

RULES (MINISTERIAL SECTION)

Part I.—General

o.16. (1) (i) These rules may be called the Punjab Forest Subordinate Service (Ministerial Section) Rules, 1943.

Short title.

(ii) These rules shall come into force with effect from the date of this notification.

2. In these rules, unless there is anything repugnant in the subject or context—

Definitions.

(a) "Chief Conservator" means the Chief Conservator of Forests, Punjab;

(b) "Conservator" means the Conservator of Forests,

in charge of :—

(i) the North Circle, Punjab, or

(ii) the South Circle, Punjab, or

(iii) any other Circle in the Forest Department sanctioned by Government;

(c) Director

(d) "Government" means the Provincial Government;

(e) "Head of Office" means the officer designated as Disbursing Officer in Appendix D to the Punjab Budget Manual or any other Government servant declared to be the head of an office by competent authority;

(f) "Recognised University" means any University incorporated by law in British India or any other University, which may be

declared by Government to be a recognised University for the purposes of these rules;

(g) "the Service" means the Punjab Forest Subordinate Service (Ministerial Section);

(h) "Direct appointment" means the appointment made otherwise than by promotion of a member of the Service or transfer of an official already in the service of the Crown.

Part II.—Appointments

3. The Service shall consist of two Branches and in each Branch the posts shall be as specified in Appendix A.

Number and character of posts.

4. Appointments to posts in the Service shall be made by the authorities shown against each post in column 3 of Appendix B.

Authority empowered to make appointments.

5. No person shall be appointed to any post in the Service unless :—

Nationality, age and qualifications of candidates.

(1) (i) he is a British subject as defined in section 1 of the British Nationality and Status of Aliens, Act, 1914, (as amended by the Acts of 1918 and 1922) and is domiciled in the Punjab, or Delhi. The condition requiring a Punjab or Delhi domicile may be waived in the case of a European or an Anglo-Indian candidate if it is satisfactorily proved that such candidate was born of parents habitually resident in India and not established there for temporary purposes only; or

(ii) he has been made eligible under section 262 of the Government of India Act, 1935; and

(2) in the case of a person, who is not already in Government service he—

(a) produces a certificate or certificates of character from the Principal academic

officer of his University, College, School or the head of his educational or technical Institution last attended and also from two responsible persons not being his relatives, who are well acquainted with him in private life and unconnected with his University, College, School or other educational or technical institution and the medical certificates required by rule 3.1 of the Civil Services Rules (Punjab), Volume I, Part I;

- (b) is not less than 18 years and not more than 25 years of age on the date of his appointment provided that in special circumstances to be recorded in writing the appointing authority specified in rule 4 may appoint a person, who is more than 25 years of age.

6. (1) No person shall be appointed to the Service unless in the case of appointment to the post of Clerk, IV Grade.— He has passed the Matriculation Examination of recognised University or possesses an equivalent qualification.

Educational and technical qualifications of candidates.

Explanation.—Preference will be given to candidates who have passed the Post-Matriculation Clerical Course of a recognised University.

Head Draftsman :—

He has passed the two years' draftsman course from the Government School of Engineering, Rasul and after passing the course has had a practical experience of at least 5 years or possesses an equivalent qualification.

Draftsman :—

He has passed the two years' draftsman course from the School of Engineer, Rasul or possesses an equivalent qualification.

6. (2) Other things being equal in the case of direct appointment preference will be given to a candidate, who has himself worked for the cause of national independence or has rendered some outstanding social or public service.

7. Posts in the Service shall be filled:

Method of recruitment.

