

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.93/2020

Dated Monday, the 3rd day of February, 2020

PRESENT

Hon'ble Mr.P.Madhavan, Judicial Member

&

Hon'ble Mr.T.Jacob, Administrative Member

S. Ramasubramanian, I.F.S.

S/o Late Shri. Surulivelu

Conservator of Forests

Thanjavur Forest Circle

Pillaiyarpatti Post

Thanjavur – 613 403.

... Applicant

By Advocate M/s M. Ravi

Vs

1. Government of Tamil Nadu

Represented by Principal Secretary to Government

Environment and Forest (FR. Spl. A) Department

Secretariat

Chennai – 600 004.

2. The Principal Chief Conservator of Forests

(Head of the Department)

Panagal Building

Saidapet

Chennai – 600 015.

3. The Screening Committee for Empanelment

and Promotion for All India Service Officers, Tamilnadu

Rep. by Chairman cum Chief Secretary

to Governor of Tamilnadu

Secretariat, Chennai – 600 009.

...Respondents

(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To issue directions to the 1st respondent to include the name of the applicant in the ensuing panel of Conservator of Forests fit for promotion as Chief Conservator of Forests and to promote him as such, notwithstanding and without reference to charge memo issued by the 1st Respondent herein and by Lr. No. 6550/FR.Spl.A) 18.3 Environment and Forest (FR. Spl.A) Department dated 06.06.2018, if he is otherwise found to be qualified and eligible and pass such further or other orders as this Tribunal deems fit and thus render justice.”

2. The applicant is the senior most Conservator of Forests and he is fit for promotion to the post of Chief Conservator of Forests and while the panel is on the verge of being issued, a charge memo dated 06.06.2018 was issued after 12 years from the date of alleged occurrence and that too when the applicant was holding the subordinate post of Deputy Conservator of Forests and none of the allegations involve any serious charges warranting major penalty proceedings, the said proceedings cannot be made as an impediment against applicant's empanelment and promotion as Chief Conservator of Forests and he is otherwise fully qualified and eligible for such empanelment and promotion. The counsel would submit that in identical situations, this Tribunal in several OAs had issued appropriate directions to the first respondent not to defer the promotion of the IFS officers on the sole ground of pendency of inordinately delayed disciplinary proceedings if they are otherwise qualified and eligible. Hence this OA.

3. When the matter came up for admission, learned counsel for the applicant would submit that the applicant has earlier given representation to the respondents to consider his name for promotion but it was not disposed of. Recently he has made a representation dated 03.01.2020 which is also still pending without reply. The applicant will be satisfied if the competent

authority is directed to consider his representation dated 03.01.2020 and pass orders, within a stipulated time limit.

4. In view of the limited relief sought and without going into the merits of the case, the OA is disposed of in the following lines:

"The competent authority is directed to consider the latest representation of the applicant dated 03.01.2020 on the basis of the relevant rules, regulations and instructions issued and pass a reasoned and speaking order, within a period of three months from the date of receipt of a copy of this order."

**(T.JACOB)
MEMBER (A)**

03.02.2020

**(P.MADHAVAN)
MEMBER (J)**

M.T.