

**THE AZAD KASHMIR FOREST SERVICE
(CLASS I) RULES 1971**

**PART - I
GENERAL**

1. **Short title and commencement:-** (i) These rules may be called the Azad Kashmir Forest Service (Class I) Rules, 1971.

(ii) They shall come into force at once.

(iii) Except as otherwise expressly provided in these Rules in case of a conflict between these rules and anything contained in any previous Rules or orders the provisions of these Rules shall prevail.
2. **Definitions:-** In these rules unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them, that is to say:
 - (a) "appointing authority" means the authority specified in rule 4;
 - (b) "Commission" means the Azad Jammu and Kashmir Public Service Commission;
 - (c) "Department" means the Forest Department of the Azad Government of the State of Jammu and Kashmir;
 - (d) "Government" means the Azad Government of the State of Jammu and Kashmir;
 - (e) "Initial recruitment" means appointment made otherwise than by promotion or transfer from another service/ Department/Post;
 - (f) "Recognized Institute" means any institute recognized by the Government in consultation with the Commission to be a recognized institute for the purpose of these rules;
 - (g) "Recognized University" means University incorporated by law in Pakistan or any other University declared by Government in consultation with the Commission to be a recognized University for the purpose of these rules;

- (h) "Service" means the Azad Jammu and Kashmir Forest Service (Class I);
- (i) "Conservator" means Conservator of Forests.

**PART II
RECRUITMENT**

- 3. **Constitution and composition of Service:-** (i) The service shall consist of all officers holding Class 1 posts in the Department.

(ii) The cadre of the Service shall consist of all sanctioned (Class I) posts in the Department.
- 4. **Appointing authority:-** Appointments to the service shall be made by Government.
- 5. **Method of recruitment:-**
 - (a) recruitment to the Service shall be made by;
 - i) initial recruitment; or
 - ii) promotion from the cadre of the Azad Jammu and Kashmir Forest Service (Class I).
 - (b) The cadre posts of the Service shall be filled as follows:-
 - i) The post of Chief Conservator of Forests shall be filled by selection on merit from among the Conservators.
 - ii) Vacancies in the posts of conservators shall be filled by selection on merit with due regard to seniority from among members of the service holding posts of A.C.F. Class I with at least 12 years experience as such; and
 - iii) Seventy five percent of the vacancies in the posts of A.C.F; Class I shall be filled by initial recruitment on the recommendation of the Commission, and the remaining vacancies in such posts shall be filled by promotion.
 - iv) Vacancies in the posts of A.C.Fs Class 1 to be filled by promotion shall be filled on merit with particular reference to fitness for higher responsibilities from the

Azad Jammu and Kashmir Forest Service (Class I) with at least five years service as such.

6. **Age:-** No person shall be appointed to the service by initial recruitment or by promotion who is below 21 years and above 28 years of age on the 1st January of the year in which the examination is held by the Commission;

Provided that:

- i) in the case of a Government servant, the period of his service as such subject to a maximum of three years, for the purpose of upper age limit under this rule, be excluded from this age.
- ii) in the case of candidate who is a Graduate in Forestry from the recognized foreign University, age limit shall be thirty one years.

7. **Qualifications:-**

- (a) No person shall be appointed 'to a post in the service by initial recruitment unless he;
 - i) holds a degree in Forestry from a recognised University or Institute; or
 - ii) holds a degree (not below 2nd Division) in Science or Agriculture from a recognized University and has successfully completed a course of a training at the Government College of Forestry, Peshawar.
- (b) No person not already in Government service, shall be appointed to the Service unless he produces a certificate of character from the principal academic officer of the academic institution last attended, and also certificates of character from two other responsible persons, not being his relatives, who are well, acquainted with his character and antecedents.

PART III CONDITIONS OF SERVICE

8. **Probation:**

- i) Persons appointed to the service against substantive vacancies shall remain on probation for a period of two

years, if appointed by initial recruitment and for a period, of one year if appointed otherwise;

Explanation:

Officiating service and service spent on deputation to a corresponding or higher post may be allowed to count towards the period of probation;

- ii) If the work or conduct of a member of the service during the period of probation has, in the opinion of the appointing authority, not been satisfactory, the appointing authority may, notwithstanding that the period of probation has not expired, dispense with his services, if he has been appointed by initial recruitment; and if he has been appointed otherwise, revert him to his former post, or if there be no such post, dispense with his services;
- iii) On completion of the period of probation of a member of the service, the appointing authority may, subject to the provisions of sub rule (iv), confirm him in his appointment, or if his work or conduct has, in the opinion of such authority, not been satisfactory:-
 - a) in case he has been appointed by initial recruitment, dispense with his services; or
 - b) in case he has been appointed otherwise, revert him to his former post, and if there be no such post dispense with his services; or
 - c) extend the period of probation by a period not exceeding three years in all, and during or on the expiry of such period pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation I