- (a) in the case of Superintendent, Chief Conservator's office. By selection from amongst the Superintendents, Circle Offices ;
- (b) in the case of Superintendents Circle Offices—By selection from amongst the Assistants or, if there is no suitable Assistant, from amongst Clerks I Grade only ;
- (c) in the case of—
- (i) Assistants—By selection from amongst Clerks I Grade;
- (ii) Clerks I Grade—By selection from amongst Clerks II Grade;
- (iii) Clerks II Grade—By selection from amongst Clerks III Grade. The Stenographer to the Chief Conservator of Forests will also be eligible for promotion to the posts of Clerks II Grade if he has the requisite clerical experience;
- (iv) Stenographer to the Chief Conservator of Forests—By selection from amongst the Steno-typists in the department or by direct appointment;
- (v) Clerks III Grade—By selection from amongst Clerks IV Grade.
- (d) in the case of Clerk IV Grade—
- (i) by selection from amongst substitute and officiating clerks or temporary establishment clerks ;
- (ii) by direct appointment;
- (e) in the case of Head Draftsman—By selection from amongst Draftsmen in the next lower grade if suitable, otherwise by direct appointment;

(1) in the case of Draftsman.—By direct recruitment or by selection from amongst persons already in the service of the State.

7-A. All posts in the Service are selection posts and no member of the Service shall be deemed to have had promotion withheld by reason of his not having been selected or transferred to fill such a post, except in the case of an appointment having been made in direct contravention of these rules.

Part III.—Conditions of Service.

8. (i) ^{Probation members of the Services.} Members of the Service, who are appointed ^{of the} against permanent vacancies, shall, on appointment to any post specified in appendix A, remain on probation for a period of two years in the case of members recruited by direct appointment or of one year in the case of members recruited otherwise.

Explanation.—Approved officiating service shall be reckoned as a period spent on probation, but no member who is officiating in any appointment shall on the completion of the probationary period prescribed above be eligible for confirmation until he is appointed against a permanent vacancy.

(ii) On the completion of the period of probation of any member, the appointing authority prescribed in rule 4 may confirm such member in his appointment, or if his work or conduct has in the opinion of the appointing authority not been satisfactory, the appointing authority may dispense with his services or revert him to his former post, if he has been appointed otherwise than by direct recruitment, or may extend the period of probation and thereafter pass such orders on the expiry of the period of probation as it could have passed at the expiry of the first period of probation.

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

9. The seniority of members of the Service shall, ^{Seniority members of the Service.} of each class of appointment shown in Appendix A, be determined by the dates of their substantive appointment to a permanent vacancy in each class:

Provided that if two or more members are appointed on the same date:—

- (a) members appointed by selection from amongst persons in the Service shall be senior to members appointed otherwise and members appointed by transfer from other departments shall be senior to members appointed direct;
- (b) in the case of members, who are appointed by selection from amongst persons in the Service or who are appointed by transfer from other departments, seniority shall be determined by pay, preference being given to the member drawing a higher rate of pay; and if the rates of pay drawn are the same, seniority shall be determined by the length of service, preference being given to the member having the longer service; and if the length of service is also the same, seniority shall be determined by age, the older member being senior to the younger member;
- (c) in the case of members, who are appointed direct on the same date, the older member shall be senior to the younger member;

Provided further that if any member is reverted to his former post and is subsequently promoted to the post from which he reverted, the date of his appointment for the purpose of this rule shall be such date as the appointing authority specified in rule 4 may determine.

10. A member of the Service holding any appointment specified in Appendix A, shall from the date of joining his appointment, be entitled to the scale of pay shown in column 2 of the said Appendix against such appointment.

11. (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the rules in Section III of Chapter XIV of the Civil Services Rules (Punjab), Volume I, (Part I), as amended from time to time:

Provided that the nature of the penalties which may be inflicted, the authority empowered to impose such penalties and the appellate authority shall be as specified in Appendix C.

(2) The authority competent to make an order under clause (c), (d), or (e) of rule 14.14 of the Civil Services Rules (Punjab), Volume I, Part I, and the appellate authority shall be as specified in Appendix D.

12. In respect of leave, pension and other cognate matters not specifically mentioned in these rules the members of the Service shall be governed by the Civil Services Rules (Punjab), as amended from time to time.

13. Every member of the Service shall have himself vaccinated and revaccinated whenever Government may, by special or general order, so direct. This rule shall not, however, apply to the members of the Service, who were in the service of the Crown on the 8th day of March, 1926, except with their concurrence.

RULE 3

(Posts of the Service together with time-scale of pay).

