MFS Grade- I and Selection Grade shall be made on the recommendation of a screening Committee/Selection Committee to be constituted by the Government and on the basis of merit with due regard to seniority.

7. Preparation of list of suitable officers.

(1) A member of the Service with a minimum of 6 (six) years regular service, including service against duty posts shall be eligible for being considered for promotion to the MFS Grade-I. (2) A member of the Service with a minimum of 10 (ten) years regular service i.e. 6 (six) years regular service in Grade-II and 4 years in Grade-I including service against duty posts shall be eligible for being considered for promotion to Manipur Forest Service Selection Grade, the number of which shall be 20% of the senior grade i.e. Grade-I or one post whichever is greater : Provided that service rendered by the officers regularly as well as on officiating basis on the recommendation of the competent DPC/Screening Committee/Selection Committee under Manipur Forest Service Rules shall be countable towards 6 (six) years service as the case may be : Provided further that where a person is considered for such appointment, all persons senior to him in the service shall also be considered irrespective of the fact whether or not they fulfil the requirement as to the minimum 6 (six) years and 10 (ten) years service as the case may be.

8. Select List.

(1) Appointment to substantive vacancies in Grade-II of the service in accordance with the provision of clause (i) of Sub-rule (2) of rule 5 shall be filled by selection from the cadre of Ranger who have put in 7 (seven) years of regular service in the grade. (2) The names of persons included in the Select List shall be arranged in order of merit.

9. Consultation with the Commission.

(1) The list prepared under rule 7 shall be forwarded by the Governor to the Commission, where consultation with the Commission, is necessary, or where the Chairman of the Committee desires that a reference be made to the Commission along with relevant records. (2) If the Commission considers it necessary to make any changes in the list received from the Governor the Commission shall inform the Government of changes proposed. (3) The list shall finally be approved by the Governor after taking into account the changes, if any, proposed by the Commission. (4) The list thus finally approved shall ordinarily be in force until a fresh list is prepared for the purpose in accordance with these rules.

10. Appointment from the Select List.

(1) Appointment from the Select List to posts shall be made in accordance with the provisions of rule 5. Appointment shall follow the order in which the names of such officers appear in the Select List. Part-V Direct Recruitment

11. Competitive examination.

- The competitive examination for direct recruitment to the Grade-II of the Service shall be held by the Commission, from time to time, determine.

12. Conditions of eligibility.

- In order to be eligible to compete at the examination, a candidate must satisfy the following conditions, namely :- (i) Nationality-He must be a citizen of India ; (ii) Age-He must have attained age of 20 years and not attained the age of 26 years on the first day of July of the year in which the examination is held. In case of trained Ranges of the Department upper age shall not be more than 31 years on 1st day of July in which the examination is held : Provided that the upper age limit may be relaxable by 5 years in respect of candidates belonging to Scheduled Castes and Scheduled Tribes ; (iii) Educational qualifications-He must hold a Bachelor's Degree with at least one of the subjects, namely-Botany, Chemistry, Geology, Mathematics, Physics, Zoology, Economics and Statistics; or a Bachelor's Degree in Agriculture or in Engineering or B. Sc. in Forestry of any University or other educational Institution incorporated, established or declared to be deemed as University by or under any Act of foreign University approved by the Central Government; (iv) Physical Standard-He must have the following physical standards in the minimum :-

- (a) Height 163 cm.
- (b) Chest Girth 79 cm.
- (c) Chest girth fully expanded 84 cm.
- (d) Walking 25 Kms. in 4 hours.

Note. - In the case of Assamese, Garhwalis, Sikkimese, Nepalis, Kumaonis, Ladakhis, Meeteis, Tribal Inhabitants of Assam, Manipur, Meghalaya Nagaland, Tripura, Mizoram and Arunachal Pradesh ; the minimum height shall be 152.5 cm.(v)Candidates shall be required to appear at an open competitive examination to be held by the Commission as provided under rules for Diploma Course in Forestry issued by the Government of India from time to time.

13. Disqualification for admission.

- Any attempt on the part of a candidate to obtain support for his candidature by any means may disqualify him for admission to the examination.

