

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Ref.No.18742/2011-A.1
Dated: 30-08-2011.

Office of the Principal Chief Conservator of Forests
(Head of Forest Force),
Andhra Pradesh, "Aranya Bhavan,
Saifabad, Hyderabad – 500 004.

Sri C. MADHUKAR RAJ, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC)



Sub: - Establishment – Forest Department – Review of promotions to the category of FRO's during the last (3) panel years from 2007-08 to 2009-10; by determination of substantive vacancies of each panel year wise & zone wise and apportioning them to the ratio / percentage prescribed under the Andhra Pradesh Forest Service Rules 1997 - Consequent to this, revision of seniority lists of FRO's from 01-01-2008 to 01-01-2010; besides preparation of provisional seniority list of FRO's as on 01-01-2011 – Preparation and communication of revised provisional seniority lists of FRO's from 01-01-2008 to 01-01-2010; and preparation of provisional seniority list as on 01-01-2011 - Objections invited - Regarding.

Ref: - 1. PCCF's Ref.No.43432/2009-A.1 dt.27-01-2010.
2. PCCF's Ref.No.49054/2009-A.1 dt.15-03-2010.
3. PCCF's Ref.No.3445/2010-A.1 dt.22-03-2010.
4. G.P for Forests(S), APAT Hyderabad Letter.No OA.No.6443/2008 & batch/SDK/Forests, dt.22-06-2010.
5. G.M.No.4889/For.V/2010-3, dt.01-07-2010.
6. Additional Counter filed in OA.No.10342/2008 and batch vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.
7. Govt., Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004.



Attention of the officers mentioned in the address entry is invited to the references cited. They are informed that prior to apportionment of substantive vacancies that arose by different sources like retirement, promotion etc., and apportioning them to the percentage / ratio prescribed under Andhra Pradesh Forest Service Rules, 1997 (issued in G.O.Ms.No.154 EFS&T (For.V) Dept. dt.18-11-1997) to get the net vacancies under each quota namely Direct Recruitment; Promotion and conversion, the following procedure was followed while preparing the seniority list of Forest Range Officers: -

1. The seniority list of Forest Range Officers cadre is under preparation for each year. Based on the cadre strength of the Forest Range Officers in each of the Zones, the quota for DR Forest Range Officers the quota for the Promotee Forest Range Officers and the quota for the conversion Forest Range Officers was initially determined. As and when the FRO belonging to different quotas, retire or promoted, the resulting vacancies were filled by Forest Range Officers belonging to that quota. The promotion quota / conversion quota was filled by preparing panels from time to time and the DR quota was filled by notifying the vacancies to the A.P. Public Service Commission which took up the direct recruitment.
2. Based on the regular date of promotee / Converttee and D.R candidates respectively, the inter-se-seniority among these category persons (Forest Range Officers) were assigned. Thereafter provisional seniority list of Forest Range Officers was prepared and communicated to all the Forest Range Officers. After disposing of the objections, if any, against the provisional seniority lists, the final seniority list of Forest Range Officers as per the provisions contained in A.P State and Subordinate Service Rules 1996 read with A.P Forest Service Rules 1997 were prepared and communicated to all the concerned through respective controlling officers.

3. As per the procedure mentioned in the above paras, the following provisional / final seniority lists were prepared and communicated to all the concerned.

Sl. No.	Particulars of Seniority lists	Reference No. and dated in which seniority list was communicated
1.	Final seniority list of FRO's as on 01-01-2008	Vide reference 1 st cited
2.	Final seniority list of FRO's as on 01-01-2009	Vide reference 2 nd cited
3.	Provisional seniority list of FRO's as on 01-01-2010	Vide reference 3 rd cited

Thus being the procedure followed while preparing the seniority list of Forest Range Officers, some of the ACFs have filed O.A's before the Hon'ble A.P.A.T. Hyderabad with regard to the preparation of seniority list of ACFs. The following are the details of the court cases filed by the ACFs.

- The Government Pleader for Forests(S), A.P.A.T, Hyderabad, in his letter dated 26.02.2010, has informed that Sri P.Ramakrishna, Divisional Forest Officer, SF Division Eluru & batch have filed O.A.No.6443/08 against seniority list of ACF came-up for hearing on 22.06.2010. During the arguments, it was brought to the notice of Court that "Whenever substantive vacancies arose, those vacancies are apportioned between the Direct Recruittees and Promotees according to the ratio 5:5 earlier and then 1/3rd for D.R. and 2/3rd for Promotee as per the amended rules."
- In the above issue, the Hon'ble APAT have sought for a clarification from the Government as to *why the 50% of the cadre strength of promotee in ACF cadre is not maintained, whereas 50:50 is maintained between Direct Recruittees and Promotees in the cadre of the Forest Range Officers.* The Hon'ble Court directed the Government to file an additional Counter Affidavit on this aspect only.
- A factual report highlighting the procedure followed in determination of vacancies during each panel year under promotion quota and thereafter preparation of Seniority List of Forest Range Officers was informed to the Govt., vide PCCFs Ref.No.3445/2010-A.1, dt.28.06.2010 in the above court case. In the said report, the Govt., were requested to communicate the orders passed in the matter, so that further necessary action could be taken for preparation of Additional Counter Affidavit in the above O.A.
- On the above report, the Govt., vide Memo No.4889/For.V/2010-3, EFS&T Dept., dt.01.07.2010; have prescribed the procedure to be followed for preparation of Seniority List of Forest Range Officers. It was also observed by the Government that the procedure as prescribed under the rules was not followed in finalisation of Seniority List of Forest Range Officers. Hence, the Government has requested to follow the rules while preparation of seniority list of Forest Range Officers.

1. *The rule position with the procedure highlighted by the Govt., in Memo No.4889/For.V/2010-3, E.F.S. & T. Dept., dt.01.07.2010 to be followed in finalization of seniority list of Forest Range Officers is mentioned below: -*

That the comprehensive rule position of the Govt., from time to time, which is followed in regard to maintenance of cadre strength between Direct Recruittee and Promotee ACFs is as follows: -

- ❖ As per rule 4 (b) of A.P. State and Subordinate Service Rules, 1996; 30% of posts in respect of Subordinate Service and 33 1/3% in respect of State Service in Direct Recruit shall be made only against the substantive vacancies and not on total cadre strength. Further as per explanation (1) of the said Rules, "notwithstanding any thing contained in these rules or special rules,

substantive vacancies shall mean all vacancies in the permanent cadre and all vacancies in the posts which have been in existence for more than (5) years."

- ❖ It was also observed that the issue in regard to finalization of seniority is not only for Forest Dept., but also in all other departments. It is established principle that the ratio to be maintained between the DRs and the promotees in accordance with the quota prescribed under the service rules i.e., A.P., Forest Service Rules, 1997 issued in G.O.Ms.No.154, EFS&T (For.V) Dept, dt.18-11-1997.
- ❖ As per A.P., Forest Service Rules, 1997 issued in G.O.Ms.No.154, EFS&T (For.V) Dept, dt.18-11-1997, the post of FRO is included at category (3) of class-A. Under rule-3 of the said Rules, the following method of appointment to the post of FRO was defined: -

Note 3(a): 65% i.e., 65% of the number of substantive vacancies in category (3) of class A i.e., the post of Range Office, shall filled by direct recruitment.

Note 3(b): Appointment to the category (3) of class-A i.e., Range officers, otherwise than direct recruitment shall be made by appointment by promotion of Deputy Range Officers.

- ❖ Subsequently, the Govt., vide G.O.Ms.No.75, EFS&T (For.V) Dept, dt.08-10-2003 have issued an amendment to A.P., Forest Service Rules, 1997 as follows: -

(a): 60% of the number of substantive vacancies in category (3) of class A i.e., the post of Range Office, shall filled by direct recruitment.

(b): 35% of the vacancies arising in the category (3) of class-A i.e., Range Officer shall be filled by appointment by transfer of DRO; and

(c): 5% of the vacancies arising in the category (3) of class-A i.e., Range Officer shall be filled by appointment by transfer of eligible D.M.Grade-I (Technical Officer) of class-I of A.P., Subordinate Service.

- ❖ While re-iterating the above Rules, the Govt., have observed that the above procedure prescribed in the Rules (i.e., Rules of A.P, State & Subordinate Service Rules and A.P, Forest Service Rules) were not followed, while finalizing the seniority list of Forest Range Officers. Hence the Govt., have requested to follow the rules while preparation of seniority list of Forest Range Officers.
- ❖ Based on the proposals submitted to the Government vide PCCF's Ref.No.32276/2010-A2 dt.01-09-2010, the Government vide G.O.Ms.No.86, EFS&T (For.V) Dept., dt.21-07-2011 have issued the following amendment to Andhra Pradesh Forest Service Rules (issued vide G.O.Ms.No.154, EFS&T (For.V) Dept., dt.18-11-1997).

