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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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Discharged date-18/11/2003

✓ O.A.T.A No. 434/2001
R.A/C.P No. 27/03
E.P/M.A No.

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Application No. 434 2001

Applicant(s) :- R.K. Deora IFS

Respondant(s) :- U.O. 1, 2 DAs

Advocate for the Applicant :- Mr R.P. Sharma, B. Chakraborty
2 U. Das.

Advocate for the Respondant:-

Case. A.K. Choudhury

Notes of the Registry	Date	Order of the Tribunal
<p>This is application in form C. F. for Rs. 50/- deposited vide P.D. No 66788964 Dated 30/10/2001.</p> <p><i>[Signature]</i> Dy. Registrar 31/10/2001</p> <p>Steps has been taken.</p> <p>Notice prepared and sent to D/S for issuing the Beskow-ment No 1 to 3 by Regd A/D.</p> <p><i>[Signature]</i> 21/11/07</p> <p>D/S 4172 W 4174</p> <p>Dtd. 21/11/07</p> <p>① Service report are still awaited.</p> <p><i>[Signature]</i> 21.12.01</p>	<p>1.11.2001</p> <p>bb</p> <p>22.11.01</p> <p>bb</p> <p>24.12.01</p> <p>mb</p>	<p>None appears for the applicant and Mr.A.K.Choudhury, learned Addl.C.G.S.C appears for the respondents.</p> <p>Issue notice of motion, returnable by three weeks. List on 22.11.2001 for admission.</p> <p><i>[Signature]</i> Member</p> <p>List on 24.12.2001 for admission.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p> <p>The application is admitted. Call for the records.</p> <p>List on 25.1.02 for order.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>

xxxxx

25.1.02

List on 25.2.2002 to enable the respondents to file written statement.

IC Usha
Member

[Signature]
Vice-Chairman

mb

25.2.02

Heard Mr. U.Das, learned counsel for the applicant, Mr. A.K.Choudhury, learned Addl. C.G.S.C. for Respondent No.1 and also Mr. Barman, learned counsel for the Respondent No.2.

22.2.2002
W/s Submitted
by the Respondent No.2.

Respondent No.2 has filed the written statement. On the prayer of Mr. A.K.Choudhury, learned Addl. C.G.S.C. further four weeks time is allowed to file written statement.

List on 1.4.2002 for order.

[Signature]

2.5.2002

W/s Submitted
by the Respondent No.1.

IC Usha
Member

[Signature]
Vice-Chairman

mb

1.4.02

At the request of Mr. A.K.Choudhury, learned Addl. C.G.S.C. for the respondents further four weeks time is allowed to file written statement.

List on 1.5.2002 for order.

[Signature]

mb

1.5.02

No rejoinder has
been filed.

Written statement has been filed. The case may now be listed for hearing on 27.5.02. The applicant may file rejoinder if any, within 7 days.

24.5.02.

IC Usha
Member

[Signature]
Vice-Chairman

lm

27.5. - There is no rejoinder filed. The case is adjourned to 19.6.2002.

[Signature]
A.K.C.
27.5.02

Notes of the Registry	Date	Order of the Tribunal
<p><i>Judgment Communicated to the parties and the applicant.</i></p> <p><i>Dr</i> <i>25/6</i></p>	<p>17.6.2002</p> <p>nk m</p>	<p>Heard the learned counsel for the parties. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is allowed. No order as to costs.</p> <p><i>K. K. Sharma</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>

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Notes of the Registry	Date	Order of the Tribunal
<p>1. The first of the two...</p> <p>2. The second of the two...</p> <p>3. The third of the two...</p> <p>4. The fourth of the two...</p>	<p>1. 1911...</p> <p>2. 1912...</p> <p>3. 1913...</p> <p>4. 1914...</p>	<p>1. 1911...</p> <p>2. 1912...</p> <p>3. 1913...</p> <p>4. 1914...</p>
<p>5. The fifth of the two...</p> <p>6. The sixth of the two...</p> <p>7. The seventh of the two...</p> <p>8. The eighth of the two...</p>	<p>5. 1915...</p> <p>6. 1916...</p> <p>7. 1917...</p> <p>8. 1918...</p>	<p>5. 1915...</p> <p>6. 1916...</p> <p>7. 1917...</p> <p>8. 1918...</p>
<p>9. The ninth of the two...</p> <p>10. The tenth of the two...</p> <p>11. The eleventh of the two...</p> <p>12. The twelfth of the two...</p>	<p>9. 1919...</p> <p>10. 1920...</p> <p>11. 1921...</p> <p>12. 1922...</p>	<p>9. 1919...</p> <p>10. 1920...</p> <p>11. 1921...</p> <p>12. 1922...</p>
<p>13. The thirteenth of the two...</p> <p>14. The fourteenth of the two...</p> <p>15. The fifteenth of the two...</p> <p>16. The sixteenth of the two...</p>	<p>13. 1923...</p> <p>14. 1924...</p> <p>15. 1925...</p> <p>16. 1926...</p>	<p>13. 1923...</p> <p>14. 1924...</p> <p>15. 1925...</p> <p>16. 1926...</p>
<p>17. The seventeenth of the two...</p> <p>18. The eighteenth of the two...</p> <p>19. The nineteenth of the two...</p> <p>20. The twentieth of the two...</p>	<p>17. 1927...</p> <p>18. 1928...</p> <p>19. 1929...</p> <p>20. 1930...</p>	<p>17. 1927...</p> <p>18. 1928...</p> <p>19. 1929...</p> <p>20. 1930...</p>
<p>21. The twenty-first of the two...</p> <p>22. The twenty-second of the two...</p> <p>23. The twenty-third of the two...</p> <p>24. The twenty-fourth of the two...</p>	<p>21. 1931...</p> <p>22. 1932...</p> <p>23. 1933...</p> <p>24. 1934...</p>	<p>21. 1931...</p> <p>22. 1932...</p> <p>23. 1933...</p> <p>24. 1934...</p>
<p>25. The twenty-fifth of the two...</p> <p>26. The twenty-sixth of the two...</p> <p>27. The twenty-seventh of the two...</p> <p>28. The twenty-eighth of the two...</p>	<p>25. 1935...</p> <p>26. 1936...</p> <p>27. 1937...</p> <p>28. 1938...</p>	<p>25. 1935...</p> <p>26. 1936...</p> <p>27. 1937...</p> <p>28. 1938...</p>
<p>29. The twenty-ninth of the two...</p> <p>30. The thirtieth of the two...</p> <p>31. The thirty-first of the two...</p> <p>32. The thirty-second of the two...</p>	<p>29. 1939...</p> <p>30. 1940...</p> <p>31. 1941...</p> <p>32. 1942...</p>	<p>29. 1939...</p> <p>30. 1940...</p> <p>31. 1941...</p> <p>32. 1942...</p>
<p>33. The thirty-third of the two...</p> <p>34. The thirty-fourth of the two...</p> <p>35. The thirty-fifth of the two...</p> <p>36. The thirty-sixth of the two...</p>	<p>33. 1943...</p> <p>34. 1944...</p> <p>35. 1945...</p> <p>36. 1946...</p>	<p>33. 1943...</p> <p>34. 1944...</p> <p>35. 1945...</p> <p>36. 1946...</p>

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 434 of 2001
And

Original Application No.478 of 2001

Date of Decision.....17.6.2002

Shri R.K. Deori (O.A.No.434/2001)

Shri S.J. Jongsam (O.A.No.478/2001)

-----Petitioner(S)

Mr R.P. Sarma, Mr B. Chakraborty and
Mr K. Das

-----Advocate for the
Petitioner(s)

Versus-

The Union of India and others

-----Respondent(s)

Mr A.K. Chaudhuri, Addl. C.G.S.C. and
Mr B.C. Pathak, Addl. C.G.S.C.

-----Advocate for the
Respondent(s)

THE HON'BLE MR JUSTICE D.N. CHOWDHURY, VICE-CHAIRMAN

THE HON'BLE MR K.K. SHARMA, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble : Vice-Chairman

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.434 of 2001

And

Original Application No.478 of 2001

Date of decision : This the 17th day of June 2002

The Hon'ble Mr Justice D.N. Chowdhury, Vice-Chairman

The Hon'ble Mr K.K. Sharma, Administrative Member

I. O.A.No.434/2001

Shri R.K. Deori, I.F.S.
Divisional Forest Officer,
Nampoong Forest Division,
Jairampur, District- Changlang,
Arunachal Pradesh.

II. O.A.No.478/2001

Shri S.J. Jongsam, I.F.S.
Deputy Conservator of Forests (IND),
O/o the Principal Chief Conservator of Forests,
Arunachal Pradesh, Itanagar.

.....Applicants

By Advocates Mr R.P. Sarma,
Mr B. Chakraborty and Mr K. Das.

- versus -

1. The Union of India, through the
Secretary, Ministry of Forest & Environment,
Government of India,
New Delhi.
2. The State of Arunachal Pradesh,
Through the Secretary, Forest & Environment,
Government of India,
Itanagar, Arunachal Pradesh.
3. The Union Public Service Commission,
Through its Secretary,
Dholpur House, Shahjahan Road,
New Delhi.

.....Respondents

By Advocates Mr A.K. Chaudhuri, Addl. C.G.S.C. and
Mr B.C. Pathak, Addl. C.G.S.C.

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O R D E R (ORAL)

CHOWDHURY.J. (V.C.)

The sole controversy raised in these two O.A.s are related to assignment of the year of allotment.

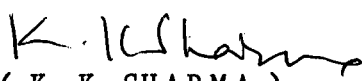
2. Both the applicants were officers of the State Forest Service of Arunachal Pradesh. On the basis of a selection made, the two applicants were appointed to the Indian Forest Service (IFS for short) in terms of Sub-rule (1) of Rule 8 of the IFS (Recruitment) Rules, 1966 read with Sub-regulation (1) of Regulation 9 of the IFS (Appointment by Promotion) Regulations, 1966 vide order F.No.32012/1/93-IFS-I dated 26.9.1996. The two applicants accordingly were appointed to the IFS of Arunachal Pradesh, Mizoram and Union Territories (AGMUT for short) Cadre in the Arunachal Pradesh segment. By order dated 26/29.6.2000 the two applicants alongwith others were also assigned 1992 as the year of allotment. The applicants submitted their representations before the authority indicating their grievances. The applicants contended that the last selection made was held in the year 1987 and after a lull of nine years the Select List was prepared in the year 1996 appointing four persons in the Arunachal Pradesh segment. The applicants contended that had the Select List been prepared in conformity with the IFS (Appointment by Promotion) Regulations, 1966 they would have been appointed in the IFS earlier and consequently, they would have been assigned higher year of allotment than the year 1992 and thus they would have been assigned higher position. To mitigate the hardship caused to the officers due to the delays in holding the Cadre Reviews and holding of Selection Committee meetings the applicants represented to the authority, which was not responded to. Hence these applications.

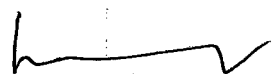
3. Mr B. Chakraborty, the learned counsel for the applicants referred to the decision of the Government of India dated 27.2.1997 pertaining to the Jammu and Kashmir Cadre Officers, where the

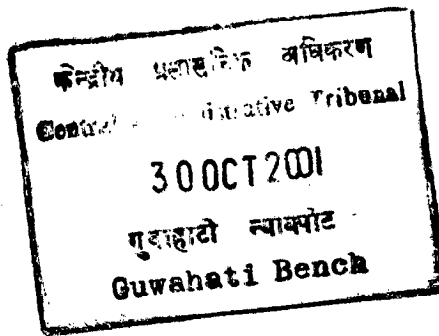
respondent authority considered the case of the Jammu and Kashmir Cadre officers in the light of Rule 3 of the All India Service (Conditions of Service - Residuary Matters) Rules, 1960. The applicants also referred to the decision rendered by the Tribunal in the case of Ramson Modi, IFS, an officer who was also appointed to the Indian Forest Service alongwith these two applicants, in O.A.No.266 of 2000 disposed of on 1.1.2002.

4. We have heard Mr B. Chakraborty, learned counsel for the applicants and also Mr A.K. Choudhury, learned Addl. C.G.S.C. as well as Mr B.C. Pathak, learned Addl. C.G.S.C. appearing on behalf of the respondents in both the cases, at length. Considering the facts and circumstances of the case we are of the view that the applicants had made out a case for consideration by the appropriate authority in terms of Rule 3 of the 1960 Rules in the light of the decision rendered by this Tribunal. Considering the facts and circumstances of the case we feel that ends of justice would be met if a direction is made to the applicants to submit fresh representations before the respondents ventilating their grievances within a month from today. If such representations are made the authority shall consider the case of the applicants in the light of the decision of this Tribunal in the case of Ramson Modi (Supra) as well as the decision rendered by the Government of India in the case of the officers of Jammu and Kashmir dated 27.2.1997 by taking aid of Rule 3 of the All India Services (Conditions of Service - Residuary Matters) Rules, 1960. If such representations are made by the applicants, the respondent authority shall consider the same as per law as early as possible, preferably within two months from the date of receipt of the representations.

5. The applications are accordingly allowed. There shall, however, be no order as to costs.


(K. K. SHARMA)
ADMINISTRATIVE MEMBER


(D. N. CHOWDHURY)
VICE-CHAIRMAN



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

Guwahati Bench.

O.A No. 434 of 2001

Between

Sri R.K. Deori, IFS Applicant

-And-

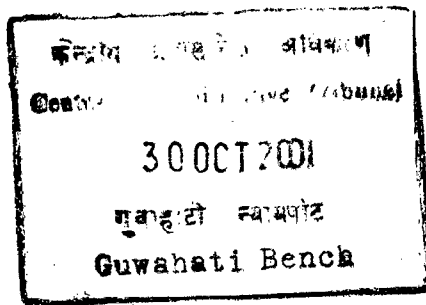
Union of India & Ors. Respondents.

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Filed By :

B. Chatterjee -
Advocate.



Filed by the applicant
11
Through
Bipin Chakravarty
Administrative
30/10/2001

DISTRICT-PAPUM-PARE.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL.

Guwahati Bench.

(An application under Section 19 of the Administrative Tribunal Act, 1985.)

For use in Tribunal's Office

Signature Date

O.A. No. - 434 /2001

Between

Sri R.K.Deori, I.F.S.

Divisional Forest officer, Nampoong Forest Division,
Jairampur, district-Changlang, A.P.

.....Applicant.

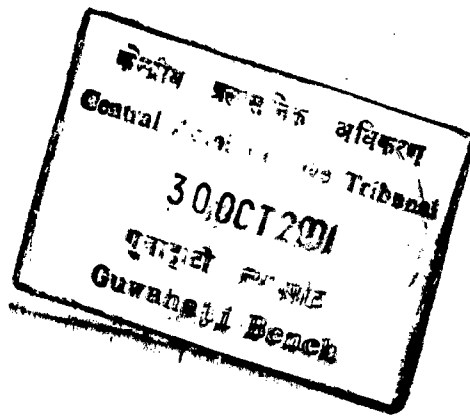
And

1. Union of India,

Through the Secretary. Ministry of Forest &
Environment, Govt. of India, Pariyavaran Bhavan,
CGO Complex, Lodhi Road, New Delhi-110003.

2. State of Arunachal Pradesh,

.....Contd.



-2-

Through the Secretary, Forest & Environment, Govt. of
Arunachal Pradesh, Itanagar.

3. The Union Public Service Commission, Dholpur
House, Shahjahan Road, New Delhi-110001, (through
its Secretary).

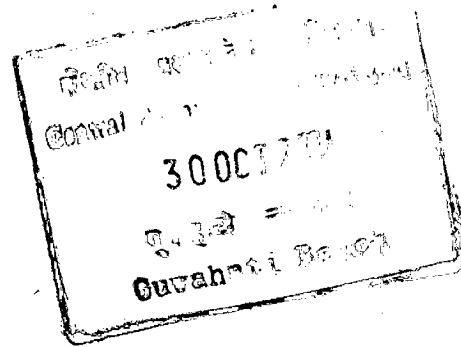
Respondents.

1. Particulars of order(s) against which the application is made :

- i) The Applicant assailed the action of the Respondents in not promoting the applicant to the I.F.S. cadre in the year 1988 with the year of allotment from 1984 when the applicant was fit and eligible and when the posts were available but instead the applicant was promoted on 26.9.96 with year of allotment as 1992 . The applicant also assailed the action of the Respondents in causing delay in reviewing the cadre and holding meeting of the selection committee which has thereby delayed the scope of promotion to the posts IFS and getting allotment of year. The applicant further assailed the inaction of the Respondents in taking appropriate action in pursuance to the various representations so filed by the applicant, the latest being submitted duly on 30.7.2001.
- ii) Order dated 29.6.2000 passed by the Govt. of India, Ministry of Forests & Environment by which the year of allotment and the seniority of the applicant vis-à-vis was fixed.

2. Jurisdiction of the Tribunal :-

.....Contd.



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The application declares that the subject matter of this application is within the jurisdiction of this Hon'ble Tribunal.

3. Limitation :

The applicant also declares that the present application is within the limitation period as has been prescribed under Section 21 of the Administrative Tribunal Act, 1985.

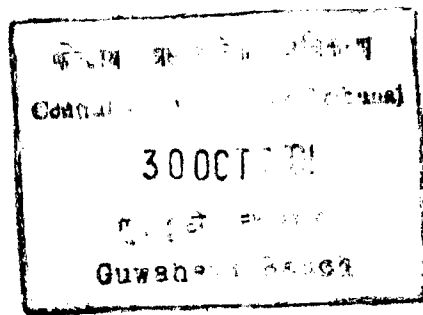
4. Facts of the case :-

1. That the applicant is a citizen of India belonging to the Schedule Tribe community of Arunachal Pradesh. The applicant is entitled to the rights and privileges as guaranteed under the Constitution and the relevant rules framed thereunder.

2. That following due procedure, the applicant was appointed as Assistant Conservator of Forests (ACF in short) after due selection and interview in the year 1978 issued by the Respondent No.2. Being so selected, the applicant also underwent two years training for Diploma Course in Forestry at the State Forest Services College, Byrnihat. Thereafter vide an order No. FOR-149/E-2/81/14195-245 dated 15.6.81, the applicant w.e.f 1.4.81 was regularised in the post of ACF. The service of the applicant was later on confirmed vide an order dated 22.1.87 w.e.f 1985.

The copy of the order of regularisation and the order of confirmation dated 15.6.81 and 22.1.87 are annexed herewith as ANNEXURE-A & B respectively.

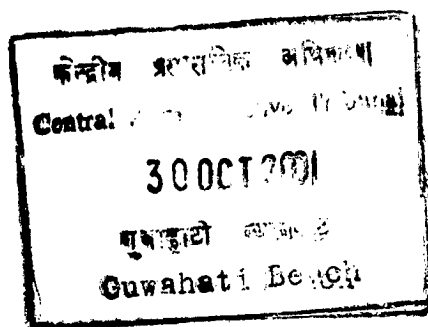
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3. That on 25.1.85 vide notification No. FOR180/E-2/84/2697-2772, the Govt. of A.P. published the final gradation list of ACF wherein the position of the applicant was fixed at serial No.17. the said list was later modified vide dated 30.7.93
4. That the humble applicant vide various orders was appointed in a senior State Cadre post as Divisional Forest Officer/DCF from 1985 to 1993 holding various division. Thereafter the applicant was appointed on officiating basis in a cadre post of IFS as Deputy Conservator of Forests in the year 1993. In all the cases the order of appointment on officiating basis was intimated to the Respondent No.1. The applicant on officiating basis, served as Divisional Forest Officer (DFO in short) Waste land & Development, Itanagar from 1993 to 1996.
The copy of such various orders of appointment on officiating basis as DCF/DFO are annexed herewith as ANNEXURE C Series.
5. That in the year 1986, the total cadre strength in the Senior Duty Post was 61 in the UT cadre and out of which the U.T. of A.P. was given 27 Senior Duty Posts of which though 11 posts were meant for share in promotional quota, in actual, they were given 13 posts. Similarly in the year 1987, the senior duty was 28, one having created by the Govt. of A.P., out of which the share of promotional posts should have been 14 and as such there were ready senior duty posts to appoint SFS officers in such posts by promotion.

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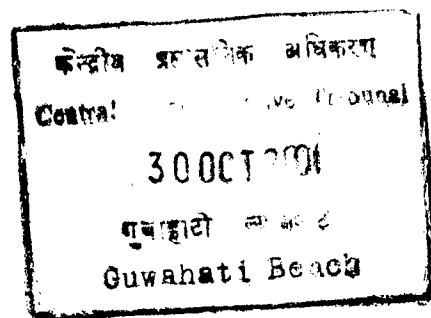
6. That as there was no cadre review from 1987 onwards, the number of duty posts remained the same and the state wise allotment also remained unchanged. The various year wise duty posts and the distribution/calculation which prevailed in the year 1986 and remained stagnant thereafter for the sake of brevity is detailed below:

Year	Total No. Senior duty post under the UT cadre	Post ought to have been allotted to SFS promotees At 33 1/2%
1986	61	29

The above number of posts remain stagnant till 1995 when the cadre strength was reviewed for the first time after 1986.

7. That it is stated that the calculation as described above for the number of posts has been arrived as per the decision given by the Hon'ble Central Administrative Tribunal, Calcutta Bench in O.A. No.994/1990 decided on 26/7/94 where in the Hon'ble Tribunal for uniformity of allocation of posts decided that service conditions of All India Service Officers are the same irrespective of the state cadre to which they belong. Hence there should be uniformity of criterion in all the states in determining the cadre strength as per IFS (Fixation of Cadre Strength) Regulations, 1964. The Hon'ble Tribunal while delivering the judgement, relied on the judgement and order passed by the Hon'ble CAT, Jabbalpur in TA 81/1986 (K.K. Goswami vs Union of India reported in 1987 (4) SLJ(CAT) 194 Jab). The said decision of the CAT, Jabbalpur Bench was assailed before the Hon'ble Supreme Court in SLP NO. 11025/1987 and vide order dated 18.4.88, the SLP was dismissed. The calculation as per Hon'ble Calcutta CAT Bench's judgement has been detailed below in the foregoing paragraphs.

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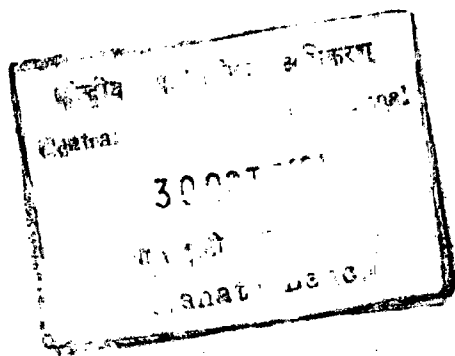
8. That earlier, while calculating promotion post, on the strength of Senior Duty posts were done as per the schedule as enumerated under the IFS (Fixation of Cadre Strength) Regulations, 1966 where in item no. 5 was never taken into consideration as per Recruitment Rule existed upto 21.2.89. But the Hon'ble Calcutta CAT judgement observed that while calculating posts for the promotee quota, the item No.5 (in the table below) also needs to be added in determining the number of posts to be allotted to the SFS officers under promotion quota. As such when the number of posts to be filled up by promotion in Union Territories as on 1.1.86 should have been 29 but it was shown as 24, i.e. short of 5 posts. The calculation as prescribed under the Regulations of Seniority Rules 1968 is shown in the table below:

Senior posts under the Union Territories

1. Total Senior Duty Posts:	61
2. Central deputation (20% of item 1 above)	12
3. Posts to be filled by promotion (33 1/2% of item No. 1, 2 & 5 together)	29
4. Direct Recruit posts (item No. 1 + 2)	49
5. Deputation Reserved (state) (25% of item No. 1 above)	15
6. Leave reserve, Jr. posts, training reserve (30% of item 1 above)	18

9. That describing the way as stated above, it can be seen that on 1.1.1987, the total promotee officers were 19 where as per the table above, the promotional posts should have been 29, i.e. 10 numbers of promotee posts were lying vacant under UT cadre of which the U.T. of A.P. is a constituent.

