

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO.59/97.

DATE OF ORDER : 21-1-1997.

Between :-

Koppolu Vidya Sagar

... Applicant

And

1. Govt. of India,  
M/o Environment & Forest,  
rep. by its Secretary,  
Paryavaran Bhavan, CGO Complex,  
Lodi Rd, New Delhi - 110 003.
2. The Director, Indira Gandhi National  
Forest Academy, PO New Forest, Dehradun,  
Uttar Pradesh.
3. The Union Public Service Commission,  
Dholpur House, Shahjahan Rd,  
New Delhi - 110011.

... Respondents

-----  
Counsel for the Applicant : Shri M.P.Chandramouli

Counsel for the Respondents : Shri N.R.Devaraj, Sr.CGSC

-----  
CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (B)

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

-----  
R

-----  
D

... 2.

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

-- -- --

Heard Shri M.F.Chandramouli, counsel for the applicant and Shri N.R.Devaraj, standing counsel for the respondents.

The applicant was selected as a Probationer in the IFS in the Civil Services Examination conducted in the year 1995. He also applied for the Civil Services Examination, 1996. It is stated that he applied for appearing for the Civil Services Examination, 1996 by granting him exemption from attending the Training Course for the IFS Scheduled to be commenced from 1-6-96 by his representation dt.7-5-96. Further it is stated that he also reminded the same on 23-5-96. It is stated that his representation was rejected and that rejection was received by him in July, 1996. Hence the applicant submits that as his representation was rejected belatedly his case for appearing for civil Services Examination, 1997 should be considered giving him exemption from attending the Training Course in Dehradun. The above facts have been denied by the Respondents.

As the 1996 Civil Services Examination is already over, this contention cannot be a reason to give him opportunity to sit for the Civil Service Examination, 1997 giving him exemption from attending the Training Course which he is now undergoing. The applicant further submits that in similar cases exemption was granted but no details are available. In view of that we may not be able to come to a conclusion that the applicant has made out a case of discrimination.

The applicant further submits that he had submitted representation dt.10-12-96 addressed to Respondent No.1 (Annexure-12, page-32 of the O.A.) requesting for exemption from training at Indira Gandhi

(B)

National Forest Academy, Dehradun, so that he can appear for the Civil Service Examination, 1997. ~~This~~ representation is yet to be disposed of.

2. The applicant submits that ~~for~~ submission of applications for Civil Services Examination, 1997 is 27-1-97 and hence a direction may have to be given to permit the petitioner to apply and write the Civil Service Examination, 1997. When there is a rule that the probationers of the All India Service cannot appear for a higher Civil Service Examination when they are undergoing Training, no direction can be given unless the rule is set aside. However we are of the opinion that his representation dt.10-12-96 addressed to Respondent No.1 should be disposed of quickly in accordance with the rules and on that basis if the applicant gets any relief, he may enjoy the same. Though applicant requests to dispose of the representation by the Respondent No.1 within one week, we think that such a direction cannot be given, Considering the circumstances of this case we feel that a time limit of one month is justifiable for disposal of the representation dt.10-12-96. In the meantime, the applicant may pursue the process in submitting his application through proper channel for the 1997 Civil Services Examination and for further necessary action on that behalf. We do not propose to give any direction in this connection as rules are available in this connection.

3. With the above observation, the C.A. is disposed of directing  
*h.s.*  
the respondent No.1 to dispose of representation dt.10-12-96 within

*R*

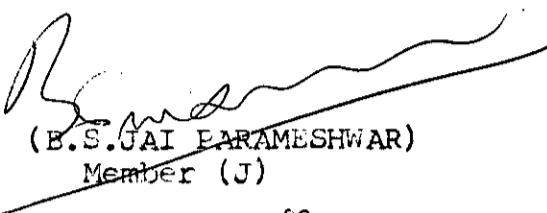
*D*

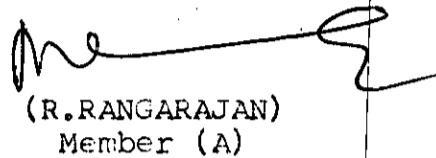
(6)

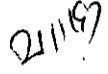
a period of one month from the date of receipt of a copy of this order.

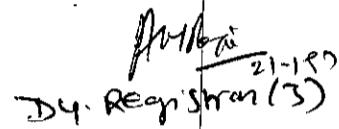
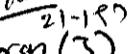
4. O.A. is ordered accordingly at the admission stage itself.

No order as to costs.

  
(B.S. JAI PARAMESHWAR)  
Member (J)

  
(R. RANGARAJAN)  
Member (A)

  
Dated: 21st January, 1997.  
Dictated in Open Court.

  
D.Y. Registrar (3)  


av1/

(7)

: 5 :

Copy to:-

1. The Secretary, M/o Environment and Forests, Govt. of India, Paryavaran Bhavan, CGO Complex, Lodhi road, New Delhi-003.
2. The Director, Indira Gandhi National Forest Academy, PO New Forest, Dehradun, U.P.
3. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan road, New Delhi.
4. One copy to Sri. M.P.Chandramouli, advocate, CAT, Hyd.
5. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

CC Today  
21/1/97 27/1/97

(6) TYPED BY CHECKED BY  
COMPARED BY APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD

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

AND

THE HON'BLE SHRI B.S.JAI PARAMESHWAR:  
M(J)

DATED:

21/1/97

Order/Judgement  
R.P/C.P/M.A.NO.

O.A.NO.

59/97

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