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Forest Service Rules, 1997 issued in G.O.Ms.No.154, Environment, Forests, Science & Technology (For.V) Department, dated the 18th November, 1997 as amended subsequently from time to time.

AMENDMENT

In rule 3 of the said rules, for Note 3 the following shall be substituted namely--

- “Note 3 (a) 45% of the number of substantive vacancies in the category (3) of Class–A i.e., Range Officers shall be filled by direct recruitment;
- (b) 50% of the vacancies arising in the category (3) of Class–A i.e., Range Officers, shall be filled by appointment by transfer of Deputy Range Officer; and
- (c) 5% of the vacancies arising in this category (3) of Class-A i.e., Range Officer, shall be filled by appointment by transfer of eligible Draughtsmen Grade-I (Technical Officer) of Class-I of the Andhra Pradesh Forest Subordinate Service”.
- In the amendment orders issued vide G.O.Ms.No.86, EFS&T (For.V) Dept., dt.21-07-2011, the Government have not mentioned the date from which the amendment will come into force. In the absence of this clause; it is considered that the above amendment will come into force with effect from the date of issue of the G.O.Ms.No.86 i.e., dated 21-07-2011.
- The amendment was issued vide G.O.Ms.No.86 on 21-07-2011 i.e., at the time of issue of this G.O., panel year 2010-11 is in force. The panel position of the Deputy Range Officers of zone wise is discussed in the coming paras.
- By the time the above amendment issued vide G.O.Ms.No.86, dt.21-07-2011 panel of Deputy Range Officers were already prepared and promotions were also effected with the existing provisions contained in Andhra Pradesh Forest Service Rules (issued vide G.O.Ms.No.154, EFS&T (For.V) Dept., dt.18-11-1997) i.e., prior to issue of amendment. The following is the panel position of Deputy Range Officers of each zone:-

Sl. No.	Zone	Panel particulars
1.	I	Panel information was received from Visakhapatnam circle. On verification of panel, it is noticed that no Dy.RO is eligible for promotion, since all the Dy.ROs, who are under zone of consideration are facing charges / punishments / not qualified. Hence, no panel was prepared during the panel year 2010-11.
2.	II	During the Panel year 2010-11, (5) Dy.ROs of Zone-II were promoted as FRO's under promotion quota on 28-03-2011.
3.	III	As per orders issued by the Government in G.O.Rt.No.92 EFS&T (For.V) Department dt.18-02-2010, (14) Dy.ROs of Zone-III were promoted as FRO's on <i>ad hoc</i> basis, against the existing DR vacancies on 04-01-2011 during the panel year 2010-11.
4.	IV	During the panel year 2008-09 as per Government orders, (25) Dy.RO's of Zone – IV were promoted as FRO's against the existing DR vacancies. These <i>ad hoc</i> promotees are proposed for adjustment in the future vacancies of promotion quota for the panel years 2009-10 & 2010-11. Hence, no panel was prepared.
5.	V	As per orders issued by the Government in G.O.Rt.No.119 EFS&T (For.V) Department dt.05-03-2010, (32) Dy.ROs of Zone-V were promoted as FRO's on <i>ad hoc</i> basis, against the existing DR vacancies on 16-04-2011 during the panel year 2010-11.

6.	VI	As per orders issued by the Government in G.O.Rt.No. 232, EFS&T(For.V) Dept, dated 07-05-2010, (13) Dy.ROs of Zone-VI were promoted as FRO's on <i>ad hoc</i> basis, against the existing DR vacancies on 26-08-2010 during the panel year 2009-10. Hence, these ad hoc promotees were proposed for adjustment against the promotion quota vacancies of 2010-11 panel year. Therefore, no panel was prepared during the panel year 2010-11.
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- It can be seen from the above statement that during the panel year 2010-11, panels of Deputy Range Officers of Zone-II, Zone-III and Zone-V were prepared for promotion to the category of Forest Range Officers on regular basis / *ad hoc* basis. These promotions were effected during the panel year 2010-11 with the provisions existing as on that date under Andhra Pradesh Forest Service Rules (issued vide G.O.Ms.No.154, EFS&T (For.V) Dept., dt.18-11-1997). Thus, it is confirmed that promotions effected prior to issue of the above amendment to Andhra Pradesh Forest Service Rules (issued vide G.O.Ms.No.154, EFS&T (For.V) Dept., dt.18-11-1997).
- In this connection, it is observed that the panels were already prepared with the existing rules as on that date, during the panel year 2010-11 in Zone-II, Zone-III and Zone-V. The Govt. have issued an amendment vide G.O.Ms.No.86, dt.21-07-2011 to the Andhra Pradesh Forest Service Rules 1997. The amendment will come into force with effect from 21-07-2011 and it is considered to implement the amendment for the panel year 2011-12, since panels were already prepared and promotions effected during the panel year 2010-11 with the existing Rules (Prior to issue of amendment). Moreover, in case the panels already prepared during the panel year 2010-11 needs to be revised in order to implement the amendment issued vide G.O.Ms.No.86 dt.21-07-2011 for the promotions effected during the panel year 2010-11 it amounts to revision of panel / alternation of panel for which orders of the Government are required, as per the following rule envisaged in para 6 (ii) b of Andhra Pradesh State Subordinate Rules 1996.

"Provided also that the Government may order preparation of panel of candidates frequently as may be necessary in the exigency of the administration".

- ❖ Under these circumstances, it is considered to implement the amendment issued vide G.O.Ms.No.86, dt.21-07-2011 from the panel year 2011-12.
- ❖ Taking into consideration of the observations of the Govt., as stated in the above para, the procedure adopted in preparation of Seniority List of Forest Range Officers was highlighted in the additional Counter Affidavit. It was also stated that in the additional counter that as per orders / clarification issued by the Govt., (as stated in the above para), the Seniority List of Forest Range Officers needs to be prepared by taking into consideration of substantive vacancies arose in each panel year as per Rule 4(b) of A.P. State Subordinate Service Rules, 1996, by apportioning them to the ratio, as prescribed under A.P. Forest Service Rules, 1997 under Rule (3) i.e., 60% for Direct Recruitment, 35% for Promotion Quota & 5% for Conversion Quota. Accordingly, action will be taken to revise the Seniority List of Forest Range Officers. The additional counter affidavit was filed before the Hon'ble APAT Hyderabad through Government Pleader for Forests(s), A.P, A.T, Hyderabad vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.
- ❖ Consequent to making a statement in the Hon'ble APAT, Hyderabad vide additional counter that action will be taken to revise seniority list of Forest Range Officers, the question arises as to how many years seniority lists have to be revised. This issue has been examined with reference to orders issued by the Government vide Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004. In the said Government circular memo that as per

judicial pronouncement of the Supreme Court of India under ruling on seniority in service matters, published in the Hindu dated 11-7-1998 has been reported in (1998) 2 SCC.523, the cases for fixing the seniority the procedure and the rules prescribed in Andhra Pradesh State and Subordinate Service Rules or in Special rules governing the posts shall be followed. No request for revision of seniority for a period which **is more than 3 years old shall be considered.**

- ❖ In pursuance to the orders issued by the Govt., as stated in above para, it is considered to revise the Seniority List of Forest Range Officers., for the last (3) years i.e., the seniority list as on 01-01-2008, 01-01-2009 and 01-01-2010 by taking into consideration of vacancies that arose during the last three (3) panel years from 2007-08, 2008-09 and 2009-10. Besides preparation of the seniority list as on 01-01-2011 also by adopting the same procedure.
- ❖ Before revision of seniority lists of Forest Range Officers for the last (3) years as stated in the above paras, as per guidelines issued by the Government vide memo. 5th cited read with Rule 4 of A.P. State & Subordinate Service Rules, 1996 (Read with A.P. Forest Service Rules, 1997), the promotions that were already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) are reviewed vide "NOTES ON REVIEW OF ZONE-I, II, III, IV, V & VI". Based on the observations made in the "NOTES ON REVIEW", the promotions already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) have been revised keeping in view of the vacancies arose under promotion quota in each Zone. The promotee Forest Range Officers have been adjusted against the promotion vacancies that arose under promotion quota in each Zone and the promotions of the other promotee Forest Range Officers have been revised as on ad hoc basis against the existing DR vacancies in each Zone (In case where vacancies are not available under promotion quota). These all details are mentioned in the "NOTES ON REVIEW OF EACH ZONE". These notes on review of each Zone is being communicated to the circles separately along with proceedings and S.Os.
- ❖ Taking into consideration of the promotee Forest Range Officers adjusted against the promotion quota vacancies, their regular date of promotion as Forest Range Officers has been assigned to them and others have been shifted to existing DR vacancies in each Zone. Likewise this procedure is observed for each panel year.
- ❖ By observing the regular date of promotee candidates / converttee candidates their position has been assigned / their placement has been assigned in the revised provisional seniority list of each Zone for the year as on 01-01-2008, 01-01-2009, 01-01-2010 and 01-01-2011.
- ❖ With regard to DR candidates, it is observed that DR candidates of 2006 batch are due for regularization of services in the category of Forest Range Officers so as to fix-up the inter-se-seniority among themselves. Owing to non receipt of Police antecedent's reports, action could not be taken. However, depending upon the feasibility, immediate action will be taken to regularize their services and to fix the inter-se-seniority among them. Consequent to this; the position of the DR candidates of the 2006 batch will be assigned in the revised provisional seniority list of Forest Range Officers as on 01-01-2011.
- ❖ In view of the above position, the following seniority lists of Forest Range Officers which were prepared and communicated without taking into consideration of the substantive vacancies etc. is hereby revised. The details of the revised seniority lists are mentioned in the next para.
 1. Final Seniority list of Forest Range Officers as on 01-01-2008.
 2. Final Seniority list of Forest Range Officers as on 01-01-2009.
 3. Provisional Seniority list of Forest Range Officers as on 01-01-2010.

