

10.¹ THE INDIAN FOREST SERVICE (REGULATION OF SENIORITY) RULES, 1997

In exercise of the powers conferred by sub section (1) of section 3 of the All-India Services Act, 1951 (LXI 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 (Regulation of Seniority) Rules, 1997.

(2) They shall come into force with effect from the first day of January, 1998.

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

- (a) 'Cadre' means the Indian Forest Service Cadre constituted in accordance with rule 3 of the Cadre Rules;
- (b) 'Cadre Rules' means the Indian Forest Service (Cadre) Rules, 1966;
- (c) ²[Deleted]
- (d) 'Commission' means the Union Public Service Commission;
- (e) 'Competitive examination' means the examination referred to in rule 7 of the Recruitment Rules;
- (f) 'direct recruit officer' means an officer appointed to the service through a competitive examination in accordance with rule 7 of the Recruitment Rules;
- (g) 'gradation list' means the gradation list prepared under rule 5 of these rules;
- (h) 'officer' means a member of the Service;
- (i) 'Promotee officer' means an officer appointed to the service in accordance with the provisions of the Indian Forest Service (Appointment by Promotion) Regulations, 1966;
- (j) 'Recruitment Rules' means the Indian Forest Service (Recruitment) Rules, 1966;
- (k) 'Select List' means the Select List prepared in accordance with the Indian Forest Service (Appointment by Promotion) Regulations, 1966;
- (l) 'Service' means the Indian Forest Service;
- (m) 'State Cadre' and 'Joint Cadre' have the meanings respectively assigned to them in the Cadre Rules;
- (n) 'State Government concerned' in relation to a Joint Cadre means the Joint Cadre Authority.

¹ The initial Rules viz. the Indian Forest Service (Regulation of Seniority) Rules, 1968 were repealed and replaced vide Notification No.14015/54/96-AIS(I)-C dated 31.12.1997 (GSR No.738E dt.31.12.1997)

² Deleted vide Notification No.14014/14/2000-AIS(I) dated 30.08.2005 (GSR No.551E dated 30.08.2005)

3. Assignment of Year of allotment.- 3(1) Every officer shall be assigned a year of allotment in accordance with the provisions hereinafter contained in these rules.

3(2) The year of allotment of an officer in service at the commencement of these rules shall be the same as has been assigned to him or may be assigned to him by the Central Government in accordance with the rules, orders and instructions in force immediately before the commencement of these rules.

3(3) The year of allotment of an officer appointed to the service after the commencement of these rules shall be as follows:-

(i) the year of allotment of a direct recruit officer shall be the year following the year in which the competitive examination was held:

Provided that if a direct recruit officer is permitted to join probationary training under Sub-rule (1) of Rule 6 of the Indian Forest Service (Probation) Rules, 1968 with the direct recruit officers of subsequent year of allotment, then he shall be assigned that subsequent year as the year of allotment.

(ii) The year of allotment of a promotee officer shall be determined with reference to the ³[year for which] the meeting of the Committee to make selection, to prepare the select list on the basis of which he was appointed to the Service, was held and with regard to the continuous service rendered by him in the State Forest Service, not below the rank of Assistant Conservator of Forests or equivalent up to the 31st day of December of the year immediately before the ⁴[year for which] meeting of the Committee to make selection was held to prepare the select list on the basis of which he was appointed to the Service, in the following manner:-

- (a) for the service rendered by him upto twenty one years, he shall be given a weightage of one year for every completed three years of service, subject to a minimum of four years;
- (b) he shall also be given a weightage of one year for every completed two years of service beyond the period of twenty one years, referred to in sub-clause (a), subject to a maximum of three years.

Explanation: For the purpose of calculation of the weightage under this clause, the fractions, if any, are to be ignored.

Provided that he shall not be assigned a year of allotment earlier than the year of allotment assigned to an officer senior to him in that select list or appointed to the service on the basis of an earlier select list.

4. Inter-se seniority of the officers who are assigned the same year of allotment.- The inter-se seniority of the officers appointed to the service shall be in the following order and in each category the inter-se seniority shall be determined in the following manner:-

- (1) direct recruit officers shall be ranked inter-se in the order of merit as determined in accordance with rule 10 of the Indian Forest Service (Probation) Rules, 1954;
- (2) ⁵Promotee officers shall be ranked inter-se in the order in which their names are arranged by the Commission for the purpose of appointment to the service by promotion.

³ Amended vide Notification No.14014/14/2000-AIS(I) dated 30.08.2005 (GSR No.551E dated 30.08.2005)

⁴ Ibid note 3

⁵ Amended vide Notification No.14014/14/2000-AIS(I) dated 30.08.2005 (GSR No.551E dated 30.08.2005)

⁶[Deleted]

5. Gradation List.- There shall be prepared every year for each State Cadre and Joint Cadre a gradation List consisting of the names of all officers borne on that Cadre arranged in order of seniority.

6. Fixation of seniority of officers transferred to another Cadre:- 6(1) If a direct recruit officer is transferred from one cadre to another in public interest, his year of allotment shall remain unchanged and his inter-se position among the direct recruits having the same year of allotment in the cadre to which he is transferred shall remain the same as determined in accordance with rule 11 of the Indian Forest Service (Probation) Rules, 1968.

6(2) If a promotee officer is transferred from one cadre to another in public interest, his year of allotment shall remain unchanged and he shall be ranked inter-se with promotee officers having the same year of allotment in the cadre to which he is transferred with reference to the date on the basis of which he was assigned the year of allotment under these rules.

6(3) If an officer is transferred from one cadre to another at his request, he shall be assigned a position in the gradation list of the cadre to which he is transferred below all the officers of his category borne on that cadre who have the same year of allotment.

Provided that in the case of a direct recruit officer transferred from one cadre to another at his request, his seniority in the list prepared under rule 11 of the Indian Forest Service (Probation) Rules, 1968 shall remain unaffected for the purpose of the said list.

7. Interpretation:- If any question arises as to the interpretation of these it shall be referred to the Central Government for decision.

8. Repeal and Savings:- 8(1)The Indian Forest Service (Regulation of Seniority) Rules, 1968 in force immediately before the commencement of these rules are hereby repealed.

8(2) The seniority of the officers appointed to the Service prior to the coming into force of these rules shall be determined in accordance with the Indian Forest Service (Regulation of Seniority) Rules, 1968 in force on the date of their appointment to the service.

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

⁶ Proviso deleted vide Notification No.14014/14/2000-AIS(I) dated 30.08.2005 (GSR No.551E dt.. 30.08.2005)