

**INDIAN FOREST SERVICE (REGULATION OF SENIORITY)
RULES, 1968**

CONTENTS

1. Short title and commencement
2. Definitions
3. Assignment of year of allotment
4. Seniority of Officers
- 4A. Seniority of officers appointed to the Service at the initial constitution of the Cadre of Sikkim
5. Gradation List
6. Fixation of seniority on transfer to another cadre
7. Interpretation

**INDIAN FOREST SERVICE (REGULATION OF SENIORITY)
RULES, 1968**

In exercise of the powers conferred by sub-section (1) of Sec. 3 of the 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 (Regulations of Seniority) Rules, 1968.

(2) They shall be deemed to have come into force on the 1st July, 1966.

2. Definitions :-

In these rules unless the context otherwise requires,-

(a) 'cadre' means an Indian Forest Service Cadre constituted in accordance with rule 3 of the Indian Forest Service (Cadre) Rules, 1966;

(b) 'Commission' means the Union Public Service Commission;

(c) 'competitive examination' means the examination referred to in rule 7 of the Recruitment Rules;

(d) 'gradation list' means a gradation list prepared under rule 5;

- (e) 'officer' means a member of the Service;
- (f) 'Recruitment Rules' means the Indian Forest Service (Recruitment) Rules, 1966;
- (g) 'Senior post' means a post included and specified under item 1 of the Cadre of each State in the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, and includes a post included in the number of posts specified in items 2 and 5 of the said cadre, when held on senior scale of pay, by an officer recruited to the Service in accordance with sub-rule (1) of rule 4 or rule 7 of the Recruitment Rules;
- (h) 'Service' means the Indian Forest Service;
- (i) 'State Cadre' and 'Joint Cadre' have the meanings respectively assigned to them in the Indian Forest Service (Cadre) Rules, 1966;
- (j) 'State Forest Service' shall have the meaning assigned to it in the Recruitment Rules;
- (k) 'State Government concerned' in relation to a Joint Cadre, means the Joint Cadre Authority;
- (l) 'Select List' means the Select List prepared in accordance with the Indian Forest Service (Appointment by Promotion) Regulations, 1966.

3. Assignment of year of allotment :-

(1) Every officer shall be assigned a year of allotment in accordance with provisions hereinafter contained in this rule.

(2) The year of allotment of an officer appointed to the Service shall be-

(a) where an officer is appointed to the Service on the results of a competitive examination, the year following the year in which such examination was held;

(b) where an officer is appointed to the Service at its initial constitution in accordance with sub-rule (1) of Rule 4 of the Recruitment Rules, such year will be determined in accordance with the following formula:- Year of allotment = 1966 minus (N1 plus half of N2) wherein-

N1 represents completed years of continuous service upto, 1st July, 1966 in a post equivalent to or above a senior scale post included

in the State Cadre, provided that any such Service rendered during the first eight years of gazetted service of the officer shall be excluded for this purpose.

N2 represents completed years of continuous Gazetted service upto 1st July, 1966 included in N 1.

¹[Provided that in the case of an officer who has undertaken the training in a diploma course in forestry at Dehra Dun for a period of more than two years, the period spent by such officer for obtaining the final diploma after having obtained the preliminary diploma shall be taken into account in computing the period of service for purposes of seniority:] ²[Provided further that the year of allotment of an officer so arrived at shall be limited to the year which his immediate senior in the State Forest Service who is appointed to the Indian Forest Service at its initial constitution obtain: Provided further that where in a case or class of cases, application of the formula given in this rule, results in hardship of anomaly, the seniority of officers concerned shall be determined ad hoc by the Central Government in consultation with the State Government concerned and the commission;]

(c) where an officer is appointed to the Service by promotion in accordance with Rule 8 of the Recruitment Rules, the year of allotment of the junior-most among the officers recruited to the Service in accordance with Rule 7 or if no such officer is available the year of allotment of the junior-most among the officers recruited to the Service in accordance with Rule 4(1) of these Rules who officiated continuously in a senior post from a date earlier than the date of commencement of such officiation by the former: Provided that seniority of officers who are substantively holding the post of a Conservator of Forests or a higher post on the date of constitution of the Service and are not adjudged suitable by the Special Selection Board in accordance with the Indian Forest Service (Initial Recruitment) Regulations 1966, but who may later on be appointed to the Service under Rule 8 of the Recruitment Rules shall be determined ad hoc by the Central Government in consultation with the State Government concerned and the Commission.

