

Copy 1

F.No. 35021/15/92-IFS-1
Government of India
Ministry of Environment and Forests
Paryavaran Bhavan,
B-Block, CGO Complex
Lodi Road, New Delhi-3

Dated the 22nd November, 1994

12th Dec.

To

The Chief Secretaries to the
State Governments/Union Territories,
The Forest Secretaries to all
State Governments/Union Territories
The Principal Chief Conservators of Forests of
States/Union territories

Sub: Indian Forest Service - Procedure for scrutiny of
proposals for grant of 'CADRE CLEARANCE' in respect
of Indian Forest Service officers - Guidelines
issued by the Central Government - Reiteration of.

Sir,

The Ministry of Environment and Forests, as the Cadre Controlling Authority for the Indian Forest Service, have, in order to ensure speedy disposal of proposals concerning grant of cadre clearance to Indian Forest Service officers serving in the States, at the Centre and in other organisations outside the State Cadre, issued detailed guidelines/prescribing procedures to be followed by all concerned while referring proposals to this Ministry on the subject. These guidelines were contained in the Ministry of Environment and Forests communications (i) No. 35011/1/90-IFS-I, dated the 23rd January, 1990 and (ii) No. 35021/15/92-IFS.I dated the 22nd June, 1993 addressed to all State Governments/Union Territory Administrations. A copy each of the communications is enclosed for ready reference. (Enclosures I and II).

2. Further, Ministry of Personnel, Public Grievances & Pensions (Department of Personnel & Training) in their communications (i) No. 30/35/EO(F)/94 dated 6th July, 1994 and (ii) No. 35/30/EO(F)/94, dated 26th July, 1994 sent to all State Governments / Union Territory Administrations, have also issued necessary clarifications to the effect that 'Cadre clearance' of the Central Government is a mandatory requirement when an All India Service Officer is deputed abroad for a training programme/workshop/ seminar/study tour organised by International agencies. Instructions issued by Department of Personnel and Training mutadis mutandis apply to the Indian Forest Service Officers. (A copy each of the Department of Personnel & Training communications dated the 6th July, 1994 and 26th July, 1994 is enclosed for ready reference. (Enclosures III and IV).

3. However, inspite of these guidelines, instances have come to the notice of this Ministry that some of the State Governments, have nominated Indian Forest Service officers for deputation in India (outside the parent cadre to bodies owned or controlled by Central Government or by another State Government or private bodies) in violation of the statutory provisions contained in IFS (Cadre) Rules, 1966, or for deputation abroad without the express 'Cadre Clearance' of this Ministry. Also, the concerned authorities have been making incomplete proposal for "Cadre clearance" to this Ministry at a very late stage, causing avoidable inconvenience in processing the proposals in time.

4. In view of the procedural difficulties being experienced by this Ministry on the subject, State Governments, etc. are requested again to ensure that express cadre clearance is obtained from this Ministry in all cases of deputations of IFS Officers before these are finally approved. They may also kindly ensure that proposals for 'Cadre clearance' concerning IFS personnel are complete in all respects. Each of the proposals should invariably contain the requisite information in the prescribed proforma (Annexure I) appended to this Ministry's communication dated the 23rd January, 1990. To facilitate proper examination of the proposals, the procedure is reiterated as under :

PROPOSALS FOR DEPUTATION ABROAD:

(i) Proposals seeking "Cadre clearance" for IFS officers for deputation abroad should be forwarded to this Ministry at least two months (Eight weeks) before the actual date of deputation of the concerned officer. Proposals received in this Ministry after the prescribed time limit will be returned to the concerned authorities and 'Cadre clearance' will be refused unless there are convincing reasons for not doing so.

(ii) The State Governments, etc., should furnish the requisite proforma information along with the proposals, in Annexure I, appended to this Ministry's Circular Letter No. 35011/1/90-IFS.I dated the 23rd January, 1990.

(iii) If an officer proposes to seek or avail himself of financial assistance by way of international travel costs, per diem, local hospitality etc., from foreign agencies/Governments, not being United Nations or any of its specialised agencies, etc. (Please see Annexure VI appended to this communication attracting provisions of Section 9 read with Sections 10(a) and 11(1) of the Foreign Contribution (Regulations) Act, 1976 (FCRA, 1976), the proposals should also contain an application from the officer concerned in the prescribed form (Enclosure V) for seeking permission of the Central Government (Ministry of Home Affairs) for acceptance of foreign hospitality. (Please see Rule 9 of FCRA at Annexure VI to this communication).

DEPUTATION OF IFS OFFICERS IN INDIA TO BODIES COVERED UNDER RULE 6 OF IFS (CADRE) RULES, 1966.

(i) Formal proposals should be routed only through the concerned State Governments on whose cadre the officer is borne.

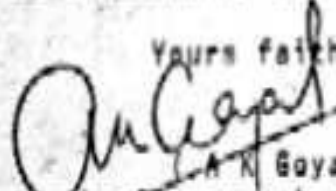
(ii) State Governments would ensure that all issues concerning the deputation are finalised in advance in consultation with the borrowing organisation and the officer concerned and formal proposals are sent to this Ministry only after conclusion of necessary consultations on matters of tenure and other deputation terms.

(iii) Consent of the cadre officer should invariably be obtained in case the deputation is to an organisation / body covered under sub-rule (2) of Rule 6 of IFS (Cadre) Rules.

(iv) Sponsoring Governments/Administrative Ministries at the Centre and the Members of the Service should not presume automatic 'Cadre Clearance' of this Ministry. Where grant of cadre clearance is expressly rejected or not available, no cadre officer should be permitted to proceed on deputation. If an officer proceeds abroad without express previous 'cadre clearance' of this Ministry or permitted by State Governments, etc., to proceed abroad either at the expense of the officer concerned or at the expense of the Government or a foreign agency/Government, the period involved shall not, without the prior sanction of the Central Government, be treated as DUTY. This is equally applicable in case of deputations covered under Rule 5 of IFS (Cadre) Rules.

(v) A member of the Service when deputed abroad for training, etc., and the period of foreign deputation is proposed to be treated as duty, he shall be required to execute the requisite BOND as appended at Annexure "A" to the GOI Miscellaneous Executive Instructions concerning All India Services No. 7 incorporated in Part I (Sixth Edition) of All India Services Manual.

5. It is requested that these instructions may be given wide publicity to all concerned, including the Indian Forest Service officers serving under the State Government (and at the Centre).

Yours faithfully,

(A.K. Goyal)
Deputy Secretary to the Government of India