

THE JAMMU AND KASHMIR [STATE] FOREST CORPORATION RULES 1981

[SRO 82 OF 1981, dated 12th March, 1981]

In exercise of the powers conferred by section 33 of the Jammu and Kashmir State Forest Corporation Act, 1978 (Act XII of 1978), the Government hereby makes the following rules, namely::

1. Short title, extent and commencement

- i) These rules may be called the Jammu and Kashmir State Forest Corporation Rules, 1981.
- ii) They shall come into force from the date of their publication in the Government Gazette].
- iii) Words and expressions used in these rules but not defined shall have the same meaning as assigned to' them in the Jammu and Kashmir State Forest Corporation Act, 1978.

2. Procedure for fixing liabilities under section 23 of the Act

- (i) When the Chairman, Vice-Chairman, Managing Director or any other member or employee of the Corporation is charged with misconduct, the Disciplinary Authority shall frame definite charges on the basis of allegations against that person. The charges, together with a statement of the allegations on which they are based shall be communicated in writing to the person against whom allegations are leveled; who shall be required to submit within such time as may be specified by the Disciplinary Authority not exceeding 15 days a written statement of his defence.
- (ii) On receipt of the written statement or if no such statement is received within the time specified an enquiry may be held by a person, an officer or committee appointed for the purpose by the competent authority (hereinafter called the Inquiring Authority).
- (iii) At the time of enquiry, reasonable opportunity shall be afforded to the person charged with misconduct for explaining his case.
- (iv) At the conclusion of the enquiry, the Inquiring Authority shall prepare it a report of the enquiry recording its findings or such of the charges together with the reasons thereof, and submit it to the competent authority.

3. The Competent authority shall after considering the report of the Inquiring Authority pass such orders as may be deemed fit.

4. The pay and allowances of an employee who is dismissed from services, shall cease from the date of his dismissal from services.

5. Joint Enquiry

Where two or more persons charged with misconduct under sub-section (1) of section 23 of the Act are involved in any case, the authority competent to impose the penalty. on all such persons may make an order directing that an enquiry shall be made by a single person, officer or committee.

6. Appeal

- (1) An appeal shall be:
 - (a) from an original order of punishment of a subordinate officer to the Managing Director;
 - (b) from an original order of punishment of the Managing Director to the Chairman;

- (c) from an original order of the Chairman to the Corporation; and
- (d) from an original order of the Corporation to the Government.

2) Appeal under sub-rule (1) shall be preferred within 90 days from the date of the original order.

7. Sinking Fund

- (i) The Corporation shall appropriate not more than 35 percent of its annual net profits after tax towards sinking fund account.
- (ii) The Sinking Fund shall be utilized to repay the loans and/or to redeem any liability, which the Corporation incurs or may incur to any Government Body Corporate, Authority, person etc. from time to time.

8. General reserve

- (i) The Corporation shall create a General reserve by appropriating not less than 15% of its annual net profits after tax, towards General Reserve Account.
- (ii) The General Reserve shall be utilised for such purposes as the Corporation may deem fit from time to time.
- (iii) The sum of the General Reserve or the Sinking Fund, as the case may be, shall be invested in the Jammu and Kashmir Bank Ltd. in, such form and manner as the Corporation may deem fit.