

F. No. 22012/14/2019-IFS-II
भारत सरकार / Government of India
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change

Indira Paryavaran Bhawan,
6th Floor, Prithvi Block,
Jor Bagh, Ali Ganj, New Delhi-110003
Dated the 11th December, 2020.

Order

Vide the Ministry's order no. 22012/42/2002-IFS-II dated 05.10.2017, Year of Allotment of Sh. Gita Ram Sahibi was re-determined in compliance of Hon'ble CAT, Jabalpur order dated 08.06.1987 and it was later kept in abeyance by the Ministry vide its order no. 22012/74/2011-IFS-II dated 21.05.2019.

2. In this regard, Department of Personnel and Training was consulted in the matter of re-determination of promotion quota vacancies vis-a-vis the amendments in IFS dated 22.02.1989 and 31.12.1997 in the light of the court cases.

3. The DoPT vide their O.M. no. 14015/38/2020-AIS-I dated 21.09.2020 has clarified that any retrospective application of amendments after a considerable passage of time would not only be against the statute but also have a bearing upon the other mode of Recruitment viz the Direct Recruitment quota as the Total Authorized Strength of the Cadre cannot be changed. This will ultimately disturb the overall Cadre Structure of the particular All India Service.

4. The DoPT has also stated that even if the judicial interpretation of the amendments is finally favoured towards the above mentioned Promoted IFS officers, in personem, the Ministry should follow the due process provided under the rules for granting the benefit. This would mean re-determination of vacancies, holding RSC meeting by UPSC by following the eligible norms of consideration, appointments from the Revised Select List and thereafter only revised seniority.

5. In view of the above, the Ministry's earlier order no. 22012/42/2002-IFS-II dated 5th October, 2017 regarding re-determination of Year of Allotment in respect of Sh. Gita Ram Sahibi (Promotee IFS officer) has been cancelled with immediate effect.

6. This issues with the approval of the Hon'ble Minister, Environment, Forest and Climate Change.



(Ramesh Chandra Jha)
Under Secretary to the Government of India
Tel. 011-24695272

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Copy to:

1. The Chief Secretary, Government of Himachal Pradesh, Shimla for information and necessary action.
2. The Principal Secretary (Forests), Government of Himachal Pradesh, Shimla for information and necessary action.
3. The Principal Chief Conservator of Forests, Government of Himachal Pradesh, Shimla.
4. The Accountant General, Government of Himachal Pradesh, Shimla.
5. The officers concerned through the Principal Chief Conservator of Forests and HoFF, Government of Himachal Pradesh, Shimla.
6. The Secretary, Union Public Service Commission, Dholpur House, Shhajahan Road, New Delhi.
7. F. No. 22012/25/2018-IFS-II
8. F. No. 22012/74/2001-IFS-II
9. F. No 22012/42/2002-IFS-II
10. Guard File/ Website copy.

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(Ramesh Chandra Jha)

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