Explanation 1.-In respect of an officer appointed to the Service by promotion in accordance with sub-rule (1) of rule 8 of the Recruitment Rules, the period of his continuous officiation in a senior post shall for the purposes of determination of his seniority, count only from the date of the inclusion of his name in the Select List, or from the date of his officiating appointment to such senior

post, whichever is later: Provided that where an officer is appointed to the Service by promotion under rule 8 of the Recruitment Rules on the basis of his name having been included in the first Select List prepared by the selection committee constituted under regulation 3 of the Indian Forest Service (Appointment by Promotion) Regulations, 1966, the period of his continuous officiation in a senior post or post declared equivalent thereto prior to the date of the inclusion of his name in the first Select List shall also count, if such officiation is approved by the Central Government in consultation with the Commission [M.H.A. Notification No. 9/20/68-AIS(IV), dated 18th October, 1968].

Explanation 2.-An officer shall be deemed to have officiated continuously in a senior post from a certain date if during the period from

Explanation 3.-An officer shall be treated as having officiated in a senior post during any period in respect of which the State Government concerned certifies that he would have so officiated but for his absence on leave or training.

³[Explanation 4.-An officer appointed to the Service in accordance with sub-rule (1) of rule 8 of the Recruitment Rules shall be treated as having officiated in a senior post during any period of appointment to a non-cadre post if the State Government has certified within three months of his appointment to the non-cadre post that he would have so officiated but for his appointment, 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 non-cadre post under the State Government or the Central Government in a time-scale identical to the time-scale of a senior post: Provided that the number of officers in respect of whom the certificate shall be current at one time shall not exceed one-half of the maximum size of the Select List permissible under sub-regulation (2) of regulation 5 of the Indian Forest Service (Appointment by Promotion) Regulations 1966, and follow the order in which the names of such officers appear in the Select List: Provided further that such certificate shall be given only if, for every senior officer in the select list appointed to a non-cadre post in respect of which the certificate is given, there is one junior Select List officer officiating in a senior post under rule 9 of the Indian Forest Service (Cadre) Rules, 1966: Provided also that the number of officers in respect of whom the certificate is given, shall not

exceed the number of posts by which the number of cadre officers holding non-cadre posts under the control of the State Government falls short of the deputation reserve sanctioned under the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966;]

4 [(d) when an officer is appointed to the Service in accordance with Rule 7-A of the Recruitment Rules, deemed to be the year in which he would have been so appointed at his first or second attempt after the date of joining pre-commission training or the date of his commission where there was only post commission training according as he qualified for appointment to the Service in his first or second chance, as the case may be, having been eligible under regulation 4 of the Indian Forest Service (Appointment by Competitive Examination) Regulations, 1967. Explanation.-If an officer, who qualified himself for appointment to the Service in a particular year, could not be so appointed in that year on account of non-availability of a vacancy and is actually appointed in the next year, then his year of allotment would be depressed by one year. He shall be placed above all the officers recruited under Rule 7 A of the Recruitment Rules and who have the same year of allotment.]

1. Ins. by M.H.A. Notification No. 2/9/66-AIS(IV), dated 10th June, 1968.
2. Subs. Ins. by M.H.A. Notification No.2/9/66-AIS (IV), dated 10th June, 1968.
3. Vide M.H.A. Notification No.39/25/68-AIS(IV), dated 10th March, 1970.
4. Added by M.H.A. Notifn. No. 9/13/68-A.I.S.(IV), dated 7th June, 1969.

4. Seniority of Officers :-

(1) The seniority of officers inter se shall be determined in accordance with the provisions hereinafter contained in this rule.

(2) Officers appointed to the Service on the result of the same competitive examination shall be ranked in accordance with Rule 11.

(3) Officers belonging to a State Forest Service who are appointed to the Service in accordance with sub-ruled) of Rule 4 of the Recruitment Rules and allotted the same year shall be graded without disturbing their existing interse seniority in the State Forest Service.