If no orders have been made by the day following the completion of the initial or extended probationary period, the period of probation shall be deemed to have been concluded subject to provisions of sub-rule (iv)

Explanation II

A probationer who has satisfactorily completed his period of probation shall be confirmed with effect from the date of his continuous appointment in the service in

a substantive vacancy, provided that where the period of his probation has been extended under the provisions of clause (c) of this sub-rule the date of confirmation shall, subject to the other provisions of this rule be the date on which the period of probation was last extended.

- iv) No person shall be confirmed in the service nor shall he be entitled to an increment (not to effect future increments) unless he successfully completes such training and passes such departmental examination as may be prescribed by Government from time to time.
- v) If a member of the service fails to complete successfully any training or pass any departmental examination prescribed under sub-rule (iv) within such period or in such number of attempts as may be prescribed by Government, the appointing authority may:-
 - a) In case he has been appointed by initial recruitment, dispense with his services; or
 - b) In case he has been appointed otherwise revert him to his former post, and if there be no such post, dispense with his service:

9. **Seniority:-** The seniority interse of the members of the service in the various grades thereof shall be determined:

- a) In the case of members appointed by initial recruitment, in accordance with the order of merit assigned by the Commission PROVIDED THAT in the case of persons appointed after undergoing the course of training at the Government College of Forestry prescribed in Rule (a) (ii), their seniority, shall be determined in accordance with the order of merit obtained at the College;

PROVIDED FURTHER that persons selected in an earlier selection or trained in an earlier session of the College shall rank senior to the persons selected in a later selection or trained in the later session; and

- b) In the case of members appointed otherwise, with reference to the dates of their continuous appointment therein; provided that if the date of continuous appointment in respect of two or more officers is the same the older officer,

if not junior to the younger officer or officers the next below grade, shall rank senior to the younger officer or officers.

Explanation I

If junior officer in a lower grade is promoted to a higher grade temporarily in the public interest even though continuing later permanently in the higher grade, it would not adversely affect the interest of his seniors in the fixation of his seniority in that grade.

Explanation II

If junior officer in a lower grade is promoted to a higher grade by superseding a senior officer and subsequently that officer is also promoted, the officer promoted first shall rank senior to the officer promoted subsequently.

Explanation III

- i) A junior officer appointed to a higher grade shall be deemed to have superseded a senior officer only if both, the Junior and the senior officers were considered for the higher grade and the junior officer was appointed in preference to the senior officer.
- ii) The seniority in the various grades of the service of members appointed by initial recruitment *vis-a-vis* those appointed otherwise shall be determined as under :-
 - a) in case both the officers appointed by initial recruitment and the officer appointed otherwise have been appointed against substantive vacancies or both have been appointed against temporary vacancies with reference to the date of appointment to, such vacancy in the case of the officer appointed by initial recruitment and to the date of continuous appointment against such vacancy in the case of the officer appointed otherwise;

Provided that if the two dates are the same, the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment.

- b) in case the officer appointed by initial recruitment has been appointed against a substantive vacancy and the officer appointed otherwise has been appointed against a temporary vacancy, the officer

appointed by initial recruitment shall rank senior to the officer appointed otherwise; and

- c) in case the officer appointed otherwise is appointed against a substantive vacancy and the officer appointed by initial recruitment is appointed against temporary vacancy, the officer appointed otherwise shall rank senior to the officer appointed by initial recruitment.

10. **Liability to transfer and serve:-** Members of the service shall be liable to:

- a) transfer anywhere in or outside Azad Kashmir; and
- b) serve in any department of Government or any local authority or statutory body set up or established by Government.

11. **General Rule:-** In all matters not expressly provided for in these rules, members of the service shall be governed by such rules as have been or may hereafter be framed by Government and made applicable to them.

12. **Relaxation:-** Any of these rules may, for reasons to be recorded in writing, be relaxed in individual cases, if Government is satisfied that a strict application of the rule would cause undue hardship to the individual concerned;

Provided that wherever such relaxation involves a question on which Consultation with the Commission is mandatory, the Commission shall be consulted before the relaxation is made.

13. **Delegation:-** Government may delegate all or any of its powers under rules to any officer subordinate to it.

14. **Powers of Government to safeguard rights of Government servants:-** Wherever in the application of these rules, the terms and conditions of service of any person serving in connection with the affairs of Azad Jammu and Kashmir as guaranteed by any law for the time being in force, are likely to be adversely affected, the Government shall make appropriate orders to safeguard the constitutional and legal rights, of such person.

