

THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYD

O.A.NO. 48/96

Date of Order: 14-2-96

Between:

M.K.Prasad, I.F.S.

.. Applicant

and

1. Union of India, rep.by its Secretary,
Ministry of Environments, Forests,
Science and Technology, Govt.of India,
New Delhi.
2. The Govt.of A.P. rep. by its
Chief Secretary, Secretariat Buildings,
Hyderabad.
3. The Govt.of A.P. rep. by its Secretary,
Energy, Forests, Environment,
Science and Technology Dept.
Secretariat Buildings, Hyderabad.
4. Principal Chief Conservator of Forests,
Govt.of A.P.Aranya Bhavan,
Hyderabad.

Respondents.

For the Applicant :- Mr. K.Sudhakar Reddy, Advocate

For the Respondents: Mr. N.V.Ramana,
Sec./Add.CGSC

CORAM:

MR. I.V. Radhakrishna Murthy, spl. counsel for A.P. Govt.
THE HON'BLE MR.JUSTICE V.NEELADRI RAO : VICE-CHAIRMAN
THE HON'BLE MR.RARANGARAJAN : MEMBER(ADMN)

OA 48/96.

Dt. of Order: 14-2-96.

(Order passed by Hon'ble Shri R.Rangarajan,
Member (A)).

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The applicant in this O.A. is a directly recruited Assistant Conservator of Forests in Andhra Pradesh State Government on 15-4-1965 and he was confirmed in that grade from 15-10-1974. He has completed 8 years of service as Asst. Conservator of Forests and also became a full member of that service. In view of that, he has qualified for appointment by promotion to the cadre of IFS.

2. Seniority list of the Asst. Conservator of Forests was revised in view of the directions given by the Andhra Pradesh Administrative Tribunal in OA 5534/92. As per the revised seniority list dt. 7-12-1995, ^{the applicant herein} ~~he~~ was placed above one Mr.D.Manik Prabhu and one Mr.Damodhar Reddy, who were appointed to the IFS cadre earlier to the applicant. In view of the above, he has filed this O.A. praying for a ^{direction} ~~declaration~~ to the respondents to review the appointments made to IFS ^{from} amongst the Asst. Conservator of Forests ~~of~~ the A.P.State as per the final seniority list of Asst.Conservator of Forests dt.7-12-95 and consider his case for appointment to the IFS from the date ~~he~~ became eligible i.e. with effect from 1980 and confer all the benefits including seniority and fixation of pay and payment of arrears etc.,.

TO

1. The Secretary, Ministry of Environments,
Forests, Science and Technology,
Govt.of India, New Delhi.
2. The Chief Secretary, Secretariat Buildings,
Govt. of A.P. Hyderabad.
3. The Secretary, Energy, Forests,
Environment, Science and Technology Dept.,
Secretariat Buildings, Hyderabad.
4. The Principal Chief Conservator of Forests,
Govt. of A.P. Aryana Bhavan, Hyderabad.
5. One copy to Mr.K.Sudhakar Reddy, Advocate, CAT.Hyd.
6. One copy to Mr.N.W.Ramana, Addl.CGSC.CAT.Hyd.
7. One copy to Mr.I.V.Radhakrishna Murthy, Spl.Counsel for
A.P.Govt. CAT.Hyd.
8. One copy to Library, CAT.Hyd.
9. One spare copy.

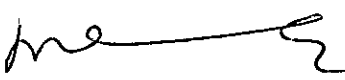
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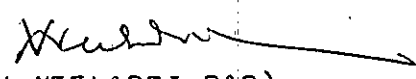
3. The prayer of the applicant in this O.A. is similar to the ~~pay~~ prayer of the applicant in OA 136/96 which is disposed of today (i.e. 14-2-96) by both of us. Hence we follow the same direction as was given in OA 136/96 and direct the respondents as follows :-

"The applicant should be considered for appointment by promotion to the cadre of IFS from the ^{seniority} ~~order~~ in which his immediate junior as per the seniority list dt. 7-12-95 was considered provided he fulfills the age requirement. If he is selected, he should have been deemed to have been promoted to that cadre from the date ~~of~~ his junior in the ~~seniority list~~ seniority list is promoted and the applicant is entitled for fixation of pay on par with his junior and consequential benefits such as arrears of pay, seniority etc.,.

If the applicant ~~is~~ is not found fit for promotion in the first instance, his name should be considered, ^{subsequently also by the selection Committee} subject to fulfillment of age condition, till he is selected for promotion by appointment to the cadre of IFS and on that basis he is entitled for consequential benefits ^{on par with his juniors in that select list}.

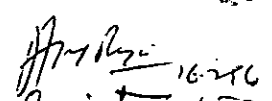
4. Time for compliance of this order is four months from the date of receipt of a copy of this order. Original Application is ordered accordingly at the admission stage itself. No order as to costs.//


(R. RANGARAJAN)
Member (A)


(V. NEELADRI RAO)
Vice-Chairman

Dated: 14th February, 1996.
Dictated in Open Court.

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Deputy Registrar (5) CC