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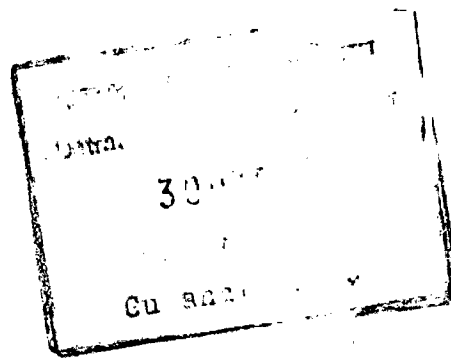
-7-

10. That the applicant begs to state that as earlier cadre strength was calculated sector wise taking the unit as a whole, the number of posts for promotees which were 24 in the year 1986, the U.T. of A.P. was allotted 11 promotee posts out of 24 and in practical, only 15 SFS officers were promoted from the state of A.P. This was done as the cadre was calculated unit wise as a whole. The applicant, as such, ought to have been promoted against the vacant promoted posts occurred under U.T. cadre in the year 1987, 1988, 1989 etc.
11. That as per the calculation explained above, in the year 1988, there existed 8 vacant posts for promotees in U.T. as the number of promotee officers were 21 only out of 29. The petitioner in the said year was within the zone of consideration being at serial No.4 out of 6 eligible SFS officers from the U.T. of A.P. and the rest 2 are from the constituents unit of U.T. The applicant thus could have very easily been promoted to IFS in the year 1988.
12. That just for the sake of argument without any admission, if the U.T. of A.P. then, is considered as a separate cadre, then the year wise duty posts and the promotee posts would have been from 1987 onwards in the following manner respectively:-

Year	Total No. of Sr. duty posts	posts for promotees
1.1.87	28	14
1.1.88	30	15
1.1.89	34	17

Thus when the number of Senior Duty posts was 34 in the year 1989 with the creation of 8 posts by the Govt. of A.P., the Central Govt. took the number of

.....Contd.



-8-

senior duty posts to be 34 in the year 1995 only. If the cadre review have been done time to time yearly and the meeting of the selection committee were held annually as prescribed, there would have been enough vacancy to accommodate the applicant in the IFS in the year 1988 itself. This would have been possible as there was 8 posts under U.T. cadre of which 7 posts gone to U.T. of A.P.

Be it stated here that the Govt. in between 1986 to 1995 created 8 Senior Duty posts and the same was intimated to the Respondent No.1 vide official letter dated 11.8.98.

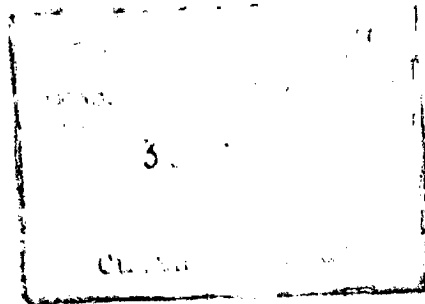
A copy of the said official letter dated 11.8.98 is annexed herewith as ANNEXURE-D.

13. That it is stated that the state of A.P. is a constituent of the Joint Cadre Authority in matters of notional allocation of the promotion quota for the then U.T. constituents units as framed by the Ministry of Environment and Forest, Govt. of India which is the controlling authority. The Govt. of India accordingly vide official letter dated 25.1.95 sought concurrence from the constituents units for approval for distribution of notional allocation for promotion to the post of IFS..

A copy of the letter dated 25.1.95 is annexed herewith as ANNEXURE- E .

14. That the seniority posts of the state of A.P. then U.T., which was earlier 27 in number, vide a notification issued by the Govt. of India was raised to 34 which includes 8 posts created by the State Govt. in DCF rank of which 6 were Deputy Conservator of Forests and 2 were of Conservator of Forests.

.....Contd.



-9-

A copy of the said notification dated 26.10.95 is annexed herewith as ANNEXURE F.

15. That finally vide a ~~Order~~ dated 26.9.96 issued by the Respondent No.1 exercising power under Rule 8(1) of the IFS (Recruitment) Rules, 1966 read with Rule 9(1) of the IFS (Appointment by Promotion) Regulation, 1966, the applicant was appointed to the IFS with immediate effect and his seniority was fixed at serial No.3 in the cadre of IFS.

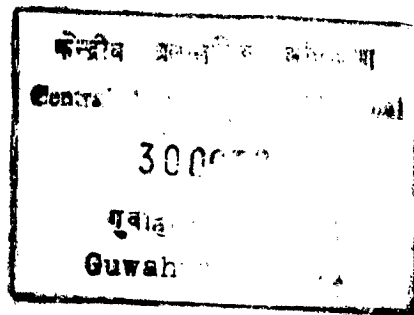
A copy of the said ~~order~~ dated 26.9.96 is annexed herewith as ANNEXURE-G.

16. That being aggrieved, the applicant submitted representation on 7.10.99 making a prayer therein to appoint him to the IFS cadre with year of allotment as 1984 when he became eligible for he having joined ACF in the year 1978.

A copy of such representation dated 7.10.99 is annexed herewith as ANNEXURE H.

17. That finally vide an order dated 29.6.2000 issued by the Respondent No.1, the applicant's year of allotment in the IFS was shown to be from 1992. The applicant, accordingly on 31.8.2000 submitted another representation addressing the concerned authority of the Govt. of India. This representation was followed by another on 9.8.2001 and on both the occasions, the representations were duly forwarded by the Govt. of A.P.

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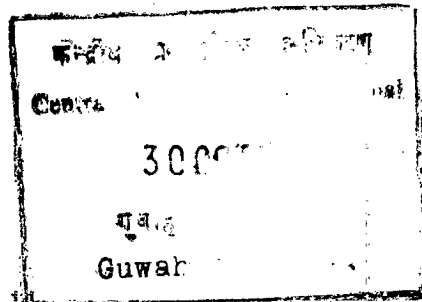


-10-

A copy of the said order dated 26/29.6.2000 and the representation dated 31.8.2000 and 9.8.2001 are annexed herewith as ANNEXURE I, J & J-1 respectively.

18. That the applicant begs to state that having appointed in a substantive and sanctioned posts which is very much evident from the allotted cadre strength for promotion quota, the unnecessary and unexplained delay caused in cadre reviewing and holding meeting of the selection committee upon wrong calculation of promotion posts has deprived the petitioner to get promoted to IFS from 1988 when same became due and when posts were readily available. The applicant ought to have been promoted from 1988 with year of allotment as 1984 when he was fit and suitable for the appointment to IFS.
19. That the applicant humbly begs to state that had the applicant been promoted to the post of IFS with year of allotment as 1984 when same became due, the petitioner would have been promoted by now, to a higher scale of pay. The applicant instead of getting the higher pay scale is being given lower pay scale and as such the pay scale has remain stagnant for the last few years.
20. That it is stated that the relevant service conditions relating to promotion, appointment, selection etc. in matters of IFS cadre in the present case, are governed by the following rules, namely- 1. The IFS(Recruitment) Rules, 1966. Rule 4 speaks about method of recruitment and Rule 4(b) provides for promotion from substantive members from State Forests Services. Rule 8 provides

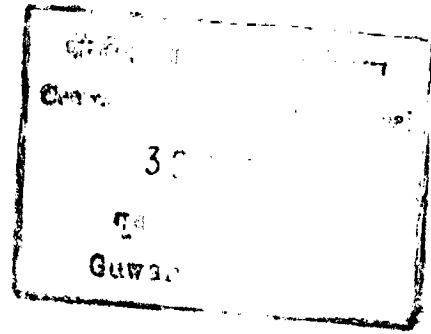
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promotion from SFS cadre and also laid down that the number of person to be recruited.

2. **The IFS (Appointment by Promotion) Rules, 1966:** Rule 5 prescribes that every year list of eligible candidates who have completed 8 years of service has to be prepared which in case should include number of eligible candidates as 3 times the vacancy. The said rule also speaks about that the list has to be review every year and if there is any adverse entry same has to be communicated to the Central Govt. Rule 8 of the said Rule provides for the State Govt. to appoint person of SFS cadre to appoint in cadre posts.
3. **Rule 2 (g) of the IFS (Regulation of Seniority) Rules, 1968** defines a senior post as a post included and specified under item 1 of the Cadre of each state in the schedule to the IFS (Fixation of Cadre Strength) Regulations, 1966 and includes post included in the number of posts specified in item 2 and 5 of the said cadre when hold 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. The said calculation is also needs to be read along with the judgement and order so passed in O.A. No. 994/1990 as passed by the Hon'ble CAT, Calcutta Bench.
4. **Rule 4(2) of the IFS (Cadre) Rules, 1966** prescribes that that there should be timely review of cadre every 3 years.
5. **Rule 8 (3) of the IFS (Recruitment) Rules, 1966** emphasise that Central Govt. may make appointment of persons from the SFS and when a vacancy occurs in a joint cadre which has to be filled up according to the provisions of this rule, vacancy shall, subject to the agreement in this

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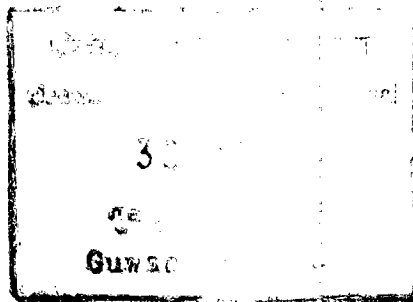


-12-

behalf be filled by member of SFS of any one of the constituent state of the group.

21. That the applicant humbly states that the action of the Respondents in not promoting the applicant to the IFS cadre when posts were readily available and when same became due has been done in most arbitrary and malafide manner exercising power colourably. The promotion ought to have been done by reviewing the cadre and holding meeting of the Selection Committee in time and in the instant case there was no cadre reviewing since 1986 and no meeting of the Selection Committee was held since 1987. The Respondents ought to have encadred the Senior Duty posts so created in the year 1986, 1987, 1988 and 1989, but the same was done only in the year 1995 causing immense hardships and loss in service benefits to the applicant.
22. That the applicant officiated in IFS cadre posts on w.e.f. 1993 to 1996 in senior time scale which was within the knowledge of the Respondents. The applicant is entitled to be promoted earlier to IFS as per Explanation to the IFS (Regulation of Seniority) Rules, 1968 and entitled for the benefit of officiating period also.
23. That the applicant begs to state that the applicant for a period from 16.9.93 onwards has performed job on being appointed as DFO respectively at various locations with satisfaction till 26.9.96. The applicant had also underwent various courses/training at various institutes.

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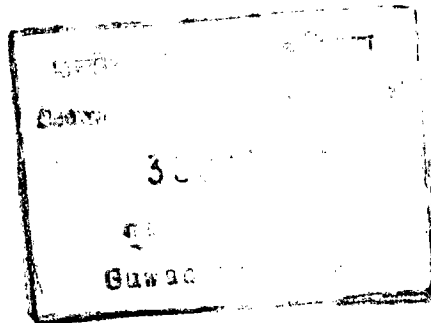
24. That the applicant begs to state that the Govt. of India issued a circular for holding DPC laying down the guidelines to be followed therein. The Respondents in the following case has overlooked such guidelines for which the applicant was made to suffer.

25. That the applicant further begs to state that when it being the admitted position that the applicant was eligible for promotion to IFS in the year 1988 after completing 8 years of service. It is also the admitted position that there was no cadre review since 1986 and the selection committee did not held its meeting since December, 1986 as enshrined under the rules and guidelines. As a result of such unreasonable and unjust act, no SFS officers from the state could be promoted when posts were available at 33 1/3 % which has also left the quota under utilised and caused hardships to the applicant. The Respondent No.1 in a similar circumstances admitting the hardships caused to the SFS cadre from the state of J & K and has allotted year retrospectively when same was due by issuing a notification dated 28.2.97. The applicant being similarly situated deserves similar treatment.

The copy of the notification dated 28.2.97 is annexed herewith as ANNEXURE-K.

26. That it is stated that the selection committee which ought to have met every year for preparing a list panel as per rules framed under IFS (Appointment by Promotion) Rules, 1966, but the meeting of the selection committee has held on 1995 after a gap of 8 years clubbing all the unfilled vacancies and promoted 20

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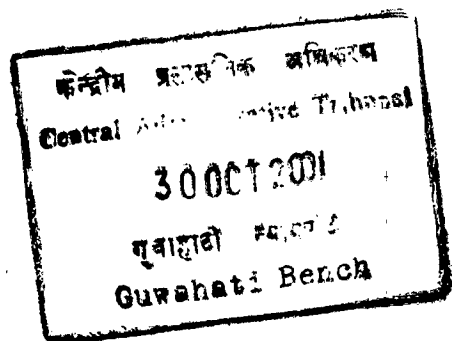
SFS officers. Had the meeting been held regularly, the service of the applicant would have been promoted to IFS in the year 1988 when posts were readily available and when the same became due to the applicant.

27. That being highly aggrieved by the arbitrary and malafide act on the part of the Respondents in not promoting the applicant to the IFS cadre in the year 1988 with year of allotment as 1984, the applicant has approached this Hon'ble tribunal with a prayer to refix his year of allotment as 1984 by quashing and setting aside and/or modifying the order of appointment to IFS dated 26.9.96 along with the year of allotment order dated 29.6.2000 to the extent fixing his year of allotment as 1984 and restoring his pay and seniority retrospectively as done in the case of SFS of the state of Jammu & Kashmir. The applicant being similarly situated deserve same treatment.

5. Grounds for present application.

- a. For that the Respondents never took steps in holding meeting for cadre review as well as for preparation of lists for promoting SFS officer since 1987 and clubbed the vacancies which is contrary to the rules and did not appoint IFS officer from the promotee quota in the year 1986, 1987 and 1988 for which the applicant was denied for promotion to IFS cadre.
- b. For that from the entire sequence of events as stated above it is apparent that the Respondents have caused unreasonably delay in holding the meeting of the Selection Committee since 1987 and in reviewing the cadre. The entire action was exercised malafidely and arbitrarily for which the case of promotion of the

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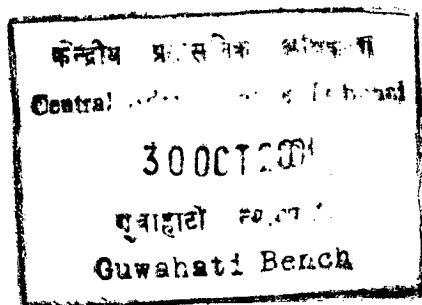


-15-

applicant to the IFS was further delayed and the year was reckoned as 1996 instead of 1984. As by getting promotion to IFS cadre, one is entitled to have better service benefits.

- c. For as per Explanation 1 of the IFS (Regulation of Seniority) Rules, 1968 ever since the first select list prepared by the Selection Committee constituted under Regulation 3 of the IFS (Appointment by Promotion) Rules, 1966, the period of continuous officiation in senior post declared has to be counted. Since the applicant was officiating in a senior posts from 1993 to 1996 and having appointed as ACF in the year 1978, hence his due date of promotion to IFS would be in the year 1988.
- d. For that it being apparent that the Respondents committed error and were biased in calculating the posts for SFS officers when the posts were readily available and the applicant ought to have been promoted to IFS in the year 1988 with year of allotment as 1984 and for such irregularity, the applicant was deprived of service benefit and seniority and his service remain stagnant for years.
- e. For that the Respondents have regularly recruited 43 IFS officer during 1985-95, whereas as per IFS (Appointment by Promotion) Regulation, 1966, out of 43 seats, at 33 1/3% and following the Hon'ble Calcutta CAT's judgement, 21 SFS officers ought to have been promoted.
- f. For that the action of the Respondents in the instant case besides being arbitrary, illegal, malafide and biased is also violative of Article 16, 19 and 21 of the Constitution of India as because of delay the applicant was deprived of better service benefits to which he is legally entitled.

.....Contd.



-16-

- g. For that the action of the Respondents in the instant case is patently mala fide and punitive based on irrelevant and extraneous consideration. The order dated 26.9.96 and 26/29.6.2000 thus needs to be modified by asking the Respondents to allot year of allotment as 1984 when it felt due to the applicant and when posts were readily available and he was within zone of consideration.
- h. For that the impugned action besides being arbitrary, illegal and mala fide is also liable to be condemned and set aside as same has been done whimsically, capriciously and under colorable exercise of power.
- i. For that the order so assailed and the entire exercise of power has been performed in violation of the principle of natural justice and administrative fair play. The orders as such is liable to be quashed and set aside.
- j. For that in any view of the matter the impugned action is bad in law as well as in fact and as such the same is liable to be quashed and set aside.

6. **Details of Remedies exhausted :-**

The applicant declares that he has no other alternative remedy other than to approach this Hon'ble Tribunal for getting redressal.

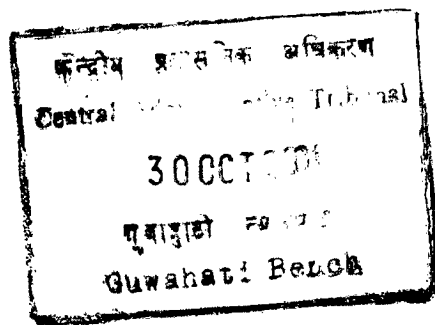
7. **Whether Any Appeal or Suit is Pending In any Court With Regard To The Subject Matter In Agitation:**

That the applicant further declares that there is no suits, application or writ petition pending before any court or tribunal with regards to the matter as agitated in this petition.

8. **Details of Relief Sought for:-**

Under the facts and circumstances stated above, the applicant humbly prays that this Hon'ble Tribunal may be pleased to admit this application, call for the

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records and after hearing the parties may be pleased to pass an order directing the Respondents to promote the applicant to IFS with retrospective benefit from the year 1988 with year of allotment as 1984 restoring his seniority with all retrospective service benefits by setting aside and/or modifying the order/communication dated 26/9.96 (Annexure-G) and 26/29.6.2000 (Annexure-I) and/or pass such order/orders to which the applicant is entitled as per law and equity including the cost of the proceedings.

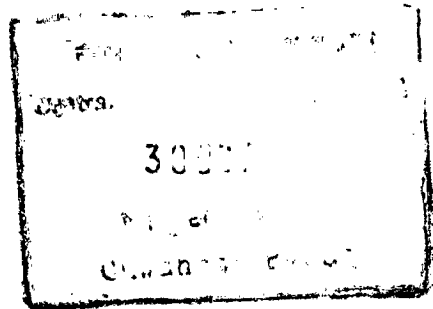
9. Interim reliefs if any :-

Under the present facts and circumstances, the applicant reserves his right to press for interim order when situation arise and if there is necessity for the same.

10. Particulars of I.P.O :

I.P.O. No.64788964 dated 30/10/2001 for Rs. 50.00 (Rupees Fifty only) is enclosed.

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VERIFICATION

I, Sri R.K. Deori, s/o Sri K.R. Deori presently working as Divisional Forests Officer, Nampoong Forest Division Jairampur, district-Changlang A.P. and as applicant in the instant application do hereby verify that the statements made in this instant application from paragraphs 1, 2, 3, 4 (1, 3, 5 to 12, 16, 18 to 24, 26, 27) are true to my knowledge and belief and those in paragraphs 4 (2, 4, 13, 14, 15, 17 & 25) are being matters of information derived from records which I believe to be true and the rest are my humble submission before this Hon,ble Tribunal.

I sign this verification on this 29th day of October, 2001 at Guwahati.

Rama Kant Deori

Signature.

2001

- 19 -

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE SECRETARY (FORESTS)
ITANAGAR-791111

Annex - 29 A

NO FOR.149/E-2/81:-

O R D E R

On their successful completion of 2(two) years training in the Diploma Course (1978-80) in the State Forest Service College-Cum-Research Centre, Burnihat, Meghalaya, the Lt. Governor, Arunachal Pradesh is pleased to appoint the following persons temporarily as Asstt. Conservator of Forests in the S.I. Cadre of Arunachal Pradesh Forest Department, in the scale of Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200/- p.m. plus other allowances as admissible under rules in force from time to time, with effect from the date(s) shown against each:-

Sl. No.	Name of Officer	Date of Appointment	Place of Posting	Authority.
1.	Shri S.J. Jongsam	1-4-81 (AN)	Along Forest Divn. with Hqrs. at Along.	Against the post of ACF created vide Govt's order issued under Memo No. FOR.195/D-5/80/86816-55, dt. 31-10-80.
2.	Shri R.K. Deori	1-4-81 (RN)	Banderdewa Forest Divn. with Hqrs. at Banderdewa.	Against the post of ACF created vide Govt. Order issued under Memo No. FOR.195/D-5/80/26856-65 dt. 31-10-80.

2. They will undergo practical training for one year in forestry work under the supervision of the DFOs/CFs. During the training period they will have to pass the prescribed Departmental Examination.

Sd/- E.S. Thangam
Secretary (Forests),
Govt. of Arunachal Pradesh,
Itanagar.

Memo No. FOR.149/E-2/81/14,195-245 /Dated Itanagar,
The 15th June/81

Copy to:-

1. The Addl. Accountant General (Central & A.P.) Shillong.
2. The DIPR, Arunachal Pradesh, Shillong for publication of the order in the next issue of the Gazette.
3. All CFs (including C.W.L.W.), A.P.
4. All DCs, A.P. for information.
5. All DFOs, A.P. for their information.
6. The Officer Concerned.
7. The Accounts/Audit/Dev./Statistical Br. of this office.
8. 5 spare copies.

Sd/- E.S. Thangam
(E.S. THANGAM)
Secretary (Forests),
Govt. of Arunachal Pradesh,
Itanagar.

gbd

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE SECRETARY (FORESTS)
ITANAGAR

NO.FOR.60/E-2(A)/85/pt-I/ : ORDER :

The following officers of Arunachal Pradesh Forest Department are confirmed in the post of Assistant Conservator of Forests w.e.from the date noted against each.

Sl No.	Name of officer	Date from which confirmed.	Authority.
1	2	3	4
1.	Shri S.J. Jongsom.	1.1.85	Against one of the 10 posts converted into permanent one vide order NO.FOR.274/E-2/82/1304-44 dt. 25.1.83.
✓2.	Shri R.K.Deori	1.1.85	-do-
3.	Shri M.K.Palit	1.1.85	-do-
4.	Shri SiThirunavakarasu	1.1.85	-do-

Sd/-S.B. Roy,
Secretary (Forests),
Arunachal Pradesh,
Itanagar

Memo.NO.FOR.60/E-2(A)/85/pt-I/ 2717-97 Dated.Itanagar, the 22nd Jan/87.