15. **Appointment of officers, already in government service, to**

the service on its initial constitution:-

- i) Notwithstanding anything contained in these rules or any other rules for the time being in force, officers holding substantively posts mentioned in rule 3, on the date of coming into force of these rules, shall be deemed to have been appointed under these rules if their appointments have been made in consultation with the commission where ever necessary under the Rules;

Provided that where an officer has not completed his period of probation under previous rules, he shall complete the same under these rules.

- ii) Officers appointed to the service under sub-rule (i) shall be given the prescribed training in case they have not received such training and shall pass the prescribed departmental examination in case they have not passed such examination unless specially exempted by the Government in case of officers above forty five years of age due to their advanced age.

Sd/-

Additional Chief Secretary,
Azad Government of the State of J&K,
Muzaffarabad.

**THE AZAD KASHMIR FOREST SERVICE
(CLASS II) RULES, 1971**

**PART I
GENERAL**

1. **Short title and commencement:-**
 - i) These rules may be called the Azad Kashmir Forest Service (Class II) Rules, 1967.
 - ii) They shall come into force at once.
 - iii) Except as otherwise expressly provided in these Rules in case of a conflict between these Rules and anything contained in any previous rules or orders the provisions of these Rules shall prevail.

2. **Definitions:-** In these Rules, unless "the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them, that is to say:-
 - (a) "Appointing authority" means the authority specified in rule 4.
 - (b) "Chief Conservator" means the Chief Conservator, of Forests.
 - (c) "Commission" means the Azad. Jammu and Kashmir Public Service Commission.
 - (d) "Department" means the Forest Department of the Azad Government of the State of Jammu and Kashmir.
 - (e) "Government" means the Azad Government of the State of Jammu and Kashmir.
 - (f) "Direct recruitment" means appointment made otherwise than by promotion or transfer from another service/Department/Post.
 - (g) "Recognized University" means any University incorporated by law in Pakistan or any other University which may be declared by Government in consultation with the Commission to be a Recognized University for the purposes of these Rules.

- (h) "Service" means the Azad Jammu and Kashmir Forest Service (Class II).

**PART II
RECRUITMENT**

3. **Composition of Service:-** The Service shall comprise the post of A.C.F. Class II and such other posts in the Forest Department as may be determined by Government from time to time.
4. **Appointing Authority:-** Appointments to the Service shall be made by Government.
5. **Method of recruitment:-** Recruitment to the Service shall be made as follows:
- (a) One third of the vacancies in the Service shall be filled by direct recruitment on the recommendation of the Commission;
- (b) The remaining vacancies in the Service shall be filled by promotion in consultation with the Commission. The promotion should only be by seniority except when his annual remarks are adverse which render him unfit for promotion.
6. **Age:-** No person shall be appointed to the service by direct recruitment who is below 21 years and above 28 years of age, on the 1st of January of the year in which the examination is held by the Commission;
- Provided that:
- i) In the case of a Government servant, the period of his service as such subject to a maximum of three years, for the purpose of upper age limit under this rule, be excluded from this age.
- ii) In the case of members of the Azad Jammu and Kashmir Rangers service the upper age limit shall be thirty one years.
7. **Qualification.**
- i) No person shall be appointed to the service by direct recruitment unless he :-

Holds a degree in Forestry from recognized University, or

has obtained a diploma in the higher standard in the Forest Rangers Course from the Pakistan Forest College, Peshawar, or possesses an equivalent qualification and served as a Forest Ranger in the Department for not less than three years.

- ii) No person shall be appointed to the Service by direct recruitment unless he produces a certificate of character from the Principal Academic Officer of the academic institution last attended and also certificates of character from two other responsible persons, not being his relatives, who are well acquainted with his character and antecedents.

PART III CONDITIONS OF SERVICE

8. Probation:-

- i) Persons appointed to the service against substantive vacancies shall remain on probation for a period of two years, if appointed by direct recruitment: and for a period of one year if appointed otherwise.

Explanation:

Officiating service and service spent on deputation to a corresponding or higher post may be allowed to count towards the period of probation:

- ii) If the work or conduct of a member of the service during the period of probation has in the opinion of the appointing authority not been satisfactory, the appointing authority, may notwithstanding that the period of probation has not expired, dispense with his services, if he has been appointed by direct recruitment; and if he has been appointed otherwise, revert him to his former post, or if there be no such post, dispense with his services;
- iii) On completion of the period of probation of a member of the service, the appointing authority may, subject to the provision of sub rule (iv) confirm him in his appointment, or if his work or conduct has, in the opinion of such authority, not been satisfactory:
 - a) in case he has been appointed by initial recruitment, dispense with his services ; or

- b) in case he has been appointed otherwise, revert him to his former post, and if there be no such post dispense with his services ; or
- c) extend the period of probation by period not exceeding three years in all, and during or on the expiry of such period pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation I:

If no orders have been made by the day following the completion of the initial or extended probationary period, the period of probation shall be deemed to have been concluded subject to provisions of sub-rule (iv).

