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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 1244/94

Date of Order: 18-1-96.

Between:

K.Rammohan-

Applicant.

and

1. Govt.of India, rep. by its Secretary to Govt.,
Forests, Environment, Science and Technology Dept.,
C.G.P.Complex, Lodhi Road, New Delhi.
2. The Union Public Service Commission, ~~Respondent~~
Dholpur House, New Delhi.
3. Select Committee Constituted under Rule of Indian
Forest Service (Appointment by Promotion)
Regulations, rep. by its Chairman, Govt.of A.P.
Secretariat Buildings, Hyderabad.
4. The Chief Secretary to Govt. General Admn.Dept.
Secretariat, A.P.Hyd.
5. The Principal Secretary to Govt. Energy, Forests,
Environment, Science and Technology Dept. Secretariat
Buildings, A.P.Hyderabad.
6. The Principal Chief Conservator of Forests,
Govt.of A.P.Hyderabad.
7. Sri V.P.Adinarayana, I.F.S.
8. Sri A.H.Qureshi, I.F.S.
9. Sri M.Padmanabha Reddy, I.F.S.
10. Sri P.V.Padmanabham. I.F.S.
11. Sri G.Vidyasagar, I.F.S.

Respondents.

For the Applicant :- Mr. S.Satyam Reddy, Advocate

For the Respondents: Mr. N.R.Devraj Sr.CGSC.

~~xxxxxxx~~
Mr.I.V.K.Radhakrishna Murthy, Spl.Counsel for A.P.Govt.CAT.Hyd.

CORAM:

THE HON'BLE MR.JUSTICE V.NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE MR.RANGARAJAN : MEMBER(ADMN)

O.A.NO.1244/94.

JUDGMENT

Dt: 18.1.96

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri S.Satyam Reddy, learned counsel for the applicant, Shri N.R.Devaraj, learned standing counsel ^{1 and 2} for the respondents/and Shri I.V.Radhakrishna Murthy, learned Special Counsel for State of A.P.(R-3 to R-6).

2. This OA was filed praying for direction to the respondents to hold a Review Meeting of the Selection Committee to consider the case of the applicant basing upon his seniority for promotion to the post of Indian Forest Service with effect from the date when his junior Shri Mir Masood Ali Khan was appointed to the IFS with all consequential benefits.

3. All the facts which are relevant and material for consideration of this OA are not in dispute. On the basis of the placement of the applicant in the seniority list of A.P.State Forest Service, ~~that was in force~~, the applicant was not found to be ~~xxx~~ within the zone of consideration for any of the years for consideration for promotion to IFS.// The applicant filed RP 59/79 on the file of ~~Andhra Pradesh~~ Andhra Pradesh Administrative Tribunal praying for ^{direction for} consideration ~~when he~~ ^{in 1977} was not considered for promotion to the post of Assistant Conservator of Forests, and the same was allowed on 15.7.81. In pursuance of the said judgement, the case of the applicant was considered and he was selected and promoted as Assistant Conservator of Forests in 1982. The applicant filed OA 7517/92 in APAT praying for restoration of his seniority in the category of Assistant Conservator of Forests, when there

was no response from the State Government, inspite of his representation for the same. Government of A.P. issued G.O.Ms.No.21, dated 1.2.94 by preponing the date of promotion to the post of Asst. Conservator of Forests by including him in the panel year of 1975-76, restoring his seniority in the category of Assistant Conservator of Forests by placing him above Shri Mir Masood Ali Khan who was promoted to the IFS on the basis of his empanelment in 1990. The final seniority list of Assistant Conservator of Forests (State Forest Service) of A.P.State published in December 1995 was produced. Sl.No.45 at Page 163 of the same discloses that the applicant was made a full member of Assistant Conservator of Forests as on 1.1.1988. Thus he was confirmed in the post of Asst. Conservator of Forests as on 1.1.1988.

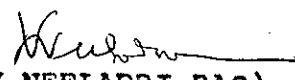
4. One who completes 8 years of service in the post of Assistant Conservator of Forests and confirmed in the said post by 1st January of the year in which Selection Committee meets for consideration for promotion to IFS, and if he is within zone of consideration, has to be considered for selection for IFS. The applicant was placed above Shri Mir Masood Ali Khan who was empanelled in the select list of 1990. As the applicant was having the requisite service and as he was also confirmed by 1.1.1990, it is necessary to give direction to the respondents to convene a review Selection Committee for consideration of the case of the applicant for empanelment in 1990 select list. Ofcourse, if he is going to be empanelled in the select list of 1990, and if on the basis of the placement in that panel, he has to be appointed to IFS, the applicant has to be promoted to IFS from the date on which his junior in the panel of 1990 assumed the charge of the post of IFS and then he will be

..contd..


entitled to all the benefits including the arrears. But in case he could not be empanelled for 1990, his case has to be considered for the later select list/lists if he was to be within the age. It is needless to say that if his name is going to be included in the later panel/panels and if on that basis he has to be appointed to IFS, he has to be given that appointment from the date on which his junior in the relevant panel assumed the charge of IFS and he will be entitled to all the benefits including the arrears. This order has to be implemented by 30.4.1996.

5. The OA is ordered accordingly. No Costs.//


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 18th January, 1996.
Open Court dictation.


Deputy Registrar (J)CC

To

1. The Secretary to Govt., Govt. of India,
Forests, Environment, Science and Technology Dept.
C.G.O. complex, Lodhi Road, New Delhi.
2. The Union Public Service Commission, Bhoolpur House, New Delhi.
3. The Chairman, Govt. of A.P. Select Committee constituted under
rule of Indian Forest Service (Appointment by promotion)
Secretariat Buildings, Hyderabad.A.P.
4. The Chief Secretary to Govt. General Admn. Dept.
Secretariat, Hyderabad.A.P.
5. The Principal Secretary to Govt. Energy, Forests,
Environment, Science and Technology Dept. Secretariat, Guildings, Hyd.
6. The Principal Chief Conservator of Forests,
Govt. of A.P. Hyderabad.
7. One copy to Mr. S. Satyam Reddy, Advocate, Flat No. 8-A A.P.H.B.
complex, beside Raghavendra swamy temple, Barkatpura, Hyd.
8. One copy to Mr. N.R. Devraj, Sr. CGSC. CAT. Hyd.
9. One copy to Mr. I.V.K. Radhakrishna Muthy, Spl. Counsel for A.P. Govt.
CAT. Hyd.
10. One copy to Library, CAT. Hyd.

pvm

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I COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR.R.RANGARAJAN : M(A)

Dated: 18 - 1 - 1996

~~ORDER/JUDGMENT~~

M.A/R.A./C.A.No.

in

O.A.No. 1244/94.

T.A.No. (w.p.No.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No spare copy