Name of posts	Clerical Branch	Time scale	Old
			Revised
		Rs	
Superintendent, Chief Conservator of Forests' Office		300—20—400	
		225—15—300	
		250—10—350	
Superintendents, Circle Offices		190—7—260	
		150—10—200	
Assistant		110—7—145/8—225	
		150—10—250	
Clerks I, Grade		110—7—145/8—185	
		106—6—160/8—200	
Clerks, II Grade		80—5—130/6—160	
		100—5—150/10—200	
Stenographer to Chief Conservator of Forests		75—5—100/5—125	
		60—4—80/4—100	
Clerks, III Grade		40—2—80/2—90	
		35—1—65/2—75	
Clerks, IV Grade		110—5—160	
		80—4—120	
Head Draftsman		60—2—100	
		50—1—80	
Draftsman			

Note.—The revised scales of pay are intended for persons subject to the Revised Rates of Pay Rules.

RULE 4

Serial No.	Class of Government Servants	Authority to whom the power of appointment is delegated	The extent of the authority
1	(i) All ministerial appointments (Clerical and Drawing Branches) in Chief Conservator's Office	Chief Conservator	Full powers subject to the rules governing the conditions of service
	(ii) Superintendents, Circle Offices	Ditto	Ditto
2	All ministerial appointments both in Circle and subordinate offices excepting Superintendents, Circle Offices	Conservator or Director of the Circle concerned	Ditto

RULE II (1)

Designation of official	Nature of penalty	Punishing authority	Appellate authority	Second Appellate authority where penalty is increased	Authority empowered to entertain re- revision application
1	2	3	4	5	6
<i>Chief Conservator's Office</i>					
Superintendent	(a) to (g)	Chief Conservator	Government
Assistant	(a) and (b) to (g)	Head of Office	Chief Conservator	Government	..
Clerks, I-IV grade		Chief Conservator	Government
Head Draftsmen Draftsmen Stenographer					
<i>Circle Offices</i>					
Superintendents	(a) and (b)	Conservator or Director	Chief Conservator	Government	..
	(c) to (g)	Chief Conservator	Government
Clerks, I-IV grade	(a) to (g)	Conservator or Director	Chief Conservator	Government	..
<i>Subordinate Offices</i>					
Clerks, I-IV grade	(a) and (b)	Head of office	Conservator or Director	Chief Conservator	Government
	(c) to (g)	Conservator or Director	Chief Conservator	Government	..

Explanation of the letters (a) to (g) used in column (2) above.

(a) Censure.

(b) Withholding of increments or promotion, including stoppage at an efficiency bar.

- (c) Reduction to a lower post of time scale; or to a lower stage in a time scale.
- (d) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders.
- (e) Suspension.
- (f) Removal from the civil service of the Crown, which does not disqualify from future employment.
- (g) Dismissal from the civil service of the Crown which ordinarily disqualifies from future employment.

NOTE :—The power reserved by Government in columns 4, 5 and 6 shall be exercised subject to the provision of the Panjab and North West Frontier Province Joint Public Service Commission (Limitation of Functions) Regulations.

APPENDIX D

RULE 11 (2)

Designation of official	Nature of order	Authority empowered to pass orders	Appellate authority
<i>Chief Conservator's Office</i>			
Superintendent	(a) to (c)	Chief Conservator	Government
Assistant			
Clerks, I—IV grade			
Head Draftsman			
Draftsman			
Stenographer			
<i>Circle Officers</i>			
Superintendents	(a) to (c)	Ditto	Do
Clerks, I—IV grade	(a) to (c)	Conservator or Director	Chief Conservator
<i>Subordinate Offices</i>			
Clerks, I—IV grade	(a) to (c)	Conservator or Director	Chief Conservator

Explanation of the letters (a) to (c) used in column (2) above :—

- (a) Reducing the maximum pension admissible to him under the rules governing pensions.
- (b) Interpreting to his disadvantage a rule by which his conditions of service are regulated.
- (c) Terminating his appointment otherwise than upon his reaching the age fixed for superannuation.

(Punjab Government notification No. 1272-F1., dated the 9th June, 1913).