(4) The seniority inter se of officers appointed to the Service under sub-rule (2) of Rule 4 of the Recruitment Rules, who are assigned the same year of allotment shall be in the order of the dates on which the date of officiation in the cases of officers appointed to the Service in accordance with Rule 8 of the Recruitment Rules being the same as the dates taken into account for the purpose of assignment of year of allotment under sub-rule (2) of Rule 3: Provided that-

(a) the seniority inter se of officers appointed to the Service on the results of a competitive examination in accordance with Rule 7 of the Recruitment Rules and ranked in accordance with Rule 11 of the Indian Forest Service (Probation) Rules, 1968, shall not be affected;

(b) where the date of commencement of continuous officiation in a senior post of an officer appointed to the Service in accordance with Rule 7 of the Recruitment Rules is the same as that of an officer appointed to the Service under Rule 8 of the Rules, the former shall rank senior to the other officer;

(c) where the date of commencement of continuous officiation in senior posts of more than one officer appointed to the Service in accordance with the Rule 8 of the Recruitment Rules is the same, their seniority inter se shall be in the order of their dates of appointment to the Service, and where the date of appointment is also the same, in the order in which their names are arranged on the date of their appointment to the Service in the Select List.

¹ [(5) Officers appointed to the Service in accordance with Rule 7-A of the Recruitment Rules with the same year of allotment, shall be ranked inter se in order of merit which shall be determined on the basis of the marks obtained by each officer, calculated in the manner specified below.

(a) full aggregate marks in the competitive examination; and

(b) 50% of the aggregate marks in the Indian Forest Service Probationers' Final Examination and the assessment of the record in the Forest Research Institute and Colleges: Provided that in determining such order of merit no account shall be taken of marks awarded to an officer in any subject in which he has failed to satisfy the President of the Forest Research Institute and Colleges, Dehra Dun.

(6) Officers appointed to the Service in accordance with Rule 7-A of the Recruitment Rules, shall be placed below the last officers of the same year of allotment recruited under sub-rule (1) of Rule 4 of the Recruitment Rules.]

1. Added by M.H.A. Notification No.9/13/68-ais(iv), dated 7th June, 1969.

4A. Seniority of officers appointed to the Service at the initial constitution of the Cadre of Sikkim :-

Notwithstanding anything contained in these rules in relation to the State of Sikkim, the year of allotment and the seniority of officers appointed to the Service at the time of the initial constitution of the State Cadre shall be determined by the Central Government in the following manner, namely:-

(a) In respect of officers appointed through selection from amongst the substantive members of the Sikkim State Forest Service.-The year of allotment shall be determined ad hoc in consultation with the Union Public Service Commission and the State Government:] Provided that the year of allotment of an officer so arrived at shall be limited to the year to which his immediate senior in the Sikkim State Forest Service, who is selected to the Indian Forest Service Cadre of Sikkim at its initial constitution obtains.

(b) In respect of Indian Forest Service Officers borne on the Cadre/Joint Cadres of other States, appointed to the Cadre of Sikkim on transfer.-Officer shall retain their original year of allotment and for purpose of their interse seniority they shall be governed by the provision of Rule 6.

5. Gradation List :-

There shall be prepared every year for each State Cadre and Joint Cadre gradation list consisting of the names of all officers borne on that Cadre arranged in order of seniority in accordance with the provisions of Rule 3 and Rule 4.

6. Fixation of seniority on transfer to another cadre :-

(1) If an officer is transferred from one cadre to another in the public interest, his position in the gradation list of the cadre, to which he is transferred, shall be determined by the Central Government in accordance with the following principles :-

(i) his year of allotment shall remain unaffected;

(ii) the following order shall be maintained among the different categories of officers of the same year of allotment and the seniority of the transferred officer vis-a-vis officers of his category shall be determined in the following manner:

(a) Initial Recruitment Officers.-An Officer appointed to the Service under sub-rule (1) of Rule 4 of the Recruitment Rules shall be graded mainly on the basis of age without thereby disturbing, as far as possible, the existing inter-se seniority.

(b) Examination Recruits.-The position of an officer appointed to the Service in accordance with Rule 7 of the Recruitment Rules, shall be in the order in which his name appears in the list prepared under Rule 11 of the Indian Forest Service (Probation) Rules, 1968.

(c) State Service Officers.-An officer belonging to a State Forest Service and appointed to the Service against the promotion quota shall be graded mainly on the basis of age without thereby disturbing, as far as possible, the existing inter-se seniority.

(2) If an officer is transferred from one cadre to another at his request, he shall be assigned a position on 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.

7. Interpretation :-

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