- ❖ Duly taking into consideration of the position of Forest Range Officers in the Zone wise revised provisional seniority lists as on 01-01-2008, 01-01-2009 & 01-01-2010 (Besides preparation of provisional seniority list as on 01-01-2011), the following inter-se-seniority lists of Forest Range Officers / State wide seniority lists of Forest Range Officers has been prepared which is in accordance with the Rule 4 of A.P. State & Subordinate Service Rules, 1996 read with A.P. Forest Service Rules, 1997 and also as per the instructions issued by Government vide G.M. 5th cited and communicated herewith.
 1. Revised Provisional Seniority list of FROs as on 01-01-2008.
 2. Revised Provisional Seniority list of FROs as on 01-01-2009.
 3. Revised Provisional Seniority list of FROs as on 01-01-2010.
 4. Provisional Seniority list of FROs as on 01-01-2011.
- ❖ The above seniority lists are kept in Departmental Website by name **"Revised Seniority lists of Forest Range Officers"**.
- ❖ In order to have a uniformity in implementation of the Rules in prospective manner, it is requested to issue necessary instructions in the matter to the appointing authorities of Forest Beat Officers and Forest Section Officers to adopt same principles, rules procedure that was followed in preparation of revised seniority list of Forest Range Officers while revising the seniority list of Forest Beat Officers and Forest Section Officers of the respective Divisions.
- ❖ It is requested to take out sufficient number of copies and communicate the same to all the Forest Range Officers under their control and obtain their dated acknowledgement. The Forest Range Officers may be requested to submit their representation / objection, if any, along with the copies of connected documents within a period of (30) days from the date of receipt of seniority lists.

The Addl. Prl. Chief Conservators of Forests / Chief Conservators of Forests and Conservators of Forests are therefore requested to take necessary further action in the matter and submit the dated acknowledgements of the Forest Range Officers urgently so that final list can be communicated.

Sd/- C.Madhukar Raj,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC).

To

All the Addl. Prl. Chief Conservators of Forests / Chief Conservators of Forests / Conservators of Forests, including WL; WP & SF ; and all other Special circles.

Copy to the table Principal Chief Conservator of Forests (Head of Forest Force), A.P., Hyderabad for information.

Copy to the Add. Principal Chief Conservator of Forests (H.R.D.), O/o the PCCF., A.P., Hyderabad for information and necessary action.

Copy to the table of Add. Principal Chief Conservator of Forests(Admin.), O/o the PCCF., A.P., Hyderabad.

Copy to the table of Add. Principal Chief Conservator of Forests(Vigilance), O/o the PCCF., A.P., Hyderabad.

Copy to the table of Add. Principal Chief Conservator of Forests(A & DC), O/o the PCCF., A.P., Hyderabad.

Copy to Managing Director, Hyderabad Metropolitan Water Supply & Sewerage Board, Khairatabad, Hyderabad, Director General, Vigilance & Enforcement Department, B.R.K.R. Bhavan, Hyderabad, Secretary, Hyderabad Metropolitan Development Authority, D.No.6-3-1190, Green lands, Guest House, Begumpet, Hyderabad – 500 016, Hyderabad. Executive Officer, Tirumala Tirupati Devasthanam, Tirupati, Project Director, DWMA., Anantapur, and

Chief Executive Officer, A.P. Medical Plant and Aromatic Board, APGLI Building, Abids, Hyderabad. They are requested to communicate copies of Seniority Lists of FROs to the Forest Range Officers working under their control and obtain their dated acknowledgement and arrange to furnish the same to this office.

Copy to the Principal, Central Academy for State Forest Service, Coimbatore, Post.Box.No.130, R.S.Puram Post, COIMBATORE - 641 002, TAMILNADU STATE. It is requested to communicate seniority list to the FROs of this state who are undergoing training and furnish their dated acknowledgement to this office.

Copy to the Chief Conservator of Forests / Director, Uttarakhand Forest Training Academy, Halwani (District-Nainital), Uttarakhand-236139. It is requested to communicate seniority list to the FROs of this state who are undergoing training and furnish their dated acknowledgement to this office.

Copy to the Addl. Prl. Chief Conservator of Forests / Director, A.P.F.A., Dulapalli. It is requested to communicate seniority list to the FROs of this state who are undergoing training and furnish their dated acknowledgement to this office.

Copy to the General Secretary, A.P.F.R.Os, Association, A.P., Hyderabad, O/o the Prl.C.C.F., Aranya Bhavan, A.P., Hyderabad.

Copy to the President, A.P.J.F.Os, Association, A.P., Hyderabad, O/o the Prl.C.C.F., Aranya Bhavan, A.P., Hyderabad.

Copy to the Superintendent 'Z' Section, O/o Prl.C.C.F., A.P., Hyderabad, with a request to communicate the Provisional Seniority List to the Forest Range Officers in O/o Prl.C.C.F., A.P., Hyderabad.

Copy to Manager, "M" Section / Superintendents 'KI' / 'KII' / 'P' / 'Y' Sections O/o Prl.C.C.F., A.P., Hyderabad.

Copy to Stock File.

Copy to Provisional Seniority List Stock File.

Copy to File No.48300/2008-A.1.

Copy to A.1, A.2, A.3 and Superintendent -A Section.

//t.c.b.o.//

Superintendent.

ACKNOWLEDGEMENT

Received Prl.C.C.Fs Ref.No.18742/2011-A.1, dated: 30-08-2011 along with the following Seniority lists: -

1. Revised Provisional Seniority List of Forest Range Officers as on 01.01.2008.
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4. Provisional Seniority List of Forest Range Officers as on 01.01.2011.

Receiver signature :

Name :

Designation :

Date :

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

Ref.No.18742/2011-A.1
Dated: 30-08-2011.

Office of the Principal Chief Conservator of Forests
(Head of Forest Force),
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Saifabad, Hyderabad – 500 004.

Sri C. MADHUKAR RAJ, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC)



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1. The seniority list of Forest Range Officers cadre is under preparation for each year. Based on the cadre strength of the Forest Range Officers in each of the Zones, the quota for DR Forest Range Officers, the quota for the Promotee Forest Range Officers and the quota for the conversion Forest Range Officers was initially determined. As and when the FRO belonging to different quotas, retire or promoted, the resulting vacancies were filled by Forest Range Officers belonging to that quota. The promotion quota / conversion quota was filled by preparing panels from time to time and the DR quota was filled by notifying the vacancies to the A.P. Public Service Commission which took up the direct recruitment.
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3. As per the procedure mentioned in the above paras, the following provisional / final seniority lists were prepared and communicated to all the concerned.

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3.	Provisional seniority list of FRO's as on 01-01-2010	Vide reference 3 rd cited

Thus being the procedure followed while preparing the seniority list of Forest Range Officers, some of the ACFs have filed O.A's before the Hon'ble A.P.A.T. Hyderabad with regard to the preparation of seniority list of ACFs. The following are the details of the court cases filed by the ACFs.