Copy to :-

1. The Accountant General (Accounts), Meghalaya, Mizoram & Arunachal Pradesh, Shillong.
2. The Joint Secretary (Pol), Govt.of Arunachal Pradesh.
3. The DIPR, A.P. Naharlagun for publication of the order in the next issue of the Gazette.
4. All Conservator of Forests, Arunachal Pradesh.
5. The Chief Wildlife Warden, Arunachal Pradesh.
6. All Divisional Forest Officers/ACFs incharge of Dins. Ap
7. The Officers Concerned.
8. The confidential branch of this office.
9. File NO.FOR.60/E(A)-2/85.
10. Personal file of the officers concerned.
11. 20 spare copies.

Secretary (Forests),
Arunachal Pradesh,
Itanagar.

Verified to be true copy

Advocate

- 21 -

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

Amex- C-Series

31

O R D E R

The Governor of Arunachal Pradesh is pleased to appoint the following SFS officers of the Department of Environment & Forests, Arunachal Pradesh to officiate on purely temporary basis as Dy. Conservator of Forests against the cadre post of IFS allotted to Arunachal Pradesh in the scale of pay of Rs. 3000-100-3500 ... ~~3000~~ 125-4500/- p.m plus other allowances as admissible under rules from time to time for the following periods w.e. from the dates noted against each or until further orders whichever is earlier.

Sl. No.	Name of officers	Period of officiating
1.	Shri R. Modi, DCF (SFS)	w.e.f. 11.6.96 to 10.9.96
2.	Shri S.J. Jongsam, DCF (SFS)	w.e.f. 27.6.96 to 26.9.96
✓ 3.	Shri R.K. Deori, DCF (SFS)	w.e.f. 27.6.96 to 26.9.96

Sd/- G.P. Shukla,
Secretary (Env. & Forests)
Arunachal Pradesh:: Itanagar.

Memo. No. For. 410/E-2/81/ 21340 - 420. Dtd. Itanagar, the 10th July/96.

Copy to :-

1. The Secretary to Hon'ble Governor, A.P. Itanagar.
2. The P.P.S to Hon'ble Chief Minister, A.P. Itanagar.
3. The P.S. to Hon'ble Minister (E&F), A.P. Itanagar.
4. The P.S. to Hon'ble Dy. Minister (E&F), A.P. Itanagar.
5. The P.S. to all Ministers/Speaker/Dy. Speaker of A.P. Itanagar/Naharlagun.
6. The Dy. Secretary to the Govt. of India, Ministry of Env. and Forests, Deptt. of Env. & Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi.
7. The P.S. to Chief Secretary, A.P. Itanagar.
8. The Commissioner (P&AR), A.P. Itanagar.
9. All Dy. Commissioners/Addl. Dy. Commissioners, A.P.
10. The Chief Conservator of Forests, Wildlife, Itanagar.
11. All Conservator of Forests, A.P.
12. The Managing Director, APFC Ltd., Itanagar for information.
13. All Divisional Forest Officers, A.P. including Dy. Chief Wildlife Warden, Naharlagun.
14. The Director of Information & Public Relations, Govt. of A.P. NAHARLAGUN with the request to publish in the official Gazette accordingly.
15. The Director of Accounts, Govt. of A.P. Naharlagun.
16. The Principal, A.P. Forest School, Boing.
17. The Ex-officio Director, SFRI, Chimpu.
- ✓ 18. The officers concerned for necessary action.
19. All branches of this office.
20. Personal file of officers concerned.
21. Ten spare copies.

(Signature)

(S.S. PATNAIK) CCF (P&D)
for Secretary (Env. & Forests)
Arunachal Pradesh:: Itanagar.

Memo. No. 2200/5/92/

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32

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

O R D E R

The Governor of Arunachal Pradesh is pleased to appoint the following SFS officers of the Department of Environment & Forests, Arunachal Pradesh to officiate on purely temporary basis as Dy. Conservator of Forests against the cadre post of IPS allotted to Arunachal Pradesh in the scale of pay of Rs. 3000-100-3500-125-4500/- P.M plus other allowances as admissible under rules from time to time for the following periods w.e. from the dates noted against each or until further orders whichever is earlier.

Sl. No.	Name of Officers	Period of officiating
1.	Shri R. Modi, DCF(SFS)	w.e.f. 10.3.96 to 9.6.96
2.	Shri S.J. Jongsam, DCF(SFS)	w.e.f. 26.3.96 to 25.6.96.
✓ 3.	Shri R.K. Deori, DCF(SFS)	w.e.f. 26.3.96 to 25..6.96.

Sd/- G.P. Shukla,
Secretary (Env. & Forests)
Arunachal Pradesh: Itanagar.

Memo.No.For.410/E-2/81/17 461 - 561 Dtd. Itanagar,
Copy to :- the 31/5/96.

1. The Secretary to Hon'ble Governor, A.P. Itanagar.
2. The P.P.S to Hon'ble Chief Minister, A.P. Itanagar.
3. The P.S to Hon'ble Minister (E&F), A.P. Itanagar.
4. The P.S to Hon'ble Dy. Minister (E&F), A.P. Itanagar.
5. The P.S to all Ministers/Speaker/Dy. Speaker of A.P. Itanagar/Naharlagun.
6. The Dy. Secretary to the Govt. of India, Ministry of Env. & Forests, Deptt. of Env. & Forests, Pary. Vihar Bhawan, CGO Complex, Lodi Road, New Delhi.
7. The P.S to Chief Secretary, A.P. Itanagar.
8. The Commissioner(P&AR), A.P. Itanagar.
9. All Dy. Commissioners/Addl. Dy. Commissioners, A.P.
10. The Chief Conservator of Forests, Wildlife, Itanagar.
11. All Conservator of Forests, A.P.
12. The Managing Director, APFC Ltd., Itanagar for information.
13. All Divisional Forest Officers, A.P. including Dy. Chief Wildlife Warden, Naharlagun.
14. The Director of Information & Public Relation, Govt. of A.P. Naharlagun with the request to publish in the official Gazette accordingly.
15. The Director of Accounts, Govt. of A.P. Naharlagun.
16. The Principal, A.P. Forest School, Roing.
17. The Ex-officio Director, SFTI, Chimpu.
18. The officers concerned for necessary action.
19. All branches of this office.
20. Personal file of officers concerned.
21. Ten spare copies.

(S.S. PATNAIK) CCF (F&D)
for Secretary (Environment & Forests)
Arunachal Pradesh :: Itanagar.

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-23- 39

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

O R D E R

The Governor of Arunachal Pradesh is pleased to appoint the following SFS officers of the Department of Environment & Forests, Arunachal Pradesh to officiate on purely temporary basis as Dy. Conservator of Forests against the cadre post of IFS allotted to Arunachal Pradesh in the scale of pay of Rs. 3000-100-3500-125-4500/- P.M plus other allowances as admissible under rules from time to time for the following periods w.e. from the dates noted against each or until further orders whichever is earlier.

<u>Sl.No.</u>	<u>Name of officers</u>	<u>Period of officiating</u>
1.	Shri R. Modi, DCF (SFS)	w.e. from 9.12.95 to 8.3.96.
2.	Shri S.J. Nongsam, DCF (SFS)	w.e. from 25.12.95 to 24.3.96.
3.	Shri R.K. Deori, DCF (SFS)	w.e. from 25.12.95 to 24.3.96.

Sd/- G.P. Shukla,
Secretary (Env. & Forests)
Arunachal Pradesh: Itanagar.

Memo.No.For.410/E-2/81/4262-4362

Dtd. Itanagar,
the 12th Feb/96.

Copy to :-

1. The Secretary to Hon'ble Governor, A.P. Itanagar.
2. The P.P.S to Hon'ble Chief Minister, A.P. Itanagar.
3. The P.S to Hon'ble Minister (E&F), A.P. Itanagar.
4. The P.S to Hon'ble Dy. Minister (E&F), A.P. Itanagar.
5. The P.S to all Ministers/ Speaker/Dy. Speaker of A.P. Itanagar/Naharlagun.
6. The Dy. Secretary to the Govt. of India, Ministry of Env. & Forests, Deptt. of Env. & Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi.
7. The P.S to Chief Secretary, A.P. Itanagar.
8. The Commissioner (P&AR), A.P. Itanagar.
9. All Dy. Commissioners/Audl. Dy. Commissioners, A.P.
10. The Chief Conservator of Forests, Wildlife, Itanagar.
11. All Conservator of Forests, A.P.
12. The Managing Director, APFC Ltd., Itanagar for information.
13. All Divisional Forest Officers, A.P. including Dy. Chief Wildlife Warden, Naharlagun.
14. The Director of Information & Public Relations, Govt. of A.P. Naharlagun with the request to publish in the official Gazette accordingly.
15. The Director of Accounts, Govt. of A.P. Naharlagun.
16. The Principal, A.P. Forest School, Roing.
17. The Ex-officio Director, SFRI, Chimpu.
18. The officers concerned for necessary action.
19. All branches of this office.
20. Personal file of officers concerned.
21. Ten spare copies.

[Signature]

(SFS, P&AR, IFC) (CCF (P&D))
for Secretary (Env. & Forests) Deptt.
Arunachal Pradesh :: Itanagar.

.....

Verified to be true copy

[Signature]
Advocate

-24-

34

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

O R D E R

The Governor of Arunachal Pradesh is pleased to appoint the following SFS Officers of the Department of Environment & Forests, Arunachal Pradesh to officiate on purely temporary basis as Dy. Conservator of Forests against the cadre post of IFS allotted to Arunachal Pradesh in the scale of pay of Rs. 3000-100-3500-125-4500/- P.M plus other allowances as admissible under rules from time to time for the following periods w.e. from the dates noted against each or until further orders whichever is earlier.

Sl.No.	Name of Officers	Period of Officiating
--------	------------------	-----------------------

- | | | |
|----|------------------------------|-----------------------------|
| 1. | Shri R. M. D., DCF (SFS) | w.e.f 8.9.95 to 7.12.95 |
| 2. | Shri S.J. Jongsam, DCF (SFS) | w.e.f. 24.9.95 to 23.12.95 |
| 3. | Shri R.K. Deori, DCF (SFS) | w.e.f. 24.9.95 to 23.12.95. |

Sd/- G.P. Shukla,
Secretary (Env. & Forests)
Arunachal Pradesh ::: Itanagar.

Mem.No.For.410/E-2/81/31083-183 Dtd.Itanagar, 16 Nov/95.

Copy to :-

1. The Secretary to Hon'ble Governor, A.P.Itanagar.
2. The P.P.S to Hon'ble Chief Minister, A.P.Itanagar.
3. The P.S. to Hon'ble Minister (E&F), A.P.Itanagar.
4. The P.S. to Hon'ble Dy. Minister (E&F), A.P.Itanagar.
5. The P.S. to all Ministers/Speakers/ Dy. Speaker of A.P. Itanagar/Naharlagun.
6. The Dy. Secretary to the Govt. of India, Ministry of Env. & Forests, Deptt. of Env. & Forests, Pary Varan Bhawan, CGO Complex, Lodi Road, New Delhi.
7. The P.S to Chief Secretary, A.P. Itanagar.
8. The Commissioner(P&R), A.P. Itanagar.
9. All Dy. Commissioners/ Addl. Dy. Commissioners, A.P.
10. The Chief Conservator of Forests, Wildlife, Itanagar.
11. All Conservator of Forests, A.P.
12. The Managing Director, A.P.F.C. Ltd, Itanagar for information.
13. All Divisional Forest Officers, A.P. including Dy. Chief Wildlife Warden, Naharlagun.
14. The Director of Information & Public Relations, Govt. of A.P, Naharlagun with the request to publish in the official Gazette accordingly.
15. The Director of Accounts, Govt. of A.P. Naharlagun.
16. The Principal, A.P. Forest School, Roing.
17. The Ex-officio Director, SFRI, Chimpu.
18. The officers concerned for necessary action.
19. All branches of this office.
20. Personal file of officers concerned.
21. The spare copies.

(S.S. PATNAIK) CCF (P&D)
for Secretary (Env. & Forests)
Arunachal Pradesh :: Itanagar.

1000-100-3500-125-4500/-

11/11/95

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR..

O R D E R

The Governor of Arunachal Pradesh is pleased to appoint the following SFS Officers of the Department of Environment & Forests, Arunachal Pradesh to officiate on purely temporary basis as Deputy Conservator of Forests against the cadre post of IFS allotted to Arunachal Pradesh in the scale of pay of Rs. 3000-100-3500-125-4500/- p.m plus other allowances as admissible under rules from time to time for the following periods w.e. from the dates noted against each or until further orders whichever is earlier.

Sl. No.	Name of Officers	Period of officiating
1.	Shri R. Modi, DCF(SFS)	w.e.from 6.3.95 to 5.6.95 & w.e.from 7.6.95 to 6.9.95.
2.	Shri S.J. Jongsam, DCF(SFS)	w.e.from 22.3.95 to 21.6.95 & w.e.from 23.6.95 to 22.9.95.
3.	Shri R.K. Beori, DCF(SFS)	w.e.from 22.3.95 to 21.6.95 & w.e.from 23.6.95 to 22.9.95.

Sd/- G.P. Shukla,
Secretary (Env. & Forests)
Arunachal Pradesh
Itanagar.

Memo.No.For. 410/E-2/81/48,373-473

Dtd. Itanagar,
the 30th June/95.

Copy to :-

1. The Secretary to Hon'ble Governor, A.P. Itanagar.
2. The P.P.S. to Hon'ble Chief Minister, A.P, Itanagar.
3. The P.S. to Hon'ble Minister (E&F), A.P, Itanagar.
4. The P.S. to Hon'ble Dy. Minister (E&F), A.P, Itanagar.
5. The Dy. Secretary to the Govt. of India, Ministry of Env. & Forests, Deptt. of Env. & Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi.

...2/-

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10/10/10

- 26 -

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

O _ R _ D _ E _ R

The Governor of Arunachal Pradesh is pleased to appoint the following SFS Officers of the Deptt. of Environment & Forests, Arunachal Pradesh to officiate on purely temporary basis as Deputy Conservator of Forests against the cadre post of IFS allotted to Arunachal Pradesh in the scale of pay Rs. 3000-100-3500-125-4500/- P.M plus other allowances as admissible under rules from time to time for the following periods w.e.from the dates noted against each or until further orders whichever is earlier.

Sl. No.	Name of Officers	Period of officiating
1.	Shri R. Modi, DCF(SFS)	w.e.from 2.3.94 to 1.6.94 w.e.from 3.6.94 to 2.9.94 w.e.from 4.9.94 to 3.12.94 & w.e.from 5.12.94 to 4.3.95.
2.	Shri S.J. Jongsam, DCF(SFS)	w.e.from 18.3.94 to 17.6.94 w.e.from 19.6.94 to 18.9.94 w.e.from 20.9.94 to 19.12.94 & w.e.from 21.12.94 to 20.3.95.
3.	Shri R.K. Deyri, DCF(SFS)	w.e.from 18.3.94 to 17.6.94 w.e.from 19.6.94 to 18.9.94 w.e.from 20.9.94 to 19.12.94 & w.e.from 21.12.94 to 20.3.95.

Sd/- G.P. Shukla,
Secretary (Env. & Forests)
Govt. of Arunachal Pradesh
Itanagar.

Memo.No.For. 410/E-2/81/ 7375 - 475

Dtd. Itanagar,
the 29th March/95.

Copy to :-

1. The Secretary to Hon'ble Governor, A.P, Itanagar.
2. The P.P.S. to Hon'ble Chief Minister, A.P, Itanagar.
3. The P.S. to Hon'ble Minister (E&F), A.P, Itanagar.
4. The P.S. to Hon'ble Dy. Minister (E & F), A.P, Itanagar.
5. The Dy. Secretary to the Govt. of India, Ministry of Environment & Forests, Deptt. of Env. & Forests and Wildlife, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi.

...2/-

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-27-

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

O R D E R

The Governor of Arunachal Pradesh is pleased to appoint the following SFS officers of the Deptt. of Environment & Forests, Arunachal Pradesh to officiate on purely temporary basis as Deputy Conservator of Forests against the cadre post of IFS allotted to Arunachal Pradesh in the scale of pay Rs. 3000-100-3500-125-4500/- p.m plus other allowances as admissible under rules from time to time for a period of 3(three) months w.e. from the date(s) noted below against each or until further orders whichever is earlier.

Sl.No.	Name of officers	w.e. from
1.	S/Shri R. Modi, DCF(SFS)	30.11.93
2.	" S.J. Jongsam, DCF(SFS)	17.12.93
3.	" R.K. Deori, DCF(SFS)	17.12.93
4.	" S. Thirunaavykarasu, DCF(SFS)	{ From the date of issue of this order.
5.	" S. Choudhury, DCF(SFS)	

(G.P. SHUKLA)
Secretary (Env. & Forests)
Arunachal Pradesh: Itanagar.

Memo.No.FOR.410/E-2/81/3458 - 548

Dtd. Itanagar,
the 22nd Feb/94.

- Copy to L-
1. The Secretary to Hon'ble Governor, A.P, Itanagar.
 2. The P.F.S to Hon'ble Chief Minister, A.P, Itanagar.
 3. The P.S to Hon'ble Minister (Env. & Forests), A.P, Itanagar.
 4. The P.S to Hon'ble Deputy Minister (E & F), A.P, Itanagar.
 5. The Dy. Secretary to the Govt. of India, Ministry of Env. & Forests Deptt. of Env. & Forests & Wildlife, Paryavaran Bhavan, CGO Complex Lodi Road, New Delhi.
 6. The P.S to Chief Secretary, A.P. Itanagar.
 7. All Deputy Commissioners/ Addl. Dy. Commissioners, A.P.
 8. The Chief Conservator of Forests, W.L, Wastelands, & Vigilance Itanagar.
 9. All Conservator of Forests, A.P.
 10. The Managing Director, APDC Ltd. Itanagar for information.
 11. All Divisional Forest Officers, A.P. including Dy. Chief Wildlife Warden, Naharlagun.
 12. The Director of Information & Public Relations Govt. of A.P, Naharlagun with the request to publish in the official Gazette accordingly.
 13. The Director of Accounts, Govt. of A.P, Naharlagun.
 14. The Principal A.P.F. School, Roing.
 15. The Orchidologist, Chimpu, Itanagar.
 16. The officers concerned for necessary action.
 17. All branches of this office.
 18. Personal file of officers concerned.
 19. Ten spare copies.

(G.P. SHUKLA)
Secretary (Environment & Forests)
Arunachal Pradesh: Itanagar.

Arunachal Pradesh: Itanagar.

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38

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

O R D E R

The Governor of Arunachal Pradesh is pleased to appoint the following SFS officers of Deptt. of Environment & Forests, Arunachal Pradesh to officiate on purely temporary basis as Deputy Conservator of Forests against the cadre post of IFS allotted to Arunachal Pradesh in the scale of pay of Rs. 3000-100-3500-125-4500/- F.M plus other allowances as admissible under rules from time to time for a period of 03 (three) months w.e.f. 16.9.93 or until further orders whichever is earlier.

1. Shri K.D. Chowdhury, DCF (SFS)
2. Shri S.J. Jongsam, DCF (SFS)
3. Shri R.K. Dangi, DCF (SFS)

G.F. Shukla
(G.F. SHUKLA)

Secretary (Environment & Forests)
Arunachal Pradesh : Itanagar.

Memo.No.For. 400/E(A)-2/83(Part)/25,467-577 Dtd. Itanagar,
Copy to :- the 17-11 Sept/93.

1. The Secretary to Hon'ble Governor, A.F.
2. The P.F.S to Hon'ble Chief Minister, A.F.
3. The P.S to Hon'ble Minister (Env. & Forests), A.F.
4. The P.S. to Hon'ble Dy. Minister (Env. & For) A.F.
5. The Dy. Secretary to the Govt. of India, Ministry of Env. & Forests, Deptt. of Env. & Forests & Wildlife, Parvavaran Bhavan, CGO Complex, Lodi Road, New Delhi.
6. The P.S to Chief Secretary, A.F, Itanagar.
7. All Deputy Commissioner, /Addl. Dy. Commissioner, A.F.
8. The Chief Conservator of Forests, W.L, Wasteland & Vigilance, Itanagar.
9. All Conservator of Forests, Ar. Pradesh.
10. The Managing Director, A.F.F.C Ltd, Itanagar for information.
11. All Divisional Forest Officer, A.F. including Dy. Chief Wildlife Warden, Naharlagun.
12. The Director of Information & Public Relations, Govt. of A.F, Naharlagun with the request to publish in the official Gazette accordingly.
13. The Director of Accounts, Govt. of A.F, Naharlagun
14. The Principal, A.F.F. School, Roing.
15. The Orchidologist, Naharlagun.
16. The Officers concerned for necessary action.
17. All branches of this office
18. Personal file of officers concerned.
19. Ten spare copies.

G.F. Shukla
(G.F. SHUKLA) 16.9.93

Secretary (Environment & Forests)
Govt. of Arunachal Pradesh
Itanagar.

.....

(A.M.A.) In the 1st C. Section of the

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-29- Annex-D- 11/3/99

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

SPEED POST/

NO. FOR. 400/E(A)-2/83/Vol-I/26-27 Dtd. Ita, 16th Mar/99

To,

Shri A.S.N. Murti,
Under Secretary to
Government of India,
Ministry of Environment & Forests,
Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New-Delhi - 110 003.

Sub:- IFS- Fixation of seniority of IFS officers
appointed to the service under IFS (appointment
by promotion) Regulations, 1966- regarding.

Ref:- MOE&F's letter F.No. 32012/1/93-IFS-I (Vol-II)
dated- 4/06/98.

Sir,

Kindly refer to your letter cited above,
in response to which detailed information on the subject
was furnished to the Ministry by speed post vide this
office letter No. For. 400/E(A)-2/83/Vol-I/27,210 dated-
11/8/98. It is requested to finalise the fixation of
seniority in respect of the officers of this State at
the earliest.

In this connection, a photo-copy of this office
letter mentioned above along with its enclosures are
once again sent herewith for your ready reference.

Enclo : As stated above.

Yours faithfully,

(S.R. Mehta)
Principal Chief Conservator of Forests
& Principal Secretary (Envt. & Forests)
Arunachal Pradesh :: Itanagar.

Memo. No. For. 400/E(A)-2/83/Vol-I Dtd. Ita. 16th Mar/99

Not in original

Copy to :-

1. The Principal Chief Conservator of Forests, Mizoram
for information with reference to his D.O. letter
No. A. 23021/1/97- PCCF dated 16/2/99.

16.3.99
(S.R. Mehta)
Principal Chief Conservator of Forests
& Principal Secretary (Envt. & Forests)
Arunachal Pradesh :: Itanagar.

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Speed Pos (265)

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

NO.FOR.400/E(A)-2/83/Vol-I/27,210 Dtd.Ita. Aug/98
To,

Shri A.S.N. Murti
Under Secretary to the
Govt. of India,
Ministry of Environment & Forests,
Paryavaran Bhawan, CGO Complex,
Lodhi Road, New-Delhi - 110 003.