Explanation II:

A probationer who has satisfactorily completed his period of probation shall be confirmed with effect from the date of his continuous appointment in the service in a substantive vacancy; provided that where the period of probation has been extended under the provisions of clause (c) of this sub-rule the date of confirmation shall, subject to the other provisions of this rule, be the date on which the period of probation was last extended;

- iv) No person shall be confirmed in the service nor shall he be entitled to an increment (not to effect future increments unless he successfully completes such training and passes such departmental examination as may be prescribed by Government from time to time.
- v) If a member of the service fails to complete successfully any training or pass any departmental examination prescribed under sub-rule (iv) within such period or in such attempts as may be prescribed by Government, the appointing authority:
 - a) In case he has been appointed by initial recruitment, dispense with his services ; and
 - b) In case he has been appointed otherwise, revert him to his former post, and if there be no such post, dispense with his services.

9. **Seniority:-**

- i) The seniority inter se of the members of the service in the various grades thereof shall be determined :-

- a) In the case of members appointed by direct recruitment, in accordance with the order of merit, assigned by the Commission provided that persons selected for the service in an earlier selection shall rank senior to the persons selected in the later selection; and
- b) In the case of members appointed otherwise, with reference to the dates of their continuous appointment therein; provided that if the date of continuous appointment in respect of two or more officers is the same the older officer, if not junior to the younger officer or officers in the next below grade, shall rank senior to the younger officer or officers.

Explanation I:

If a Junior officer in a lower grade is promoted to a higher grade temporarily in the public interest even though continuing later permanently in the higher grade, it would not adversely affect the interest of his seniors in the fixation of his seniority in that grade.

Explanation II:

If a junior in a lower grade is promoted to a higher grade by superseding a senior officer and subsequently that officer is also promoted, the officer promoted first shall rank senior to the officer promoted subsequently.

Explanation III:

- i) A junior Officer appointed to higher grade shall be deemed to have superseded a senior officer only if both, the junior and the senior officers were considered for the higher grade and the Junior officer was appointed in preference to the senior officer.
- ii) The seniority in the various grades of the service of members appointed by direct recruitment *vis-a-vis* those appointed otherwise shall be determined as under :-
 - a) in case both the officers appointed by initial recruitment and the officer appointed otherwise have been appointed against substantive vacancies or both have been appointed against temporary vacancies, with reference to the date of appointment to such vacancy in the case of the officer appointed by direct recruitment and to the date of continuous

appointment against such vacancy in the case of the officer appointed otherwise:

Provided that if the two dates are the same, the officer appointed otherwise shall rank senior to the officer appointed, by direct recruitment.

- b) in case the officer appointed by direct recruitment has been appointed against a substantive vacancy and the officer appointed otherwise has been appointed against a temporary vacancy, the officer appointed by direct recruitment shall rank senior to the officer appointed otherwise; and
 - c) in case the officer appointed otherwise is appointed against a substantive vacancy and the officer appointed by direct recruitment is appointed against temporary vacancy, the officer appointed otherwise shall rank senior to the officer appointed by direct recruitment.
10. **Liability to transfer and serve:-** Member of the service shall be able:-
- a) to transfer anywhere in or outside Azad Kashmir; and
 - b) to serve in any department of Government or local authority or other statutory body set up or established by Government.
11. **General rule:-** In all matters not expressly provided for in these rules, members of the service shall be governed by such rules as have been or may here after be framed by Government and applicable to them.
12. **Explanation:-** Any of these rules, may, for reasons to be recorded in writing, be relaxed in individual cases, if Government is satisfied that a strict application of the rule would cause undue hardship to the individual concerned:
- Provided that wherever such relaxation involves a question on such consultation with the Commission is mandatory the Commission shall be consulted before the relaxation is made.
13. **Delegation:-** Government may delegate all or arty of its powers under these rules, to any officer subordinate to it.

14. **Powers of Government to safeguard rights of Government servants:-** Wherever in the application of these rules, the terms and conditions of service of any person serving in connection with the affairs of Azad Kashmir as guaranteed by any law for the time being in force, are likely to be adversely affected, the Government shall make appropriate orders to safeguard the constitutional and legal rights of such persons.