- The Government Pleader for Forests(S), A.P.A.T, Hyderabad, in his letter dated 26.02.2010, has informed that Sri P.Ramakrishna, Divisional Forest Officer, SF Division Eluru & batch have filed O.A.No.6443/08 against seniority list of ACF came-up for hearing on 22.06.2010. During the arguments, it was brought to the notice of Court that "Whenever substantive vacancies arose, those vacancies are apportioned between the Direct Recruittees and Promotees according to the ratio 5:5 earlier and then 1/3rd for D.R. and 2/3rd for Promotee as per the amended rules."
 - In the above issue, the Hon'ble APAT have sought for a clarification from the Government as to *why the 50% of the cadre strength of promotee in ACF cadre is not maintained, whereas 50:50 is maintained between Direct Recruittees and Promotees in the cadre of the Forest Range Officers.* The Hon'ble Court directed the Government to file an additional Counter Affidavit on this aspect only.
4. A factual report highlighting the procedure followed in determination of vacancies during each panel year under promotion quota and thereafter preparation of Seniority List of Forest Range Officers was informed to the Govt., vide PCCFs Ref.No.3445/2010-A.1, dt.28.06.2010 in the above court case. In the said report, the Govt., were requested to communicate the orders passed in the matter, so that further necessary action could be taken for preparation of Additional Counter Affidavit in the above O.A.
- On the above report, the Govt., vide Memo No.4889/For.V/2010-3, EFS&T Dept., dt.01.07.2010; have prescribed the procedure to be followed for preparation of Seniority List of Forest Range Officers. It was also observed by the Government that the procedure as prescribed under the rules was not followed in finalisation of Seniority List of Forest Range Officers. Hence, the Government has requested to follow the rules while preparation of seniority list of Forest Range Officers.
 - ❖ Taking into consideration of the observations of the Govt., as stated in the above para, the procedure adopted in preparation of Seniority List of Forest Range Officers was highlighted in the additional Counter Affidavit. It was also stated that in the additional counter that as per orders / clarification issued by the Govt., (as stated in the above para), the Seniority List of Forest Range Officers needs to be prepared by taking into consideration of substantive vacancies arose in each panel year as per Rule 4(b) of A.P. State Subordinate Service Rules, 1996, by apportioning them to the ratio, as prescribed under A.P. Forest Service Rules, 1997 under Rule (3) i.e., 60% for Direct Recruitment, 35% for Promotion Quota & 5% for Conversion Quota. Accordingly, action will be taken to revise the Seniority List of Forest Range Officers. The additional counter affidavit was filed before the Hon'ble APAT Hyderabad through Government Pleader for Forests(s), A.P, A.T, Hyderabad vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.

- ❖ Consequent to making a statement in the Hon'ble APAT, Hyderabad vide additional counter that action will be taken to revise seniority list of Forest Range Officers, the question arises as to how many years seniority lists have to be revised. This issue has been examined with reference to orders issued by the Government vide Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004. In the said Government circular memo that as per judicial pronouncement of the Supreme Court of India under ruling on seniority in service matters, published in the Hindu dated 11-7-1998 has been reported in (1998) 2 SCC.523, the cases for fixing the seniority the procedure and the rules prescribed in Andhra Pradesh State and Subordinate Service Rules or in Special rules governing the posts shall be followed. No request for revision of seniority for a period which is more than 3 years old shall be considered.
- ❖ In pursuance to the orders issued by the Govt., as stated in above para, it is considered to revise the Seniority List of Forest Range Officers for the last (3) years i.e., the seniority list as on 01-01-2008, 01-01-2009 and 01-01-2010 by taking into consideration of vacancies that arose during the last three (3) panel years from 2007-08, 2008-09 and 2009-10. Besides preparation of the seniority list as on 01-01-2011 also by adopting the same procedure.
- ❖ Before revision of seniority lists of Forest Range Officers for the last (3) years as stated in the above paras, as per guidelines issued by the Government vide memo. 5th cited read with Rule 4 of A.P. State & Subordinate Service Rules, 1996 (Read with A.P. Forest Service Rules, 1997), the promotions that were already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) are reviewed vide "NOTES ON REVIEW OF ZONE-I, II, III, IV, V & VI". Based on the observations made in the "NOTES ON REVIEW", the promotions already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) have been revised keeping in view of the vacancies that arose under promotion quota in each Zone. The promotee Forest Range Officers have been adjusted against the promotion vacancies that arose under promotion quota in each Zone and the promotions of the other promotee Forest Range Officers have been revised as on ad hoc basis against the existing DR vacancies in each Zone (In case where vacancies are not available under promotion quota). These all details are mentioned in the "NOTES ON REVIEW OF EACH ZONE". **The said notes on review for ZONE-I** is communicated along with proceedings and S.Os which is mentioned in preamble which is appended to this letter. It is requested to communicate the notes on review along proceedings and S.Os to all the Divisional Forest Officers and Forest Range Officers under proper acknowledgement including other Circles and Divisions.
- ❖ The above note on review for Zone-I are kept in Departmental Website by name "**Revised Seniority lists of Forest Range Officers**".
- ❖ The revised provisional seniority list of the FROs as on 01-01-2008; 01-01-2009; 01-01-2010 and 01-01-2011 is being communicated vide reference 8th cited.

The Addl. Prl. Chief Conservator of Forests, Visakhapatnam is therefore requested to take necessary further action in the matter.

Sd/- C.Madhukar Raj,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC).

To
The Addl. Prl. Chief Conservator of Forests, Visakhapatnam.

//t.c.b.o.//

Superintendent.

- As per the procedure mentioned in the above paras, the following provisional / final seniority lists were prepared and communicated to all the concerned.

Sl. No.	Particulars of Seniority lists	Reference No. and dated in which seniority list was communicated
1.	Final seniority list of FRO's as on 01-01-2008	Vide reference 1 st cited
2.	Final seniority list of FRO's as on 01-01-2009	Vide reference 2 nd cited
3.	Provisional seniority list of FRO's as on 01-01-2010	Vide reference 3 rd cited

Thus being the procedure followed while preparing the seniority list of Forest Range Officers, some of the ACFs have filed O.A's before the Hon'ble A.P.A.T. Hyderabad with regard to the preparation of seniority list of ACFs. The following are the details of the court cases filed by the ACFs.

- The Government Pleader for Forests(S), A.P.A.T, Hyderabad, in his letter dated 26.02.2010, has informed that Sri P.Ramakrishna, DFO, SF Division Eluru & batch have filed O.A.No.6443/08 against seniority list of ACF came-up for hearing on 22.06.2010. During the arguments, it was brought to the notice of Court that "Whenever substantive vacancies arose, those vacancies are apportioned between the Direct Recruittees and Promotees according to the ratio 5:5 earlier and then 1/3rd for D.R. and 2/3rd for Promotee as per the amended rules."
- In the above issue, the Hon'ble APAT have sought for a clarification from the Government as to *why the 50% of the cadre strength of promotee in ACF cadre is not maintained, whereas 50:50 is maintained between Direct Recruittees and Promotees in the cadre of the Forest Range Officers.* The Hon'ble Court directed the Government to file an additional Counter Affidavit on this aspect only.
- A factual report highlighting the procedure followed in determination of vacancies during each panel year under promotion quota and thereafter preparation of Seniority List of Forest Range Officers was informed to the Govt., vide PCCFs Ref.No.3445/2010-A.1, dt.28.06.2010 in the above court case. In the said report, the Govt., were requested to communicate the orders passed in the matter, so that further necessary action could be taken for preparation of Additional Counter Affidavit in the above O.A.
- On the above report, the Govt., vide Memo No.4889/For.V/2010-3, EFS&T Dept., dt.01.07.2010; have prescribed the procedure to be followed for preparation of Seniority List of Forest Range Officers. It was also observed by the Government that the procedure as prescribed under the rules was not followed in finalisation of Seniority List of Forest Range Officers. Hence, the Government has requested to follow the rules while preparation of seniority list of Forest Range Officers.
- ❖ Taking into consideration of the observations of the Govt., as stated in the above para, the procedure adopted in preparation of Seniority List of Forest Range Officers was highlighted in the additional Counter Affidavit. It was also stated that in the additional counter that as per orders / clarification issued by the Govt., (as stated in the above para), the Seniority List of Forest Range Officers needs to be prepared by taking into consideration of substantive vacancies arose in each panel year as per Rule 4(b) of A.P. State Subordinate Service Rules, 1996, by apportioning them to the ratio, as prescribed under A.P. Forest Service Rules, 1997 under Rule (3) i.e., 60% for Direct Recruitment, 35% for Promotion Quota & 5% for Conversion Quota. Accordingly, action will be taken to revise the Seniority List of Forest Range Officers. The additional counter affidavit was filed before the Hon'ble APAT Hyderabad through Government Pleader for Forests(s), A.P, A.T, Hyderabad vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.