Sub:- IFS- Fixation of seniority of IFS officers
appointed to the service under IFS(Appointment
by promotion) Regulations, 1966- regarding.

Ref:- Ministry's letter F.No. 32012/1/93-IFS-I (Vol.II)
dated 04/06/98.

Sir,

With reference to above the required information
showing the No. of senior duty posts of Dy. Conservator
of Forests/Conservator of Forests & Chief Conservator of
Forests created in the Department of Environment & Forests
by the Govt. of Arunachal Pradesh during the period between
the year 1984 to 1996, the posts already included in the
Cadre strength of IFS and the State Forest Service posts
continuing to exist till date is furnished in the statement
enclosed herewith as desired for your necessary action.

Encl : As above.

Yours faithfully,

W. S. Kalita 11/8/98
(S.N. Kalita) CCF(P&D)
for Principal Chief Conservator of Forests
& Secretary (Env't. & Forests)
Arunachal Pradesh :: Itanagar.

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STATEMENT SHOWING THE CREATION OF SENIOR DUTY POSTS BY GOVERNMENT OF ARUNACHAL PRADESH DURING THE PERIOD BETWEEN THE YEAR 1984 to 1996

Sl. No.	List of Senior duty posts created by the Govt. of Arunachal Pradesh during the period between the year 1984 to 1996 carrying equivalent responsibility and duties of a Cadre posts (DCF/CF/CCF).	Authority No. & date of creation of the posts	No. of posts	No. of posts encadred in between 1984-96 by the Govt. of India and authority No.	State cadre posts continue to exist till date.
1.	2.	3.	4.	5.	6.
1.	Field Director, Project Tiger, Namdapha (Rs. 1100-1600/- (pre-revised 1986) i.e. revised pay scale of Rs. 3000-4500/-) (pre-revised pay scale of 1996).	Govt.'s order No. For. 482/D-4/84/20865-927 dated- 27/06/86	1 No.	Encadred vide Govt. of India, Ministry of Personnel, PG & Pension (Deptt. of personnel & Training, vide Notification issued under No. 16016/4/95-AIS(II) dated 26/10/95.	
2.	Conservator of Forests (Conservation cell) (Rs. 1800-100-2000/- (pre-revised 1986) i.e. corresponding revised pay scale of Rs. 4500-5700/- (pre-revised 1996).	Govt.'s order No. For. 478/D-5/(PT)/16,159-214 dated- 15/05/87	1 No.	Encadred vide Govt. of India, Ministry of Personnel, PG & Pension, Deptt. of personnel & Training) vide Notification issued under No. 16016/4/95-AIS(II) dated 26/10/95.	
3.	DY. Conservator of Forests (IFS) (for Industry Cell) (Rs. 1100-1600 (pre-revised 1986) i.e. corresponding revised scale Rs. 3000-4500/- (pre-revised 1996)	Govt.'s order No. For. 478/D-5/Pt/16,159-214 dated- 15/05/87	1 No.	Encadred vide Govt. of India's, Ministry of Personnel, PG & Pension (Deptt. of Personnel & Training) vide Notification issued under No. 16016/4/95-AIS(II) dated 26/10/95.	
4.	DCF (for Dibang Logging Divn., Roing (now re-named as Wastelands Dev. Divn., Roing) (Rs. 3000-4500) (pre-revised).	Govt.'s order No. For. 127/D-5/87/Vol-I/38595-645 dated 21/12/88.	1 No.		1 No.
5.	DCF (for Lohit Logging Divn., Namsai now re-named as Lohit Wastelands Dev. Divn., Namsai (Rs. 3000-4500) (pre-revised).	Govt.'s order No. For. 127/D-5/87/Vol-I/38595-645 dated 21/12/88.	1 No.		1 No.
6.	DY. Conservator of Forests. (for Protection force) (Rs. 3000-4500/- pre-revised)	Govt. order No. For. 127/D-5/87/Vol-I/38544-94 dated 21/12/88.	1 No.		1 No.
7.	Conservator of Forests (Research & Social Forestry, now re-named as Conservator Forests, Southern Arunachal circle, Deomali). (Rs. 4500-5700/- (pre-revised).	Govt.'s order No. For. 127/D-5/87/12741-95 dated- 20/04/89.	1 No.	Encadred vide Govt. of India, Ministry of Personnel, PG & Pension (Deptt. of personnel & Training, vide Notification issued under No. 16016/4/95-AIS(II) dated 26/10/95.	

Contd. P/2./

to be true Copy

Advocate

1.	2.	3.	4.	5.	6.
8. DY. Conservator of Forests (for Anini Social Forestry Division, Anini (Rs. 3000-4500) (pre-revised)	Govt.'s order No. For. 41E/D-5/88/25791-851 dated 14/08/88.	1 No.	Encadred vide Govt. of India, Ministry of Perso- nnel, PG & Pensions (Deptt. of personnel & Training vide Notification issued under No. 16016/4/95-AIS(II)- A dated 26/10/95.		
9. Chief Conservator of Forests (Wastelands Dev. SF & Vig.), Itanagar. (Rs. 5900-6700/- (pre-revised).	Govt.'s order No. For. 206/D-5/94/19731-92 dated 19/07/94.	1 No.			1 No

(1) A. Total senior duty posts created from 1984-1996	(B) Posts Encadred by the Govt. of India.	(C) State Cadre posts continue to exists till date.
DCFs (including Field Director Project Tiger). 6 Posts	3 Posts	3 Posts
(2) CFA ----- 2 posts	2 posts	-----
(3) CCF ----- 1 post.	---	1 No.

(Signature)
(G.P. Shukla)
Principal Chief Conservator of Forests &
Secretary (Envt. & Forests)
Govt. of Arunachal Pradesh ::ITA.

Unofficial Copy
(Signature)
20/08/94

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RWESHWAR JHA
JOINT SECRETARY

-33-

Annexure - E

95
F)
No. 13013/1/95-IFS-I

Dated the 25th January, 1995

Dear Shri

The Ministry of Environment and Forests, as the Cadre Controlling Authority for the Indian Forest Service, wishes to seek the concurrence of the Joint Cadre Authority (JCA) of the AGMUT Joint Cadre, in the matter of notional allocation of promotion quota vacancies amongst the four constituent units, namely, Arunachal Pradesh, Goa, Mizoram and Union Territories. As you are aware, after coming into existence of the JCA during March, 1989 (i.e., after attainment of Statehood by the then Union territories of Arunachal Pradesh, Goa and Mizoram), no select list, constituent unitwise, for promotion to Indian Forest Service could be drawn up for the years 1988 and onwards mainly for the reason that the Ministry was not in a position to send the requisition to the UPSC for want of information regarding number of vacancies available or likely to be available in each constituent unit of the Joint Cadre for the period in question.

2. Further, while in the case of IAS and IPS, the Joint Cadre Authority had already considered and taken a formal decision regarding allocation of promotion vacancies to each constituent unit on notional basis. (vide JCA decision contained in the Minutes of its meeting dated 20th June, 1990,) the JCA could not formally take up and decide the notional allocation of promotion quota vacancies in respect of Indian Forest Service.

3. As a result of this situation, the Ministry have been receiving a number of representations both from the SFS officers of the constituent units of the Joint Cadre as also from SFS Office. Associations requesting this Ministry for early convening of the posting of the Selection Committee for effecting promotions of eligible officers drawn from State Forest Service to the Indian Forest Service under the IFS (Appointment by Promotion) regulations.

ATTENDED

W. Mani
30/1/2001
Superintendent (for SFS)
Office of the
Chief Officer, SFS
Bilaspur, Jharkhand

AS -

4. Since formal decision regarding allocation of promotion quota vacancies to each constituent unit on notional basis is required to be taken, as was done in the case of IAS and IPS, as a prerequisite for convening the meeting of the Selection Committee through the Union Public Service Commission, we would like to request you to give your formal concurrence immediately, as a Member of JCA of the AGMUT Joint Cadre Authority to the proposals contained in the enclosed Note which distributes the promotion quota vacancies amongst the four constituent units. The notional allocation is on the same principles, as were earlier considered and approved by the JCA for IAS and IPS. You would kindly appreciate that the State Forest Service Officers deserve their due share in the All India Services which needs to be provided to them without further delay.

4. We are addressing the communication to the other Members of the JCA, for formal concurrence/decision.

With regards,

Yours sincerely,

(SARWESHWAR JHA)

Shri i. Ringu,
Chief Secretary
Government of Arunachal Pradesh,
Itanagar

Shri F. Pahnuna,
Chief Secretary
Government of Mizoram,
Aizawl-796001

Shri P.S. Bhatnagar,
Chief Secretary
Government of Goa,
Panaji.

Copy to : Shri V. Lakshmi Ratan, Joint Secretary, Department
of Personnel and Training, North Block, New Delhi.

(SARWESHWAR JHA)
Joint Secretary to the Government of India

ATTESTED

W. Maini
30/1/2001
Superintendent (Establishment)
Chief Secretary's Office
Ministry of Personnel and Training
Government of India

27.1.98

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Note for the consideration of the Joint Cadre Authority for the IFS Cadre of Arunachal Pradesh, Goa, Mizoram and Union Territories.

AGMUT Cadre of the Indian Forest Service comprises the State of Arunachal Pradesh, Goa, Mizoram and the Union Territories of A & N Islands, Dadra Nagar Haveli & Haveli & Daman and Diu. Formerly, the constituent units of the AGMUT Cadre were Union Territories and for promotions of officers to IFS in accordance with the provisions contained in the IFS (Appointment by Promotion) Regulations, 1966, a combined seniority list used to be prepared. Now with the formation of States of Arunachal Pradesh and Mizoram and Goa, the expectation is that the State Forest Service Officers belonging to these three states of the Joint AGMU Cadre will get promotion to Indian Forest Service and be posted within the state, as in the case of other State Cadres.

2. Ministry of Environment & Forest is examining proposals to consider promotion of State Forest Officers of these States separately and the UT officers in one seniority list, as before for promotion from SFS to IFS. To achieve this, the promotion quota for each of the three states and all the Union Territories (A & N Islands, Dadra & Nagar Haveli and Daman and Diu) in the AGMUT Joint Cadre has to be worked out and the vacancies in the promotion quota for each unit has to be decided.

3. So far as working out the promotion quota for the constituent units of AGMUT Joint Cadre is concerned. In case of IAS and IPS officers, the Ministry of Home Affairs have adopted the principle that the promotion quota is required to be worked out in proportion with the senior duty posts in each constituent unit, viz. Arunachal Pradesh, Goa, Mizoram and U.T's. U.T's taken as one unit. In accordance with the principles adopted in case of IAS and IPS, Ministry of Environment & Forests also proposes to determine the promotion quota in case of Indian Forest Service as detailed below :-

3.2 In the Joint AGMUT Cadre of the IFS, there are 61 senior duty posts and with the addition of Central Deputation Reserve, the total number of senior duty posts works out to 73.

Break up
A & N Islands Dadra Nagar Haveli
and Daman & Diu.
Arunachal Pradesh
Goa
Mizoram

Add CDR

Seniority duty posts

-	19
-	27
-	6
-	9
-	61
-	12
-	73

ATTESTED

Whinain
Superintendent (Forest Department)
Chief Conservator of Forests
Mizoram : Aizawl.

AS -

-20- 36 -

The promotion quota in the Joint AGMUI Cadre of the IFS is out to 24 posts, in accordance with provisions contained in 5 (Recruitment) Rules, 1966, i.e., the number of persons recruited by promotion in any State or group of States shall not, any time, exceed 33 1/3 per cent of the cadre strength. National apportionment of the available 24 posts amongst the constituent segments of the Cadre thus works out as follows:

A & N Islands, Dadra Nagar Haveli and Daman & Diu.	07
Arunachal Pradesh.	11
Goa	02
Mizoram	04
Total	24 Posts

3.4 In the Joint AGMUI Cadre of the IFS so far 19 SFS officers have been promoted to IFS and it is noted that in case of Arunachal Pradesh and Goa, there has been excess utilization of promotion quota. In case of Arunachal Pradesh, against 11 available posts, 12 officers stood promoted and in case of Goa, against 2 posts, 4 officers stood promoted. In respect of U.I. segment and Mizoram, there has been under utilization of the promotion quota by 3 and 4 posts respectively. (Annexure).

4. To sum-up, in the Joint AGMUI Cadre of the IFS, against 24 promotion-quota posts available, 19 officers drawn from the State Forest Service have so far been promoted to IFS (position as on 3.4.1989). SFS officers promoted from the segments and Mizoram segment, there has been under utilization.

5. In order to work out vacancies in each of the 4 segments of the Joint AGMUI Cadre, it is necessary to redistribute the promotee officers amongst the four constituent units for which a decision of the Joint Cadre Authority is now solicited. Ministry of Home Affairs have indicated that in case of IAS and IPS, the JCA of AGMUI cadre has decided to nationally re-allocate all the available promotee IAS and IPS officers amongst the four segments of the Cadre, considering the position as on 28.12.88. In order to ensure that vacancies in the promotion quota that would arise in future are available to the SFS Officers of Mizoram and U.I. segments aspiring for promotion to the IFS and also in consideration of the fact that these two segments have not occupied promotion posts in the strict proportion to the number of senior duty posts, the promotee officers likely to retire at the earliest out of the those presently serving will be nationally allocated to either Mizoram or U.I. segments.

6. After concurrence of the JCA for re-allocation of the available promotee officers of IFS in the segments of Mizoram and U.I. is received, the Ministry of Environment and Forests will initiate action for promotion of SFS Officers in the cadre under the IFS (Appointment by promotion) Regulations in consultation with the constituent units of the Cadre.

ATTESTED

W. Meen
 30.1.2001
 Superintendent (Forest Management)
 Office of S.F.S.
 Chief Conservator of Forests
 Mizoram, Aizawl.

MS

-37-
ANNEXURE

CONSTITUENT UNIT - WISE

PROMOTEE OFFICERS IN THE INDIAN FOREST SERVICE

S.No.	Name	Year of allotment	Date of birth	Date of Superannuation
ARUNACHAL PRADESH				
	S/Shri			
1.	G.S. Thapliyal	1969	13.01.37	31.03.1995
2.	S.K. Raha	1969	01.07.44	30.06.2002
3.	R.P. Neog	1969	01.09.42	31.08.2000
4.	S.N. Kalita	1969	01.03.46	29.07.2004
5.	K. Namchoom	1969	01.04.45	31.03.2003
6.	B.S. Daniwal	1979	10.06.48	30.06.2006
7.	P.K. Sen	1979	01.07.42	31.03.2000
8.	I. Miliang		14.03.50	31.03.2008
9.	L.K. Pait		22.08.53	31.08.2011
10.	M. Namsoom		29.05.51	31.05.2009
11.	A.K. Chatterjee	1980	26.05.49	31.05.2007
GOA				
12.	P.V. Savant	1969	25.07.42	31.07.2000
13.	J.F. Rangel	1969	26.03.37	28.02.1995
14.	R.A. Mazalkar	1980	27.05.39	31.05.1997
15.	R.M. Naik		18.06.49	30.06.2008
U.T.S. (A & N ISLANDS)				
16.	B.A. Mathews	1969	13.06.40	30.06.1998
17.	A.K. Sinha	1979	04.04.50	30.04.2008
18.	I.H. Khan	1979	15.12.51	31.12.2009
19.	S.M. Moitra		05.07.41	31.07.1999

ATTACHED

[Signature]
30/1/2001
Superintendent (Establishment)
Office of the
Chief Conservator of Forests
Mizoram : Aizawl.

Certified to be true Copy

[Signature]
Advocate

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Annexure - F -

1811

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT & FORESTS
ITANAGAR.

NO. FOR. 543/E(A)-2/84/33706-56 Dtd. Itanagar,
the 29th Dec/95.

To,

1. The Chief Conservator of Forests
(Wildlife),
Arunachal Pradesh, Itanagar.
2. All Conservator of Forests,
Arunachal Pradesh.
3. All Divisional Forest Officers,
Arunachal Pradesh.
4. The Field Director,
Project Tiger, Misc.
5. The Principal, A.P. Forest School,
Roing.

Sub:- Indian Forest Service (Fixation of Cadre strength)
Sixth Amendment Regulations 1995.

Enclose, please find herewith a Xerox copy of the
Govt. of India, Ministry of Personnel, P.G & Pensions
(Department of Personnel & Training), New Delhi's Notifica-
tion issued under No. 16016/4/95-AIS(II)-A dt. 26.10.95
on the above subject for your information.

Encls:- As above.

(R. MODI) DCF(HQ)
for Principal Chief Conservator of Forests
Arunachal Pradesh ::: Itanagar.

Copy to :-

File No. For. 128/6(A)-2/85/.

.....

Verified to be true copy
PS-
[Signature]

No.16016/4/95-AIS(II)-A
Government of India
Ministry of Personnel, P.G. & Pensions
(Department of Personnel & Training)

New Delhi, the 26/10/95

NOTIFICATION

G.S.R. No.....In exercise of the powers conferred by sub-section (1) of Section 3 of the All India Services Act, 1951 (61 of 1951) read with sub-rule (2) of Rule 4 of the Indian Forest Service (Cadre) Rules, 1966, the Central Government, in consultation with the Government of Arunachal Pradesh, Goa and Mizoram, hereby makes the following regulations further to amend the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, namely:-

1. (1) These regulations may be called Indian Forest Service (Fixation of Cadre Strength) Sixth Amendment Regulations, 1995.
(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, for the heading "Arunachal Pradesh-Goa-Mizoram-Union Territories" and entries occurring thereunder, the following shall be substituted namely :-

"ARUNACHAL PRADESH-GOA-MIZORAM-UNION TERRITORIES"

1. Senior Posts under the Governments of Arunachal Pradesh-Goa-Mizoram-Union Territories 95

Posts under the Government of Arunachal Pradesh

Principal Chief Conservator of Forests 1

Chief Conservator of Forests (Development) 1

Chief Conservator of Forests (Wildlife, Wastelands & Vigilance) 1

Conservator of Forests (Territorial) [Central, Western, Eastern & Southern] 4

Conservator of Forests (Planning & Development) 1

Conservator of Forests (Conservation-Nodal Officer) 1

Deputy Conservator of Forests (Territorial) [Dibang, Lohit, Along, Namsai, Pasighat, Nampong, Bandardeva, Deomali, Heapoli, Bomdila] 10

Deputy Conservator of Forests (Headquarters) 1

Deputy Conservator of Forests (Wildlife) 5

Deputy Conservator of Forests (Industries) 1

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12 (NA)

- 2 -

- 40 -

Deputy Conservator of Forests (Working Plan)
 Deputy Conservator of Forests (Forest Utilization)
 Deputy Conservator of Forests (Research, Resources Survey)
 Deputy Conservator of Forests (Silviculture)
 Deputy Conservator of Forests (Forest Statistics & Planning)
 Deputy Conservator of Forests & Field Director, Project Tiger, Namdapha
 Deputy Conservator of Forests (Social Forestry)

1
1
1
1
1
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2

34

Posts under the Government of Goa

Conservator of Forests
 Deputy Conservator of Forests (Territorial)
 Deputy Conservator of Forests (Cashew)
 Deputy Conservator of Forests (Working Plan)
 Deputy Conservator of Forests (Forest Utilisation)
 Deputy Conservator of Forests (Wildlife)
 Deputy Conservator of Forests (Social Forestry)

1
2
1
1
1
1
1

8

Posts under the Government of Mizoram

Principal Chief Conservator of Forests
 Chief Conservator of Forest (Development & Planning)
 Chief Conservator of Forests (Territorial) [Northern, Southern & Central Circles]
 Conservator of Forests (Research & Development)
 Conservator of Forests & Chief Wildlife Warden
 Deputy Conservator of Forests (Territorial) [Aizawl, Kolasib, Lunglei, Champhai, Kawnthar, Darlawn]
 Deputy Conservator of Forests (Planning)
 Deputy Conservator of Forests (Training)
 Deputy Conservator of Forests (Working Plan)
 Deputy Conservator of Forests (Wildlife)
 Deputy Conservator of Forests (Resources Survey)

1
1
3
1
1
6
1
1
2
1

10.11.95

MS -

& Silviculture)

-41-

12/11/74 (12/11/74) ✓ (12/11/74)

19

Posts under the Andaman & Nicobar Administration

Principal Chief Conservator of Forests	1
Chief Conservator of Forests & Chief Wildlife Warden	1
Conservator of Forests (Territorial) [Northern & Southern Circles]	2
Conservator of Forests (Research & Development)	1
Conservator of Forests (Development & Utilisation)	1
Conservator of Forests (Wildlife)	1
Deputy Conservator of Forests (Territorial) [Diglipur, Mayabunder, Middle Andaman, Baratang, South Andaman, Little Andaman, Nicobar Islands]	7
Deputy Conservator of Forests (Depot)	1
Deputy Conservator of Forests (Biosphere Reserve)	1
Deputy Conservator of Forests (Mill)	1
Deputy Conservator of Forests (Silviculture)	1
Deputy Conservator of Forests (Working Plan)	2
Deputy Conservator of Forests (Forest Utilisation)	1
Deputy Conservator of Forests (Headquarters)	1
Deputy Conservator of Forests (Wildlife)	1
	23

Posts under Dadra & Nagar Haveli and Daman & Diu Administration

Conservator of Forests & Chief Wildlife Warden	1
Deputy Conservator of Forests (Territorial) [Dadra & Nagar Haveli]	1
Deputy Conservator of Forests (Wildlife), [Dadra & Nagar Haveli]	1
Deputy Conservator of Forests, Daman & Diu	1
	4

Posts under the Delhi Government

Conservator of Forests & Chief Wildlife Warden	1
Deputy Conservator of Forests (Rural)	1

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MS -
Advocate

N.H. (P4)

- 42 -

52 (109)

Deputy Conservator of Forests (Urban)

Deputy Conservator of Forests (Reserve Forests)

1

4

Posts under the Pondicherry Government

Deputy Conservator of Forests & Chief Wildlife Warden

1

1

Posts under the Lakshadweep Administration

Deputy Conservator of Forest & Chief Wildlife Warden

1

1

Posts under the Chandigarh Administration

Deputy Conservator of Forests & Chief Wildlife Warden

1

1

TOTAL:

95

2. Central Deputation Reserve @ 20% of Item 1 above 19
3. Posts to be filled by promotion in accordance with Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, @ 33 1/3% of Items 1 and 2 above 38
4. Posts to be filled by direct recruitment (1+2+3) (1+2)-3 76
5. Deputation Reserve @ 25% of Item 1 above 23
6. Leave Reserve, Training Reserve & Junior Posts @ 20% of Item 1 above 19

Direct Recruitment Posts
Promotion posts

118

38

Total Authorised Strength

156

(Signature)

(Madhumita D. Mitra)
Desk Officer

Note 1: Prior to the issue of this notification the total authorised strength of the Arunachal-Pradesh-Goa-Mizoram-Union Territories Cadre was 100.

