

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.185/2007
Monday, August 06, 2007

CORAM :

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN
HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER**

B.P.Varghese
Deputy Conservator of Forests (NC),
Nature Study Centre, Kalady
Post Malayattoor,Ernakulam District
Residing at Gandhi Nagar, Paringavu,
Post Cheroor, Thrissur-8. Applicant

By Advocate Mr.P.V.Mohanam

V/s.

- 1 **Union Of India**
 Represented by Secretary,
 Ministry of Environment & Forest,
 Pariyavaran Bhavan, CGO Complex,
 Lodhi Road, New Delhi
- 2 **The State of Kerala**
 Represented by Chief Secretary
 Government of Kerala,
 Thiruvananthapuram
- 3 **The Selection Committee**
 for Selection to the Indian Forest Service,
 Constituted under Regulation 3 of IFS
 (appointment by promotion) Regulation 1966,
 Represented by its Chairman,
 Union Public Service Commission,
 New Delhi. Respondents

By Advocates Mr.M.M.SaiduMuhammed (R 1&3)
 Mr.R.Premsankar G.P. (R-2)

The application having been heard on 6.8.2007 the Tribunal, on the same day delivered the following:

(ORDER)

Hon'ble Mrs.Sathi Nair, Vice Chairman

This application has been filed by the applicant seeking following reliefs:-

- "A To direct the respondents to publish the Select List by Statutory Notification under Sub-regulation (3) of Regulation 7 of Indian Forest Service (Appointment by Promotion) Regulation, 1966 for appointment to the substantive posts in Indian Forest Service (Kerala) Cadre for the year 2003, 2004 and 2005 respectively in terms of selection made by the Selection Committee on 22.12.2006.
- B To direct the respondents to issue Statutory Notification 7 under Rule 8(1) of Indian Forest Service (Recruitment) Rule, 1966 read with Sub-regulation (1) of Regulation 9 of the Indian Forest Service (Appointment by Promotion) Regulation, 1966 and Rule 3 of Indian Forest Service (Probation) Rule, 1966 appointing candidates selected by the Selection Committee which met on 22.12.2006.
- C Any other appropriate order or direction as this Hon'ble Tribunal deem fit in the interest of justice."

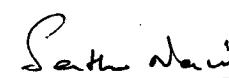
2 The relief A has been granted by issue of Select List dated 18/4/2007. Union of India in the reply has filed an affidavit on 14th June, 2007 wherein it has been submitted that the requisite proposal along with documents for appointment of the recommended officers is still awaited from the State Government. In a similar case in OA-300/2007, filed by Mr.M.Sreedharan Nair, whose name is also included in the Select List for the year 2005 along with the applicant the State Government has already filed a statement dated 30/6/2007 stating that they have forwarded the certificate to the effect that there is no disciplinary/vigilance cases pending/contemplated against the applicant alongwith other details as required by the Union of India on 14/6/2007. Copy of the communication

sent by the State Government was shown in the Court.

3 Since the formalities have been completed in respect of the applicant, the Government of India can issue the appointment order and thereby, the reliefs B would also be met. Hence we are of the view that no further adjudication is necessary in this matter and this OA can be closed with a direction to the Government of India to issue the letter of appointment to the applicant within a period of three weeks from the date of receipt of this order. With the above direction, the OA is disposed of. No costs.


GEORGE PARACKEN
JUDICIAL MEMBER

abp


SATHI NAIR
VICE CHAIRMAN