

Q/PA-II/584/04-Pt
Ministry of External Affairs
(Administration Division)

16 November 2018

CIRCULAR

Subject: Comments on the Draft Recruitment Rules of the Indian Foreign Service

The Ministry of External Affairs proposes to amend the Indian Foreign Service (Recruitment, Cadre, Seniority and Promotion) Rules, 1961.

2. Accordingly, all stakeholders may submit their comments on the RRs latest by 15 December 2018. The comments may be furnished via email at dsfsp@mea.gov.in.



(Mijito Vinito)

Under Secretary (FSP&Cadre)

(To be published in the Gazette of India)

**Government of India
Ministry of External Affairs**

New Delhi November, 2018

GSR: In exercise of the powers conferred by the proviso to Article 309 of the Constitution and in supersession of the Indian Foreign Service (Recruitment, Cadre, Seniority and Promotion) Rules, 1961 as amended from time to time and published by the Government of India, Ministry of External Affairs in the Gazette of India, except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules, namely:-

1. **Short title and commencement** – (1) These rules may be called the Indian Foreign Service Rules, 2018

(2) They shall come into effect from the date of notification in the Gazette of India.

2. **Definitions-** In these rules, unless the context otherwise requires, -

(a) “**Cadre Post**” means a post included in the cadre of the Service and includes a temporary post which forms a temporary addition to the cadre;

(b) “**Commission**” means the Union Public Service Commission;

(c) “**Controlling Authority**” means the Government of India, Ministry of External Affairs;

(d) “**Service**” means the Indian Foreign Service;

(e) “**Schedule**” means schedule to these Rules;

(f) “**Departmental Promotion Committee**” means a Committee constituted to consider promotions and confirmations in any grade of the Service as specified in Rule 12 and the composition of such Committee shall be as specified in Schedule II of the Rules;

(2) All expressions used in these rules and not defined therein shall have the same meaning as in the Indian Foreign Service (Pay, Leave, Compensatory Allowances and other conditions of Service) Rules, 1961.

4. Foreign Service Board

(1) There shall be constituted a Board called the Foreign Service Board.

(2) The Foreign Service Board shall consist of:

(i) All Secretaries to the Government of India in the Ministry of External Affairs;

(ii) The Secretary to the Government of India in the Ministry of Commerce; and

(iii) The Joint Secretary to the Government of India in the Ministry of External Affairs who shall be Secretary to the Board.

(3) Any three members of the Board shall constitute the quorum.

5. Functions of the Foreign Service Board:-

(1) The functions of the Foreign Service Board shall be to advise the Central Government on the following:-

(I) Postings, transfers, and leave-cum-transfers other than those of Heads of Missions and

Heads of Posts;

(II) Grant of Diplomatic status to officers posted in Indian Missions and Posts abroad.

6. Constitution of the Cadre:

(1) There shall be constituted a Cadre for the Service, the composition on the day of commencement of these Rules will be as per Schedule I of these Rules.

(2) The strength and composition of the cadre shall be determined by the Central Government from time to time.

Provided that nothing in this sub-rule shall be deemed to affect the power of the Central Government to alter the strength and composition of the Cadre at any other time.

(3) The authority competent to make an appointment to a grade may make temporary or permanent additions to that grade, as it may deem necessary from time to time subject to any general or special order that may be issued by the President.

7. Central Government to make appointments to Cadre posts :- All appointments to cadre posts in the service shall be made by the Central Government in accordance with the provisions of these Rules.

8. Power to abolish posts or hold posts in abeyance:-

(1) The Central Government may abolish or hold in abeyance any permanent Cadre Posts:

Provided that no such post shall be abolished or held in abeyance, if an officer is already confirmed against such a post and the said officer is not simultaneously provided with a lien in a similar or higher post.

(2) The Central Government may abolish or hold in abeyance at any time any temporary Cadre post.

9. Appointments to Cadre posts: Posts of Heads of Missions, and of Heads of Posts in countries where there are no Heads of Missions may be filled by the Central Government at its discretion by appointment of members of the Service or of other persons.

10. Deputation of members of the Service:-

(1) The Central Government may at any time depute a member of the Service to a post equivalent to or higher than that held by him in the Service in any other All India Services, Central Services Group A, State Government and Public Sector Undertakings, Autonomous Bodies, Central or State Universities. A member of the Service so deputed shall be held against a post in the deputation reserve, provided that:-

(i) The period of deputation shall not exceed three years in the first instance although the Central Government may extend the same by further periods subject to the total period of deputation not being more than seven years.

