

## GOVERNMENT OF KERLA

INDIAN FOREST SERVICE-S/ Shri V.K. Sinha and Shyamdhara O.P. No. 323/83-  
interim direction- implementation – orders issued.

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GENERAL ADMINISTRATION(SPL.C) DEPARTMENT

G.O. MS. No. 275/83/GAD

Dated, Trivandrum, 16.9.1983.

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Read: Letter No. Nil date 12.8.1983 from the Advocate General, Kerala, Ernakulam.

2. The orders dated 1.8.83 of the High Court in CMP.No, 4729/83 in o.P. No. 323/83-A.

### ORDER

Owing to the shortage or sufficient number of senior IFS officers to be posted to senior duty posts, the state Government had been posting; as per Government of India guidelines, direct recruit IFS officers in the Junior scale to senior posts before completion of four years of service and before they were qualified for being posted to senior time scale posts. These posting were ordered under clause (b) of sub-rule 3 of rule 6 A of the IFS (Recruitment) Rules 1966. Under this rule the State Government are empowered to post an IFS officer recruited direct in the junior scale to a post in the senior time scale of pay as a purely temporary or local arrangement. Some of the posts to which junior scale officers were posted are posts specified as senior posts in the cadre schedule but some posts are not specified as senior posts in the cadre schedule.

2. Two such junior scale IFS Officers viz. S/ Shri. V.K. Sinha Divisional forest Officer, Munnar, and Shyam Dhar Divisional Forest Officer, Trichur, who were posted to senior posts (but not specified as cadre posts in cadre schedule) filed O.P. 323/83 in Kerala High Court for direction to the State Government to give them senior scale of pay from the dates on which they were appointed to these posts. These officers have to pass the departmental examinations and are not qualified under the rules to be promoted to the senior scale posts. Hence they have not been promoted to the senior scale of IFS and consequently, they have not been given senior scale pay of IFS. The State Government are contesting the O.P. Meanwhile, in CMP No. 4729/83 in O.P. No. 323/83 the High Court has passed the following order on 1.8.1983.

In the light of rule 3(1)(a) of the Indian Forest Service (pay) Rules 196 and Rule 4(3) of the same, the counter petitioner would forthwith fix the salary of the petitioners in the Senior Time Scale”.

3. In obedience to the orders of the High Court, Government order that the salary for S/Shri.V.K.Sinha and Shyam Dhar, IFS Officers, presently working as Divisional Forest Officer Munnar and Divisional Forest Officer, Trichur, respectively, be provisionally fixed immediately in the senior time scale of IFS subject to final orders in the O.P.

/By Order of the Governor/

S.GOPALAN

Secretary to Government

To

The Accountant General, Kerala, Trivandrum.

The Chief Conservator of forests, Trivandrum.  
Shri.V.K. Sinja, Divisional Forest Officer, Munnar.  
Shri. Shyam Dhar, Divisional Forest Officer, Trichur  
(Through C.C.F)  
The Advocate General, Ernakulam.  
The Secretary to Government of India, Ministry of  
Home Affairs, DP& AR, New Delhi.  
The Secretary to Govt. of India, Ministry of  
Agriculture, Department of Agriculture and  
Co-operation New-Deli.  
The Secretary to Chief Minister.  
The Private Secretary to the Minister.9Forests)  
The General Admn. (SC) Department.  
Deputy Secretary to Chief Secretary,  
The C.A. to A.P.C.  
The C.A. to Secretary (Forests)

Sd-/  
Section Officer

Endt: on E1 5991/83.

Office of the Chief Conservator of Forests,  
Trivandrum, dt. 24.9.1983

Copy to Shri.V.K. Sinha, divisional Forest Officer, Munnar and Shri. Shyam Dhar,  
Divisional Forest Officer, Trichur.

Copy to Conservator of Forests, Trichur and Kottayam for information. Copy to C.A. to  
all Chief Conservator of Forests/ Addl. Chief Conservator of Forests.  
Copy to personal files (2)/Stock file.

For Chief Conservator of Forests