15. **Appointment of officers, already in Government service to the service on its initial constitution:-**

i) Notwithstanding anything contained in these rules or any other rules for the-time being in force, officers holding substantively posts mentioned in Rule 3, on the date of coming into force of these rules, shall be deemed to have been appointed under these rules if their appointments have been made in consultation with the Commission wherever necessary under the Rules.

Provided that where an officer has not completed his period of probation under previous rules, he shall complete the same under these rules.

ii) Officers appointed to the service under sub-rule (i) shall be given the prescribed training in case they have not received such training and shall pass the prescribed departmental examination in case they have not passed such examination unless specially exempted by the Government in case of officers above forty five years of age due to their advanced age.

Sd/-

Additional Chief Secretary.

Attested.

Sd/-

Section Officer,

Establishment and Administration.

No. S&GAD/6065/CS/71 dated 2-5-1971.

Forwarded in duplicate to the Chief Conservator of Forests Azad Government of the State of Jammu and Kashmir.

Sd/-

*Section Officer
(S&GAD).*

THE AZAD KASHMIR FOREST DEPARTMENT

SUBORDINATE SERVICE RULES, 1970

**PART I
GENERAL**

1. **Short title and commencement:-**
 - i) These rules may be called the Azad Kashmir Forest Department subordinate Service Rules, 1970.
 - ii) They shall come into force at once.
 - iii) Except as otherwise expressly provided in these Rules in case of a conflict between these Rules and anything contained in any previous rules or orders the provisions of these Rules shall prevail.
2. **Definitions:-** In these rules, unless the context otherwise requires the following expressions shall, have the meanings hereby respectively assigned to them that is to say:-
 - a) "Appendix" means the appendix to these rules.
 - b) "Appointing Authority" means the authority specified in Rules.
 - c) "Board" means a Board of Secondary Education established by law in Pakistan or any other educational authority or institution declared by Government in consultation with the Commission to be a Board for the purpose of these rules.
 - d) "Chief Conservator" means the Chief Conservator of Forests;
 - e) "Circle" means the whole of the area under the charge of a Conservator.
 - f) "Commission" means the Azad Kashmir Public Service Commission;
 - g) "Conservator" means the Conservator of Forests.
 - h) "Department" means the Forest Department of Azad Jammu

and Kashmir.

- i) "Division" means the whole of the area under the charge of the Divisional Forest Officer.
- j) "Government" means the Azad Government of the State of Jammu and Kashmir.
- k) "Initial/Direct Recruitment" means appointment made otherwise than by promotion or transfer from any other service/department post.
- l) "Recognized Institute" means any Institute recognized by Government in consultation with the Commission to be a recognized institute for the purpose of these rules.
- m) "Recognized University" means any University incorporated by law in Pakistan or any other University declared by Government in consultation with the Commission to be a recognized University for the purpose of these rules.
- n) "Service" means the Azad Jammu and Kashmir Forest Department Subordinate Service.

PART II - RECRUITMENT

- 3. **Constitution and composition of service.**
 - i) The service shall comprise the posts of Forest Rangers grade I and grade II, Deputy Rangers, Foresters and Kuth Supervisors and such other posts in the Department as may be determined by Government from time to time.
 - ii) There shall be one cadre of Forest Rangers of all categories and Circle-wise Cadre for Kuth Supervisors and Foresters.
- 4. **Appointing Authority.**

Appointment to the service shall be made:

 - a) in case of Forest Rangers Grade I by Chief Conservator;
 - b) in the case of Forest Rangers Grade II, Deputy Rangers, Kuth Supervisors and Foresters by the Conservator I/C of the Circle where the vacancies occur.
- 5. **Method of recruitment.**
 - i) Recruitment to the service shall be made by the following

methods:

- a) Seventy five percent of the vacancies in the posts of Forest Rangers Grade), Kuth Supervisors and Foresters shall be filled by direct recruitment and the remaining vacancies in such posts shall be filled by promotion; and
 - b) vacancies in the posts of Forest Rangers Grade II and Deputy Rangers shall be filled by promotion.
- ii) Vacancies to be filled by promotion shall be filled in the following manner.
- a) ninety percent of such vacancies shall be filled by selection on merit with due regard to seniority from among persons eligible for promotion to such vacancies in accordance with the provisions contained in column 4 of the Appendix; and
 - b) the remaining ten percent of such vacancies shall be filled from a merit quota and be filled by selection on merit from among persons eligible for promotion to such vacancies in accordance with the provisions contained in column 4 of the Appendix; who:
 1. have an outstanding record;
 2. are below thirty two years of age; and
 3. possess sound health.
- iii) Where a person with the qualifications specified in clause (b) of sub-rule (ii) is not available for appointment to a vacancy referred to in that clause, the vacancy may be filled in the manner provided in clause (a) of sub-rule (ii).