- ❖ Consequent to making a statement in the Hon'ble APAT, Hyderabad vide additional counter that action will be taken to revise seniority list of Forest Range Officers the question arises as to how many years seniority lists have to be revised. This issue has been examined with reference to orders issued by the Government vide Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004. In the said Government circular memo that as per judicial pronouncement of the Supreme Court of India under ruling on seniority in service matters, published in the Hindu dated 11-7-1998 has been reported in (1998) 2 SCC.523, the cases for fixing the seniority the procedure and the rules prescribed in Andhra Pradesh State and Subordinate Service Rules or in Special rules governing the posts shall be followed. No request for revision of seniority for a period which is more than 3 years old shall be considered.
- ❖ In pursuance to the orders issued by the Govt., as stated in above para, it is considered to revise the Seniority List of Forest Range Officers for the last (3) years i.e., the seniority list as on 01-01-2008, 01-01-2009 and 01-01-2010 by taking into consideration of vacancies that arose during the last three (3) panel years from 2007-08, 2008-09 and 2009-10. Besides preparation of the seniority list as on 01-01-2011 also by adopting the same procedure.
- ❖ Before revision of seniority lists of Forest Range Officers for the last (3) years as stated in the above paras, as per guidelines issued by the Government vide memo. 5th cited read with Rule 4 of A.P. State & Subordinate Service Rules, 1996 (Read with A.P. Forest Service Rules, 1997), the promotions that were already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) are reviewed vide "NOTES ON REVIEW OF ZONE-I, II, III, IV, V & VI". Based on the observations made in the "NOTES ON REVIEW", the promotions already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) have been revised keeping in view of the vacancies that arose under promotion quota in each Zone. The promotee Forest Range Officers have been adjusted against the promotion vacancies that arose under promotion quota in each Zone and the promotions of the other promotee Forest Range Officers have been revised as on ad hoc basis against the existing DR vacancies in each Zone (In case where vacancies are not available under promotion quota). These all details are mentioned in the "NOTES ON REVIEW OF EACH ZONE". **The said notes on review for ZONE-II** is communicated along with proceedings and S.Os which is mentioned in preamble which is appended to this letter. It is requested to communicated the notes on review along proceedings and S.Os to all the Divisional Forest Officers and Forest Range Officers under proper acknowledgement including other special Circles and Divisions.
- ❖ The above note on review for Zone-II are kept in Departmental Website by name **"Revised Seniority lists of Forest Range Officers"**.
- ❖ The revised provisional seniority list of the Forest Range Officers as on 01-01-2008; 01-01-2009; 01-01-2010 and 01-01-2011 is being communicated vide reference 8th cited.

The Conservator of Forests, Rajahmundry is therefore requested to take necessary further action in the matter.

Sd/- C.Madhukar Raj,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC).

To
The Conservator of Forests, Rajahmundry.

//t.c.b.o.//

Superintendent.

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Ref.No.18742/2011-A.1
Dated: 30-08-2011.

Office of the Principal Chief Conservator of Forests
(Head of Forest Force),
Andhra Pradesh, "Aranya Bhavan,
Saifabad, Hyderabad – 500 004.

Sri C. MADHUKAR RAJ, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC)



Sub: - Establishment – Forest Department – Review of promotions to the category of FRO's during the last (3) panel years from 2007-08 to 2009-10; by determination of substantive vacancies of each panel year wise & zone wise and apportioning them to the ratio / percentage prescribed under the Andhra Pradesh Forest Service Rules 1997 – Notes on review of Zone-III along with proceedings and S.Os – Communicated for necessary action - Regarding.

Ref: - 1. PCCF's Ref.No.43432/2009-A.1 dt.27-01-2010.
2. PCCF's Ref.No.49054/2009-A.1 dt.15-03-2010.
3. PCCF's Ref.No.3445/2010-A.1 dt.22-03-2010.
4. G.P for Forests(S), APAT Hyderabad Letter.No OA.No.6443/2008 & batch/SDK/Forests, dt.22-06-2010.
5. G.M.No.4889/For.V/2010-3, dt.01-07-2010.
6. Additional Counter filed in OA.No.10342/2008 and batch vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.
7. Govt., Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004.
8. PCCFs Ref.No.18742/2011-A.1, dt.30/08/2011.



Attention of the officers mentioned in the address entry is invited to the references cited. They are informed that prior to apportionment of substantive vacancies that arose by different sources like retirement, promotion etc., and apportioning them to the percentage / ratio prescribed under Andhra Pradesh Forest Service Rules, 1997 (issued in G.O.Ms.No.154 EFS&T (For.V) Dept. dt.18-11-1997) to get the net vacancies under each quota namely Direct Recruitment; Promotion and conversion, the following procedure was followed while preparing the seniority list of Forest Range Officers: -

- The seniority list of Forest Range Officers cadre is under preparation for each year. Based on the cadre strength of the Forest Range Officers in each of the Zones, the quota for DR Forest Range Officers the quota for the Promotee Forest Range Officers and the quota for the conversion Forest Range Officers was initially determined. As and when the FRO belonging to different quotas, retire or promoted, the resulting vacancies were filled by Forest Range Officers belonging to that quota. The promotion quota / conversion quota was filled by preparing panels from time to time and the DR quota was filled by notifying the vacancies to the A.P. Public Service Commission which took up the direct recruitment.

- Based on the regular date of promotee / Converttee and D.R candidates respectively, the inter-se-seniority among these category persons (Forest Range Officers) were assigned. Thereafter provisional seniority list of Forest Range Officers was prepared and communicated to all the Forest Range Officers. After disposing of the objections, if any, against the provisional seniority lists, the final seniority list of Forest Range Officers as per the provisions contained in A.P State and Subordinate Service Rules 1996 read with A.P Forest Service Rules 1997 were prepared and communicated to all the concerned through respective controlling officers.
- As per the procedure mentioned in the above paras, the following provisional / final seniority lists were prepared and communicated to all the concerned.

Sl. No.	Particulars of Seniority lists	Reference No. and dated in which seniority list was communicated
1.	Final seniority list of FRO's as on 01-01-2008	Vide reference 1 st cited
2.	Final seniority list of FRO's as on 01-01-2009	Vide reference 2 nd cited
3.	Provisional seniority list of FRO's as on 01-01-2010	Vide reference 3 rd cited

Thus being the procedure followed while preparing the seniority list of Forest Range Officers, some of the ACFs have filed O.A's before the Hon'ble A.P.A.T. Hyderabad with regard to the preparation of seniority list of ACFs. The following are the details of the court cases filed by the ACFs.

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 - In the above issue, the Hon'ble APAT have sought for a clarification from the Government as to *why the 50% of the cadre strength of promotee in ACF cadre is not maintained, whereas 50:50 is maintained between Direct Recruittees and Promotees in the cadre of the Forest Range Officers.* The Hon'ble Court directed the Government to file an additional Counter Affidavit on this aspect only.
 - A factual report highlighting the procedure followed in determination of vacancies during each panel year under promotion quota and thereafter preparation of Seniority List of Forest Range Officers was informed to the Govt., vide PCCFs Ref.No.3445/2010-A.1, dt.28.06.2010 in the above court case. In the said report, the Govt., were requested to communicate the orders passed in the matter, so that further necessary action could be taken for preparation of Additional Counter Affidavit in the above O.A.
 - On the above report, the Govt., vide Memo No.4889/For.V/2010-3, EFS&T Dept., dt.01.07.2010; have prescribed the procedure to be followed for preparation of Seniority List of Forest Range Officers. It was also observed by the Government that the procedure as prescribed under the rules was not followed in finalisation of Seniority List of Forest Range Officers. Hence, the Government has requested to follow the rules while preparation of seniority list of Forest Range Officers.
- ❖ Taking into consideration of the observations of the Govt., as stated in the above para, the procedure adopted in preparation of Seniority List of Forest Range Officers was highlighted in the additional Counter Affidavit. It was also

stated that in the additional counter that as per orders / clarification issued by the Govt., (as stated in the above para), the Seniority List of Forest Range Officers needs to be prepared by taking into consideration of substantive vacancies arose in each panel year as per Rule 4(b) of A.P. State Subordinate Service Rules, 1996, by apportioning them to the ratio, as prescribed under A.P. Forest Service Rules, 1997 under Rule (3) i.e., 60% for Direct Recruitment, 35% for Promotion Quota & 5% for Conversion Quota. Accordingly, action will be taken to revise the Seniority List of Forest Range Officers. The additional counter affidavit was filed before the Hon'ble APAT Hyderabad through Government Pleader for Forests(s), A.P, A.T, Hyderabad vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.