14. Decision of Commission to be final.

- The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final and no candidate to whom a certificate of admission has not been issued by the Commission shall be admitted to the examination.

15. List of candidates.

- The Commission shall forward to the Government a list arranged in order of merit of the candidates who have qualified by such standards as the Committee may determine and shall also publish it for general information.

16. Disqualification on medical grounds.

- No candidate shall be selected who, after such medical examination as the Government may prescribe, is not found to be in good mental or bodily health and free from any mental or physical defect likely to interfere with the discharge of the duties of the Service.

17. Inclusion in the list confers no right to selection.

- The inclusion of a candidate's name in the list confers no right to selection unless the Government is satisfied, after such inquiry as may be considered necessary, that the candidate, having regard to his character and antecedents is suitable in all respects for appointment to the Service.

18. Selection of candidates.

- Subject to the provisions of Rule 16 and 17, candidates will be selected in the order in which their names appear in the list referred to in rule 15.

19. Training.

- Every candidate selected under rule 18 shall attend and undergo such training in Forestry for such period as the Government may direct in the Institute or in any other institution recognised by the Government as equivalent thereto: Provided that the Government may, if it thinks fit, exempt in consultation with the Commission from undergoing of such training or any part thereof with respect to any class of candidates after taking into consideration any training already undergone by such class of candidates.

20. Execution of agreement.

- A candidate referred to in rule 19 shall execute an agreement in the form specified in Schedule-II binding himself and one surety, jointly and severally, in the event if his failing to comply with any of the provision of rules 21, 22, 23 and 24 to the satisfaction of the Government, to refund all money paid to him consequent on sending him for training.

21. Record in the Institute.

(1) A trainee shall attend such lectures and undergo such tests and exercises as the Institute may direct. (2) At the end of the period of training, the Institute shall assess the record in the Institute of each trainee by awarding him such number of marks out of such maximum marks as it may, in each case, think fit.

22. Final examination.

- Every trainee shall be required during the period of training to appear at such examinations to be conducted by the Institute.

23. Failure to appear at final examination in certain cases.

- Where a trainee is prevented by sickness or other causes over which he has no control from completing his course of studies for the final examination or from appearing at such examinations, the Government may, in consultation with the institute, allow him to appear at the next final examination or any special examination which the Institute may hold for the purpose, or may exempt him from appearing in all or any of the subjects prescribed for the final examinations.

24. Failure to pass final examination.

- Where a trainee fails in any subject or group of subjects, the Government may, in consultation with the Institute, permit him to sit for re- examination in the subject or subjects in which he failed; Provided that the marks awarded to a trainee on such re- examination shall not be taken into account in determining his seniority.

25. Appointment.

- On completion of the training referred to in rule 19, or in the case of candidates who have been exempted from undergoing the training under proviso to that rule, on such exemption, the selected candidates shall be appointed to the Grade-II of the Service. Part-VI Initial Constitution of Service

26. Initial appointments of persons to the Service.

(1) The Governor may, at the commencement of these rules, appoint to the Grade-I or Grade-II of the service any person who at such commencement is holding on regular basis any of the posts included in the Grade-I or, as the case may be, Grade-II of the Service specified in Scheduled-I; Provided that the appointment to the Service of those officers who belong to, or are on deputation from service under the Central or other State Government shall be made with their consent and concurrence of that Government to which they belong. Explanation. - For the purposes of this sub-rule, as person who would have held a post mentioned in Schedule-I but for his being on leave or on foreign service or on deputation or but for his temporary or officiating appointment to an equivalent or higher post, shall be deemed to be holding such a post. (2)(i) For the purpose of appointment of a person referred to in sub-rule (1), the Committee may make a preliminary selection, from among the officers referred to in that sub-rule, of such of them who, in its opinion, are suitable for appointment to the service. The names of the officers so selected shall be arranged in a list by the Committee in the order of merit with due regard to seniority. (ii) The list prepared under clause (i) shall finally be approved by the Governor in consultation with the Commission with such changes as may be necessary. (3) Initial appointment to the Service shall be made in the order in which their names appear in the said finally approved list. Part-VII Appointment, Probation and Confirmation

27. Appointment.

- All appointments to the Service shall be made to the Service and not against the post included in the Service.