(ii) The Central Government may in consideration of the deputation, appoint an officer of any All India Services, Central Services Group A, State Service or Public Sector Undertaking or Autonomous Bodies, Central or State Universities who has been holding analogous post on regular basis in parent cadre or department;

or with minimum service in the grade below after appointment thereto on regular basis, and possessing qualification or experience as may be prescribed by the Controlling Authority as defined from time to time in the vacancy circular for the post;

provided that the appointment shall be in consultation with the Commission where the field of selection is from amongst State Governments, Autonomous Bodies, Public Sector Undertakings, Central & State Universities.

(2) The Central Government may at any time depute a member of the Service to serve under an International Organization or a Foreign Employer. A member of the service so deputed shall be held against a post in the deputation reserve:

provided that the period of deputation shall not exceed three years in the first instance, although the Central Government may extend the same by further periods subject to the total period of foreign deputation not being longer than five years at a stretch and seven years in the total career of an officer.

11. Cadre Posts to be filled by member of the Service:- Save as provided in rules 9 and 10, every cadre post of the Service shall be filled by a member of the Service.

12. Appointments and Promotions: Except as provided in rule 9, there shall be no direct recruitment to Senior Scale or any higher grade of the Service.

(2) Promotion of officers to Junior Administrative Grade, Grade IV, Grade III, Grade II and Grade I shall be made by 'selection' on the basis of the recommendations of the Departmental Promotion Committee constituted in accordance with Schedule II of Rules from amongst members of the Service holding posts in the next lower grade and fulfilling such eligibility conditions as laid down in Schedule III of the Rules.

13. Appointment to Senior Scale Posts:-

(1) There shall be no direct recruitment to a cadre post in the Senior Scale of the Service.

(2) Except as in the manner specified in para 13(3) of the Rules, all posts in the Senior Scale of the Service shall be filled by promotion on the basis of seniority-cum-fitness, from amongst officers in the Junior Scale of the Service who have been confirmed in that scale.

(3) Such number of posts in the Senior Scale of the Indian Foreign Service as do not exceed 22.5% of the Senior Scale and higher posts in the cadre (excluding one half of the posts of Heads of Missions/Posts) subject to availability of vacancies in Senior Scale of Indian Foreign Service shall be filled by promotion on the basis of merit from among officers of Grade I of the Indian Foreign Service, Branch 'B' who have completed not less than three years of continuous service in that grade; and fulfill minimum educational qualifications prescribed for the post;

(4) The composition of the Departmental Promotion Committee for making appointments to Senior Scale of the Service will be as laid down in Schedule II of Rules.

14. Appointments to Junior Scale Posts: Subject to the provisions of Rule 10, all recruitment to a cadre post in the Junior Scale of the Service shall be made on the basis of results of an open competitive examination held by the Commission in accordance with such regulations as the Central Government may from time to time make in consultation with the Commission.

15. Seniority:-

- (1) The year of allotment of an officer recruited to the Service on the results of an open competitive examination held by the Commission, whether before or after such commencement, shall be the year, following the year in which the said examination was held.
- (2) The inter-se seniority of officers recruited to the Service in accordance with Rule 14 shall be in accordance with the merit list compiled by the Commission.
- (3) When an officer is promoted to the senior scale of the Indian Foreign Service in accordance with sub-rule (3) of Rule 13, he shall be given a year of allotment as follows:-
 - (i) One corresponding to three years prior to the year in which he/she is appointed against a substantive post in the Senior Scale of the Indian Foreign Service.
 - (ii) In case the officer has completed three years of regular service in Grade I of IFS(B) but has not been promoted due to non-availability of vacancies, for every three years of service in Grade I of IFS(B) beyond the minimum three years required for promotion to Senior Scale of IFS, one year of retrospective seniority will be granted.
 - (iii) Provided further that the year of allotment so determined shall not be earlier than 8 years preceding the year of actual promotion to Senior Scale of the Service;

Provided that an officer promoted from Grade I of Indian Foreign Service Branch B shall not be assigned a year of allotment earlier than the year of allotment assigned to an officer senior to him in that Select List or appointed to the Indian Foreign Service on the basis of an earlier Select List.

- (4) As between direct recruits appointed to the service on the basis of competitive examinations conducted by the Commission and officers promoted to the Senior Scale in the manner as laid down in Rule 13 (3), inter-se seniority shall depend on the year of allotment assigned to them. Where the year of allotment is the same, direct recruits shall be senior.