- ❖ Consequent to making a statement in the Hon'ble APAT, Hyderabad vide additional counter that action will be taken to revise seniority list of Forest Range Officers, the question arises as to how many years seniority lists have to be revised. This issue has been examined with reference to orders issued by the Government vide Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004. In the said Government circular memo that as per judicial pronouncement of the Supreme Court of India under ruling on seniority in service matters, published in the Hindu dated 11-7-1998 has been reported in (1998) 2 SCC.523, the cases for fixing the seniority the procedure and the rules prescribed in Andhra Pradesh State and Subordinate Service Rules or in Special rules governing the posts shall be followed. No request for revision of seniority for a period which is more than 3 years old shall be considered.
- ❖ In pursuance to the orders issued by the Govt., as stated in above para, it is considered to revise the Seniority List of Forest Range Officers for the last (3) years i.e., the seniority list as on 01-01-2008, 01-01-2009 and 01-01-2010 by taking into consideration of vacancies that arose during the last three (3) panel years from 2007-08, 2008-09 and 2009-10. Besides preparation of the seniority list as on 01-01-2011 also by adopting the same procedure.
- ❖ Before revision of seniority lists of Forest Range Officers for the last (3) years as stated in the above paras, as per guidelines issued by the Government vide memo. 5th cited read with Rule 4 of A.P. State & Subordinate Service Rules, 1996 (Read with A.P. Forest Service Rules, 1997), the promotions that were already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) are reviewed vide "NOTES ON REVIEW OF ZONE-I, II, III, IV, V & VI". Based on the observations made in the "NOTES ON REVIEW", the promotions already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) have been revised keeping in view of the vacancies that arose under promotion quota in each Zone. The promotee Forest Range Officers have been adjusted against the promotion vacancies that arose under promotion quota in each Zone and the promotions of the other promotee Forest Range Officers have been revised as on *ad hoc* basis against the existing DR vacancies in each Zone (In case where vacancies are not available under promotion quota). These all details are mentioned in the "NOTES ON REVIEW OF EACH ZONE". **The said notes on review for ZONE-III** is communicated along with proceedings and S.Os which is mentioned in preamble which is appended to this letter. It is requested to communicate the notes on review along proceedings and S.Os to all the Divisional Forest Officers and Forest Range Officers under proper acknowledgement. It is also requested to communicate these documents to the special circles / Divisions available in Zone-III for communicating these documents to the Forest Range Officers of Special Circles.
- ❖ The above note on review for Zone-III are kept in Departmental Website by name "**Revised Seniority lists of Forest Range Officers**".
- ❖ The revised provisional seniority list of the Forest Range Officers as on 01-01-2008; 01-01-2009; 01-01-2010 and 01-01-2011 is being communicated vide reference 8th cited.

The Addl. Prl. Chief Conservator of Forests, Guntur is therefore requested to take necessary further action in the matter.

Sd/- C.Madhukar Raj,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC).

To
The Addl. Prl. Chief Conservator of Forests, Guntur.

//t.c.b.o.//

Superintendent.

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Ref.No.18742/2011-A.1
Dated: 30-08-2011.

Office of the Principal Chief Conservator of Forests
(Head of Forest Force),
Andhra Pradesh, "Aranya Bhavan,
Saifabad, Hyderabad – 500 004.

Sri C. MADHUKAR RAJ, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC)

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Sub: - Establishment – Forest Department – Review of promotions to the category of FRO's during the last (3) panel years from 2007-08 to 2009-10; by determination of substantive vacancies of each panel year wise & zone wise and apportioning them to the ratio / percentage prescribed under the Andhra Pradesh Forest Service Rules 1997 – Notes on review of Zone-IV along with proceedings and S.Os – Communicated for necessary action - Regarding.

Ref: - 1. PCCF's Ref.No.43432/2009-A.1 dt.27-01-2010.
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- Based on the regular date of promotee / Converttee and D.R candidates respectively, the inter-se-seniority among these category persons (Forest Range Officers) were assigned. Thereafter provisional seniority list of Forest Range Officers was prepared and communicated to all the Forest Range Officers. After disposing of the objections, if any, against the provisional seniority lists, the final seniority list of Forest Range Officers as per the provisions contained in A.P State and Subordinate Service Rules 1996 read with A.P Forest Service Rules 1997 were prepared and communicated to all the concerned through respective controlling officers.

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- On the above report, the Govt., vide Memo No.4889/For.V/2010-3, EFS&T Dept., dt.01.07.2010; have prescribed the procedure to be followed for preparation of Seniority List of Forest Range Officers. It was also observed by the Government that the procedure as prescribed under the rules was not followed in finalisation of Seniority List of Forest Range Officers. Hence, the Government has requested to follow the rules while preparation of seniority list of Forest Range Officers.
- ❖ Taking into consideration of the observations of the Govt., as stated in the above para, the procedure adopted in preparation of Seniority List of Forest Range Officers was highlighted in the additional Counter Affidavit. It was also stated that in the additional counter that as per orders / clarification issued by the Govt., (as stated in the above para), the Seniority List of Forest Range Officers needs to be prepared by taking into consideration of substantive vacancies arose in each panel year as per Rule 4(b) of A.P. State Subordinate Service Rules, 1996, by apportioning them to the ratio, as prescribed under A.P. Forest Service Rules, 1997 under Rule (3) i.e., 60% for Direct Recruitment, 35% for Promotion Quota & 5% for Conversion Quota. Accordingly, action will be taken to revise the Seniority List of Forest Range Officers. The additional counter affidavit was filed before the Hon'ble APAT Hyderabad through Government Pleader for Forests(s), A.P, A.T, Hyderabad vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.

- ❖ Consequent to making a statement in the Hon'ble APAT, Hyderabad vide additional counter that action will be taken to revise seniority list of Forest Range Officers, the question arises as to how many years seniority lists have to be revised. This issue has been examined with reference to orders issued by the Government vide Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004. In the said Government circular memo that as per judicial pronouncement of the Supreme Court of India under ruling on seniority in service matters, published in the Hindu dated 11-7-1998 has been reported in (1998) 2 SCC.523, the cases for fixing the seniority the procedure and the rules prescribed in Andhra Pradesh State and Subordinate Service Rules or in Special rules governing the posts shall be followed. No request for revision of seniority for a period which is more than 3 years old shall be considered.
- ❖ In pursuance to the orders issued by the Govt., as stated in above para, it is considered to revise the Seniority List of Forest Range Officers for the last (3) years i.e., the seniority list as on 01-01-2008, 01-01-2009 and 01-01-2010 by taking into consideration of vacancies that arose during the last three (3) panel years from 2007-08, 2008-09 and 2009-10. Besides preparation of the seniority list as on 01-01-2011 also by adopting the same procedure.
- ❖ Before revision of seniority lists of Forest Range Officers for the last (3) years as stated in the above paras, as per guidelines issued by the Government vide memo. 5th cited read with Rule 4 of A.P. State & Subordinate Service Rules, 1996 (Read with A.P. Forest Service Rules, 1997), the promotions that were already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) are reviewed vide "NOTES ON REVIEW OF ZONE-I, II, III, IV, V & VI". Based on the observations made in the "NOTES ON REVIEW", the promotions already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) have been revised keeping in view of the vacancies that arose under promotion quota in each Zone. The promotee Forest Range Officers have been adjusted against the promotion vacancies that arose under promotion quota in each Zone and the promotions of the other promotee Forest Range Officers have been revised as on ad hoc basis against the existing DR vacancies in each Zone (In case where vacancies are not available under promotion quota). These all details are mentioned in the "NOTES ON REVIEW OF EACH ZONE". **The said notes on review for ZONE-IV** is communicated along with proceedings and S.Os which is mentioned in preamble which is appended to this letter. It is requested to communicate the notes on review along proceedings and S.Os to all the Divisional Forest Officers and Forest Range Officers under proper acknowledgement. It is also requested to communicate these documents to the special circles / Divisions available in Zone-IV for communicating these documents to the Forest Range Officers of Special Circles.
- ❖ The above note on review for Zone-IV are kept in Departmental Website by name **"Revised Seniority lists of Forest Range Officers"**.
- ❖ The revised provisional seniority list of the Forest Range Officers as on 01-01-2008; 01-01-2009; 01-01-2010 and 01-01-2011 is being communicated vide reference 8th cited.

The Officers mentioned in the address entry are therefore requested to take necessary further action in the matter.

Sd/- C.Madhukar Raj,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC).

To
The Addl. Prl. Chief Conservator of Forests / Conservator of Forests, Anantapur,
Conservator of Forests, Kurnool, Conservator of Forests, WLM Circle
Tirupati and Conservator of Forests/Field Director, Project Tiger Circle
Srisailam.

//t.c.b.o.//

Superintendent.

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Ref.No.18742/2011-A.1
Dated: 30-08-2011.

Office of the Principal Chief Conservator of Forests
(Head of Forest Force),
Andhra Pradesh, "Aranya Bhavan,
Saifabad, Hyderabad – 500 004.

Sri C. MADHUKAR RAJ, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC)

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Sub: - Establishment – Forest Department – Review of promotions to the category of FRO's during the last (3) panel years from 2007-08 to 2009-10; by determination of substantive vacancies of each panel year wise & zone wise and apportioning them to the ratio / percentage prescribed under the Andhra Pradesh Forest Service Rules 1997 – Notes on review of Zone-V along with proceedings and S.Os – Communicated for necessary action - Regarding.

