

Rules for the Departmental Examination of Forest Clerks and Accountants:-

No. DLE 1070/30803-F-4, Dated 5th December, 1980:- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and in supersession of all existing rules and orders issued in this behalf and in force in the state or any part thereof, the Governor of Maharashtra is hereby pleased to make the following rules for the post recruitment training examination for the Clerks and Accountants in the Forest Department, namely :-

1. Short title and commencement: -

- 1) These rules may be called the Post-recruitment Training Examination (for Clerks and Accountants in the Forest Department) Rules, 1980.
- 2) They shall come into force from the date of their publication in the official Gazette.

2. Definitions :- In these rules unless the context otherwise requires,

- a) "Accountant" means a person promoted or directly appointed to the post of an accountant in the Forest Department including Junior or Senior Accountant;
- b) "Appendix" means an Appendix to these rules;
- c) "appointed date" means the date of coming into force of these rules.
- d) "Clerk" means a person appointed directly to the post of a clerk or typist in the Department and in the Offices under its control after his selection by the Selection Board or from amongst candidates through Employment Exchange, as the case may be and includes --
a person absorbed as a clerk on the 1st November 1956 under the Allocated Government Servants (Absorption, Seniority, Pay and Allowances) Rules, 1957, or a person promoted as a clerk or typist or clerk-typist from class IV employees in the department;
But does not include a typist or clerk-typist who has opted for doing the typing work only and has given in writing that he does not want himself to be considered for promotion to a higher post in the clerical cadre in the department in accordance with the orders contained in Government Resolution, Finance Department No. PCR 1278/CR-165 / SER-19, dated the 1st July 1978;
- e) "Chief Conservator of Forests" means the Chief Conservator of Forests, Maharashtra State;
- f) "Department" means the Forest Department of the Government of Maharashtra.
- g) "Examination" means the examination prescribed under these rules.
- h) "Existing rules" means the rules and orders for post-recruitment training examination for clerks or accountants in the Department in force immediately before the appointed date.
- i) "Government" means Government of Maharashtra.
- j) "Selection Board" means the State Selection Board constituted under section 3 of the Maharashtra Public Service (subordinate) Selection Board Act, 1973 (Mah. XXI of 1973).

3. Necessity of passing the Examination :-

Subject to the provisions of these rules, every clerk or accountant, whether appointed before or after the appointed date, shall be required to pass the examination according to the provisions of these rules.

Explanation:- The provisions of this rule shall also apply to a clerk or accountant who is officiating in any higher post in the department.

4. Period and number of chances for passing Examination:-

- 1) Every clerk or accountant appointed after the appointed date shall be required to pass the Examination within three chances and within four years from the date of his appointment.
- 2) Every clerk or accountant appointed before the appointed date and who has to his credit service of less than three years as a clerk or accountant shall be required to pass the Examination before he completes service of five years in that post (including in a higher post in which he has officiated or is officiating).
- 3) Notwithstanding anything contained in sub rules (1) or (2):-
 - a) Any chance availed of by any clerk or accountant to whom any of the foregoing provisions in this rule apply, in an examination held under the existing rules shall be counted towards computation of total number of chances laid down in these rules.
 - b) If for any reasons, an examination is not held in a particular year, that year shall be excluded in computing the total period of the years mentioned in sub rules (1) and (2).
 - c) The Chief Conservator of Forests may, in exceptional circumstances at his discretion, allow one extra chance to a clerk or accountant to appear for the Examination and may, where necessary, correspondingly extend the period of four years mentioned in sub-rule to that of five years.
 - d) The Government may, in exceptional circumstances and on merit, either extend the period of years or number of chances more than the period or chances as are laid down in the foregoing provisions of this rule for passing the Examination by a clerk or accountant or condone his failure.
- 4) Subject to the foregoing provisions of this rule and provisions of rule 6, a clerk or accountant may avail himself of any number of chances to pass the Examination.