Note 2: The Principal Regulations were notified vide Notification No. 6/1/66 - AIS(IV), dated 31.10.1966 as GSR No.1072 in the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, has been amended vide Notification given below:-

Mean of A.P.	
1) Total authorised posts	34
2) central deputation	7
3) promotion posts	14
4) direct recruit	27
Total of Item no 1 & 2	56
promotion quota	18
Leave Reserve	10

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(Signature)
Advocate

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Annex - G2 -

(TO BE PUBLISHED IN PART I SECTION II OF THE GAZETTE OF INDIA)

F.NO.32012/1/93-IFS-I

Government of India

Ministry of Environment and Forests

Paryavaran Bhavan,
CGO Complex, Lodhi Rd.,
New Delhi - 110003

Dated the 26th September, 1996

NOTIFICATION

In exercise of the powers conferred by sub-rule (1) of rule 8 of the Indian Forest Service (Recruitment) Rules, 1966 read with sub-regulation (1) of regulation 9 of the Indian Forest Service (Appointment by Promotion) Regulations, 1966, the President is pleased to appoint with immediate effect the undermentioned twenty officers of the State Forest Service of Arunachal Pradesh, Mizoram and Andaman & Nicobar Administration, constituent units of the Arunachal Pradesh-Goa-Mizoram and Union Territories (AGMUT) cadre, to the Indian Forest Service against the existing vacancies and to allocate them to the AGMUT cadre of the Indian Forest Service under sub-rule (1) of rule 5 of the Indian Forest Service (Cadre) Rules, 1966:

S.No.	Name of the officer	Date of birth
-------	---------------------	---------------

Arunachal Pradesh:

S/Shri

01	R. Modi	01.03.1947
02	S.J. Jongsom	03.01.1955
03	R.K. Deori	01.03.1959
04	S. Thirunavukarasu	04.02.1954

Mizoram:

S/Shri

01	R. Rozika	01.04.1939
02	B. Suanzalang	31.03.1955
03	P. Liankhama	01.03.1949
04	Lalthangliana Murray	16.04.1959
05	Liankima Lailung	10.11.1961
06	Vanlalsawma	01.03.1959
07	Hmingdailova Colney	01.05.1959

CSA

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- 44 -
- G -

Andaman & Nicobar Administration:

THE SECRETARY TO GOVT.

S/Shri		
01	J.P. Misra	05.07.1954
02	Randhir Singh	17.11.1938
03	M.P. Singh	08.12.1945
04	B.P. Singh	01.04.1947
05	S.C. Mukhopadhyay	26.10.1950
06	Anutosh Guha	30.01.1949
07	George Jacob	14.12.1952
08	V. Chandrapandian	25.03.1953
09	Jitendra Kumar	27.10.1960

NOTIFICATION

Chandul

To (If any) the Government of India, (R. Sanehwal)
Under Secretary to the Govt. of India
To the Manager, Government of India Press,
Fardabad (Haryana) (with a copy of Hindi Version)

- Distribution:
1. The Chief Secretary, Govt. of Arunachal Pradesh, Itanagar.
 2. The Chief Secretary, Govt. of Mizoram, Aizawl.
 3. The Chief Secretary, Govt. of Andaman & Nicobar Islands, Port Blair.
 4. The Principal Chief Conservator of Forests, Arunachal Pradesh, Itanagar with spare copies for the officers concerned.
 5. The Principal Chief Conservator of Forests, Mizoram, Aizawl with the spare copies for the officers concerned.
 6. The Principal Chief Conservator of Forests, Andaman & Nicobar Islands, Port Blair with the spare copies for the officers concerned.
 7. The Accountant General, Arunachal Pradesh, Itanagar.
 8. The Accountant General, Mizoram, Aizawl.
 9. The Accountant General, Andaman Nicobar Islands, Port Blair.
 10. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan, Road, New Delhi.
 11. Guard File.

Handwritten signature and date

To

- 45 -
Annex - H -

The Secretary of Forests,
Ministry of Environment & Forests,
Govt. of India,
New Delhi.

(Through Proper Channel)

Sub:- FIXATION OF YEAR OF ALIQUOTMENT OF SHRI R.K. DEORI,
IFS. INDUCTED IN 1996 UNDER A ADMUT^W CADRE . /

Sir,

With due respect I beg to state following few lines for favour of your information and sympathetic consideration please .

That Sir, I am of 1978-80 SFS Batch Officer and became eligible to include in the select list on 1-1-87 as per third proviso to regulation 5(2) of Indian Forest Service (Appointment by Promotion) regulation 1966. My Service was confirmed with effect from 1-1-85. I was inducted to IFS only in 1996 vide GOI Notification No. F. No. 22012/1/93-IFS-1 dtd. 26-9-96 after serving 19 years in the cadre of State Forest Service . Due to non-conducting the DPC in time I was not inducted to IFS against yearwise vacancies as shown below :-

AS ON 1-1-87 :-

- | | |
|---|-----------|
| 1. Total Senior duty post (27+1)
(1/c post created vide order No. FOR.
492/D-4/84/20865-927 dtd. 27-6-86. | = 28 Nos. |
| 2. Central deputation reserve 20% of
item -1 above | = 6 Nos. |
| 3. Post to be filled up by promotion 33.3% of
item 1,2,5 | = 14 Nos. |
| 4. Post to be filled by Director recruitment
(1+2-3) | = 21 Nos. |
| 5. Deputation ^{reserve} service (State) 25% of item
1 & 2 above | = 9 Nos. |

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Contd...2...

Advocate

Promotee Officers in positions as on 1-1-87 = 11 Nos.
~~1-1-87~~ (Excluding one Officer promoted in ~~11~~ Nos.
 1986 against vacant post of other U.T. before
 formation of " AGMUT " Cadre) ^{As per order dated 20/2/87}

Therefore number of vacancy ^{as} on 1-1-87 = 3 Nos.

AS ON 1-1-88 :-

1. Total senior duty post (27+3)
 I/C post created in the year.
 1986 - 1 No.
 1987 - 2 Nos.
 = 30 Nos.
2. Central deputation reserve 20% of
 item No. 1 of above
 = 6 Nos.
3. Post to be filled up by promotion 33 1/3 %
 of item 1, 2, & 5
 = 15 Nos.
4. Post to be filled up by Director
 recruit (1+2+3)
 = 24 Nos.
5. State deputation post 25% of item
 1 & 2 above
 = 9 Nos.

Promotee Officers in position as on 1/1/88 = 11 Nos.
~~on 1-1-88~~ (^{three} excluding the Officers promoted
 in 1986 & 1987 against Vacancy of other
 U.T. before formation of "AGMUT" Cadre) = 11 Nos.

Therefore Number of Vacancy as on 1-1-88 = 4 Nos.

AS ON 1-1-89 :-

1. Total Senior duty post (27+7)
 I/C post created in the year
 1986 - 1 No.
 1987 - 2 Nos.
 1988 - 4 Nos.
 Total = 7 Nos.
 = 34 Nos.
2. Central deputation reserve
 (20% item No. 1 of above.)
 = 7 Nos.

Contd...3....

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MS -
AGMUT

3. Post to be filled up by promotion
33 1/3 % of item 1, 2 of above
and 5 of below) = 17 Nos.
4. Post to be filled up by Director
recruit (1+2-3) = 24 Nos.
5. State deputation reserve 25% of
1 & 2 above. = 10 Nos.

Promotee Officer in position as on
1-1-89 (Excluding three Officers promoted in
1986 and 1987 against Vacancy other U.T.)

Number of Vacancy as on 1-1-89

= 10 Nos.
(P.K.S. 11
School
4 AM/1988)
= 7 Nos.

AS ON 1-1-90 :-

1. Senior duty post (27+8)
I/C post created in the year. = 235 Nos.
- 1986 - 1 No.
- 1987 - 2 Nos.
- 1988 - 4 Nos.
- 1989 - 1 No.

Total = 8 Nos.

2. Central deputation reserve 20% of
item 1 of above = 7 Nos.
3. Post to be filled up by promotion
33 1/3 % of item 1, 2 above (X) = 14 Nos.
4. Post to be filled up by Director
recruit (1+ 2 -3) = 28 Nos.
5. State deputation service 25% of item
1 & 2 above. = 11 Nos.
- Promotee Officer in position as
on 1-1-90 = 10 Nos.
- (Excluding three Officers promoted
against vacancy of other U.Ts)
- Number of vacancy as on 1-1-90 . = 4 Nos.

Contd...4...

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AB -

2. 2. 2.

N.B:- (X) Promotion of recruitment rule existed upto 21-2-89 only, where the state deputation ^{reserve} service shown as item 5, in the Schedule of the IFS (Fixation of cadre strength) regulation, 1967, is also to be taken into account in determining the maximum number of posts which can be filled by method of promotion at any given point of item).

AS ON 1-1-91:-

- | | |
|---|-----------|
| 1. Senior duty post | = 35 Nos. |
| 2. Central deputation reserve (20% of item 1 above) | = 7 Nos. |
| 3. Post to be filled up by promotion, 33 1/3 % of item 1 & 2 above. | = 14 Nos. |
| 4. Post to be filled up by Director recruits (1+2+3) | = 28 Nos. |
| 5. State deputation service 25% of item 1 & 2 above. | = 11 Nos. |

Promotee Officer in position as on 1-1-91 = 10 Nos.
(Excluding three Officers promoted against vacancy of other U.Ts).

Number of Vacancy as on 1-1-91 = 4 Nos.

AS ON 1-1-92 :-

- | | |
|---|-----------|
| 1. Senior duty post | = 35 Nos. |
| 2. Central deputation reserve 20% of item 1 above. | = 7 Nos. |
| 3. Post to be filled up by promotion (33 1/3 % item 1 & 2 above) | = 14 Nos. |
| 4. Post to be filled by Director recruit (1+2+3) | = 28 Nos. |
| 5. State deputation post (25% of 1 & 2 above) | = 11 Nos. |

Promotee Office in position as on 1-1-92 = 9 Nos.
(Excluding three Officers promoted against vacancy of other U.Ts.)

Therefore number of vacancy as on 1-1-92. = 5 Nos.

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Contd...5....

Advocate
Advocate

AS ON 1-1-93 :-

1. Senior duty post = 35 Nos.
 2. Central deputation 20% of item 1 above = 7 Nos.
 3. Post to be filled up by promotion
(33 1/3% item 1 & 2 above) = 14 Nos.
 4. Post to be filled by Director recruit
(1+2-3) = 28 Nos.
 5. State deputation post 25% of item
1 & 2 above). = 11 Nos.
- Promotee Officers in position as on
1-1-93 = 7 Nos.

(Excluding three Officers promoted against
vacancy of Other U.Ts. before formation
of " AGMUT " Cadre)

Therefore number of vacancy as on 1-1-93 = 7 Nos.

Further I would like to inform you that before
I inducted to IFS on regular basis I was appointed to
Officiate on IFS senior time scale against regular vacancy
of Promotion quota w.e.f. 16-9-93 vide Arunachal Pradesh,
Govt. order No. FOR.400/E(A).2/83/Part/25467-577 dtd.
17th Sept/1999, (copy endorsed to the Deputy Secretary to
the Govt. of India, Ministry of Environment & Forests,
Department Environment & Forests & Wildlife). Since 18-9-93
I was continuing Officiating in Senior times scale till
I inducted to the India Forest Service on 26-9-96. The
Department promotion Committee for induction of SFS Officers
under "AGMUT" cadre, to India Forest Service was held after
9 years and no year of allotment has been decided yet after
laps of 3(three) years .

Therefore, I earnestly request your honour kindly
to look into the matter sympathetically and fix the year
of allotment suitably in the year accordingly to year wise
vacancy of promotion quota .

Yours faithfully,

(R.K. DEORI)
DIVISIONAL FOREST OFFICER
NAMPONG FOREST DIVISION
JAIRAMPUR.

(Added to be ...)

ms

/ 27/10/99

Amex-I-50-16IV

3 -IFS-1
Government of India
Ministry of Environment and For

Paryavaran Bhawan, 600 Complex
Lodi Road, New Delhi - 110 003

Dated the 26th June, 2000

29

ORDER

The Year of allotment and seniority of the following officers borne on the Arunachal Pradesh - Goa - Mizoram - Union Territories (AGMUT) Joint Cadre of the Indian Forest Service who were promoted from the State Forest Service to the Indian Forest Service with effect from the dates and vide notification indicated against each is required to be determined in terms of the provisions of Rule 3(2)(c) and 4 (4) of the Indian Forest Service (Regulation of Seniority) Rules, 1968 applicable in their cases:-

A. Arunachal Pradesh

S.No.	Name & DOB (S/Shri)	Date of appt. to IFS	Notification No. & Date
01.	R. Modi (01.03.47)	26.09.96	F.No.32012/1/93-IFS-I dt. 26.09.96
02.	S.J.Jongsom (03.01.55)	26.09.96	- do -
03.	R.K.Deori (01.03.59)	26.09.96	- do -
04.	S.Thirunavukarusu (04.02.54)	10.10.96	- do -
05.	S.Chowdhury (01.04.40)	17.12.97	F.No.32012/1/93-IFS-I dt. 17.12.97

B. Mizoram

01.	R.Rozika (01.04.39)	26.09.96	F.No.32012/1/93-IFS-I dt.26.9.96
02.	B.Suanzalang (31.03.55)	26.09.96	- do -
03.	P.Liankhama (01.03.49)	26.09.96	- do -
04.	Lalthangliana Murray (16.04.59)	26.09.96	- do -
05.	Liankima Lailung (10.11.61)	26.09.96	- do -
06.	Vanalsawma (01.03.59)	26.09.96	- do -
07.	Hmingdailova Colney (01.05.59)	26.09.96	- do -

[Signature]

Referred to the Area Office

[Signature]

-I- -5/-

C. Andaman & Nicobar Administration

S.No.	Name & DOB (S/Shri)	Date of appt. to IFS	Notification No. & Date
01.	J.P. Misra (05.07.54)	26.09.96	F.No.32012/1/93-IFS-1 dt. 26.09.96
02.	Randhir Singh (17.11.38)	26.09.96	- do -
03.	M.P. Singh (08.12.45)	26.09.96	- do -
04.	B.P. Singh (01.04.47)	26.09.96	- do -
05.	S.C. Mukhopadhyay (26.10.50)	26.09.96	- do -
06.	Anutosh Guha (30.01.49)	26.09.96	- do -
07.	George Jacob (14.12.52)	26.09.96	- do -
08.	V. Chandrapandian (25.03.53)	26.09.96	- do -
09.	Jitendra Kumar (27.10.60)	26.09.96	- do -
10.	P.M. Bhatt (03.06.50)	11.10.96	F.No.32012/1/93-IFS-1 dt. 11.10.96
11.	S.K. Mitra (23.11.47)	02.12.96	F.No.32012/1/93-IFS-1 dt. 02.12.96

2. None of these officers has officiated in senior posts for the purpose of rule 2(g) read with rule 3(2)(c) of the IFS (Regulation of Seniority Rules) 1968 prior to their appointment on promotion to the Indian Forest Service in accordance with the provisions of Rule 9 of the IFS (cadre) Rules, 1966.

3. Accordingly, in terms of the provisions of Indian Forest Service (Regulation of Seniority) Rules, 1968 all of them except Shri S. Chowdhury whose name appears at S.No.5 under the Arunachal Pradesh segment are placed below Shri Ngilyang Tam, IFS (RR:1992) who has been continuously drawing the senior time scale for IFS prior to the date of their appointment to IFS on promotion and their year of allotment will be 1992. Shri S. Chowdhury will be placed below Shri Santosh Kumar, IFS (RR:1993) who has been continuously drawing the senior time scale for IFS before the date of appointment of Shri S. Chowdhury to IFS on promotion and his year of allotment will be 1993.

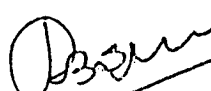
Pras

as

-I-

-52-

4. A separate order will follow regarding the inter-se seniority of the above officers in the Joint AGMUT Cadre.


(R.B.S. Rawat)
Director

Distribution :

1. Chief Secretary, Arunachal Pradesh/Goa/Mizoram/A&N Islands, Itanagar/Panaji/Aizawl/Port Blair.
- ✓ 2. PCCFs, Arunachal Pradesh/Mizoram/A&N Islands, Itanagar/Aizawl/Port Blair.
3. CF, Goa, Panaji.
4. Secretary, UPSC, Shahjahan Road, New Delhi.
5. Accountant General, Arunachal Pradesh/Goa/Mizoram, Itanagar/Panaji/Aizawl.
6. Deputy Accountant General, A&N Islands, Port Blair.

Certified to be true copy


Advocate

To,

(1) The Secretary,
Govt. of India,
Ministry of Environment & Forests,
Parvathan Bhavan, C.G.O. Complex
Lodi Road, New Delhi-110003.

(2) The Director,
Govt. of India
Ministry of Environment & Forests,
Parvathan Bhavan, C.G.O. Complex
Lodi Road, New Delhi-110003.

Subj:- FIXATION OF YEAR OF ALLOTMENT, OF SRI R.K. DEORI,
I.F.S. INDUCTED IN 1996 AGAINST AGMUT, CADRE.

Ref:- MY REPRESENTATION NO. NTL DATED., 07/10/1999 AND
31/08/2000.

Sir,

With due respect I beg to inform you that I have submitted my representation, regarding fixation of year of allotment, in Indian Forest service, under AGMUT, cadre, for the S.F.S. Officer inducted in 1996, vide my representation no cited above which was forwarded by the Principal Chief Conservator of Forests, Govt. of Arunachal Pradesh, Itanagar vide No. FGP-150/E-2/99/401-03 Dtd., 03/10/2000, but no any information have been received so far after lapse of nearly one year.

I, therefore request you kindly to communicate the decision taken by you on the subject as early as possible. If no any favourable decision is taken within three month, from the date of my this letter, I have to take help of court for natural justice.

Yours faithfully,

(Signature)
(R.K. DEORI) IFS
INDUCTED IN 1996
AGAINST AGMUT CADRE.

(Signature)

To,

The Secretary,
Govt. of India,
Ministry of Env. & Forest,
Paryavaran Bhawan
G.C.G.O Complex
Lodi-Road, New Delhi-110003.

-54- 62
Annex - J-1

Sub:-

(Through Proper Channel)
FIXATION OF YEAR OF ALLOTMENT TO THE OFFICER
INDUCTED TO INDIAN FOREST SERVICE, JH 1996
UNDER AGMUT CADRE.

Ref:-

GOVT. OF INDIA ORDER NO. NIL DTD., 29/6/2000.

Sir,

With due respect I beg to state the following few lines in connection with year of allotment, for favour of your information and kind consideration please.

That, Sir, I am 1978-80 batch of S.F.S. college and I became eligible for induction to Indian forest service in 1986. Due to non holding of D.P.C. yearwise I was not inducted to Indian forest service in time though there were clear vacancies I was inducted to I.F.S. only in 1996 vide notification No- 32012/1/93- IFS-I Dtd., 28/9/96, on the basis of D.P.C. held on 26/3/96. The last D.P.C. was held on 22/12/86. After issuing notification I was eagerly waiting that the year of allotment would be determined suitably within 6 month from the date of issuing of notification suitably in proper way by giving natural justice. When no any information could be received regarding fixation of year of allotment even after lapse of three years, then I appealed your honour through Principal Chief Conservator of Forests, Itanagar vide my letter No. Nil Dtd., 7/10/99 with a request for early fixation of year of allotment considering yearwise vacancies.

~~Sincerely yours~~

Since long time has been taken to determine the year of allotment for the Officers who inducted to I.F.S. under AGMUT cadre in accordance with the provision of existing rule, so it was believed that some exercise was going on in the Ministry for fixation of year of allotment suitably by giving natural justice, a part from existing rule, for those Officer

Contd.....p/2.....

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MS
Advocate

who have not been promoted due to non holding of D.P.C. for last 9 year. But I surprise to see the year of allotment communicated vide order no- Nil Dtd., 29/3/2000 which was received on 8/8/2000, where no any benefit has been given to the Officer. Who have suffer due to non conducting D.P.C. yearwise. It is more surprising that it took more than four years to determine the year of allotment in accordance with the provision of existing rule. If at all decision have to be taken for determination of year of allotment in accordance with the provision of existing rule, by giving only four years benefit then it would have been declared in 1996 it self. For this delaying technique I had to suffer mental agony, social status, and also I have been deprived for appealing in time to the authority, for natural justice.

Further I would like to inform you that I was officiating continuously in senior duty post since 17/9/93 till I was inducted to I.F.S. vide govt. order No-

- (1) FOR-410/E-2/81/25,467-577 Dtd., 17/9/93.
- (2) FOR-410/E-2/81/3458-548 Dtd., 22/2/94.
- (3) FOR-410/E-2/81/7375-475 Dtd., 29/3/95.
- (4) FOR-410/E-2/81/8373-473 Dtd., 30/6/95.
- (5) FOR-410/E-2/81/31083-183 Dtd., 16/4/95.
- (6) FOR-410/E-2/81/4262-4362 Dtd., 12/2/96.
- (7) FOR-410/E-2/81/17,416⁴⁶¹-561 Dtd., 31/5/96.
- (8) FOR-410/E-2/81/21,340-420 Dtd., 10/7/96.

Copies of the all above mentioned orders were endrosed to the Dy.Secretary to the govt. of India, Ministry of Environment & Forest, Department of Environment & Forest; Paryavaran Bhawan, C.G.O. complex, New Delhi. I would also like to inform you that total 9 Nos of senior duty posts have been created by the govt. of Arunachal Pradesh during the year from 1986 to 94 and all those senior duty posts, the cadre Officers, were holding continuously since the date the posts were created.


Certified to be true Copy


Advocate

.....3.....

Therefore, I earnestly request you honour kindly to arrange for reviewing the year of allotment order and refix the year of allotment considering the year wise vacancies by holding review D.P.C. yearwise, for which act of your kindness I shall remain ever grateful to you.

Yours faithfully,

 31/8/2009

(R.K. DEORI) IFS
DIVISIONAL FOREST OFFICER
NAMPONG FOREST DIVISION
JALPAIGURI

etc

Certified to be true Copy


Advocate

- 57 -
Annex - K -

No. 18014/07/95 - IFS-II
Government of India
Ministry of Environment and Forests

Paryavaran Bhavan, C.G.O. Complex,
Lodhi Road, New Delhi - 110003.
Dated the 27th February, 1997.

To

The Chief Secretary,
Govt. of Jammu & Kashmir,
Srinagar.

Sub :

Indian Forest Service - J & K Cadre - Revision of seniority of officers
appointed on the basis of 1995 Select List.

Sir,

I am directed to say that S/Shri V.P. Modi and 27 other State Forest Service Officers of your State were appointed to the Indian Forest Service (IFS) of J & K Cadre by promotion vide this Ministry's Notification No. 17013/07/95-IFS-II dated 12.9.95. all the 28 officers were assigned 1991 as their Year of Allotment in terms of the provisions of rule 3 (2) (a) and 3 (2) (c) of the IFS (Regulation of Seniority) Rules, 1968 vide this Ministry's Order No. 18014/7/95-IFS-II, Dt. 30.10.95.

2. Representations have been received from the officers concerned that if the Select List had been prepared annually, as envisaged in the IFS (Appointment by Promotion) Regulations, 1966, they would have been appointed to IFS earlier and consequently they would have got higher Year of Allotment than 1991 and higher seniority position than assigned now.