28. Disqualification for appointment.

- No person who has entered into or contracted a marriage with a person having a spouse living or 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 Governor may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the

marriage and there are other grounds for so doing exempt any person from the operation of this rule.

29. Period of probation.

(1) Every person appointed to the Service in accordance with the provisions of Part-IV of these rules shall be appointed on probation for a period of two years :Provided that in the case of any person so appointed, any period for which he has been appointed to an equivalent or higher post may, having regard to his performance to such post be counted towards the period of probation.(2) Every person recruited to the Service in accordance with the provisions of Part-V of these rules 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 when followed by the appointment to a gazetted post in the Forest Department may be counted towards the period of probation.(3) Any person who is on probation at the time of his appointment in accordance with the provisions of Part-VI of these rules shall continue to be on probation for the remaining period.(4) The Governor may in the case of any person extend or reduce the period of probation.(5) A person on probation shall be liable to be discharged from Service at any time without assigning any reason thereof :Provided that if he holds a lien on any permanent post, he shall be liable to be reverted to the post.(6) A person on probation who holds a lien on any permanent post may, if he so desires, during the period of probation, have the option to revert back to his parent Department or Government after giving three months notice to the Government.

30. Confirmation in Service.

- A person who has been declared to have satisfactorily completed his period of probation may be confirmed in the Service. Part-VIII. Officiating Appointments

31. Selection for officiating appointments.

- When the number of officers available in the Select List referred to in rule 8 is not adequate having regard to the number of vacancies in the duty posts the Governor may direct the Committee to consider the cases of officers, who are borne on the cadre of Assistant Conservator of Forests in the case of appointments to Grade-I of the Service, or as the case may be, who are borne on the cadre of Rangers in the case of appointments to Grade-II of the Service, The Committee shall prepare a separate list of officers selected for the purpose based on merit and suitability in all respects, for officiating appointments to duty posts with due regard to seniority. The provisions of rules 8 and 9 shall apply mutatis mutandis in the preparation of the list under this rule.

32. Officiating appointment to the Service.

- If a member of the Service is not available for holding a duty post, the post may be filled up on officiating basis-(a) By appointment of an officer included in the Select List referred to in rule 8, or (b) If any such officer is available, by appointment of an officer included in the list prepared under

rule 31, having regard to the order in which their names appear in the said lists.

33.

Every member of the Service unless he is appointed to an ex-cadre post, or is otherwise not available for holding a duty post owing to the exigencies of service, be posted against a duty post.

34. Duty post to be held by a member of the Service.

- Every duty post shall be held by a member of the Service or an officer appointed to officiate under Part-VIII of these rules.

35. Seniority.

- The Governor shall prepare a list of members of the Service arranged in the order of seniority as determined in the following manner :-(1)In the case of persons appointed on the result of competitive examination or by promotion, seniority in the Service shall be determined by the order in which appointments are made to Services :Provided that(a)the relative seniority inter-se of persons appointed by promotion shall be determined on the basis of the order in which their names are arranged in the Select List referred to in rule 8,(b)persons recruited on the result of competitive examination in any year shall be ranked inter-se in the order of merit determined on the basis of marks obtained by each of them calculated in the following manner :(i)full aggregate marks in the competitive examination, and(ii)50% of the aggregate marks in the final examination referred to in rule 22 and the assessment of the record in the Institute referred to in rule 21.Explanation. - In the case of persons exempted under proviso to rule 19 from undergoing training at the Institute, the marks obtained in the final Diploma Course examination or in any other examination recognised by the Government as equivalent thereto passed by them before their appointment shall be transformed in the ratio that the total aggregate marks of the said examination bear to the aggregate marks in the examination referred to in rule 22. The number thus arrived at shall be further reduced by 50% for the purpose of sub-clause (ii) of clause (b) of this proviso. Further in such cases as may be applicable, the marks obtained by persons covered by this explanation in any subject in which they were re-examined shall be excluded in terms of proviso to rule 24.(2)The Seniority of members of the Service appointed at the initial constitution of the Service in accordance with the provisions of Part-VI of these rules, shall be determined by the Governor after due regard being paid to the posts previously held by them under the Government and length of service rendered by them thereto:Provided that in the case of persons appointed under the proviso to sub-rule (1) of rule 26 if two or more persons belonging to the same parent service or department are thus appointed, they shall be ranked interest in the order of their relative seniority in the parent service or department, as the case may be.(3)The relative seniority of promotees and direct recruits shall be determined according to the rotation of vacancies between promotees and direct recruits which shall be based on the quotas of vacancies reserved for promotion and direct recruitment under rule 5.