6. **Age.**

No person shall be appointed to the service by initial recruitment, who is below 18 years and above 25 years of age;

Provided that in the case of a Government servant, the period of his service as such subject to a Maximum of three years, for the purpose of upper age limit under this rule, be excluded horn this age.

7. **Qualifications.**

- i) No person shall be appointed to a post in the service by

direct recruitment unless he possess the qualifications prescribed for the post in column 3 of the Appendix;

- ii) No person, not already in Government service, shall be appointed to the service unless he produces a certificate of character from the Principal academic officer of the academic institution last at ended and also certificates of character from two other responsible persons, not being his relatives, who are well acquainted with his character and antecedents.

PART III - CONDITIONS OF SERVICE

8. Probation.

- i) Persons appointed to the service against substantive vacancies shall remain on probation for a period of two years if appointed by direct recruitment; and for a period of one year if appointed otherwise;

Explanation

- i) Officiating service and service spent on deputation to a corresponding or higher post may be allowed to count towards the period of probation;
- ii) If the work or conduct of a member of the service during the period of probation has, in the opinion of the appointing authority, not been satisfactory, the appointing authority may, notwithstanding that the period of probation has not expired, dispense with his services, if has been appointed by initial recruitment; and if he has been appointed otherwise, revert him to his former post, or if there be no such post, dispense with his services;
- iii) On completion of the period of probation of a member of the service, the appointing authority may, subject to the Provision of sub-rule (iv), confirm him in his appointment, or if his work or conduct has, in the opinion of such authority, not been satisfactory:
 - a) in case he has been appointed by initial recruitment, dispense with his services, or
 - b) in case he has been appointed otherwise, revert him to his former post, and if there be no such post dispense with his services, or

- c) extend the period of probation by a period not exceeding three years in all, and during or on the expiry of such period pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation.

If no orders have been made by the day following the completion of the initial or extended probationary period, the period of probation shall be deemed to have been concluded subject to provisions of sub- rule (iv).

Explanation II.

A probationer who has satisfactorily completed his period of probation shall be confirmed with effect from the date of his continuous appointment in the service in a substantive vacancy; provided that where the period of his probation has been extended under the provisions of clause (c) of this sub-rule the date of confirmation shall, subject to the other provisions of this rule, be the date on which the period of probation was last extended.

- iv) No person shall be confirmed in the service nor shall he be entitled to an increment (not to effect future increments) unless he successfully completes such training and passes such departmental examination as may be prescribed by Government from time to time.
- v) If a member of the; service fails to complete; successfully any training or pass any departmental examination prescribed under sub-rule (iv) within such period or in such number of attempts as may be prescribed by Government, the appointing authority may:
 - a) In case he has been appointed by initial recruitment dispense with his services; and
 - b) In case he has been appointed otherwise, revert him to his former post, and if there be no such post, dispense with his services.

9. **Seniority.**

- ii) The seniority interse of the members of the service in the various grades thereof shall be determined:

- a) in the case of members appointed by direct recruitment, in accordance with the order of merit obtained from, the Government Forest Institute provided that the members trained in an earlier sessions of the Institute shall rank senior to the members trained in a later session.
- b) in the case of members appointed otherwise, with reference to the dates of their continuous appointment therein; provided that if the date of continuous appointment in the case of two or more members of the service is the same, the older official, if not junior to the younger official or officials in the next below grade, shall rank senior to the younger official or officials.

Explanation I.

If a junior official in a lower grade is promoted to higher grade temporarily in the public interest even though continuing later permanently in the higher grade, it would not adversely affect the interest of his seniors in the fixation of his seniority in the higher grade.

Explanation II.

If a junior official in a lower grade is promoted to higher grade by superseding a senior official and subsequently that official is also promoted, the official promoted first shall rank senior to the official promoted subsequently.

Explanation III:

A junior official appointed to a higher grade shall be deemed to have superseded a senior official only if both the junior and the senior officials were considered for the higher grade and the junior official was appointed in preference to the senior official.

- ii) The seniority in the various grades of the service of the members appointed by direct recruitment *vis-a-vis* those appointed other wise shall be determined:-
 - a) in case both the officials appointed by direct recruitment and the official appointed otherwise have been appointed against substantive vacancies or both have been appointed against temporary vacancies, with reference to the date of appointment to such vacancy in the case of the official appointed by direct recruitment and to the date of continuous appointment against such vacancy in the case of the official appointed otherwise, provided

that if the two dates are the same, the official appointed otherwise shall rank senior to the official appointed by direct recruitment;

- b) in case the official appointed by direct recruitment has been appointed against a substantive vacancy and the official appointed otherwise has been appointed against a temporary vacancy, the official, appointed by direct recruitment shall rank senior to the official appointed otherwise; and
- c) in case the official appointed otherwise is appointed against a Substantive vacancy and the official appointed by direct recruitment is appointed against a temporary vacancy, the official appointed otherwise shall rank senior to the official appointed by direct recruitment.