3. The Government of Jammu & Kashmir also recommended the relaxation of Rules/Regulations in order to assign higher Year of Allotment and seniority to the officers concerned, because the Select List of 1995 from which the above said 28 officers were appointed was prepared after a gap of about 20 years.

4. The matter has been considered carefully. It is felt that undue hardship has been caused to these officers due to delays in the Conduct of Cadre Reviews and holding of Selection Committee meetings. If the Selection Committee meetings were held annually, these officers would have been appointed to IFS much earlier and would have got higher Years of Allotment and seniority.

5. In view of the undue hardship caused to the officers concerned, the Central Government, in exercise of the powers conferred by rule 3 of the All India Services (Conditions of Service - Residuary Matters) Rules, 1960, as a ONE TIME measure is pleased to assign deemed dates of appointment to the service as shown in Column "3" and determination of Year of Allotment as shown in Column "4" of the table below. Accordingly, the deemed date of appointment of these officers have been worked out on the basis of deemed, cadre review, inclusion of their names from the year 1980 onwards which is calculated on the basis of vacancies in promotion quota at the appropriate periods and then applying the provisions of rule 3 of the IFS (Regulation of Seniority) Rules, 1968, on the basis of their deemed dates of appointment to the IFS for assigning Year of Allotment and inter-se seniority. (Statements A and B indicating as to how the vacancies were arrived at and the names of officers, who would be accommodated against each vacancy are enclosed for information.

96
87
94

1. Officer to be sent to the Govt.

RS
Srinagar

- 58 -
-K-

Sl.No.	Name	Deemed date of Appointment (31 st Dec. of the year)	Revised Year of Allotment based on Col. (3)
1	2	3	4
1.	S/Shri V.P. Modi		
2.	H.A. Kawoosa	31.12.80	1976
3.	B.K. Sharma	31.12.83	1978
4.	Shahniaz Naqashbandi	-do-	1978
5.	Y.S. Narsinghia	-do-	1978
6.	S.S. Bali	-do-	1978
7.	A.R. Wadoo	-do-	1978
8.	V.K. Zadoo	-do-	1978
9.	Chander Mohan Sethi	-do-	1978
10.	Shafat Ahmed	-do-	1978
11.	S.K. Kajuria	-do-	1978
12.	Shamim Mohd. Khan	-do-	1978
13.	Peer Bashir Ahmed Quadri	31.12.86	1982
14.	Subhash Chander Sharma	31.12.88	1984
15.	Suraj Prakash Sharma	31.12.89	1985
16.	Narinder Singh	-do-	1985
17.	Upinder Pachnanda	31.12.90	1986
18.	Abdul Qayoom Khan	-do-	1986
19.	Mohd. Shafiq Khan	-do-	1986
20.	Manu Raj Singh	-do-	1986
21.	Lalit Kumar Sharma	-do-	1986
22.	Manzoor Ahmed	-do-	1986
23.	Mukerjeet Sharma	-do-	1986
24.	Arun Kumar	-do-	1986
25.	Asgar Inayatullah	-do-	1986
26.	A.R. Latoo	-do-	1986
27.	M.A. Hakak	-do-	1986
28.	Nissar Ahmed Hakeem	31.12.92	1988
		31.12.92	1988

NOTE : The revision presently covers only those officers who have been actually appointed to IFS of J & K Cadre on the basis of 1995 Select List.

6. For purposes of inter-se-seniority, they shall be placed below the direct recruits of the corresponding Year of Allotment in the same order.

Yours faithfully,

Sd/-A.S.N.Murti,
Under Secretary to the Govt. of India.

Copy to :

Department of Personnel & Train, North Block, New Delhi (AIS-I Section).
Their case No. F. No. 14014/32/96 - AIS-I refers.

Copy also :

Guard File.

Verified to be true Copy

MS
Advocate

25/2/02

21 FEB 2002
GUWAHATI Bench

DISTRICT : PAPUMPARE (ARUNACHAL PRADESH)

Filed by the Respondent
No. Through
Senior Govt. Advocate
Arunachal Pradesh

Debnarayan Bisht
20/2/02

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI

(GAUHATI BENCH)

O.A. No. 434/2001

IN THE MATTER OF :-

O.A. No. 434/2001

R.K. Deori

.... APPLICANT

- Vs -

Union of India & Ors

.... RESPONDENTS

WRITTEN STATEMENT ON BEHALF OF RESPONDENT No.2

(1) That a copy of the Original Application which has been filed before the Central Administrative Tribunal and has been registered as O.A. No.434/2001. A copy of the same has been served upon to the State of Arunachal Pradesh being Respondent No.2.

(2) That the Respondent has perused the application and has understood the meaning thereof. The deponent has been authorised to verify the written statement being conversant with the facts and circumstances of the case.

....2....

That all the averments and submissions made in the Original A-pplication (hereinafter referred to as the 'application' are denied by the answering respondent save and except what has been specifically admitted herein and what appears from the record of the case.

(3) That as regards the statements made in para 1 of the application, the deponent states that the applicant namely Sri R.K. Deori, Sta-te Forest Service Officer has been inducted to IFS cadre w.e.f. 26.9.96 vide Govt of India, Ministry of Environment & Forests, New Delhi's order F. No. 32012/1/93-IFS-I dated 26.9.96 and year of allotment in favour of the applicant has been ~~1992~~ assigned as 1992 vide Govt of India, Ministry of Environment & Forests order No. 32012/1/93-IFS-I dated 26/29-6-2000. The cadre strength of IFS of AGMUT was reviewed last during the year 1995 vide Govt of India's notification No.16016/4/95-AIS(II)A dated 26.10.95 and the selection committee meeting was held on 26.3.96. It may be added that the representations of Shri R.K. Deori as referred in the application have been forwarded to the Govt of India (MOE & F), New Delhi time to time.

Copies of the Notification dated 26.9.96, order dated 26/29.6.2000 and notification dated 26.10.95 are annexed herewith and marked as A-nnexures A, B and C respectively.

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Debmara Bishnoi
31/12/02

Debmayan Biswas
21/12/02

(4) That as regards the statements made in paragraphs 2, 3 and 4:1 of the application, the deponent states that same are matters of record and the deponent does not admit anything which are contrary to and inconsistent with the same.

(5) That as regards the statements made in paragraph 4:2 of the application, the deponent states that after completion of 2 years SFS training course, the applicant was appointed in the Service as Assistant Conservator of Forests w.e.f. 1.4.81 and confirmed in the post of Assistant Conservator of Forests w.e.f. 1.1.85.

(6) That as regards the statements made in para 4:3 of the application, the deponent states that a copy of the final gradation list of Assistant Conservator of Forests as on 1.1.83 published vide No.For.180/E-2/84/21,316-364 dated 30.7.93 in which position of the applicant Sri R.K. Deori was shown correctly at Sl No. 21.

A copy of the final gradation list is annexed herewith and marked as Annexure-D.

(7) That as regards the statements made in para 4:4 of the application, the deponent states that it was not the fact that he was appointed in a Senior State Cadre post as Divisional Forest Officer/Deputy Conservator of Forests from 1985 to 1993. In fact for administrative reasons and as a general procedure

....4....

of the Government, he was posted to hold the charge of various Divisions time to time from 1985 onwards. He was promoted to the next higher grade post of DCF(SFS) w.e.f. 30.11.92 vide Govt's order No.For.100/EA/88/Pt/37641-37,705 dated 28.11.92. However, it is a fact that the applicant was appointed to officiate on purely temporary basis as DCF against the cadre post of IFS allotted to the State of Arunachal Pradesh time to time for a period of 3 (three) months w.e.f. 16.9.93 with one day break in each spell till he was appointed to IFS cadre on regular basis w.e.f. 26.9.96.

A copy of the order dated 28.11.92
is annexed herewith and marked as.

Annexure-E.

(8) That as regards the statements made in para 4:5 of the application, the deponent states that allotted cadre ~~of~~ post of IFS for the State of Arunachal Pradesh was 27 as per cadre strength allotted vide Govt of India, Ministry of Personnel and Training, Administrative Reforms and Public Grievances and Pension Notification No.16016/3/84-AIS(IV)-A dated 26.3.85 till 26.10.95 i.e. next review of the cadre strength and not 28 numbers as contended.

A copy of the notification dated
26.3.85 is annexed herewith and
marked as Annexure-F.

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Debmayan Biswas
21/12/02

(9) That as regards the statements made in para 4:6 of the application, the deponent has no comments as it concerns to Govt of India, Ministry of Environment & Forests, New Delhi.

(10) That as regards the statements made in para 4:7 of the application, the deponent states that same are matters of record and the deponent does not admit anything which are contrary to and inconsistent with the same.

(11) That as regards the statements made in paragraphs 4:8 and 4:9 of the application, the deponent has no comments as it concerns to Govt of India, Ministry of Environment & Forests, New Delhi.

(12) That as regards the statements made in para 4:10 of the application, the deponent states that the applicant was confirmed in the post of ACF(SFS) w.e.f. 1.1.85 and he came in the zone of consideration for promotion to Indian Forest Service w.e.f. 1.4.87. His name was first recommended by the State Govt to the Govt of India, Ministry of Environment & Forests, New Delhi for his induction to IFS Cadre during the year 1988 vide Govt's letter No.For.400/E-2/83/440 dated 23.12.88.

A copy of the Govt's letter dated 23.12.88 is annexed herewith and marked as Annexure-G.

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Debmaharaj Biswas
21/12/02

(13) That as regards the statements made in para 4:11 of the application, the deponent has no comments since the matter concerns to Govt of India, Ministry of Environment & Forests, New Delhi.

(14) That as regards the statements made in paragraphs 4:12 and 4:13 of the application, the deponent states that same are matters of record and the deponent does not admit anything which are contrary to and inconsistent with the same and states that the cadre review was done during the year 1995 and cadre strength in respect of Govt of India's notification No.16016/4/95/AIS(II)-A dated 26.10.95.

(15) That as regards the statements made in para 4:14 of the application, the deponent states that out of 27 allotted cadre posts of IFS, one cadre post of Chief W-ild Life Warden (Conservator of Forests rank) was upgraded to the ex-cadre post of Chief Conservator of Forests, Wild Life vide Govt's order No.CWL/E/10/92/1936-85 dated 17.6.92 and this in fact cadre strength reduced to 26 and during the cadre review, the following 8 posts were encadred and included in the cadre strength of IFS raising cadre strength to 34 in respect of State of Arunachal Pradesh.

- | | | | |
|------|--|------------|-------|
| (i) | CCF (Wild Life)
(Upgraded post of CWLW) | 1 No. | |
| (ii) | <u>Conservator of Forests</u> | | |
| | CF(Conservation) | 1 No. \| | 2 Nos |
| | CF(Sourthern Ar.Circle) | 1 No. \| |  |

...7....

(iii) Field Director(PT) (DCF rank)	.....	1 No.	
DCF Mouling Wild Life Division	....	1 No.	
DCF Industry	....	1 No.	5 Nos
DCF Anini SF Division	....	1 No.	
DCF Tawang Tawang SF division	....	1 No.	
		<hr/>	
		Total ...	8 Nos

And as such it is not correct that
6 DCF level posts were encadred.

A copy of the order dated 17.6.92
is annexed herewith as Annexure-H.

(16) That as regards the statements made in
para 4:15 of the application, the deponent states that
same are matters of record and the deponent does not
admit anything which are contrary to and inconsistent
with the same.

(17) That as regards the statements made in
para 4:15 and 4:16 of the application, the deponent
states that the representations of the applicant were
forwarded to the Govt of India, Ministry of Environment &
Forests, New Delhi time to time except representation
dated 9.8.2001 ~~wgixgx~~ which appears to be not received.

(18) That as regards the statements made in
paragraphs 4:18, 4:19, 4:20 and 4:21 of the application,
the deponent states that same are matters of record and
the deponent does not admit anything which are contrary
to and inconsistent with the same.

Debnayan Biswas
21/12/02

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Debaraj-Biswas
21/12/82

(19) That as regards the statements made in para 4:22 of the application, the deponent states that same are matters of record and the deponent does not admit anything which are contrary to and inconsistent with the same and in this regard the deponent has fully stated in the para 7 of this written statement.

(20) That as regards the statements made in paragraphs 4:24, 4:25, 4:26 and 4:27 of the application, the deponent has no comments to make.

(21) That as regards the statements made in paragraphs 5(a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the application, the ~~xxxxx~~ deponent has no comments to offer since these matters concerns to Govt of India (MOE&F), New Delhi.

(22) That as regards the statements made in paragraphs 6, 7 and 8 of the application, the deponent states that the applicant is not entitled to any relief whatsoever. The applicant is not entitled to have promotion to IFS with retrospective benefit from the year 1988 with year of allotment as 1984 restoring his seniority with all retrospective service benefit.

(23) That as regards the statements made in paragraphs 9 and 10 of the application, the deponent states that same are matters of record and the deponent does not admit anything which ~~is~~ are contrary to and inconsistent with the same.

(24) That in any view of the facts and circumstances of the case and provisions of rules/ law, the applicant is not entitled to any relief as prayed for and the application is liable to be dismissed.

....VERIFICATION....11

77
Debaraj Biswas
21/12/02

V E R I F I C A T I O N

I, Shri *Debnarayan Biswas*
S/o *Lah-Dinabandhu Biswas* aged about 56 years,
presently residing at Itanagar, in the district of
Papumpare, Arunachal Pradesh and presently serving as
Administrative Officer in the Department of
Environment & Forests, Govt of Arunachal Pradesh,
Itanagar, do hereby verify that I have been authorised
to swear this verification.

The statements made in paragraphs 1, 2, 9, 10, 11,
13, 16, 18, 19, 20 & 23, are true to my knowledge and belief,
those made in paragraph 3, 4, 5, 6, 7, 8, 12, 14, 15, 17, 21 & 22,
being matters of record, are true to my information
derived therefrom and the rest are my humble submission
before this Hon'ble Tribunal. I have not suppressed
any material information in this case.

And I sign this verification on this ~~21st~~
the 21st day of February, 2002 at Guwahati.

Debnarayan Biswas
Signature 21/2/02

PKB

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Annex - A2

(TO BE PUBLISHED IN PART I SECTION II OF THE GAZETTE OF INDIA)

F.NO.32012/1/93-IFS-I
Government of India
Ministry of Environment and Forests

Paryavaran Bhavan,
CGO Complex, Lodhi Rd.,
New Delhi - 110003

Dated the 26th September, 1996

NOTIFICATION

In exercise of the powers conferred by sub-rule (1) of rule 8 of the Indian Forest Service (Recruitment) Rules, 1966 read with sub-regulation (1) of regulation 9 of the Indian Forest Service (Appointment by Promotion) Regulations, 1966, the President is pleased to appoint with immediate effect the undermentioned twenty officers of the State Forest Service of Arunachal Pradesh, Mizoram and Andaman & Nicobar Administration, constituent units of the Arunachal Pradesh-Goa-Mizoram and Union Territories (AGMUT) cadre, to the Indian Forest Service against the existing vacancies and to allocate them to the AGMUT cadre of the Indian Forest Service under sub-rule (1) of rule 5 of the Indian Forest Service (Cadre) Rules, 1966:-

S.No.	Name of the officer	Date of birth
1	2	3

Arunachal Pradesh:

S/Shri.

01	R. Modi	01.03.1947
02	S.J. Jongsom	03.01.1955
03	R.K. Deori	01.03.1959
04	S. Thirunavukarasu	04.02.1954

Mizoram:

S/Shri

01	R. Rozika	01.04.1939
02	B. Suanzalang	31.03.1955
03	P. Liankhama	01.03.1949
04	Lalthangliana Murray	16.04.1959
05	Liankima Lailung	10.11.1961
06	Vanlalsawma	01.03.1959
07	Hmingdailova Colney	01.05.1959

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- 2 :-

Andaman & Nicobar Administration:

S/Shri

01	J.P. Misra	05.07.1954
02	Randhir Singh	17.11.1938
03	M.P. Singh	08.12.1945
04	B.P. Singh	01.04.1947
05	S.C. Mukhopadhyay	26.10.1950
06	Anutosh Guha	30.01.1949
07	George Jacob	14.12.1952
08	V. Chandrapandian	25.03.1953
09	Jitendra Kumar	27.10.1960

(Signature)

(R. Sanehwal)

Under Secretary to the Govt. of India

To

The Manager,
Government of India Press,
Fardiabad (Haryana) (with a copy of Hindi Version).

Distribution:

1. The Chief Secretary, Govt. of Arunachal Pradesh, Itanagar.
2. The Chief Secretary, Govt. of Mizoram, Aizawl.
3. The Chief Secretary, Govt. of Andaman & Nicobar Islands, Port Blair.
4. The Principal Chief Conservator of Forests, Arunachal Pradesh, Itanagar with spare copies for the officers concerned.
5. The Principal Chief Conservator of Forests, Mizoram, Aizawl with the spare copies for the officers concerned.
6. The Principal Chief Conservator of Forests, Andaman & Nicobar Islands, Port Blair with the spare copies for the officers concerned.
7. The Accountant General, Arunachal Pradesh, Itanagar.
8. The Accountant General, Mizoram, Aizawl.
9. The Accountant General, Andaman Nicobar Islands, Port Blair.
10. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan, Road, New Delhi.
11. Guard File.

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IV
81
(9)

3 - IFS-1
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan, Con. Complex
Lodi Road, New Delhi - 110 003

Dated the 26th June, 2000
29

ORDER

The Year of allotment and seniority of the following officers borne on the Arunachal Pradesh - Goa - Mizoram - Union Territories (AGMUT) Joint Cadre of the Indian Forest Service who were promoted from the State Forest Service to the Indian Forest Service with effect from the dates and vide notification indicated against each is required to be determined in terms of the provisions of Rule 3(2)(c) and 4 (4) of the Indian Forest Service (Regulation of Seniority) Rules, 1968 applicable in their cases:-

A. Arunachal Pradesh

S.No.	Name & DOB (S/Shri)	Date of appt. to IFS	Notification No. & Date
01.	R. Modi (01.03.47)	26.09.96	F.No.32012/1/93-IFS-I dt. 26.09.96
02.	S.J.Jongsom (03.01.55)	26.09.96	- do -
03.	R.K.Deori (01.03.59)	26.09.96	- do -
04.	S.Thirunavukarusu (04.02.54)	10.10.96	- do -
05.	S.Chowdhury (01.04.40)	17.12.97	F.No.32012/1/93-IFS-I dt. 17.12.97

B. Mizoram

01.	R.Rozika (01.04.39)	26.09.96	F.No.32012/1/93-IFS-I dt. 26.9.96
02.	B.Suanzalang (31.03.55)	26.09.96	- do -
03.	P.Liankhama (01.03.49)	26.09.96	- do -
04.	Lalthangliana Murray (16.04.59)	26.09.96	- do -
05.	Liankima Lailung (10.11.61)	26.09.96	- do -
06.	Vanalsawma (01.03.59)	26.09.96	- do -
07.	Hmingdailova Colney (01.05.59)	26.09.96	- do -

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-I- 82

C. Andaman & Nicobar Administration

S.No.	Name & DOB (S/Shri)	Date of appt. to IFS	Notification No. & Date
01.	J.P. Misra (05.07.54)	26.09.96	F.No.32012/1/93-IFS-1 dt. 26.09.96
02.	Randhir Singh (17.11.38)	26.09.96	- do -
03.	M.P. Singh (08.12.45)	26.09.96	- do -
04.	B.P. Singh (01.04.47)	26.09.96	- do -
05.	S.C. Mukhopadhyay (26.10.50)	26.09.96	- do -
06.	Anutosh Guha (30.01.49)	26.09.96	- do -
07.	George Jacob (14.12.52)	26.09.96	- do -
08.	V.Chandrapandian (25.03.53)	26.09.96	- do -
09.	Jitendra Kumar (27.10.60)	26.09.96	- do -
10.	P.M. Bhatt (03.06.50)	11.10.96	F.No.32012/1/93-IFS-1 dt. 11.10.96
11.	S.K. Mitra (23.11.47)	02.12.96	F.No.32012/1/93-IFS-1 dt. 02.12.96

2. None of these officers has officiated in senior posts for the purpose of rule 2(g) read with rule 3(2)(c) of the IFS (Regulation of Seniority Rules) 1968 prior to their appointment on promotion to the Indian Forest Service in accordance with the provisions of Rule 9 of the IFS (cadre) Rules, 1966.

3. Accordingly, in terms of the provisions of Indian Forest Service (Regulation of Seniority) Rules, 1968 all of them except Shri S. Chowdhury whose name appears at S.No.5 under the Arunachal Pradesh segment are placed below Shri Ngilyang Tam, IFS (RR:1992) who has been continuously drawing the senior time scale for IFS prior to the date of their appointment to IFS on promotion and their year of allotment will be 1992. Shri S. Chowdhury will be placed below Shri Santosh Kumar, IFS (RR:1993) who has been continuously drawing the senior time scale for IFS before the date of appointment of Shri S. Chowdhury to IFS on promotion and his year of allotment will be 1993.

Prave

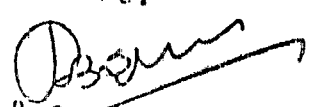
-57-

-16-

7

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4. A separate order will follow regarding the inter-so seniority of the above officers in the Joint AGMUT Cadre.


(R.D.S. Rawat)
Director

Distribution :

1. Chief Secretary, Arunachal Pradesh/Goa/Mizoram/A&N Islands, Itanagar/Panaji/Aizawl/Port Blair.
2. PCCFs, Arunachal Pradesh/Mizoram/A&N Islands, Itanagar/Aizawl/Port Blair.
3. CF, Goa, Panaji.
4. Secretary, UPSC, Shahjahan Road, New Delhi.
5. Accountant General, Arunachal Pradesh/Goa/Mizoram, Itanagar/Panaji/Aizawl.
6. Deputy Accountant General, A&N Islands, Port Blair.

