

47. THE INDIAN FOREST SERVICE (REGULATION OF SENIORITY) RULES, 1997¹

In exercise of the powers conferred by Section 3 of the All India Services Act, 1951 (61 of 1951) and in pursuance of sub-rule (1) of Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966 and in supersession of the Indian Forest Service (Regulation of Seniority) Rules, 1968, except as respects things done or omitted to be done before such supersession, the Central Government in consultation with the State Governments and the Union Public Service Commission hereby makes the following regulations, 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) '*Cadre Schedule*' means the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966;
- (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;

1. New Rules framed by Noti. No. G.S.R. 738 (E), dated December 31, 1997, published in the Gazette of India, Extra. (Part II), Sec. 3(i), dated 31st December, 1997.

- (n) 'State Government concerned' in relation to a Joint Cadre means the Joint Cadre Authority.

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

(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) 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 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 year in 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, up to the 31st day of December of the year ¹[***] in 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 :

- ²(a) for the service rendered by him up to twelve years, he shall be given a weightage of one year for every completed four years of service, subject to a minimum of three years.
- (b) for the service rendered by him beyond 12 years, as referred to in sub-clause (a) and upto 21 years, he shall be given a weightage of one year for every completed three years of service;
- (c) for the service rendered by him beyond 21 years, as referred to in sub-clause (b), he shall be given a weightage of one year for every completed two years of service, subject to a maximum of three years.]

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 in each category the *inter se* seniority shall be determined in the following manner :

1. Omitted by Noti. No. GSR 302(E), dated 18.4.2012 (w.e.f. 18.4.2012).
2. Subs. by Noti. No. GSR 302(E), dated 18.4.2012 (w.e.f. 18.4.2012).

- (i) 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;
- (ii) promotee officers shall be ranked *inter se* in the order of their dates of appointment to the Service :

Provided that if the appointment of more than one officer is on the same date, their *inter se* seniority shall be in the order in which their names are arranged in the select list on the date of appointment of the Service.

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 the seniority of officers transferred to another Cadre.—

(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.

(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 of the basis of which he was assigned the year of allotment under these rules.

(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.—(1) The Indian Forest Service (Regulation of Seniority) Rules, 1968 in force immediately before the commencement of these rules are hereby repealed.

(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 other 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.