10. **Liability to transfer and serve:-** Members of the service shall be liable to:

- a) Transfer any where in or outside Azad Jammu and Kashmir;
- b) serve in any department of Government or any local authority or statutory body set up or established by Government.

11. **General Rule:-** In all matters not expressly provided for in these rules, members of the service be governed by such rules as have been or may hereafter be framed by Government and made applicable to them.

12. **Relaxation:-** Any of these rules may, for reasons to be recorded in writing be relaxed in individual cases, if Government is satisfied that strict application of the rule would cause undue hardship to the individual concerned;

Provided that wherever such relaxation involves a question on which consultation with the Commission is mandatory, the Commission shall be consulted before the relaxation is made.

13. **Delegation:-** Government may delegate all or any of its powers under the rules to any officer subordinate to it.

14. **Powers of Government to safeguard rights of Government servants:-** Whenever in the application of these rules, the terms

and conditions of service of any person serving in connection with affairs of Azad Kashmir as guaranteed by any law for the time being in force, are likely to be adversely affected, the Government shall make appropriate orders to safeguard the constitutional and legal rights of such person.

15. **Appointment of officials already in Government service, to the service on its initial constitution:-**

- i) Notwithstanding anything contained in these rules or any other rules for the time being in force, officials holding substantively posts mentioned in Rule 3, on the date of coming into force of these rules, shall be deemed to have been appointed under these rules;

Provided that where an official has not completed his period of probation under previous rules, he shall complete the same under these rules.

- ii) Officials appointed to the service under sub-rule (i) shall be given the prescribed training in case they have not received such training and shall pass the prescribed, departmental examination in case they have not passed such examination unless specially exempted by the Government in case of officials above forty five years of age due to their advanced age."

Sd/-

Additional Chief Secretary,
Azad Government of the State of J&K

APPENDIX TO AZAD JAMMU AND KASHMIR FOREST DEPARTMENT
SUBORDINATE SERVICE RULES, 1970
(See Rules 5 (ii) and 7 (i))

S. No.	Nomenclature of the posts.	Minimum qualifications prescribed for appointment by direct recruitment.	Method of recruitment.
1.	Forest Ranger Grade I.	1) Intermediate from a recognized University or Board with two or more of the following subjects, namely:- 1. Mathematics 2. Physics 3. Chemistry 4. Botany & 5. Zoology; and 2) Diploma in Forestry from a recognized institute.	i) Seventy five per cent by direct recruitment. ii) Twenty five per cent by promotion from among the members of the service holding posts of Forest Rangers Grade II.
2.	Forest Rangers Grade II.		By promotion from among the members of the service holding posts of Deputy Rangers in the Circles where the vacancies occur.
3.	Deputy Rangers		By promotion from among the members of the service holding posts of Forests and Kuth Supervisors in the Circles where the vacancies occur.
4.	Foresters and Kuth Supervisors	i) Matriculation from recognized University or Board; and ii) A certificate from a recognized Forest Institute.	i) Seventy-five per cent by direct recruitment and. ii) Twenty-five per cent by promotion from among Forest Guards in the Circle where the vacancies occur.

Sd/-

Additional Chief Secretary,
Azad Government of the State of Jammu and Kashmir

**THE AZAD KASHMIR FOREST DEPARTMENT FOREST
GUARD (DIVISIONAL) SERVICE RULES, 1970**

PART I-GENERAL

1. **Short title, Commencement and application.**
 - i) These rules may be called the Azad Kashmir Forest Department Forest Guard (Divisional) Service Rules, 1970.
 - ii) These shall come into force at once.
 - iii) Except as otherwise expressly provided in these rules in case of a conflict between these rules and anything contained in any previous rules or orders the provisions of these rules shall prevail.
2. **Definition.**

In these rules, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:-

 - a) "Divisional Forest Officer" means the Divisional Forest Officer in charge of a Forest Division.
 - b) "Government" means the Azad Government of the State of Jammu and Kashmir.
 - c) "Direct recruitment" means appointment made otherwise than by promotion or transfer from another service/ Department/ post.
 - d) "Service" means the Azad Kashmir Forest Department Forest Guards (Divisional) Service.
 - e) "Department" means the Forest Department of the Azad Government of the State of Jammu and Kashmir.