5. Consequences of failure to pass Examination:-

- 1) a clerk or a accountant who fails to pass the examination within the period and chances allowed in accordance with the provisions of rule 4,
 - (a) shall not, until he passes the Examination, or is exempt from passing the examination under rule 6, or his failure is condoned under clause (d) of sub rule (3) of rule 4;
 - (i) be confirmed in the post of clerk or accountant;
 - (ii) be allowed to draw his next increment in the scale of the post of clerk or accountant ;
 - (b) shall lose his seniority to all those clerks or accountants who pass the Examination before he passes the Examination subsequently.
- 2) Where a clerk or accountant fails in all the three chances and is allowed a fourth chance or subsequent chances under clauses (c) and (d) of sub rule (3) or under sub rule (4) of rule 4, he shall not be allowed to draw increments after his failure in the third attempt until he passes the Examination in the fourth attempt, or any subsequent attempt or attempts so allowed or is exempted from passing the Examination under sub-rule (2) of rule 6 or his failure is condoned under clause (d) of sub rule (3) of rule 4:
- 3) Increments so withheld under paragraph (ii) of clause (a) of sub-rule (1) or sub-rule (2) shall become payable to a clerk or accountant with effect from the date on which he passes the Examination or is exempt from passing the Examination under sub rule (2) of rule 6, or his failure has been condoned under clause (d) of sub-rule (3) of rule 4 and all future increments shall accrue to him as if no increment is withheld but he shall not be entitled to draw any arrears of pay on that account for the period during which increment was so withheld.
- 4) Where a clerk or accountant who is officiating in any higher post and fails to pass the examination within the period and chances admissible under sub-rules (1) or (2) of rule 4, he shall be liable to be reverted to the post of the clerk or accountant and shall take his place in that post according to his rank alongwith other clerks or accountants who have not passed the examination.

Explanation - Failure in the examination in the first and second attempt shall not result in stoppage of increment or loss of seniority under this rule.

6. Exemptions :-

- 1) A clerk or accountant appointed before the appointed date shall be exempted from passing the Examination, if
 - (i) he is an allocated Government servant and who has been absorbed as such on 1st November 1956, under allocated Government Servants (Absorption, Seniority and Pay and Allowances) Rules, 1957;
 - (ii) he has completed continuous service of five years in the post of clerk or accountant (including in any higher post in which he has officiated or is officiating) on the appointed date; or
 - (iii) he is already confirmed as a clerk or accountant on or before the appointed date; or
 - (iv) he has already passed departmental examination or has been exempted from passing such examination before the appointed date in accordance with the existing rules.
- 2) A clerk or accountant whether appointed before or after the appointed date shall be exempted from passing the examination, if he has attained the age of forty-five years on the 1st day of November, 1977 or attains that age on any date thereafter ;
Provided that, the seniority lost by him in accordance with the provisions of clause (b) of sub-rule (1) of rule 5 shall not be restored to him on account of such exemption.
- 3) A person who is appointed as an Accountant by promotion and who has already passed the Examination while officiating in the post of clerk shall not be required to appear for the Examination again.

7. Examination when to be held :-

The examination shall ordinarily be held either in Marathi or in English or in both the languages by the Chief Conservator of Forests, once in a year in the month of June every year. If the Chief Conservator of Forests considers it to be so necessary for some special reasons , the Examination may be held twice in the same year with such intervals as he may determine or no Examination may at all be held in a particular year.

8. Syllabus etc :- The Examination shall consist of four written papers, each paper being of 100 marks and of three hours duration, two papers shall be without books and two papers shall be with books. A person appearing for the Examination shall have an option to write the answers in the papers either in Marathi or English language. The syllabus for the examination shall be such as mentioned in the Appendix "A" or as Government may, by order, from time to time direct.

9. Percentage of passing, etc.: -

- (1) The percentage of passing in the Examination shall be 35 percent, in each paper and 40 percent in the aggregate.
- (2) Grace marks may be allowed up to one percent of the total marks, to be distributed as may be most beneficial to a clerk or accountant, if he is thereby able to pass the examination.
- (3) Where a clerk or accountant who fails in the examination but secures 50 percents marks in any paper shall be entitled to be exemption in that paper if he claims in writing in the application in the Form in Appendix "B" an exemption from appearing for that paper in his subsequent attempt or attempts in the examination, and there upon he shall be so exempted.
- (4) A clerk or accountant who secures 50 percent of the aggregate marks but fails in any one of the papers shall not be required to appear for the entire Examination again but he shall be required to appear only for that paper in which he has failed. For the purpose of rule 4, such clerk or accountant shall be deemed to have passed the Examination but he shall not be confirmed or promoted unless he passes in such paper.

