

The Indian Forest Service (Cadre) Rules, 1966

UNION OF INDIA

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Rule THE-INDIAN-FOREST-SERVICE-CADRE-RULES-1966 of 1966

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The Indian Forest Service (Cadre) Rules, 1966 Published vide M.H.A. Notification No. 2/2/64-A.I.S. (4), dated 1st September, 1966 In exercise of the powers conferred by sub-section (1) of Section 3 of All India Services Act, 1951 (61 of 1951) the Central Government, after consultation with the Governments of the States concerned, hereby makes the following rules, namely :

1. Short title and commencement.

(1) These rules may be called the Indian Forest Service (Cadre) Rules, 1966. (2) They shall be deemed to have come into force with effect from the 1st July, 1966.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) 'cadre officer' means a member of the Indian Forest Service; (b) ['cadre post' means any of the posts specified under item 1 of each cadre in the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966;] [Substituted by DP Notification No. 6/2I/71-AIS (IV), dated 16th February, 1972 (w.e.f. 18th March, 1972).] (c) 'State' means a State specified in the First Schedule to the Constitution and includes a Union territory; (d) ['State Government' concerned, in relation to a Joint Cadre, means the Joint Cadre Authority.] [Substituted by DP Notification No. 13/4/71-AIS (1), dated 11th January, 1972.]

3. Constitution of cadres.

(1) There shall be constituted for each State or group of States an Indian Forest Service Cadre. (2) The Cadre so constituted for State or a group of States is hereinafter referred to as a 'State Cadre' or as the case may be, a 'Joint Cadre'.

4. Strength of cadres.

(1)The strength and composition of each of the cadres constituted under rule 3 shall be as determined by regulations made by the Central Government in consultation with the State Governments in this behalf.(2)The Central Government shall, at the interval of every three years, reexamine the strength and composition of each such cadre in consultation with the State Government concerned and may make such alterations therein as it deems fit :Provided that nothing in this sub-rule shall be deemed to affect the power of the Central Government to alter the strength and composition of any cadre at any other time :Provided further that the State Government concerned may add for a period not exceeding one year, and with the approval of the Central Government for a further period not exceeding two years, to a State or Joint Cadre one or more posts carrying duties or responsibilities of a like nature to cadre posts.

5. Allocation of members to various cadres.

(1)The allocation of cadre officers to the various cadres shall be made by the Central Government in consultation with the State Government concerned.(2)The Central Government may, with the concurrence of the State Government concerned, transfer a cadre officer from one cadre to another cadre.

6. [Deputation of cadre officers. [Substituted by M.H.A. Notification No. 6/39/69-A1S (IV), dated 9th October, 1969 (w.e.f. 25th October, 1969).]

(1)A cadre officer may, with the concurrence of the State Government or the State Governments concerned and the Central Government, be deputed for service under the Central Government or another State Government or under a company, association or body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Central Government or by another State Government.(2)A cadre officer may also be deputed for service under,-(i)a company, association or body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by a State Government, a municipal corporation or a local body, by the State Government on whose cadre he is borne; and(ii)[an international organisation, an autonomous body not controlled by the Government or a private body, by the Central Government in consultation with the State Government on whose cadre he is borne.]Provided that no cadre officer shall be deputed to any organisation or body of the type referred to in item (ii), except with his consent :Provided further that no cadre officer shall be deputed under sub-rule (1) or sub-rule (2) to a post carrying a prescribed pay which is less than, or a pay scale, the maximum of which is less than, the basic pay he would have drawn in the cadre post but for his deputation.]

7. Posting.

- All appointments to cadre posts shall be made-(a)in the case of a State Cadre, by the State Government; and(b)in the case of a Joint Cadre, by the State Government concerned :[Provided that

for the purpose of filling leave vacancies or for making temporary arrangements for a period not exceeding three months, the State Government may delegate to Heads of Departments, its powers of making appointments to cadre posts.] [Inserted by DP & AR Notification No. 11051/I/76-AIS (A), dated 10th January, 1977]

8. [Cadre and ex-cadre posts to be filled by cadre officers. [Substituted by G.S.R. 1162 (E), dated 31st December, 1988.]

