

प्रशासन संघ शासित प्रदेश दादरा एवं नगर हवेली एवं दमन एवं दीव
Administration of Dadra & Nagar Haveli and Daman & Diu (U.T.)
मुख्य वन संरक्षक का कार्यालय
Office of the Chief Conservator of Forests
दमन / Daman

No. 1-3/660-FD/T/2022/1318

Date: 03/07/2023

NOTIFICATION

No. 1-3/660-FD/T/2022/ -In exercise of the powers conferred by the provision to Article 309 of the Constitution and all other powers enabling him this behalf, The President of India hereby makes the following rules, namely:-

PART-I

GENERAL

1. Short Title and Commencement -

- (1) These Rules may be called the Dadra and Nagar Haveli and Daman & Diu Forest Service Rules 2023.
- (2) They shall come into force with effect from the date of their publication in the official gazette.

2. Definition- In these rules unless the context otherwise requires of:-

- (a) "Administrator" means the Administrator appointed under Article 239 of the Constitution for the Union Territory of Daman, Diu & Dadra and Nagar Haveli.
- (b) "Commission" means the Union Public Service Commission.
- (c) "Duty Posts" means any post specified in the schedule and includes a temporary carrying the same designation and scale of pay as any of the posts specified schedule and other temporary post declared as duty post by the Administration.
- (d) "Committee" means the Selection Committee referred to in rule 8 of these Rules.
- (e) "Member of the Service" means the a person appointed in a substantive capacity to grade of the service and includes a person appointed on probation to the either grade service.
- (f) "Schedule" means the schedule attached to these rules.
- (g) "Service" means the Dadra and Nagar Haveli Forest Service.
- (h) "Schedule Caste & Schedule Tribe" shall have the same meaning as are assigned on the clauses (24) and (25) respectively of Article 366 of the Constitution of India.

3. Constitution of Service and its Classification:

- (1) On and from the date of commencement of these Rules, here shall be constituted a Service to be known as the Dadra and Nagar Haveli Forest Service.
- (2) The services shall have one grade namely:
 - (i) The time scale.
- (3) The posts in time scale shall be Central Civil 'B' post.

PART-II

AUTHORISED PERMANENT STRENGTH OF SEVRVICE

4. Strength of the Service:-

- (1) The authorized permanent strength of the service and posts included therein shall be species in Schedule.
- (2) Provided that the Administrator subjects to such conditions and limitations as may be prescribe in the behalf, may by order create duty posts for such period as may specified therein.

PART-III

5. Method of Recruitment:-

- (1) Same as provided in Rule 12 appointment to the service shall be made by the following method namely:-
 - (a) The vacancies in Time Scale be filled in by selection in the manner specified in Part V of the rules from amongst:-
 - (j) Officers who have completed not less than 5 years of regular service in the category of Range Forest Officer provided that the period spent under forestry training in Forest Ranger's Colleges shall be counted while completing the period of 8 years of service in the category of Range Forest Officers.

Provide that nothing in this rule shall preclude the Administrator from holding a vacancy in abeyance, or filling it on officiating basis in accordance with provision of these Rules.

PART-IV

6. **Educational Qualification:-** The person eligible to be appointed to the service should hold a Bachelor's Degree with atleast one of the subjects viz. Botany, Chemistry, Geology, Mathematics, Physics, Statistics and Zoology or a Bachelor's Degree in Agriculture, Forestry or Engineering from a recognized University or equivalent.
7. **Upper Age Limit:** - Not applicable.

PART-V

RECRUITMENT BY SELECTION

8. The constitution of Selection Committee

Recruitment for initial constitution under rule 12 and recruitment under clause (a) and (B) of sub-rule (i) of rule 5 shall be made on the recommendation of the selection Committee (hereinafter) referred to as Committee) consisting of:

For Time Scale- Group-'B' posts (for promotion/confirmation)

- | | | |
|--|---|----------|
| 1. Administrator | - | Chairman |
| 2. Head of Forest Department/Chief Conservator of Forest | - | Member |
| 3. Advisor to Administrator | - | Member |
| 4. Collector DNH | - | Member |
| 5. Deputy Inspector General of Police, DD & DNH | - | Member |
| 6. Deputy Conservator of Forests (T), DNH | - | Member |

Note: - The Selection committee of Group 'B' mentioned above is as constituted by UT Administration of Dadra and Nagar Haveli and Daman & Diu from time to time.

9. Conditions of Eligibility & Procedure for Selection

(1) The Committee shall consider from time to time the cases of officers eligible under clause (a) and (b) of sub rule (1) and prepare a list of officers recommended for appointment after taking into account the actual vacancies at the time of selection and those likely to occur during a year. The selection for inclusion in the list shall be based on merit and suitability in all respects for appointment to the service with due regard to seniority.

(2) The names of persons included in the list shall be arranged in order of merit.

(3) The list so prepared shall be forward by the Committee to the Administrator.

10. Consultation with the Commission:

(1) The list prepared under Rule 9 together with the relevant records shall be forward by the Administrator, where the Chairman of the Committee desires that a reference be made to the Committee along with the relevant records.

(2) If the Commission considers it necessary to make any change in the list received from the Administrator the Commission shall in form the Administrator of the changes proposed by it.

(3) The list shall finally be approved by the Administrator after taking in to account the charges, if any proposed by the Commission.