16. Probation and Training :-

- (1) An officer appointed under the provisions of Rule 14 to the Junior Scale of the Service shall be on probation for a period of two years, during which he shall be required to undergo such training and pass such examinations as may be prescribed by the Central Government from time to time.
- (2) The Central Government may discharge from the Service forthwith any probationer, who may be found unsatisfactory during the period of probation or who fails to complete satisfactorily the prescribed course of training or to pass the prescribed examinations.
- (3) The Central Government may at its discretion, extend the period of probation for such period as it may deem fit.
- (4) On satisfactory completion of his probation, an officer may be confirmed in the service.

17. Probation and Confirmation of Promotees :-

(1) An officer promoted to the senior scale of the service under sub-rule (3) of Rule 13, shall be on probation for a period of two years from the date on which he/she is so promoted. During the period of probation, he/she shall be required to undergo such training and pass such examinations as may be prescribed by the Central Government from time to time.

(2) At the end of the period of probation, if the Central Government considers that the work of the officer has been satisfactory, he may be permitted continue to officiate in the Senior Scale of the Indian Foreign Service or be confirmed against a permanent vacancy with effect from the date on which the vacancy arose.

(3) If the Central Government considers that the work of an officer during the period of probation has not been satisfactory, it may:-

(i) Revert the officer to Grade I of the Indian Foreign Service Branch 'B';

or

(ii) Extend the period of probation for such further period as may be necessary, when clause 3(i) shall be equally applicable to the extended period.

(4) No officer of Grade I of the General Cadre of the Indian Foreign Service (Branch B) shall be eligible for confirmation in the senior scale of the Service unless he/she has to the satisfaction of the Central Government, passed the prescribed examination or test in the compulsory language allotted to him/her.

(5) The Central Government may exempt from the operation of sub-rule (4) any officer who has, prior to the date of promotion to the Service, attained the age of fifty five (55) years.

18. Disqualification:-

(1) No person shall be appointed to the Service unless he/she is a citizen of India;

(2) No person,

(a) who has entered into or contracted a marriage with a person having his spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the Service.

Provided that the Central Government, may if satisfied that such marriage is permissible under the personal law applicable to the person and the other party to the marriage and there are other grounds for so doing, exempt any person from the operation of this sub-rule.

19. Interpretation:- If any question arises relating to the interpretation of these rules, it shall be referred to the Central Government whose decision thereon shall be final.

20. Power to relax: Where the Central Government is of the opinion that it is necessary or expedient to do so, it may by order, for reasons to be recorded in writing, and in consultation with the Commission, relax any of the provisions of these rules with respect to any class or category of persons.

21. Saving: Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions to be provided for the Scheduled Castes, the Scheduled Tribes, other Backward Classes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

Schedule I

**See sub rule 1 of Rule 6
(Grades and scales of pay of posts included in the Service)**

S.No	Grade/Classification of Service	Level in the Pay Matrix
1.	Grade I of the Indian Foreign Service (Secretary at Headquarters, Heads of Missions/Posts in Missions)	Level 17 (Rs. 225000)
2.	Grade II in the Indian Foreign Service (Additional Secretary at Headquarters, Heads of Missions/Posts in Missions)	Level 15 (Rs.182200-224100)
3.	Grade III of the Indian Foreign Service (Joint Secretary at Headquarters, Heads of Missions/Posts or Ministers abroad)	Level 14 (Rs.144200-218200)
4.	Grade IV of the Indian Foreign Service (Directors at Headquarters/Heads of Posts/Counsellors in Missions abroad)	Level 13 (Rs. 123100-215900)
5.	Junior Administrative Grade (Deputy Secretary at Headquarters/First Secretaries in Missions abroad)	Level 12 (Rs. 78800-209200)
6.	Senior Scale (Under Secretary at Headquarters/First Secretaries and Second Secretaries in Missions abroad)	Level 11 (Rs. 67700-208700)
7.	Junior Scale (Under Secretary at Headquarters/Second Secretaries and Third Secretaries in Missions abroad)	Level 10 (Rs. 56100-177500)

Schedule II

See sub rule 2 of Rule 12

Composition of Departmental Promotion Committee for considering promotion into various grades of the Indian Foreign Service