10. Credit :- In case of a clerk or accountant who passes the Examination at the first attempt and secures 70 percent or more marks in any paper, an entry regarding his performance in that paper shall be recorded in his confidential record.

APPENDIX-A

(see rule 8)

Syllabus for Post - recruitment Training Examination for clerks and Accountants in the Forest Department.

Paper No.	Subject	Books Prescribed
PART-I -- GENERAL SUBJECTS		
(1) (Without Books)	(a) Method of conducting official correspondence in English and keeping the records. (b) Precis writing and drafting .	-----
(2) (With Books)	Rules and Manuals of general application	(1) The Bombay Civil Services Rules, Volume I and II (2) The Bombay contingent Expenditure Rules (Financial Publication No. V) Chapters 1 to 5, 8 to 12, 13, 15 and 17 as applicable to Forest Department
PART - II -- DEPARTMENTAL SUBJECTS		
(3) Without Books	Accounts and Procedure	The Bombay Forest Manual, Volumes I, II and III (Third Revised Edition) (excluding the Indian Forest Act, 1927 and Rules thereunder.
(4) With Books	Acts, Rules & Regulations	(1) Indian Forest Act, 1927 & Rules thereunder. (2) The Maharashtra Felling of Trees (Regulation) Act, 1964 (XXXIV of 1964). (3)The Maharashtra Sale of Trees by Occupants belonging to Scheduled Tribes (Regulation) Act, 1969 (XXIII of 1969). (4)The Maharashtra Minor Forest Produce (Regulation of Trade) Act , 1969 (LVII of 1969) (5)The Wild life (Protection) Act, 1972 (53 of 1972)

- (6) The Maharashtra Private Forest (Acquisition) Act, 1975 (XXIX of 1975)
 - (7) (a) The Maharashtra Felling of Trees (Regulation) Rules, 1964.
 - (b) The Maharashtra Sale of Trees by Occupants belonging to Schedule Tribes (Regulation) Rules, 1969.
 - (c) The Maharashtra Minor Forests Produce (Regulation of Trade in Tendu Leaves) Rules, 1969.
 - (d) The Maharashtra Minor Forests Produce (Regulation of Trade in Apta Leaves) Rules, 1971.
 - (e) Wild Life (Protection), (Maharashtra) Rules, 1975
 - (f) The Maharashtra Private Forests (Acquisition) Rules, 1975
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**Appendix “B”
See Rule 9 (3)**

Form of Application for claiming exemption in any paper in the Examination:-

PART –I

- 1) Name of Applicant (in block capitals beginning with Surname) :
 - 2) Name of Office :
 - 3) Date of Appointment as a Clerk or Accountant :
 - 4) Year during which the applicant desires to appear for Examination. :
 - 5) Number of attempts and the years during which appeared for the Examination in the past. :
 - 6) Does the applicant desire to claim exemption in any paper or has the applicant secured 50 percent of the aggregate marks but has failed in only one paper and desires to appear for that paper? :
- If the answer in either case is in the affirmative, then furnish the following particulars, namely:-
- (a) Year(s) in which appeared for examination.
 - (b) Roll number in each examination.
 - (c) Paper in which 50 percent marks are secured and the applicant claims exemption.

- (d) Percentage of marks obtained in each paper and in the aggregate.
- (e) The one paper in which the applicant desires to appear (on having secured 50% marks in aggregate) in the Examination.
- 7) The language (either English or Marathi) : in which the applicant desires to write answers in the papers.

PART-II

(To be filled in only when the applicant desires to avail himself the post–recruitment training facility, if any, arranged by the Department).

- 1) I desire to avail of the post recruitment training facility.
- 2) I declare that I have not availed myself of such training facility any time in the past.

Signature of the applicant

Place :

Date:

PART –III

(For use by the office of the Chief Conservator of Forests)

Particulars furnished by the applicant at item 3, 5 and 6 in part I and item 2 in part II have been verified and found to be correct.

The applicant is eligible for admission to the Examination.

Signature
(Designation of the Officer)