36. Pay and allowances.

(1)(a)The scale of pay attached to the various grades of the service shall be as follows or subject to revision from time to time by the State Government.(i)MFS Selection Grade To be notified separately.(ii)MFS Grade-I:-Rs. 3000-4500/- (iii)MFS Grade-II:- (i) Rs, 2200-4000/- (ii)Rs. 2000-3500/- (b)A member of the Service in Grade-II shall be given the scale of Rs. 2200-4000/- after completion of 2 (two) years regular service in the grade.

37.

A person undergoing training referred to in rule 19, will be paid, during the period of course of the training, such stipend and allowances as the Government may determine from time to time.

38. Regulations.

- The Governor may make regulations not inconsistent with these rules, to provide for all matters for which provision is necessary of expedient for the purpose of giving effect to these rules.

39. Residuary matters.

- In regard to matters not specifically covered by these rules or by regulation or orders issued thereunder or by special orders, the members of the Service shall be governed by the rules, regulations and orders applicable to corresponding officers serving in connection with the affairs of this State.

40. Interpretation.

- If any question arises as to. the interpretation of these rules, the same shall be decided by the Governor.Part-X

41. Transitional provision.

(1)On and after tire commencement of these rules and until persons are appointed to hold the duty posts in accordance with the provisions of these rules such posts may continue to be held by officers who are holding such posts at the commencement of these rules, as if these rules have not come into force.(2)This rule under rule 41 (1) shall cease to be in force after a period of two years from the date of commencement of these rules.

42. Removal of difficulties at the initial constitution of the Service.

- If any difficulty arises during the period of the initial constitution of the Service in giving effect to those rules, the Governor may, by order relax any provision of these rules to the extent necessary for the purposes of removing the difficulty after consultation with the Commission, wherever

necessary: Provided that no such order shall be made after expiry of two years from the date of commencement of these rules.

I

(See rule 4) The authorised permanent strength of the service and nature of the posts included in it are as follows :-Sanction-Strength

(A)	MFS Selection/Grade-I	5
(B)	MFS Grade-II	25
	Reserve for deputation, leave and Training	9
	Total	39

The above figures include the following :

(A) (1)	DCF/DFO-Social Forestry Divn. II	1
(2)	DCF/DFO-Thoubal Forest Divn.	1
(3)	DCF/DFO-Bishenpur Forest Divn.	1
(4)	DCF/DFO-Keibul Lamjao National Park	1
(5)	DCF/Director-Manipur Forest School	1

Reserves

Deputation, Leave and Training @10%

Grade	Deputation	Leave	Training	
I	—	—	—	
II	3	3	3	9

II

(See rule 20) To The Governor of Manipur Whereas I* a candidate selected for training in Forestry under the Manipur Forest Service Rules, 1986 (hereinafter referred to as "the trainee") being entitled (subject to compliance with the provisions of the said rules) to receive from the Governor of Manipur (hereinafter referred to as the Government) stipend and allowances during the period of the course of the training. Now, we, the trainee, and ** (hereinafter referred to as "the surety") jointly and severally, do hereby in pursuance of the said rules, promise and agree in event of the failure of the trainee to complete successfully the said training, to refund to the Government on demand all moneys paid to him including travelling expenses. The surety hereby agrees that his liability hereinunder shall be affected by the Government extending the period of training or giving the trainee an extension of time for payment of or compounding the amount payable hereinunder Stamp duty payable on this bond shall be borne and paid by the Government. Dated this day of 20 Signature of trainee : Signed by the trainee in the presence of: Name of witness : Address : Occupation : Signature of surety: Signed by the surety in the presence of : Name of witness : Address Occupation :