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OF C.I.T. (PROCEDURE) RULES

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CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.No.186/10  
&  
187/10

Friday this the 23<sup>rd</sup> day of July, 2010

COURT:

HON'BLE MR.JUSTICE K. THANKAPPAN, JUDICIAL MEMBER  
HON'BLE MRS. K.NOORJEHAN, ADMINISTRATIVE MEMBER

O.A.No.186/10

Sathish Williams,  
Deputy Conservator of Forest(Research),  
Olavakkode P.O.,  
Palaghat. .... Applicant

By Advocate :Sri S.Radhakrishnan

vs.

1. Union of India represented by  
The Secretary to the Govt. of India,  
Dept. of Personnel and Training,  
Ministry of Personnel,  
Public Grievance and Pension, New Delhi.
2. The Secretary to the Govt. of India,  
Ministry of Environment and Forest,  
New Delhi.
3. The State of Kerala represented by  
The Chief Secretary, Govt. of Kerala,  
Trivandrum.
4. The Principal Chief Conservator of Forest,  
Govt. of Kerala, Trivandrum.
5. Union Public Service Commission,  
Represented by the Secretary, UPSC,  
Shajahan Road, New Delhi. .... Respondents

By Advocate :Mr.P.S.Biju, ACGSC(R1 & 2)  
Mr.N.K.Thankachan,GP(R3&4)



Mr.Thomas Mathew Nellimoottil (R5)

O.A.No.187/10

A.R.Anirudhan,  
Deputy Conservator of Forest(NC),  
Office of the Field Director(Project Tiger),  
S.H.Mount P.O.,  
Kottayam.

..Applicant

By Advocate : Sri S.Radhakrishnan

vs.

1. Union of India represented by  
The Secretary to the Govt. of India,  
Dept. of Personnel and Training,  
Ministry of Personnel,  
Public Grievance and Pension, New Delhi.
2. The Secretary to the Govt. of India,  
Ministry of Environment and Forest,  
New Delhi.
3. The State of Kerala represented by  
The Chief Secretary, Govt. of Kerala,  
Trivandrum.
4. The Principal Chief Conservator of Forest,  
Govt. of Kerala, Trivandrum.
5. Union Public Service Commission,  
Represented by the Secretary, UPSC,  
Shajahan Road, New Delhi.

.. Respondents

By Advocate: Mr.S.Jamal, ACGSC(R1&2)  
Mr.N.K.Thankachan, GP(R3&4)  
Mr.Thomas Mathew Nellimoottil (R5)

The Application having been heard on 15.07.2010, the Tribunal on 23.07.10  
delivered the following:-

**ORDER**

HON'BLE MR.JUSTICE K.THANKAPPAN,JUDICIAL MEMBER:

The applicants in these two Original Applications have approached



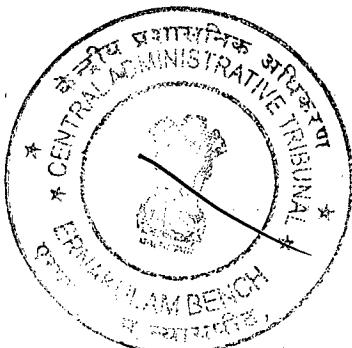
this Tribunal for a common direction to the respondents to convene the selection committee meeting and publish the select list of Kerala cadre of Indian Forest Service for the year 2008. Further it is commonly prayed that the retirement of the applicants prior to the convening of the selection committee meeting shall not stand in the way of their selection and appointment to the cadre of Indian Forest Service.

2. The facts of the case are also common and hence these Original Applications were heard together and disposed of by a common order. Both the applicants are appointed in the Kerala Forest Service as Forest Range Officer through the selection conducted by the Kerala Public Service Commission on 1.11.1980. Thereafter both the applicants were promoted as Assistant Conservator of Forests on 19.3.1996 and 1.4.1996 respectively. Both the applicants have completed 8 years of qualifying service in the grade of Assistant Conservator of Forests on 19.3.2004 and 1.4.2004 respectively. Though the names of the applicants were included in the zone of consideration for the years 2004, 2005, 2006 and 2007, they have not been selected due to the lower grading and due to the vacancy position. Now for the selection for the year 2008 the names of both the applicants are included and their service records were forwarded to the Union Public Service Commission. In the above circumstances, they have filed these Original Applications.

3. The Original Applications were admitted and notices ordered to the respondents. In pursuance to the notice received from this Tribunal



the State Govt. as well as the Union Public Service Commission have filed their respective reply statements in which the stand taken by the State Govt. is that they have already included the names of the applicants in the proposal list and the selection committee meeting has not been convened hitherto. The reply statement/ the instructions received from the Union Public Service Commission in both the cases are to the effect that as and when the required documents and service records of the applicants are received from the State Govt. the selection committee meeting will be convened. In this context, the instructions received from the Union Public Service Commission has been produced before this Tribunal by the learned Standing Counsel Mr.Thomas Mathew Nellimoottil. It is stated that some of the records relating to the applicant in O.A.No.187/10, and one P.Sreekumar and T.Pradeep, whose names were included in the proposal list sent by the State Govt. have not been received, though they have sent this letter on 20<sup>th</sup> April, 2010. With regard to this aspect the learned counsel appearing for the State Mr.N.K.Thankachan submitted before this Tribunal that the entire papers are being sent to the Union Public Service Commission as well the Govt. of India. If so, the Original Applications can be disposed of directing the Union Public Service Commission, the 5<sup>th</sup> respondent(common respondent)to convene the selection committee meeting at the earliest, at any rate within sixty days from the date of receipt of a copy of this order. There will be a further direction to the 3<sup>rd</sup> respondent to forward all the papers requested by the 5<sup>th</sup> respondent within 30 days from today, if not already



sent. With the above direction, the O.As stand disposed of. No order as to costs.

(K.NOORJEHAN)  
MEMBER(A)

(JUSTICE K.THANKAPPAN)  
MEMBER(J)



~~CERTIFIED TRUE COPY~~  
Date 28-07-10  
~~Deputy Registrar~~