Ref: - 1. PCCF's Ref.No.43432/2009-A.1 dt.27-01-2010.
2. PCCF's Ref.No.49054/2009-A.1 dt.15-03-2010.
3. PCCF's Ref.No.3445/2010-A.1 dt.22-03-2010.
4. G.P for Forests(S), APAT Hyderabad Letter.No OA.No.6443/2008 & batch/SDK/Forests, dt.22-06-2010.
5. G.M.No.4889/For.V/2010-3, dt.01-07-2010.
6. Additional Counter filed in OA.No.10342/2008 and batch vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.
7. Govt., Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004.
8. PCCFs Ref.No.18742/2011-A.1, dt.30/08/2011.

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Attention of the officers mentioned in the address entry is invited to the references cited. They are informed that prior to apportionment of substantive vacancies that arose by different sources like retirement, promotion etc., and apportioning them to the percentage / ratio prescribed under Andhra Pradesh Forest Service Rules, 1997 (issued in G.O.Ms.No.154 EFS&T (For.V) Dept. dt.18-11-1997) to get the net vacancies under each quota namely Direct Recruitment; Promotion and conversion, the following procedure was followed while preparing the seniority list of Forest Range Officers: -

- The seniority list of Forest Range Officers cadre is under preparation for each year. Based on the cadre strength of the Forest Range Officers in each of the Zones, the quota for DR Forest Range Officers the quota for the Promotee Forest Range Officers and the quota for the conversion Forest Range Officers was initially determined. As and when the FRO belonging to different quotas, retire or promoted, the resulting vacancies were filled by Forest Range Officers belonging to that quota. The promotion quota / conversion quota was filled by preparing panels from time to time and the DR quota was filled by notifying the vacancies to the A.P. Public Service Commission which took up the direct recruitment.
- Based on the regular date of promotee / Converttee and D.R candidates respectively, the inter-se-seniority among these category persons (Forest Range Officers) were assigned. Thereafter provisional seniority list of Forest Range Officers was prepared and communicated to all the Forest Range Officers. After disposing of the objections, if any, against the provisional seniority lists, the final seniority list of Forest Range Officers as per the provisions contained in A.P State and Subordinate Service Rules 1996 read with A.P Forest Service Rules 1997 were prepared and communicated to all the concerned through respective controlling officers.

- As per the procedure mentioned in the above paras, the following provisional / final seniority lists were prepared and communicated to all the concerned.

Sl. No.	Particulars of Seniority lists	Reference No. and dated in which seniority list was communicated
1.	Final seniority list of FRO's as on 01-01-2008	Vide reference 1 st cited
2.	Final seniority list of FRO's as on 01-01-2009	Vide reference 2 nd cited
3.	Provisional seniority list of FRO's as on 01-01-2010	Vide reference 3 rd cited

Thus being the procedure followed while preparing the seniority list of Forest Range Officers, some of the ACFs have filed O.A's before the Hon'ble A.P.A.T. Hyderabad with regard to the preparation of seniority list of ACFs. The following are the details of the court cases filed by the ACFs.

- The Government Pleader for Forests(S), A.P.A.T, Hyderabad, in his letter dated 26.02.2010, has informed that Sri P.Ramakrishna, Divisional Forest Officer, SF Division Eluru & batch have filed O.A.No.6443/08 against seniority list of ACF came-up for hearing on 22.06.2010. During the arguments, it was brought to the notice of Court that "Whenever substantive vacancies arose, those vacancies are apportioned between the Direct Recruittees and Promotees according to the ratio 5:5 earlier and then 1/3rd for D.R. and 2/3rd for Promotee as per the amended rules."
- In the above issue, the Hon'ble APAT have sought for a clarification from the Government as to *why the 50% of the cadre strength of promotee in ACF cadre is not maintained, whereas 50:50 is maintained between Direct Recruittees and Promotees in the cadre of the Forest Range Officers.* The Hon'ble Court directed the Government to file an additional Counter Affidavit on this aspect only.
- A factual report highlighting the procedure followed in determination of vacancies during each panel year under promotion quota and thereafter preparation of Seniority List of Forest Range Officers was informed to the Govt., vide PCCFs Ref.No.3445/2010-A.1, dt.28.06.2010 in the above court case. In the said report, the Govt., were requested to communicate the orders passed in the matter, so that further necessary action could be taken for preparation of Additional Counter Affidavit in the above O.A.
- On the above report, the Govt., vide Memo No.4889/For.V/2010-3, EFS&T Dept., dt.01.07.2010; have prescribed the procedure to be followed for preparation of Seniority List of Forest Range Officers. It was also observed by the Government that the procedure as prescribed under the rules was not followed in finalisation of Seniority List of Forest Range Officers. Hence, the Government has requested to follow the rules while preparation of seniority list of Forest Range Officers.
- ❖ Taking into consideration of the observations of the Govt., as stated in the above para, the procedure adopted in preparation of Seniority List of Forest Range Officers was highlighted in the additional Counter Affidavit. It was also stated that in the additional counter that as per orders / clarification issued by the Govt., (as stated in the above para), the Seniority List of Forest Range Officers needs to be prepared by taking into consideration of substantive vacancies arose in each panel year as per Rule 4(b) of A.P. State Subordinate Service Rules, 1996, by apportioning them to the ratio, as prescribed under A.P. Forest Service Rules, 1997 under Rule (3) i.e., 60% for Direct Recruitment, 35% for Promotion Quota & 5% for Conversion Quota. Accordingly, action will be taken to revise the Seniority List of Forest Range Officers. The additional counter affidavit was filed before the Hon'ble APAT Hyderabad through Government Pleader for Forests(s), A.P, A.T, Hyderabad vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.

- ❖ Consequent to making a statement in the Hon'ble APAT, Hyderabad vide additional counter that action will be taken to revise seniority list of Forest Range Officers the question arises as to how many years seniority lists have to be revised. This issue has been examined with reference to orders issued by the Government vide Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004. In the said Government circular memo that as per judicial pronouncement of the Supreme Court of India under ruling on seniority in service matters, published in the Hindu dated 11-7-1998 has been reported in (1998) 2 SCC.523, the cases for fixing the seniority the procedure and the rules prescribed in Andhra Pradesh State and Subordinate Service Rules or in Special rules governing the posts shall be followed. No request for revision of seniority for a period which is more than 3 years old shall be considered.
- ❖ In pursuance to the orders issued by the Govt., as stated in above para, it is considered to revise the Seniority List of Forest Range Officers for the last (3) years i.e., the seniority list as on 01-01-2008, 01-01-2009 and 01-01-2010 by taking into consideration of vacancies that arose during the last three (3) panel years from 2007-08, 2008-09 and 2009-10. Besides preparation of the seniority list as on 01-01-2011 also by adopting the same procedure.
- ❖ Before revision of seniority lists of Forest Range Officers for the last (3) years as stated in the above paras, as per guidelines issued by the Government vide memo. 5th cited read with Rule 4 of A.P. State & Subordinate Service Rules, 1996 (Read with A.P. Forest Service Rules, 1997), the promotions that were already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) are reviewed vide "NOTES ON REVIEW OF ZONE-I, II, III, IV, V & VI". Based on the observations made in the "NOTES ON REVIEW", the promotions already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) have been revised keeping in view of the vacancies that arose under promotion quota in each Zone. The promotee Forest Range Officers have been adjusted against the promotion vacancies that arose under promotion quota in each Zone and the promotions of the other promotee Forest Range Officers have been revised as on ad hoc basis against the existing DR vacancies in each Zone (In case where vacancies are not available under promotion quota). These all details are mentioned in the "NOTES ON REVIEW OF EACH ZONE". **The said notes on review for ZONE-V** is communicated along with proceedings and S.Os which is mentioned in preamble which is appended to this letter. It is requested to communicate the notes on review along proceedings and S.Os to all the Divisional Forest Officers and Forest Range Officers under proper acknowledgement. It is also requested to communicate these documents to the special circles / Divisions available in Zone-V for communicating these documents to the Forest Range Officers of Special Circles.
- ❖ The above note on review for Zone-V are kept in Departmental Website by name **"Revised Seniority lists of Forest Range Officers"**.
- ❖ The revised provisional seniority list of the Forest Range Officers as on 01-01-2008; 01-01-2009; 01-01-2010 and 01-01-2011 is being communicated vide ref.8th cited.

The Officers mentioned in the address entry are therefore requested to take necessary further action in the matter.

Sd/- C.Madhukar Raj,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC).

To
The Addl. Prl. Chief Conservator of Forests / Conservator of Forests, Khammam,
Chief Conservator of Forests / Conservator of Forests, Adilabad and
Conservator of Forests, Warangal.

//t.c.b.o.//

Superintendent.

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Ref.No.18742/2011-A.1
Dated: 30-08-2011.

Office of the Principal Chief Conservator of Forests
(Head of Forest Force),
Andhra Pradesh, "Aranya Bhavan,
Saifabad, Hyderabad – 500 004.