PART II - RECRUITMENT

3. **Constitution and Composition of the service.**
 - a) The service shall be constituted on Divisional basis that is, a separate service shall be formed for each Forest Division.
 - b) The service shall comprise all the posts of Forest Guards in Forest Division.

4. **Appointing Authority.**
Appointments to the Service shall be made by the Divisional Forest Officer concerned.
5. **Method of recruitment.**
Appointments to the service shall be made by direct recruitment.
6. **Age.**
No person shall be appointed to the service by direct recruitment who is below 18 years and above 25 years of age;

Provided that in the case of a Government servant, the period of his service as such subject to a maximum of three years, for purpose of upper age limit under this rule, be excluded from this age.
7. **Qualification.**
No person shall be appointed to the service unless he:-
 - a) has passed the Vernacular Middle or the Anglo-Vernacular Middle Examination or its equivalent examination; and
 - b) Possess the following minimum physical measurements:-

Height minimum 5'-5" (Five feet 5 inches). Chest 32-34 inches.

PART III - CONDITIONS OF SERVICE

1. **Probation.**
 - i) Persons appointed to the service against substantive vacancies shall remain on probation for a period of two years.

Explanation.
Officiating service and service spent on deputation to a corresponding or higher post may be, allowed to count towards the period of probation.
 - ii) If the work of a member of the service during the period of probation has, in the opinion of the appointing authority, not been satisfactory, the appointing authority may, notwithstanding that the period of probation has not expired, dispense with his services;

iii) On completion of the period of probation of a member of the service, the appointing authority may subject to the provisions of sub-rule (iv), confirm him in his appointment, or if his work or conduct has, in the opinion of such authority, not been satisfactory:-

- a) dispense with his services; or
- b) extend the period of probation by a period not exceeding three years in all, and during or on the expiry of such period pass such orders as it could have passed during or on the expiry of the initial probationary period.

Explanation I.

If no orders have been made by the day following the completion of the initial probationary period, the period of probation shall be deemed to have been concluded subject to provisions of sub-rule (iv).

Explanation II.

A probationer who has satisfactorily completed his period of probation shall be confirmed with effect from the date of his continuous appointment in the service in a substantive vacancy; provided that where the period of his probation has been extended under the provisions of clause (b) of this sub-rule the date of confirmation shall, subject to the other provisions of this rule, be the date on which the period of probation was last extended.

- iv) No person shall be confirmed in the service nor shall he be entitled to an increment (not to affect future increments) unless he successfully complete such training and passes such departmental examination as may be prescribed by Department from time to time.
- v) If a member of the service fails to complete successfully any training or pass any departmental examination prescribed under sub-rule (iv) within such period or in such number of attempts as may be prescribed by the Department, the appointing authority may dispense with his services.

9. **Seniority.**

The seniority "interse" of the members of the service shall be determined in accordance with the orders of their appointment; provided that if two or more persons are appointed on the same

date or by the same order their "inter se" seniority shall be determined in accordance with their date of birth – the senior in age shall be considered senior in service.

10. **Liability to transfer.**

Member of the service shall be liable:-

- a) to transfer any where in Azad Kashmir and
- b) serve in any Department of Government or any local authority or other statutory body set up or established by Government.

11. **General Rules.**

In all matters not expressly provided for in these rules, members of the service shall be governed by such rules as have been or may thereafter be framed by Government and made applicable to them.

12. **Relaxation.**

Any of these rules may for reasons to be recorded in writing, be relaxed in individual cases, if Government is satisfied that a strict application of the rule would cause undue hardship to the individual concerned.

13. **Delegation.**

Government may delegate all or any of its powers under these rules to any officer subordinate to it.

14 **Powers of Government to safeguard rights of Government servants.**

Wherever in the application of these rules, the terms and conditions of service or any person serving in connection with the affairs of Azad Kashmir as guaranteed by any law for the time being in force, are likely to be adversely affected, the Government shall make appropriate orders to safeguard the constitutional and legal rights of such person.

15. **Appointment of officials already in Government service, to the service on its initial constitution.**

- i) Notwithstanding anything contained in these rules or any other rules for the time being in force, officials holding substantively posts mentioned in Rule, 3 on the date of coming into force of these rules, shall be deemed to have been appointed under these rules.

Provided that where an officer has not completed his period

of probation under previous rules, he shall complete the same under these rules.

- ii) Officials appointed to the service under sub-rule (i) may be given the prescribed training in case they have not received such training and shall pass the prescribed departmental examination in case they have not passed such examination unless specially exempted by the Government in case of officers above forty five years of age due to their advanced age.

Sd/-
Additional Chief Secretary.
