

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 203/96.

Date of Order: 15-2-96.

Between:

Ch. Ilyaiyah ... Applicant.

And

1. Union of India rep. by its Secretary, to Government, Department of Environment & Forests, Parivarayan Bhavan, CGO Complex, Lodhi Road, New Delhi-110 003.
2. Union Public Service Commission, rep. by its Secretary, Dholpur House, New Delhi.
3. The Selection Committee constituted Under Rule 3 of the Indian Forest Service (Appointment by promotion), Regulations, 1966, rep. by its Chairman, Secretariat Buildings, Hyderabad.
4. The Government of Andhra Pradesh rep. by its Chief Secretary, Secretariat, Hyderabad.
5. The Principal Secretary to Government, Forest and Environment Department, Secretariat Buildings, Hyderabad.
6. The Principal Chief Conservation of Forests, Government of Andhra Pradesh, Aranya Bhavan, Saifabad, Hyderabad.

Respondents.

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

For the Respondents: Mr. N.R. Devaraj, Sr. CGSC.

Mr. Sr./Add. CGSC Mr. I.V.R.K. Murthy, for State of A.P.

CORAM:

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

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

(AS PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMINISTRATIVE)

Heard Shri S.Satyam Reddy, learned counsel for the applicant, Shri N.R.Devaraj, learned standing counsel for the respondents 1 and 2 and Shri IVRK Murthy, learned special counsel for the State of Andhra Pradesh.

2. The applicant in this OA joined as Assistant Conservator of Forests in State Forest Service of A.P. in the year 1982. He was made full member of the service w.e.f. 8.3.83. An Assistant Conservator of Forests of the State Service is eligible to be considered for Indian Forest Service cadre if he is put in 8 years ^{alangymed} of service in that grade and also concerned member of that service. As the applicant had fulfilled the eligibility condition, he will be eligible for consideration for appointment/promotion to the IFS cadre with effect from 1.1.1991. It is stated that one Shri R.Sriramulu who is junior to the applicant has been promoted earlier to the applicant to IFS cadre. Shri R.Sriramulu is junior to the applicant as is evident from the seniority list issued by the State Government in Ref.No.17540/95-M1, dt. 7.12.95

3. The applicant in this OA is similar to the applicants in OAs 158 and 159/96 which was disposed of on 9.2.96 wherein both of us were parties to the judgement. In view of this, we feel that same direction

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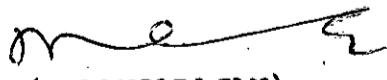
1. Secretary to Government, Department of Environment & Forests, Parivarjan Bhavan, CGO Complex, Lodhi Road, New Delhi-110 003.
2. Secretary, Union Public Service Commission, 1 Dholpur House, New Delhi.
3. Chairman, The Selection Committee, constituted under Rule 3 of the Indian Forest Service (Appointed by promotion), Regulations, 1966, & Secretariat, Buildings, Secretariat, Hyderabad.
4. The Chief Secretary, to Government of Andhra Pradesh, Secretariat, Hyderabad.
5. The Principal Secretary to Government, Forest and Environment Department, Secretariat Buildings, Hyderabad.
6. The Principal Chief Conservator of Forests, Government of Andhra Pradesh, Aranya Bhavan, Seifabad, Hyderabad.
7. One copy to Mr. S. Satyam Reddy, CGSC, CAT, Hyd.
8. One copy to Mr. N. R. Devaraj, Sr. CGSC, CAT, Hyd.
9. One copy to Library, CAT, Hyd.
10. One spare copy.

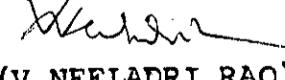
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as given in OAs 158 and 159/96 has to be given. There is no doubt that the applicant had qualified for consideration for appointment by promotion to IFS cadre on or after 1.1.1989 in view of the proceedings dated 7.12.1995 referred to above. Hence he should also be considered by the Select Committee, which met after 1.1.1989 if his junior as per the proceedings dt. 7.12.1995 was considered for appointment by promotion to the IFS cadre. The applicant is also eligible for all consequential benefits on par with his junior who has been promoted on the basis of the Select Committee proceedings if he is selected. If he is not found fit in the first instance for appointment by promotion to IFS cadre, he should also be considered for the subsequent selection and if any of his juniors in this selection had been appointed to IFS, the applicant should also be appointed to IFS if he is found fit and consequential benefits granted to him on par with his junior in that select list.

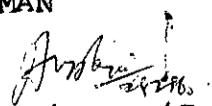
4. The respondents ^{are} to comply with the above directions within four months from the date of receipt of a copy of this order.

5. The OA is ordered accordingly at the admission stage itself. No costs.//


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 15th February, 1996.
Open court dictation


Dy. Registrar (Ju)

04-203/96

I COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

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: 15-2-1996

ORDER/JUDGMENT

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

in

O.A.No. 203/96

T.A.No.

(W.P.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions.

Dismissed.

At the Admin stage

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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No Spare Copy

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

प्रेषण/DESPATCH

11 MAR 1996 N.W.P.

हैदराबाद बैठकीठ
HYDERABAD BENCH