

File. No- 17013/01/2017-IFS.II
Government of India
Ministry of Environment, Forest & Climate Change

Indira Paryavaran Bhavan,
6th floor, Prithvi Block,
Jor Bagh Road, Ali Ganj, New Delhi- 110003
Dated the 8th September, 2017

To
The Chief Secretary,
All States/UTs

**Subject: Submission of proposal for year of allotment of the officers appointed during
01.02.2010 to 18.04.2012 – regarding.**

Sir,

I am directed to forward herewith Department of Personnel and Training's O.M. no. 14014/14/2014-AIS-I dated 21.08.2017 (copy enclosed) on the above subject and to say that the seniority/year of Allotment of the IFS officers appointed during 01.02.2010 to 18.04.2012 from the Select Lists prepared as per ratio laid down in the Praveen Kumar case needs to be re-determined as per the pre-amended Seniority Regulation. Therefore, the State Government is requested to furnish the proposal for re-determination of year of allotment of concerned officers.

Enc: a/a

Yours faithfully,


(Rajeev Jauhari)

Under Secretary to the Government of India
Tel. 011+24695383

Copy to :

1. The Principal Secretary (Forest) / Additional Chief Secretary,
All States/UTs
 2. The Principal Chief Conservator of Forests / Administrator
All States / UTs
 3. Guard File/ website copy.
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F. No.14014/14/2014-AIS-I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated 21.08.2017

OFFICE MEMORANDUM

D) F 123213
DATE: 29/8/2017

Subject: Clarification regarding applicability of Regulations of Seniority amendment Rules dated 18.04.2012 –regarding.

O/o DS (IFS)
Dy. No. 123213
Date: 30/8/17

The undersigned is directed to refer to the subject above and to say that this Department in the wake of Hon'ble High Court of Punjab and Haryana order dated 01.02.2010 in CWP No.15798/2009 in the case of Praveen Kumar, an State Civil Service officer of Punjab cadre Vs Union of India as confirmed by Hon'ble Supreme Court, issued notification dated 18.4.2012 for making amendment in the respective seniority regulations for IAS/IPS/IFoS. These amendments were however made applicable to the Select Lists prepared as per the ratio laid down in the case of Praveen Kumar and accordingly, seniority/year of allotment of the officers included in the said Select Lists were determined as per the amended seniority regulations.

2. Consequent upon dismissal of SLP No.4930-4931 of 2016 and Review Petition No. 001428 -001429/2017 filed by this Department in the case of F.R. Jamadar and other connected court cases filed by the Ministry of Home Affairs viz. CA No.4419 of 2016 –UOI Vs Kailash Chandra Agarwal & Ors, CA No.8199 of 2016 –UOI Vs Arvind Kumar Sharda & Ors, CA No.8200 of 2016 –UOI Vs Keval Krishna Indoria & Ors, CA No.1396 of 2016 –UOI Vs R.A. Sanjeev and WP (C) No. 301 of 2016 -N.K.S. Chauhan Vs UOI, it is hereby clarified that the amended seniority regulations are applicable w.e.f. 18.04.2012. Accordingly, seniority/year of allotment of the officers of three All India Services (IAS, IPS and IFoS) appointed during 1.2.2010 to 18.4.2012 from the Select Lists prepared as per ratio laid down in the Praveen Kumar case may be re-determined as per the pre-amended Seniority Regulations. Since it may have cascading effect, seniority/year of allotment of the officers appointed by later select lists may also be reviewed accordingly.

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3. Accordingly, Ministry of Home Affairs and Ministry of Environment Forest and Climate Change in respect of Indian Police Service and Indian Forests Service respectively are requested to re-determine the seniority/year of allotment of such officers as per pre-amended seniority regulations. It is also requested that the similarly placed Court Cases pending in different Courts may be withdrawn accordingly.


(Uday Bhan Singh)

Under Secretary to the Government of India

Tel:23094142

To:-

1. Ministry of Home Affairs North Block, New Delhi – [Joint Secretary (Police)].
2. Ministry of Home Affairs North Block, New Delhi – [Joint Secretary (UT)].
3. ✓ M/o Environment Forest and Climate Change, Indira Paryavaran Bhavan, Jorbagh Road, Delhi, 110003 [Kind Attention: Joint Secretary (IFS)],
4. Chief Secretaries of all the State Governments with request to send the revised proposal for re-determining the seniority /year of allotment of officers appointed during 1.2.2010 to 18.4.2012 from the Select Lists prepared as per ratio laid down in the Praveen Kumar case.
5. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi for information.