(PUBLISHED IN THE GAZETTE OF INDIA PART II SECTION 3(1))

(20)

No. 16016/4/95-AIS(II)-A
 Government of India
 Ministry of Personnel, P.G. & Pensions
 (Department of Personnel & Training)

New Delhi, the 26/10/95

NOTIFICATION

G.S.R. No. In exercise of the powers conferred by sub-section (1) of Section 3 of the All India Services Act, 1951 (61 of 1951) read with sub-rule (2) of Rule 4 of the Indian Forest Service (Cadre) Rules, 1966, the Central Government, in consultation with the Government of Arunachal Pradesh, Goa and Mizoram, hereby makes the following regulations further to amend the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, namely:-

1. (1) These regulations may be called Indian Forest Service (Fixation of Cadre Strength) Sixth Amendment Regulations, 1995.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, for the heading "Arunachal Pradesh-Goa-Mizoram-Union Territories" and entries occurring thereunder, the following shall be substituted namely :-

"ARUNACHAL PRADESH-GOA-MIZORAM-UNION TERRITORIES"

1. Senior Posts under the Governments of Arunachal Pradesh-Goa-Mizoram-Union Territories

95

Posts under the Government of Arunachal Pradesh

Principal Chief Conservator of Forests

1

Chief Conservator of Forests (Development)

1

Chief Conservator of Forests (Wildlife, Wastelands & Vigilance)

1

Conservator of Forests (Territorial)
[Central, Western, Eastern & Southern]

4

Conservator of Forests (Planning & Development)

1

Conservator of Forests (Conservation-Nodal Officer)

1

Deputy Conservator of Forests (Territorial)

10

[Dibang, Lohit, Along, Namsai, Pasighat, Nampong, Bandardeva, Deomali, Heapoli, Bomdila]

Deputy Conservator of Forests (Headquarters)

1

Deputy Conservator of Forests (Wildlife)

5

Deputy Conservator of Forests (Industries)

1

g12 (NA)

- 2 -

Deputy Conservator of Forests (Working Plan)	1
Deputy Conservator of Forests (Forest Utilization)	1
Deputy Conservator of Forests (Research, Resources Survey)	1
Deputy Conservator of Forests (Silviculture)	1
Deputy Conservator of Forests (Forest Statistics & Planning)	1
Deputy Conservator of Forests & Field Director, Project Tiger, Namdapha	1
Deputy Conservator of Forests (Social Forestry)	2
	34

Posts under the Government of Goa

Conservator of Forests	1
Deputy Conservator of Forests (Territorial)	2
Deputy Conservator of Forests (Cashew)	1
Deputy Conservator of Forests (Working Plan)	1
Deputy Conservator of Forests (Forest Utilization)	1
Deputy Conservator of Forests (Wildlife)	1
Deputy Conservator of Forests (Social Forestry)	1
	8

Posts under the Government of Mizoram

Principal Chief Conservator of Forests	1
Chief Conservator of Forest (Development & Planning)	1
Chief Conservator of Forests (Territorial) [Northern, Southern & Central Circles]	3
Conservator of Forests (Research & Development)	1
Conservator of Forests & Chief Wildlife Warden	1
Deputy Conservator of Forests (Territorial) [Aizawl, Kolasib,unglei, Champhai, Kawnthar, Darlawn]	6
Deputy Conservator of Forests (Planning)	1
Deputy Conservator of Forests (Training)	1
Deputy Conservator of Forests (Working Plan)	2
Deputy Conservator of Forests (Wildlife)	1
Deputy Conservator of Forests (Resources Survey)	1

-3- - 41 - 19 - 86 (18) ✓
& Silviculture)

19

Posts under the Andaman & Nicobar Administration

Principal Chief Conservator of Forests	1
Chief Conservator of Forests & Chief Wildlife Warden	1
Conservator of Forests (Territorial) [Northern & Southern Circles]	2
Conservator of Forests (Research & Development)	1
Conservator of Forests (Development & Utilisation)	1
Conservator of Forests (Wildlife)	1
Deputy Conservator of Forests (Territorial) [Diglipur, Mayabunder, Middle Andaman, Baratang, South Andaman, Little Andaman, Nicobar Islands]	7
Deputy Conservator of Forests (Depot)	1
Deputy Conservator of Forests (Biosphere Reserve)	1
Deputy Conservator of Forests (Mill)	1
Deputy Conservator of Forests (Silviculture)	1
Deputy Conservator of Forests (Working Plan)	2
Deputy Conservator of Forests (Forest Utilisation)	1
Deputy Conservator of Forests (Headquarters)	1
Deputy Conservator of Forests (Wildlife)	1

23

Posts under Dadra & Nagar Haveli and Daman & Diu Administration

Conservator of Forests & Chief Wildlife Warden	1
Deputy Conservator of Forests (Territorial) [Dadra & Nagar Haveli]	1
Deputy Conservator of Forests (Wildlife), [Dadra & Nagar Haveli]	1
Deputy Conservator of Forests, Daman & Diu	1

4

Posts under the Delhi Government

Conservator of Forests & Chief Wildlife Warden	1
Deputy Conservator of Forests (Rural)	1

N.H. (P.H.)

- 42 - 20 -

87

Deputy Conservator of Forests (Urban)

Deputy Conservator of Forests (Reserve Forests)

Posts under the Pondicherry Government

Deputy Conservator of Forests & Chief Wildlife Warden

Posts under the Lakshadweep Administration

Deputy Conservator of Forest & Chief Wildlife Warden

Posts under the Chandigarh Administration

Deputy Conservator of Forests & Chief Wildlife Warden

TOTAL:

2. Central Deputation Reserve @ 20% of Item 1 above
3. Posts to be filled by promotion in accordance with Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, @ 33 1/3% of Items 1 and 2 above
4. Posts to be filled by direct recruitment (1+2+3) (1+2)-3
5. Deputation Reserve @ 25% of Item 1 above
6. Leave Reserve, Training Reserve & Junior Posts @ 20% of Item 1 above

Direct Recruitment Posts
Promotion posts

Total Authorised Strength

(Madhumita D. Mitra)
Desk Officer

Note 1: Prior to the issue of this notification the total authorised strength of the Arunachal-Pradesh-Goa-Mizoram-Union territories Cadre was 100.

Note 2: The Principal Regulations were notified vide Notification No. 6/1/66 - AIS(IV), dated 31.10.1966 as GSR No.1072 in the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, has been amended vide Notification given below:-

Total of Item no 1 & 2 — 56
promotion posts — 18
leave reserve — 10

Mean of A.P.
Total strength per — 34
2) cent deputation —
3) promotion posts —
4) direct recruit —

-21-

ANNEXURE-D

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
& SECRETARY (ENVIRONMENT & FORESTS)
ITANAGAR.

REVISED GRADATION LIST OF ASSTT. CONSERVATOR OF FORESTS AS ON 1.1.83

Sl. No.	Name of officials	Designation	Educational qualification	Date of birth	Date of Ist appointment to Govt. service	Date of appointment to the present post.	Remarks
1.	2.	3.	4.	5.	6.	7.	8.
1.	S/Shri B.K. Baruah	ACF	B.Sc	1.5.1940	31.3.1966	31.3. 1966	Resigned w.e.f. 5.11.84
2.	" S.B. Choudhary,	ACF	I.Sc. BA	1.2. 1934	1.4. 1956	6.4. 1970	Inducted into IFS cadre w.e.f. 20.7.83
3.	" F.K. Sur	ACF	ISC passed	1.2. 1930	4.5. 1954	15.4. 1970	Inducted into IFS cadre w.e.f. 20.7.83
4.	" M.R. Sgarma Roy	ACF	ISC Passed	2.4. 1931	30.9.1951	28.3. 1973	Inducted into IFS cadre w.e.f. 20.7.83 retired on 3.4. 1989
5.	" B.S. Benkwal	ACF	B.Sc	10.6. 1948	3.3. 1974	3.3. 1974	Inducted into IFS cadre w.e.f. 20.7. 1983
6.	" F.K. Sen	ACF	ISC	1.7. 1942	4.7. 1964	27.2. 1975	Inducted into IFS cadre w.e.f. 20.7. 1983
7.	" A.K. Chatterjee,	ACF	M.Sc	26.5. 1949	27.2. 1975	27.2. 1975	Inducted into IFS cadre w.e.f. 19.6. 1984
8.	" K.C. Malakar	ACF	Matriulate	28.2. 1931	8.12. 1951	17.3. 1976	Expired on 5.10.84
9.	" R. Modi	ACF	B.Sc	1.3. 1947	31.3. 1973	1.5. 1978	
10.	" T. Millang	ACF	B.Sc	14.3. 1950	3.3. 1974	1.5. 1978	Inducted into IFS cadre w.e.f. 29.6. 1986
11.	" B.C. Deka	ACF	I.Sc passed	1.4. 1929	1.4. 1980	15.12. 1977	Retired w.e.f. 31.3. 87
12.	" M. Namsom	ACF	B.Sc	26.5. 1951	1.5. 1979	1.5. 1979	Inducted into IFS cadre w.e.f. 12.6. 87
13.	" L.K. Fait	ACF	B.Sc (Agri)	22.8. 1953	1.5. 1979	1.5. 1979	Inducted into IFS cadre w.e.f. 12.6.1987.

- 22 -

1.	2.	3.	4.	5.	6.	7.	8.
14.	Shri P.C. Goswami	ACF	ISC (BA)	1.6. 1931	1.4. 1956	15.12.1977	Retired w.e.f. 31.5. 1989
15.	Shri K.D. Chowdhury	ACF	ISC passed	1.11. 1935	1.4. 1957	15.12. 1977	Promoted as DCF (SFS) from 1.5. 1987.
16.	Shri B.C. Sinha,	ACF	Matriculate	28.2. 1930	15.9.1948	15.12. 1977	Retired on 31.7. 1988.
17.	Shri R.K. Sengupta	ACF	ISC passed	12.8. 1936	21.12.1954	15.12.1977	Expired on 18.5. 1990.
18.	Shri S.C. Sarma	ACF	Matriculate	1.3. 1929	15.19.1948	15.12.1977	Retired on 28.2. 1987
19.	Shri F. Chakraborty	ACF	Matriculate	29.2. 1934	22.11. 1953	15.12. 1977	
20.	Shri S.J. Jongsom (D)	ACF	B.Sc	3.1. 1955	1.4. 1981	1.4. 1981	1978-1980 SFS course promoted to DCF (SFS) w.e.f. 1.8.87.
21.	Shri R.K. Deori (D)	ACF	B.Sc	1.3. 1959	1.4. 1981	1.4. 1981	1973-80 SFS course.
22.	Shri A.K. Bhattacharjee,	ACF	Matriculate	1.1. 1935	7.10.1953	10.1.1979	
23.	Shri M.K. Palit (D)	ACF	M.Sc	28.2. 1955	6.11.1981	6.11.1981	1979-81 SFS course.
24.	Shri J.R. Dey (F)	ACF	I.Sc passed	1.2. 1939	1.9.1960	5.3. 1979	
25.	Shri S. Thirunavukarasu	ACF	B.Sc	4.2. 1954	6.11.1981	6.11.1981	1979-81 SFS course.
26.	Shri S.K. Paul (F)	ACF	Matriculate	1.10.1931	3.6.1955	11.1. 1979	(retired) w.e.f. 30.9.89.
27.	Shri N. Bhattacharjee (F)	ACF	- do -	1.2. 1930	8.10.1953	1.3. 1979	Promotee (retired) w.e.f. 29.9. 1984
28.	Shri S.N. Chakraborty (F)	ACF	- do -	1.2. 1930	16.7. 1953	8.1. 1979	Promotee (retired) w.e.f. 31.1. 1988
29.	Shri P.R. Deb (F)	ACF	- do -	1.5. 1929	1.10.1953	9.1. 1979	Promotee (retired) w.e.f. 30.4. 1987.
30.	Shri S.R. Panikar (F)	ACF	Passed SSLC	7.3. 1935	23.9. 1954	9.2. 1979	
31.	Shri S. Chowdhury (F)	ACF	B.Sc	1.4. 1940	10.7. 1957	4.6. 1979	
32.	Shri L.K. Phukan (F)	ACF	Matriculate	1.7. 1930	12.12. 1951	25.6. 1979	Promotee (retired) w.e.f. 30.6. 1988.
33.	Shri M.C. Baruah (F)	ACF	I.Sc passed	31.10. 1941	14.10. 1961	2.5. 1979	

1.	2.	3.	4.	5.	6.	7.	8.
34.	Shri P.K. Chakraborty,	ACF	Matriculate	1.5. 1940	3.7. 1961	21.5. 1979	promotee (expired on 7.8. 1986.
35.	Shri A.K. Sen (P)	ACF	B.Sc	1.3. 1945	2.4. 1969	29.10. 80	
36.	Shri K. Tailong (D)	ACF	B.Sc	6.2. 1957	31.1. 1982	31.1. 1982	1980-82 SFS course.
37.	Shri B.C. Das (F)	ACF	B.Sc	1.8. 1945	1.8. 1970	29.10.80	
38.	Shri K. Fertin (D)	ACF	B. Sc/ MA (Fre)	7.3.1950*	1.11. 1982	1.11. 1982	1980-82 SFS course.
39.	Shri B.C. Deb (F)	ACF	Matriculate	1.4. 1938	31.1. 1962	30.10. 1982	
40.	Shri Hiba El (D)	ACF	B.Sc	27.1. 1957	1.11. 1982	1.11. 1982	1980-82 course.
41.	Shri B.K. Dhar (F)	ACF	Matriculate	1.2. 1932	10.7. 1953	5.1. 1981	promotee (retired) w.e.f. 31.1. 1990.
42.	Shri Anand Krishna (D)	ACF	M-Sc	5.7. 1958	26.10. 1983	26.10. 1983	1981-83 SFS course.
43.	Shri T. Sitang (D)	ACF	B.Sc	1.8. 1959	26.10. 1983	26.10.1983	- do -
44.	Shri Hibu Bole (D)	ACF	B.Sc	28.10. 1957	26.10 1983	26.10. 1983	1981-83 SFS course)
45.	Shri C.K. Namsom (D)	ACF	B.Sc	23.4. 1958	26.10. 1983	26.10.1983	- do -

Contd. 4/-

1.	2.	3.	4.	5.	6.	7.	8.
46-	Shri Oni Dai (D)	ACF	B.Sc	7.11.1959	26.10.1982	26.10.1983	1981-83 SFS course.
47.	Shri Dasu Shra (D)	ACF	B.Sc	1.9.1959	26.10.1983	26.10.1983	- do -
48.	Shri B. Banerjee (D)	ACF	B.Sc	8.2.1955	26.4.1980	3.11.1984	1982-94 SFS course

(G.F. SHUKLA) 30/7/93
 Principal Chief Conservator of Forests
 & Secretary (Environment & Forests)
 Arunachal Pradesh :: Itanagar.

N.B :- F Denotes Promotee
 D Denotes Direct.

Mem. No. For. 180/E-2/84/21

316-364

Dtd. Itanagar, the 3rd July/93.

- Copy to :-
1. The Chief Conservator of Forests, W.L, Wasteland & Vigilance. Arunachal Pradesh.
 2. All Conservator of Forests, A.F. Forest Deptt.
 3. The Managing Director, A.F.F.C. Ltd.
 4. All Divisional Forest Officer's including Dy. Chief Wildlife Warden, A.F
 5. The DIPR, Govt. of A.P with the request to publish in the next issue of A.F. Gazettee.

X for information & guidance.
 X The above gradation list may
 X please be brought to notice of
 X all concerned individuals
 X
 X

(G.F. SHUKLA) 30/7/93
 Principal Chief Conservator of Forests
 & Secretary (Environment & Forests)
 Arunachal Pradesh :: Itanagar.

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE SECRETARY (FORESTS)
ITANAGAR

NO.FOR.100/E(A)/88/Part/

Dated Itanagar,
The 28th Nov '92.

O R D E R

The Governor of Arunachal Pradesh is pleased to order for proforma promotion of Shri S.R. Paniker, ACF(SFS) on deputation to Arunachal Pradesh Forest Corporation Ltd., to the post of DCF(SFS) in the scale of pay of Rs 2200-75-2800-EB-100-4000/- p.m. with immediate effect until further orders against the post created vide Govt's order No.For.188/D-5/87/Vol-I/38575-645 dt. 21.12.88.

2. The Governor of AP is further pleased to order promotion of Shri R.K. Deori, ACF(SFS) to the post of DCF(SFS) in the scale of pay of Rs 2200-75-2800-EB-100-4000/- p.m. with immediate effect until further order vice Shri S.R. Paniker, ACF (now DCF) deputed to Arunachal Pradesh Forest Corporation Ltd.

Sd/- G.P. Shukla,
Secretary (Forests)
Govt. of Arunachal Pradesh
Itanagar.

Memo.No.For.100/E(A)/88/Part/37,641-37,705 Dated Itanagar,
The 28th Nov '92.

Copy to:-

1. The Secretary to Hon'ble Governor, AP, Itanagar.
2. The Secretary to Hon'ble Chief Minister, AP, Itanagar.
3. The PS to Hon'ble Minister (Forests), AP, Itanagar.
4. The PS to Hon'ble Dy. Minister (For), AP, Itanagar.
5. The PS to Chief Secretary, Govt. of AP, Itanagar.
6. All ~~EE~~ DCs/ADCs, Govt. of AP.
7. CCF(Wildlife, wasteland & Vig., Itanagar),
8. MD, Arunachal Pradesh Forest Corporation Ltd., Itanagar.
9. All CFs, Govt. of Arunachal Pradesh.
10. All Divisional Forest Officers, Govt. of AP.
11. Field Director, Project Tiger, Miao.
12. Principal, AP Forest School, Namsangmukh.
13. Orchidologist, ORLC, Naharlagun.
14. Personal files of officials concerned.
15. DIPR, Govt. of AP, Naharlagun with a request to publish in the next issue of Gazette.
16. All branches of this office.
17. Officials concerned.
18. Office order pad.

(Signature)
(Avinash K. DCF (nwr)
for Secretary (Forests),
Govt. of Arunachal Pradesh,
Itanagar.

o/e

unint

PUBLISHED IN PART II SECTION III SUB SECTION (1)
OF THE GAZETTE OF INDIA EXTRAORDINARY) DATED 26TH MARCH/85

No.16016/3/84-AIS(IV)-A
Government of India/Bharat Sarkar
Ministry of Personnel & Training, Administrative Reforms and Public Grievances and Pension
(Karmik Aur Parashiksan, Parshasnik Sudhar Aur Lok Shikayat Tatha Pension Mantralaya)
Department of Personnel & Training
(Karmik Aur Parashiksan Vibhag)

....

New Delhi, the 26th March, 1985

NOTIFICATION

CSR-308(E) In exercise of the powers conferred by sub-section (1) of section 3 of the All India Services Act, 1951 (61 of 1951) read with sub-rule (2) of Rule 4 of the Indian Forest Service (Cadre) Rules, 1966, the central Government hereby makes the following regulations further to amend the Indian Forest service (Fixation of cadre Strength) Regulations, 1966, namely :-

1. (1) These regulations may be called Indian Forest Service (Fixation of Cadre Strength) Second Amendment Regulations, 1985.
(2) They shall come into force on the date of their publication in the official Gazette
2. In the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, for the heading "Union Territories" and entries occurring thereunder, the following heading and entries shall be substituted, namely :-

"UNION TERRITORIES"

1. <u>SENIOR POSTS UNDER THE UNION TERRITORIES</u>	61
<u>POSTS UNDER THE ANDAMAN AND NICOBAR ADMINISTRATION</u>	
Chief Conservator of Forests	1
Conservator of Forests	3
Dy. Conservator of Forests	7
Dy. Conservator of Forests, Depot Division	1
Dy. Conservator of Forests, Mill Division	1
Dy. Conservator of Forests, Silviculture	1
Dy. Conservator of Forests, Working Plan	1
Dy. Conservator of Forests, Utilisation Division	1
Dy. Conservator of Forests, Planning & Statistical	1
Dy. Conservator of Forests, Wildlife	1

....2/-

POSTS UNDER THE ARUNACHAL PRADESH ADMINISTRATION

Chief Conservator of Forests	1
Addl. Chief Conservator of Forests	1
Conservator of Forests	3
Conservator of Forests, Planning & Development	1
Chief Wildlife Warden	1
Dy. Conservator of Forests	1
Dy. Conservator of Forests, Headquarters	3
Dy. Conservator of Forests, Wildlife	1
Dy. Chief Wildlife Warden	1
Dy. Conservator of Forests, Working Plan Division	1
Dy. Conservator of Forests, Utilisation Division	1
Dy. Conservator of Forests, Resources Survey Division	1
Dy. Conservator of Forests, Silviculture Division	1
Dy. Conservator of Forests, Forest Statistics and Planning	1

POSTS UNDER THE GOVERNMENT OF GOA, DAMAN AND DIU

Conservator of Forests	2
Dy. Conservator of Forests	1
Dy. Conservator of Forests, Cashew Division	1
Dy. Conservator of Forests, Working Plan	1
Dy. Conservator of Forests, and Forest Utilisation Officer	1

POSTS UNDER THE DADRA AND NAGAR HAVELI ADMINISTRATION

Dy. Conservator of Forests	1
----------------------------	---

POSTS UNDER THE GOVERNMENT OF MIZORAM

Chief Conservator of Forests	1
Conservator of Forests	2
Dy. Conservator of Forests	4
Dy. Conservator of Forests, Planning	1
Dy. Conservator of Forests, Working Plan	1
	<u>1</u>
	<u>61</u>

2. Central Reputation Reserve @ 20% of 1 above

12
73

- 28 -

95

3.	Posts to be filled by promotion in accordance with rule 8 of the Indian Forest Service (Recruitment) Rules, 1966	24
4.	Posts to be filled by direct recruitment	49
5.	Deputation Reserve @ 15% of 4 above	7
6.(a)	Adhoc deputation reserve	10
6.	Leave Reserve @ 11% of 4 above	5
7.	Junior posts @ 20% of 4 above	10
8.	Training Reserve @ 10% of 4 above	<u>5</u>
	Direct Recruitment posts	86
	Promotion posts	<u>24</u>
	Total authorised strength	110

Sd/- T.C. Minocha
Desk Officer

To

The Manager,
Govt. of India Press,
Mayapuri,
New Delhi.

27 nre
15/ Depⁿ Reserve + 4
10/ Training Reserve + 3
11/ Leave Reserve + 3 } = 10

..... 27 + 10 = 37 nre.
3 4
27 x 1/3 = 24/7p
60

- 29 -

ANNEXURE-6
96

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE SECRETARY (FORESTS)
ITANAGAR

NO. FOR. 321012/1/88 dt. 1440

Dated. Itanagar, the 23rd Dec/88.

To

The Joint Secretary to
the Government of India,
Ministry of Environment & Forests,
Deptt. of Env't, Forests & Wildlife,
Paryavaran Bhavan,
CGO Complex, Lodi Road,
New Delhi-110 003.

Sup :- Indian Forest Service- UT Cadre inclusion
of State Forest Service Officers in the
Select list.

Sir,

In inviting a reference to the correspondences
resting with the Ministry's letter NO.A.32012/1/88-IFS-I
dt. 9-9-88 and telegram NO.A.321012/1/88 dt. 6-10-88 on
the subject mentioned above, I am directed to state that
the Govt. of Arunachal Pradesh recommends the following
officers who have completed 8 years of service, includ-
ing 2 years training period in the State Forest Service
for consideration of their appointment to the senior scale
in IFS Cadre :

1. Shri M.R. Sarma Roy, ACF.
2. Shri R. Modi, ACF (ST).
3. Shri R.C. Goswami, ACF.
4. Shri S.J. Jongsam, ACF (ST).
5. Shri K.D. Choudhury, ACF.
6. Shri R.K. Deori, ACF (ST).
7. Shri M.K. Palit, ACF
8. Shri R.K. Sengupta, ACF
9. Shri S. Thirunavukarasu, ACF.

All the above mentioned officers except Shri R.K.
Sengupta, ACF (Sl.NO.8) are substantive to the post of ACF
with effect from the date shown against their names in
Annexure-I enclosed herewith. Also enclosed please find
copies of their confirmation order for ready reference.

2. It may be mentioned that there is a departmen-
tal case pending against Shri R.K. Sengupta, ACF and there-
fore OPC held on 11-6-85 have kept their recommendation in
a sealed cover which will be opened only after finalisation
of the pending enquiry.

contd..2/

3. The details of the particulars in respect of officer are furnished in the proforma at Annexure I & which are enclosed herewith.