Sri C. MADHUKAR RAJ, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC)

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Sub:- Establishment – Forest Department – Review of promotions to the category of FRO's during the last (3) panel years from 2007-08 to 2009-10; by determination of substantive vacancies of each panel year wise & zone wise and apportioning them to the ratio / percentage prescribed under the Andhra Pradesh Forest Service Rules 1997 – Notes on review of Zone-VI along with proceedings and S.Os – Communicated for necessary action - Regarding.

Ref:-

1. PCCF's Ref.No.43432/2009-A.1 dt.27-01-2010.
2. PCCF's Ref.No.49054/2009-A.1 dt.15-03-2010.
3. PCCF's Ref.No.3445/2010-A.1 dt.22-03-2010.
4. G.P for Forests(S), APAT Hyderabad Letter.No OA.No.6443/2008 & batch/SDK/Forests, dt.22-06-2010.
5. G.M.No.4889/For.V/2010-3, dt.01-07-2010.
6. Additional Counter filed in OA.No.10342/2008 and batch vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.
7. Govt., Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004.
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- The seniority list of Forest Range Officers cadre is under preparation for each year. Based on the cadre strength of the Forest Range Officers in each of the Zones, the quota for DR Forest Range Officers, the quota for the Promotee Forest Range Officers and the quota for the conversion Forest Range Officers was initially determined. As and when the FRO belonging to different quotas, retire or promoted, the resulting vacancies were filled by Forest Range Officers belonging to that quota. The promotion quota / conversion quota was filled by preparing panels from time to time and the DR quota was filled by notifying the vacancies to the A.P. Public Service Commission which took up the direct recruitment.
- Based on the regular date of promotee / Converttee and D.R candidates respectively, the inter-se-seniority among these category persons (Forest Range Officers) were assigned. Thereafter provisional seniority list of Forest Range Officers was prepared and communicated to all the Forest Range Officers. After disposing of the objections, if any, against the provisional seniority lists, the final seniority list of Forest Range Officers as per the provisions contained in A.P State and Subordinate Service Rules 1996 read with A.P Forest Service Rules 1997 were prepared and communicated to all the concerned through respective controlling officers.

- As per the procedure mentioned in the above paras, the following provisional / final seniority lists were prepared and communicated to all the concerned.

Sl. No.	Particulars of Seniority lists	Reference No. and dated in which seniority list was communicated
1.	Final seniority list of FRO's as on 01-01-2008	Vide reference 1 st cited
2.	Final seniority list of FRO's as on 01-01-2009	Vide reference 2 nd cited
3.	Provisional seniority list of FRO's as on 01-01-2010	Vide reference 3 rd cited

Thus being the procedure followed while preparing the seniority list of Forest Range Officers, some of the ACFs have filed O.A's before the Hon'ble A.P.A.T. Hyderabad with regard to the preparation of seniority list of ACFs. The following are the details of the court cases filed by the ACFs.

- The Government Pleader for Forests(S), A.P.A.T, Hyderabad, in his letter dated 26.02.2010, has informed that Sri P.Ramakrishna, Divisional Forest Officer, SF Division Eluru & batch have filed O.A.No.6443/08 against seniority list of ACF came-up for hearing on 22.06.2010. During the arguments, it was brought to the notice of Court that "Whenever substantive vacancies arose, those vacancies are apportioned between the Direct Recruittees and Promotees according to the ratio 5:5 earlier and then 1/3rd for D.R. and 2/3rd for Promotee as per the amended rules."
- In the above issue, the Hon'ble APAT have sought for a clarification from the Government as to *why the 50% of the cadre strength of promotee in ACF cadre is not maintained, whereas 50:50 is maintained between Direct Recruittees and Promotees in the cadre of the Forest Range Officers.* The Hon'ble Court directed the Government to file an additional Counter Affidavit on this aspect only.
- A factual report highlighting the procedure followed in determination of vacancies during each panel year under promotion quota and thereafter preparation of Seniority List of Forest Range Officers was informed to the Govt., vide PCCFs Ref.No.3445/2010-A.1, dt.28.06.2010 in the above court case. In the said report, the Govt., were requested to communicate the orders passed in the matter, so that further necessary action could be taken for preparation of Additional Counter Affidavit in the above O.A.
- On the above report, the Govt., vide Memo No.4889/For.V/2010-3, EFS&T Dept., dt.01.07.2010; have prescribed the procedure to be followed for preparation of Seniority List of Forest Range Officers. It was also observed by the Government that the procedure as prescribed under the rules was not followed in finalisation of Seniority List of Forest Range Officers. Hence, the Government has requested to follow the rules while preparation of seniority list of Forest Range Officers.
- ❖ Taking into consideration of the observations of the Govt., as stated in the above para, the procedure adopted in preparation of Seniority List of Forest Range Officers was highlighted in the additional Counter Affidavit. It was also stated that in the additional counter that as per orders / clarification issued by the Govt., (as stated in the above para), the Seniority List of Forest Range Officers needs to be prepared by taking into consideration of substantive vacancies arose in each panel year as per Rule 4(b) of A.P. State Subordinate Service Rules, 1996, by apportioning them to the ratio, as prescribed under A.P. Forest Service Rules, 1997 under Rule (3) i.e., 60% for Direct Recruitment, 35% for Promotion Quota & 5% for Conversion Quota. Accordingly, action will be taken to revise the Seniority List of Forest Range Officers. The additional counter affidavit was filed before the Hon'ble APAT Hyderabad through Government Pleader for Forests(s), A.P, A.T, Hyderabad vide PCCFs Ref.No.3445/2010-A.1, dt.03-07-2010.

- ❖ Consequent to making a statement in the Hon'ble APAT, Hyderabad vide additional counter that action will be taken to revise seniority list of Forest Range Officers, the question arises as to how many years seniority lists have to be revised. This issue has been examined with reference to orders issued by the Government vide Circular Memo No.57759/Ser.A/2004-1, G.A (Ser-A) Dept, dt.20-05-2004. In the said Government circular memo that as per judicial pronouncement of the Supreme Court of India under ruling on seniority in service matters, published in the Hindu dated 11-7-1998 has been reported in (1998) 2 SCC.523, the cases for fixing the seniority the procedure and the rules prescribed in Andhra Pradesh State and Subordinate Service Rules or in Special rules governing the posts shall be followed. No request for revision of seniority for a period which is more than 3 years old shall be considered.
- ❖ In pursuance to the orders issued by the Govt., as stated in above para, it is considered to revise the Seniority List of Forest Range Officers for the last (3) years i.e., the seniority list as on 01-01-2008, 01-01-2009 and 01-01-2010 by taking into consideration of vacancies that arose during the last three (3) panel years from 2007-08, 2008-09 and 2009-10. Besides preparation of the seniority list as on 01-01-2011 also by adopting the same procedure.
- ❖ Before revision of seniority lists of Forest Range Officers for the last (3) years as stated in the above paras, as per guidelines issued by the Government vide memo. 5th cited read with Rule 4 of A.P. State & Subordinate Service Rules, 1996 (Read with A.P. Forest Service Rules, 1997), the promotions that were already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) are reviewed vide "NOTES ON REVIEW OF ZONE-I, II, III, IV, V & VI". Based on the observations made in the "NOTES ON REVIEW", the promotions already effected during the last (3) panel years from 2007-08 to 2009-10 (besides 2010-11) have been revised keeping in view of the vacancies that arose under promotion quota in each Zone. The promotee Forest Range Officers have been adjusted against the promotion vacancies that arose under promotion quota in each Zone and the promotions of the other promotee Forest Range Officers have been revised as on *ad hoc* basis against the existing DR vacancies in each Zone (In case where vacancies are not available under promotion quota). These all details are mentioned in the "NOTES ON REVIEW OF EACH ZONE". **The said notes on review for ZONE-VI** is communicated along with proceedings and S.Os which is mentioned in preamble which is appended to this letter. It is requested to communicate the notes on review along proceedings and S.Os to all the Divisional Forest Officers and Forest Range Officers under proper acknowledgement. It is also requested to communicate these documents to the special circles / Divisions available in Zone-VI for communicating these documents to the Forest Range Officers of Special Circles.
- ❖ The above note on review for Zone-VI are kept in Departmental Website by name **"Revised Seniority lists of Forest Range Officers"**.
- ❖ The revised provisional seniority list of the Forest Range Officers as on 01-01-2008; 01-01-2009; 01-01-2010 and 01-01-2011 is being communicated vide ref.8th cited.

The Officers mentioned in the address entry are therefore requested to take necessary further action in the matter.

Sd/- C.Madhukar Raj,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC).

To
The Chief Conservator of Forests / Conservator of Forests, Nizamabad and
Conservator of Forests, Hyderabad.

//t.c.b.o//

Superintendent.