(1) Save as otherwise provided in these rules, every cadre post shall be filled by a cadre officer. (2) A cadre officer shall not hold an ex-cadre post in excess of the number specified for the concerned State under item 5 of the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966. (3) The State Government may, with the prior approval of the Central Government, appoint a cadre officer to hold an ex-cadre post in excess of the number specified for the concerned State in item 5 of the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966 and for so long as the approval of the Central Government remains in force, the said ex-cadre post shall be deemed to be an addition to the number specified in item 5 of the said Schedule.]

9. Temporary appointment of no-cadre officers to cadre posts.

- [(1) A cadre post in a State shall not be filled by a person who is not a cadre officer if the State Government "or any of its Head of Department to whom the State Government may delegate its powers of making appointments to cadre posts", is satisfied-(a) that the vacancy is not likely to last for more than three months; (b) that there is no suitable cadre officer available for filling the vacancy] : [Provided that where a cadre post is filled by a non-select list officer, or a select list officer who is not next in order in the select list, under this sub-rule the State Government together with the reasons therefor.] [Inserted by D.P. and A.R. Notification No. 11039/6/75-AIS (II)-B, dated 27th July, 1990.] (2) Where in any State a person other than a cadre officer is appointed to cadre post for a period exceeding three months, the State Government shall forthwith report the fact to the Central Government together with the reasons for making the appointment : Provided that a non-select list officer, or a select list officer who is not next in order in the select list, shall be appointed to cadre post only with the prior concurrence of the Central Government. (3) On receipt of a report under sub-rule (2) or otherwise, the Central Government may direct that the State Government shall terminate the appointment of such person and appoint thereto a cadre officer, and where any direction is so issued, the State Government shall accordingly give effect thereto. (4) Where a cadre post is likely to be filled by a person who is not a cadre officer for a period exceeding six months, the Central Government shall report the full facts to the Union Public Service Commission with the reasons for holding that no suitable officer is available for filling the post and may in the light of the advice given by the Union Public Service Commission give suitable direction to the State Government concerned.

10. Report to the Central Government of vacant cadre posts.

- Cadre posts shall not be kept vacant or held in abeyance for periods exceeding six months without the approval of the Central Government. For this purpose, the State Government shall make a report to the Central Government in respect of the following matters, namely : (a) the reason for the proposal; (b) the period for which the State Government proposes to keep the post vacant or hold it in abeyance; (c) the provision, if any, made for the existing incumbent of the post; and (d) whether it is proposed to make any arrangements for the performance of the duties of the post to be kept vacant or held in abeyance, and if so, the particulars of such arrangements.

11. Holding of more than one post by a cadre officer.

(1) The State Government concerned in respect of the posts borne on the State Cadre or the Joint Cadre as the case may be, may for the purpose of facilitating leave arrangements or for making temporary arrangements for a period not exceeding six months, direct that any two cadre posts or a cadre post and an equivalent post may be held simultaneously by one single cadre officer : [Provided that for the purpose of filling leave vacancies or for making temporary arrangements for a period not exceeding three months, the State Government may delegate to Heads of Departments, its power of making appointments to cadre posts.] [Inserted by D.P. & A.R. Notification No. 11051/1/76-AIS (A), dated 10th January, 1977.] (2) Where the State Government concerned is of the opinion that it is necessary so to do, it may, with the prior approval of the Central Government, order that the posts directed by it to be held simultaneously by one single cadre officer under sub-rule (1), may continue to be so held for a period beyond six months but, in any case, not beyond twelve months, from the date with effect from which the posts were first directed to be so held under sub-rule (1).

11A. [Authority to exercise certain powers in respect of members of the Service serving in connection with the affairs of the States constituting a Joint Cadre. [Inserted by D.P. Notification No. 13/4/71-AIS (1), dated 11th January, 1972.]

- The powers of the State Government under the second proviso to sub-rule (2) of rule 4, under clause (i) of sub-rule (2) of rule 6 and under rules 7, 10 and 11 in relation to the members of the Service serving in connection with the affairs of any of the Constituent States shall be exercised by the Government of that State.] [Substituted by G.S.R. 1662 (E), dated 31st October, 1988.]

12. Interpretation.

- If any question arises as to the interpretation of these rules, the same shall be decided by the Central Government.