S.No	Post/Level in the Pay Matrix	Composition of the Departmental Promotion/Confirmation Committee
1.	Grade I Level 17 of the Pay Matrix	Foreign Secretary: Chairman All Secretaries in Ministry of External Affairs: Members Secretary in Department of Personnel & Training: Member
2.	Grade II Level 15 of the Pay Matrix	Foreign Secretary: Chairman Secretaries in Ministry of External Affairs: Members Secretary in Department of Personnel & Training: Member
3.	Grade III Level 14 of the Pay Matrix	Foreign Secretary: Chairman Secretaries in Ministry of External Affairs: Members Secretary in Department of Personnel & Training: Member
4.	Grade IV Level 13 of the Pay Matrix	Foreign Secretary: Chairman Secretaries in the Ministry of External Affairs: Members
5.	Junior Administrative Grade Level 12 of the Pay Matrix	Foreign Secretary: Chairman All Secretaries in the Ministry of External Affairs: Members
6.	Senior Time Scale Level 11 of Pay Matrix	Foreign Secretary or a Secretary nominated by him/her: Chairman Additional Secretary (Administration): Member Joint Secretary (Administration): Member

Schedule III

[See sub-rule 2 of Rule 12(2)]

(Mode of promotion, minimum qualifying service and other eligibility criteria for promotion into various grades of the Indian Foreign Service)

S. No	Name of Post & Pay Scale	Mode of Promotion	Eligibility condition for promotion	Other requirements for promotion
1.	Grade I Level 17 of the Pay Matrix	Selection	Officers will be eligible on completion of 30 years of qualifying service in the Indian Foreign Service subject to completing a minimum of 2 years of regular service in Grade II failing which 9 years of combined regular service in Grade II and Grade III of which at least one year of regular service is in Grade II.	Holding of charge as Head of Mission as prescribed by the Ministry of External Affairs from time to time.
2.	Grade II Level 15 of the Pay Matrix	Selection	Officers will be eligible on completion of 25 years of qualifying service in the Indian Foreign Service subject to a minimum of 2 years of regular service in Grade III.	Successful completion of such mandatory training as may be prescribed by the Ministry of External Affairs from time to time; and Mandatory period of service at Headquarters and holding of charge as prescribed by the Ministry of External Affairs from time-to-time.

3.	Grade III Level 14 of the Pay Matrix	Selection	<p>Officers will be eligible on 1st January of the year in which 17 years of qualifying service in the Indian Foreign Service is completed subject to a minimum of 2 years of regular service in Grade IV.</p>	<p>Successful completion of such mandatory training as may be prescribed by Ministry of External Affairs from time-to-time; and</p> <p>Mandatory period of service in Headquarters and Missions abroad and holding of charge as may be prescribed by Ministry of External Affairs from time-to-time.</p>
4.	Grade IV Level 13 of the Pay Matrix	Selection	<p>On 1st January of the year in which 13 years of qualifying service in the Indian Foreign Service is completed.</p>	<p>Successful completion of such mandatory training as may be prescribed by the Ministry of External Affairs.</p>
5.	Junior Administrative Grade Level 12 of the Pay Matrix	Selection	<p>On 1st January of the year in which 9 years of qualifying service in the Indian Foreign Service is completed</p>	<p>Successful completion of such mandatory training as may be prescribed by the Ministry of External Affairs.</p>

6.	Senior Time Scale Level 11 of the Pay Matrix	Seniority subject to rejection of Unfit	On 1 st January of the year in which 4 years of qualifying service in the Indian Foreign Service is completed. For promotion of Grade I of Indian Foreign Service Branch 'B' into Senior Scale of Indian Foreign Service as laid down in Para 13 of the Rules.	
7.	Junior Time Scale Level 10 of the Pay Matrix	On initial recruitment		

Note 1: For officers appointed to the Indian Foreign Service through direct recruitment on the basis of competitive examination conducted by UPSC, the length of qualifying service shall be counted from the 1st January of the year following the year of the examination on the basis of which an officer is appointed to the Indian Foreign Service.

For officers appointed to the Indian Foreign Service on the basis of promotion from Grade I of Indian Foreign Service Branch 'B' length of qualifying service shall include combined regular service in Grade I of IFS (B) counted from 1st January of the Year of Allotment and regular service in the Indian Foreign Service;

Provided that for officers already promoted to the Indian Foreign Service from Grade I of the Indian Foreign Service Branch 'B' on the date of commencement of these Rules, qualifying service for promotion to Grade III and higher grades in the Indian Foreign Service shall include combined regular service rendered in Grade I of Indian Foreign Service Branch B after 1st January of the year of Allotment and the Indian Foreign Service;

Note 2: “When juniors who have completed their qualifying/eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service for two years, whichever is less, and have successfully completed probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying/eligibility service.”