(4) The list thus finally approved shall be in force until a fresh list is prepared for the purpose in accordance with these rules.

11. Appointment to the Service: Appointment to the Service shall be made in order of merit in the list referred to in sub-rule (4) of the 10.

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PART-VI

INITIAL CONSTITUTION OF SERVICE

12. Initial appointment to the service:

The existing regular incumbents of the posts of Assistant Conservator of Forests, Wildlife Warden and Assistant Director (Social Forestry) (Group 'B' Gazetted) in the Forest Department may be deemed to have been appointed to the specified post included in the service.

PART-VII

APPOINTMENT

13. **Appointment:** - All appointment to the service shall be made to time scale of the service and not against any specified post included in the service.

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

PART-VIII

OFFICIATING APPOINTMENTS

15. Officiating Appointment to Duty Post of the Service:

- (i) If a member of the service is not available for holding a duty post, the post may be filled in on officiating basis by the appointment of an officer included in the list referred to sub-rule (4) of Rule 10.
- (ii) Notwithstanding anything contained in these rules where appointment to duty post is to be made by the Administrator from persons who are included in the list prepared under sub-rule (4) of Rule 10 or who are eligible for inclusion in such list.
- (iii) Notwithstanding anything contained in the rules of the exigencies of the public service so require, a duty post for which a member of the services is not available may be filled in on officiating basis by appointing with prior consultation with the Commission, an officer belonging to a State Forest on deputation, for such period or periods cordially not exceeding three years, if the Administrator may consider necessary.

PART-IX
MISCELLANEOUS

16. Posting of the Members of the Service:-

Every member of the service shall, 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 duty post by the Administrator.

17. Duty Post to be held by the Member of the Service:

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

18. Seniority- The Administrator shall prepare a list of member of the service arranged in order of seniority as determined in the manners specified below:

- (i) 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 ad-hoc by the Administration in consultation with the Commission due regard being had to the posts previously held by them and the length of service rendered by them.
- (ii) Seniority of persons appointed to the service under rule 13 shall be determined by the order in which appointments are made to the service.
 - (a) The relative interest seniority of persons recruited by selection shall be determined on the basis of the order in which their names are arranged in the list prepared under rule 8.

19. Pay and Allowance:

- 1) The scale of pay allowance to the service shall be as follows :
 - (i) Time Scale Level-7 in the Pay Matrix(Rs.44900-Rs.142400)
(PB-2 + GP Rs.4600/- pre-revised)
- 2) A person on his first appointment to the service shall, draw pay at the minimum of time scale.

Provide that if he held post other than a tenure post in a substantive capacity prior to his appointment to the service shall be regulated under the provisions of Fundamental Rules 22 -B (i). The Pay and increment in the case of appointment to the service shall be regulated in accordance with the Fundamental Rules.

Provided that, it shall be open to the Administrator if special circumstances of his case so requires:

- (1) Dearness and other allowances shall be paid to the persons holding duty posts at such rates as determined by the President from time to time.
20. The Officers appointed to the time scale of pay for the Service shall be designated as Assistant Conservator of Forests.
21. **Regulation:-** The Administration may make regulation or issue instructions, not in consistent with these Rules, to provide for all matters for which provisions is necessary or expedient for the purpose of giving effect of these rules.
22. **Residuary Matters:-** In regard to matters not specifically covered by these rules or by regulations or orders issued there under or by special orders, the member of the service shall be governed by the rules regulations and orders applicable to corresponding officers serving in connection with he affairs of the Union.
23. **Interpretation:-** If any question arises as to the interpretation of these rules, the same shall be decided by the Government of India.

PART-X

TRANSITIONAL ARRANGEMENTS

24. Transitional Provision:-

- (1) On and from the commencement of these and these 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 appointed thereto as if these rules have not come into force.

25. Saving :-

Nothing in these Rules shall effect reservations and other concessions required to be provided for Schedule Castes and Schedule Tribes and other special categories or persons in accordance with the orders issued by the Central Government from time to time in this matter.

26. Power To Relax:-

Where the Administrator is of the opinion that it is necessary or expedient so to do, he may, by order for reasons to be recorded in writing and in consultation with the Committee relax any of the provisions of these rules with respect to any class or category of persons or posts.

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SCHEDULE
(See rule 4)

The authorized strength of the service and the nature of the post included in it are as follows:-

(1) Specific duty post under Administration of Dadra and Nagar Haveli and Daman & Diu	2
Total	2
Posts in the Time Scale.	
(1) Assistant Conservator of Forests (Non-selection grade Level-7 in the Pay Matrix (Rs.44900-Rs.142400) (PB-2 + GP Rs.4600/- pre-revised)	2
Total	2

By order and in the name of the Administrator of
Daman, Diu and Dadra and & Nagar Haveli

M. Sanyal
20.06.23

Deputy Secretary (Environment & Forests)

To,

The Deputy Secretary (Environment & Forests), UT Administration of Dadra and Nagar Haveli and Daman & Diu, Secretariat Daman for publication in Gazette and arrange to send 10 copies of the Gazette Notification.

Copy to:-

- ✓ 1. The SIO, NIC, Daman for uploading on the official website of UT Administration of DNH & DD.
2. The Deputy Director (OL), Daman for Hindi version.
3. All Heads of Office, DNH & DD.
4. Concerned File.