4. It will be worthwhile to mention ^{the} background of the services of the officers under consideration for inclusion of their names in select list. Accordingly, service particulars of not covered under the above mentioned Annexures, are mentioned below for your kind perusal.

(1) Shri M.R. Sarma Roy, ACF - Shri Sarma Roy has been serving in Arunachal Pradesh for over last 30 years and will retire from service after attaining the age of superannuation on 30th April/89 (AN). Despite the fact that Shri Sarma Roy has put in more than 30 years of services in remote and difficult areas of Arunachal Pradesh he could get only one promotion i.e. from Forest Ranger to ACF. It may be relevant to point out that as per the provisions of clause 5(3) of IFS (appointment by promotion) Regulation, 1966 deserving SFS Officers who have even crossed the prescribed age limit for appointment in IFS cadre can be considered for inclusion of their names in the select list of IFS. Shri Sarma Roy had crossed the age of 54 years on 2-4-85. His case could not be considered earlier for the reasons mentioned in this office letter NO.FOR.387/E-2/86/424 dtd. 6th Dec/88 in response to the Ministry's letter No.22012-36/83-IFS.II dt. 15th Nov/88 which may kindly be perused. In pursuance of the order passed by Hon'ble CAT Gauhati (copy sent vide this office letter No. FOR. 387/E(A)-2/86/424 dtd. 6-12-88), Shri Sarma Roy has now been given seniority over S/Shri B.S. Benival, P.K.Sen, and A.K. Chatterjee who have already been inducted into I.F.S. Shri Sarma Roy has since been confirmed in the post of ACF (SFS Cadre) w.e.from 1-5-79.

As regard promotion to Indian Forest Service, the Hon'ble Tribunal observed that

"the applicant has to be substantive in the State Forest Service for being eligible for consideration. Here also we may observe that in the event of his confirmation with retrospective effect his case for promotion to the IFS may be placed before the selection Committee in due course notwithstanding the provision of the sub-regulation (3) of Regulation 5 of IFS (Appointment by Promotion) Regulation, 1966 if he would have been otherwise eligible for consideration has his seniority and confirmation been earlier decided".

contd..3/

It may be mentioned here that on his review application in a minor penalty order of 'censure', the Government of Arunachal Pradesh has exonerated him from the charges vide order NO.FOR.140/78/Vol-II/1005-07 dt. 25-7-88 (copy enclosed).

The case of inclusion into select list of IFS, may kindly be considered in the light of the background mentioned above.

(ii) Shri P.C. Goswami, ACF - Shri Goswami has also put in more than 30 years of service and served in remote and difficult areas of Arunachal Pradesh. During the long span of more than 30 years of his service career, he could get only one promotion i.e. from Forest Ranger to ACF. He had attained the age of 54 years on 1-6-85 and shall be retiring from service on 31st May/89 (AN) after attaining the age of superannuation. His case may also kindly be considered in the light of the provisions contained in clause 5(3) of IFS. (Appointment by Promotion) Regulation, 1966.

(iii) Shri R. Modi, ACF - Shri Modi is an Arunachal Pradesh Tribal Officer. He has served as Forest Ranger in this department u.s. from 31-3-83. It may be worthwhile to mention here that on his review application in a minor penalty order of 'censure', the Govt. of Arunachal Pradesh has exonerated him from the charges vide order issued under Memo. NO.FOR.140/78/Vol-II/1008-10 dt. 25-7-88 (copy enclosed). The Govt. feels that if Shri Modi is included in the select list of IFS, he being a local tribal officer will be in a better position to serve the interest of public and cause of forestry effectively in this predominantly tribal State. His case is also recommended for consideration for inclusion in select list of IFS.

(iv) Shri K.D. Choudhury, ACF - It may be stated that the name of Shri Choudhury was recommended by the Arunachal Pradesh Govt. for inclusion in IFS Cadre along with other officers last year. The Ministry vide their letter No.32012/1/87-IFS-I dt. 11-3-88 intimated that the name of Shri Choudhury has been included in the Select list of IFS as recommended by the UPSC subject to clearance of enquiry pending against him and the grant of integrity certificate by the State Govt. The Ministry may kindly refer our letter NO.FOR.400/E-2/83/277-79 dtd. 29-7-88. The case is yet to be finalised.

(v) The ACR dossiers of the above mentioned nine officers (against para 1) are also sent herewith along with a statement at Annexure-II duly filled in, showing the position of adverse entries, and certificates to this effect are enclosed herewith. The particulars of the ACR being enclosed are shown at Annexure-III.

(vi) Vigilance certificates and integrity certificates in respect of the above mentioned officers are sent herewith in triplicate as desired.

Yours faithfully,

Enclos:-

- 1) Annexure I (Particulars of officers in triplicate).
- 2) Confirmation order 4 nos.
- 3) Annexure II (Statement showing the Adverse remarks recorded in the ACRs of ACFs (SFS) in triplicate).
- 4) Copy of Memo.NO.FOR.140/78/Vol.II/1005-07 dt.25-7-88 (one copy).
- 5) Copy of Memo.NO.FOR.140/78/Vol.II/1008-10 dt. 25-7-88 (one copy).
- 6) Annexure-III (Statement of ACRs of officers in triplicate).
- 7) ACRs (as per Annexure-III).
- 8) Vigilance certificate in triplicate.
- 9) Integrity certificate in triplicate in respect of each officers.
- 10) Certificate of adverse entries in respect of 9 (nine) officers (in triplicate).

(P.P. Malhotra),
Secretary (Forests),
Govt. of Arunachal Pradesh
Itanagar.

(COPY)

GOVT. OF ARUNACHAL PRADESH
DEPARTMENT OF PERSONNEL
ITANAGAR.

O R D E R

NO.CWL/E/10/92.

Dt. Itanagar, the 13th June/92.

The Governor of Arunachal Pradesh is pleased to accord sanction to the upgradation of the existing post of Chief Wildlife Warden (an IPS cadre post) in the scale of pay of Rs. 4500-150-5700/- to the level of Chief Conservator of Forests (Wildlife, Westland & Vigilance) in the scale of pay of Rs. 5900-200-6700/- p.m with immediate effect.

This issues with concurrence of the Finance Deptt. Govt. of A.P. vide their U.O. No. FIN-E-II 456 dt. 4.6.92.

Sd/- T. Ringe
Chief Secretary to
the Govt. of A.P. Itanagar.

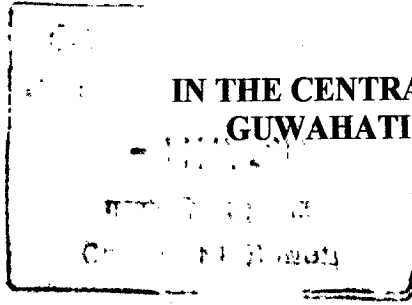
Memo.No.CWL/E/10/92/936-85

Dt. Itanagar, the 17th
June/92.

Copy to :-

1. The Secretary to Hon'ble Governor, A.P. Itanagar.
2. The Secretary to Hon'ble Chief Minister, A.P. Itanagar.
3. The PS to all Ministers/Speaker/Dy. Speaker, A.P. Itanagar/Naharlagun.
4. The Secretary to the Govt. of India, Ministry of Env. & Forests, Deptt. of Env. & Forests & Wildlife, Paryavaran Bhawan, C-20 Complex, Lodi Road New Delhi 110003, with the request to kindly encadre the post of Chief Conservator of Forests (Wildlife, Westlands & Vigilance, A.P.) in lieu of the existing post of Chief Wildlife Warden with immediate effect.
5. The PS to Chief Secretary, Govt. of A.P. Itanagar.
6. All Commissioner/Divisional Commissioner, Govt. of A.P. Itanagar.
7. All Secretaries/Dy. Secretaries, Jt. Secretaries, Govt. of A.P. Itanagar.
8. All Dy. Commissioner/Addl. Dy. Commissioner, A.P.
9. All Heads of Deptt (Major & Minor), A.P. Itanagar/Naharlagun.
10. The Director of Information & Public Relations, Govt. of A.P. Naharlagun. He is requested to publish the same in the next issue of Arunachal Pradesh Gazette.
11. The Secretary, A.P.P.S.C., Itanagar.
12. Order Book (13) office copy.

Sd/- T.R.D. Furkayastha
Under Secretary (Personnel)
Govt. of A.P. Itanagar.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH - GUWAHATI

In the matter of :
O.A. No. 434 /2001

Shri R.K. Deori

..... Applicant

Vs.

Union of India & Ors.

WRITTEN STATEMENT FOR & ON BEHALF OF Respondents *REPDT. No. 1*

I, M. Surya Prakash, aged 42 years S/o Shri M. Sree Rama Murthy, working as Director in the Ministry of Environment & Forests, Government of India, Paryavaran Bhawan, New Delhi do hereby solemnly affirm and say as under:-

2. That I am Director in the Ministry of Environment & Forests, Government of India, New Delhi and having been authorised, I am competent to file this reply on behalf of Respondent No. 1. I am acquainted with the facts and circumstances of the case on the basis of the records maintained in the Ministry of Environment & Forests. I have gone through the Application and understood and contents thereof. Save and except whatever is specifically admitted in this reply, rest of the averments will be deemed to have been denied and the Applicant should be put to strict proof of whatever he claims to the contrary.

3. That the answering respondents begs to state that Indian Forest Service (I.F.S.) is one of the three All India Services constituted under the All India Services Act, 1951. The service is organised into cadres, one each for a State or a group of States. With the conferment of statehood on a number of Union Territories in the late eighties, the erstwhile Union Territories Cadre of IFS was reconstituted as the Arunachal Pradesh-Goa-Mizoram-Union Territories(AGMUT) joint Cadre of IFS and notified vide Department of Personnel and Training Notification No. 11031/35/88-AIS(II) B dated the 28th December 1988. With this notification, the UT Cadre of IFS ceased to exist

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Union of India
Through:-
Shri R.K. Deori
15/12/02
Addl. Central Govt
Standing Counsel

and the last time promotion of State Forest Service (SFS) officers to the UT cadre of IFS was made in 1987.

4. That the answering respondents begs to state that the State of Arunachal Pradesh is a participating unit of the Joint Arunachal Pradesh -Goa-Mizoram-Union Territories (AGMUT) Cadre of IFS. Appointment of persons to this Service is made as per provisions made in the IFS (Recruitment) Rules, 1966, IFS(Appointment by Competitive Examination) Regulations, 1967 and IFS (Appointment by Promotion) Regulations, 1966 and other provisions as amended from time to time.

5. That the answering respondents begs to state that consequent upon re-constitution of the UT cadre of IFS as joint AGMUT cadre of I.F.S., several vital issues had to be addressed and sorted out before promotion of State Forest Service Officers to any of the constituent units of the joint cadre could be made. There has to be a Joint Cadre Authority (JCA) in relation of the Joint cadre to exercise some functions of the 'State' mentioned in various rules and regulations relating to the Service. The JCA for all the three All India Services of the Joint AGMUT cadre was constituted by the Department of Personnel and Training vide Notification No. 13013/89-AIS (I), dated 3.4.89. While the powers and functions to be exercised by each of the constituent Units of the Joint cadre, the Joint Cadre Authority and the Cadre Controlling Authority at the center namely Ministry of Environment & Forests were being considered by the Ministry, the Department of Personnel & Training re-constituted the JCA exclusively for IAS and IPS of the Joint AGMUT cadre vide Notification No. 14015/40/92-AIS (1) dated 11.12.92 and advised the Respondent to suggest revised constitution of JCA Exclusively for IFS of the Joint Cadre. The Hon'ble Principal Bench of the Central Administrative Tribunal, however, while deciding a case O.A. No. 222/94 in their judgement dated 2.6.94, ruled that the JCA constituted for the IFS of the Joint AGMUT cadre vide Notification dated 3.4.89 continued to exist, and that set all the doubts at rest.

6. That the answering respondents begs to state that once the JCA for the Joint AGMUT cadre of IFS was in place, it had to undertake the exercise of notional allocation of the promotion quota posts in IFS to the units to the Joint cadre in proportion to their sanctioned Senior Duty Posts as has been

done in the case of the other two All India Services of the Joint Cadre. Thereafter, the JCA also undertook the notional allocation of the promotee IFS Officers of the Joint Cadre to the constituent Units, after which only a clear picture could emerge about the number of promotion quota vacancies in each constituent unit of the Joint Cadre. The cadre review of the Joint AGMUT Cadre of IFS took place in 1985, resulting in increase in the number of posts in the cadre as also in the promotion quota for the constituent Units. All these developments took a long time, as a result of which no meeting of the Selection Committee as provided in IFS (Appointment by Promotion) Regulations, 1966 could be held after 1987 till 1995, and the first meeting of the Section Committee after the UT cadre was reconstituted as Joint AGMUT cadre of IFS was held in 1996, on the basis of which the Applicant was appointed on promotion to the Indian Forest Service. With this background in view, the replying Respondent proceeds to reply to the specific averments made in the Original Application.

7. That with regard to the statements made in Sub-para(1), (2),(3) of para 4 of the application the answering Respondent has no comments of offer.

8. That with regard to the statements made in Sub-para (4) of para 4, in so far as it relates to the appointment of the Applicant against cadre post for IFS in the year 1993. It is submitted that approval of the answering Respondent as also the U.P.S.C. as required under the Cadre Rules for I.F.S. has not been obtained for such appointment of non-cadre officers against cadre posts for I.F.S. The issue was examined by the Apex Court in their Judgement dated 29.11.92 in Syed Khalid Rizvi & Ors. Vs. Union of India etc. 1992(3) SCALE p. 287 and the Apex Court held that such officiation of State Police Service Officers on posts included in the State Cadre of Indian Police Service which has not been approved by the Central Govt. and the Union Public Service Commission as required in terms of the provisions of the Cadre Rules for the respective services has to be treated as purely temporary and local arrangement made by the State Governments themselves and by natural corollary, such arrangements can not give benefits of seniority on their appointment to the All India Service to the concerned officers.

9. That with regard to the statements made in Sub-para (5) of para 4 of the application it is submitted that till the creation of the Joint AGMUT Case,

as long as it was UT Cadre of IFS, no separate promotion quota for IFS was allocated to any of the Union Territories. The Applicant's contention about the promotion quota for Arunachal Pradesh out of the total promotion quota for U.Ts. is baseless and irrelevant.

10. That with regard to the statements made in sub-para (6),(7),(8)&(9) of para 4 of the application it is submitted that prior to the Indian Forest Service (Fixation of Cadre Strength) Third Amendment Regulations w.e.f. 1.1.98, the promotion quota used to be not more than one third of the Senior Duty Posts. Therefore, for a cadre strength of 61 Senior Duty Posts for the U.T. Cadre in 1986, the promotion quota should have been 24 that is one third of 61 plus 20% of 61. The Applicant's Contention that the promotion quota was 29 is without any basis and not in conformity under the rules/Regulations prevailing at that time.

11. That with regard to the statements made in Sub-para (10) of para 4 of the application the answering respondent submits that the point the Applicant wants to make is not very clear. However, the position in so far as the Respondent is concerned is that as long as it was U.T. Cadre till its metamorphosis into the Joint AGMUT Cadre in 1988, there was no separate allocation of promotion quota posts for the different Union Territories. Promotion from the State Forest Service to the I.F.S. used to be made on the availability of eligible Officers in various Union Territories against available promotion quota vacancies in the U.T. Cadre. As a result, there was no promotee I.F.S. Officer from the Arunachal segment.

12. That with regard to the statements made in Sub-para 11 of 4 of the application it is submitted that the calculation of quotas ascribed to Arunachal Pradesh is the Applicant's own, which has no link with the rule/regulations. The position as far as the Respondent is concerned is that till the Cadre review in the year 1995, the promotion quota for U.T. Cadre and later AGMUT Cadre of I.F.S. was 24. The circumstances under which why no promotion from State Forest Service (SFS) to IFS could be made in the year from 1988 to 1995 have been explained in para 5 and 6 supra.

13. That the answering Respondent does not wish to comment on the hypothetical situation depicted in Sub-para 12 of para 4 of the application.

The circumstances under which no cadre review could be conducted in the transition period between 1988 and 1995 have been explained in paragraphs 5 & 6 of this written statement.

14. That with regard to the statements made in Sub-para 13 of para 4, it is submitted that the position has been explained in para 6 above. In short, once the U.T. Cadre of I.F.S. was re-constituted into a Joint AGMUT Cadre, the Joint Cadre Authority had to undertake the exercise of allocation of the available promotion quota posts in the units of the Joint Cadre as also the notional allocation of the then existing promotee I.F.S. Officers to the various units of the Joint Cadre, so that vacancy position in the promotion quota in the Constituent Units can be worked out, and promotions can be made in the Units of the Joint Cadre from SFS to IFS.

15. That with regard to the statements made in sub-paras 14 & 15 of the application it is admitted that as a result of the cadre-review in 1995, the sanctioned strength of Sr. Duty posts for the Arunachal Pradesh Unit of the Joint Case was increased from 27 to 34 and the Applicant was promoted to IFS in 1996.

16. That with regard to the statements made in sub-paras 16 and 17 of para 4 of the application, the Respondent submits that the Year of Allotment of the Applicant has been fixed along with the same for other officers promoted to the Joint AGMUT Cadre of I.F.S. vide order of the Ministry dated 29.6.2000 as per rules applicable to them.

17. That with regard to the statements made in Sub-para 18 and 19 of para 4 of the application, the historic events responsible for non-holding of Cadre-review (which as per latest rules position, is required to be done after every five years) and promotion from State Forest Service to the Indian Forest Service of the Joint AGMUT cadre have been explained in para 5 and 6 above. It is submitted that the meeting of the selection Committee was held and promotions made to IFS as soon as all the relevant issues like allocation of promotion quota to the units of the Joint Cadre, notional allocation of promotee officers to each unit of the cadre, determination of promotional vacancy for each unit etc. were sorted out.

18. That the answering Respondent begs to state that the points made in Sub-para 20 of para 4 of the application, these are all matters of rules/regulations and the answering Respondent has no comments to offer except that the IFS(Cadre) Rules 1966 have been amended w.e.f. 10th March, 1995 making provision for review of the strength and composition of the cadre after every five years instead of the earlier provision for review after every 3 years.

19. That the answering Respondent begs to state that points made in Sub-para 21 of para 4 of the application, it is strongly denied that the answering Respondent acted in an arbitrary or malafide manner or in any colorable exercise of power in the matter of promotion of the Applicant to I.F.S. On the other hand, the Cadre was going through a transition phase from 1988 to 1995 and cadre review and Selection Committee meeting for promotion from SFS to IFS were done as soon as things stabilized and a clear picture regarding the number of promotion quota vacancies for each constituent unit of the Joint Case emerged.

20. That with regard to the statements made in Sub-paras 22 and 23 of para 4 of the application, the Respondent's position has been explained in para 8 of this written statement.

21. That with regard to the statements made in Sub-para 24 & 25 of para 4 of the application, the answering Respondent's position has already been explained in para 5 & 6 of this written statements. The Applicant's case is that he became eligible for promotion to IFS in the year 1988, and vacancies in the promotion quota were available from 1988 to 1995, but the Respondent's case is that the vacancy position in the promotion quota for various segments of the joint cadre could be determined by the Competent authority, namely, the Joint Cadre Authority, only by the end of 1995/early 1996, after completing the exercise to ensure equity and fair play to all the Units of the Joint Cadre. As regards the case of Jammu & Kashmir Cadre of IFS, where seniority of promotee I.F.S. Officers was given from retrospective date, there can not be any real comparison between the situations of the two cases, as in the case of J&K Cadre, Cadre Review and Selection Committee meeting for promotion to I.F.S. did not take place for far longer period, and retrospective seniority was given to the promotee I.F.S. Officers under the extra-Ordinary provisions of

Prasad

the rules as a one time measure. In spite of that the Respondent at one stage was seriously exploring the feasibility of giving benefit of Seniority from retrospective dates to the promotee AGMUT Cadre Officers including the Applicant on the analogy of the promotee officers of J&K Cadre, but the same was not found feasible and seniority/year of Allotment was fixed under the normal rules.

22. That with regard to the statements made Sub-para 26 and 27 of para 4 of the application have been replied to vide para 5 and 6 and other proceeding paragraphs of the written statements.

23. That with regard to the statements made in Sub-para (a) and (b) of para 5 of the application are strongly refuted. The position of the answering Respondent has been explained in the proceeding paragraphs. It is also refuted that the promotions have not been made from SFS to the U.T. Cadre to I.F.S. in the years 1986 and 1987. The position is that promotions have been made from the State Forest Service to the U.T. Cadre to I.F.S. in the years 1986 and 1987, but thereafter promotion could be made only in 1996 after completing all the procedural formalities due to re-constitution of the U.T. Cadre in to the Joint AGMUT Cadre. It is also strongly denied that there has been any arbitrary or malafide action or any colorable exercise of power in the matter of promotion of the Applicant to I.F.S.

24. That with regard to the statements made in Sub-para, (c),(d) and (e) of para 5 of the application, the answering Respondent beg to state that the period of officiating against senior duty posts as claimed by the Applicant, has not got the approval of the Central Govt./U.P.S.C. as required under the provisions of the I.F.S.(Cadre) Rules, and therefore does not count for seniority purposes. This position had been examined by the Apex Court in Syed Khalid Rizvi Vs. Union of India etc. as explained in para 4(ii) above. It is also denied that there was any error in the matter of calculation of promotion quota in the cadre. On the other hand, it has been done as per rules/regulations.

25. That with regard to the statements made in Sub-para (f) and (g) of para 5 of the application, it is strongly refuted that the answering Respondent acted in any arbitrary, malafide, illegal or biased manner or that there has been any

violation of any of the Articles of the Indian Constitution. On the other hand, the promotion of the Applicant to the Arunachal Pradesh Segment of the Joint AGMUT Cadre of I.F.S. has been done as per rules/regulations.

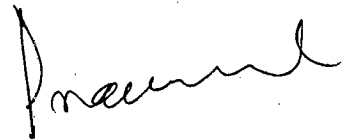
26. That with regard to the statements made in sub-paras (h), (i) and (ii) of para 5 of the application, it is strongly denied that there has been any violation of the Principle of Natural Justice of Administrative fair play or any law in the matter of promotion of the Applicant to the Arunachal Pradesh Segment of the Joint AGMUT Cadre of IFS nor that there has been any arbitrary , illegal, malafide or capricious action on the part of the Respondent.

27. That in view of the statements made in the foregoing paragraphs, it is abundantly clear that the present Application is devoid of any merit, which deserves to be dismissed forth-with and the Respondent prays accordingly.

VERIFICATION

I, M. Surya Prakash, presently working as Director to the Government of India having office at Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi - 110 003, being duly authorised and competent to sign this verification, do hereby solemnly affirm and state that the statements made in para 1, 2, 7, 12, 13, 19, 20, 22, 25 are true to my knowledge and belief and those made in para 3-6, 8-10, 14-18, 21, 23 & 24 being matter of records, are true to my information derived therefrom and the rest are my humble submission before this Hon' ble Tribunal. I have not suppressed any material fact.

And I sign this verification on this 26th day of April, 2002 at New Delhi.



Deponent

(Dr. M. Surya Prakash)
Director
Ministry of Env. & Forests
Govt. of India, New Delhi