

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM EBNCH**

O.A. No. 411 OF 2007

Wednesday, this the 12th day of September, 2007.

CORAM :

**HON'BLE Mrs. SATHI NAIR, VICE CHAIRMAN
HON'BLE Dr. K.B.S.RAJAN, JUDICIAL MEMBER**

**Krishna Prasad,
Divisional Forest Officer,
Flying Squad Division,
Thiruvananthapuram.**

: Applicant

(By Advocate Mr.C.Rajendran)

Versus

- 1. Union of India represented by its Secretary
Ministry of Environmental & Forest
Pariyavaran Bhavan, CGO Complex
Lodhi Road, New Delhi**
 - 2. State of Kerala represented by Chief Secretary
Government of Kerala,
Thiruvananthapuram**
 - 3. The Principal Secretary, Forests & Wildlife
Government of Kerala
Secretariat , Thiruvananthapuram**
 - 4. The Principal Chief Conservator of Forests
Thiruvananthapuram**
 - 5. UPSC represented by its Secretary
Shajahan Road, New Delhi**
 - 6. 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 Advocate Mr. TPM Ibrahim Khan, SCGSC (R1,5 & 6)
Advocate Mr.R.PremSanker, GP (R2,3 & 4)**

**The application having been heard on 12.09.2007, the
Tribunal on the same day delivered the following :**

ORDER

HON'BLE Mrs. SATHI NAIR, VICE CHAIRMAN

The applicant is a Divisional Forest Officer in the State Service Department and he is eligible to be included in the list of candidates for selection to the Indian Forest Service, Kerala Cadre for the year 2007. It is submitted that in accordance with Regulation 5 (1) of the IFS (appointment by Promotion) Regulations, 1966 the number of vacancies proposed to be filled up in the IFS Kerala Cadre during the year 2007 has been determined as four and State Government has reported this position of vacancies to Government of India, Ministry of Environment by letter dated 26.03.2007 (Annexure R-1). The submission of the applicant is that since he is due to retire on 29.02.2008 the delay in forwarding necessary proposals by the State Government and in convening the Selection Committee meeting would cause prejudice to him if it is not completed before his date of retirement.

2. The State Government has filed a reply stating that the number of vacancies has already been furnished to Government of India as four vide their letter dated 26.3.2007.

3. When the matter came up today, the learned counsel for respondents 1, 5 & 6 submits that UPSC has forwarded the information of vacancies by letter dated 12.08.2007 to the State Government and called for submission of detailed proposals and only after receipt of the same, the UPSC can convene the meeting.

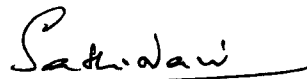
4. According to the Regulations, Selection Committee should have met for the respective vacancies as on 1st January of every year, before the closure of the year. Since we are already in September, 2007, it should have met by now. Since the necessary proposals have not yet been formulated by the State Government, any further delay in submission of the proposals will result in delay in convening the Selection Committee meeting and eligible persons like the applicant will be affected adversely. Therefore, we direct the 2nd respondent, viz., State Government to complete all the procedural formalities and submit the proposals for consideration of the Selection Committee to the 5th respondent, viz., UPSC and the respondent No.5 shall thereafter convene the Selection Committee meeting within one month from the date of receipt of the proposals from the State Government and in any case before the end of the calendar year 2007 so that the applicant is not deprived of his right for consideration for appointment, if otherwise found eligible.

5. O.A is disposed of as above. No costs.

Dated, the 12th September, 2007



K.B.S.RAJAN
JUDICIAL MEMBER



SATHI NAIR
VICE CHAIRMAN

VS