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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

D.A.No.116 OF 1999.

DATE OF ORDER:26-2-1999.

BETWEEN:

S.Balakrishna.

....Applicant

a n d

1. Government of Andhra Pradesh, rep.
by its Chief Secretary to Government,
Hyderabad.
2. Government of Andhra Pradesh, rep. by
its Principal Secretary, Environment,
Forests, Science and Technology Department,
Hyderabad.
3. The Principal Chief Conservator of Forests,
Aranya Bhavan, Saifabad, Hyderabad.
4. The Union of India, rep. by its Secretary,
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex, Lodhi Road,
New Delhi-110 003.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.S.Satyam Reddy

COUNSEL FOR THE RESPONDENTS:: Mr.B.Narasimha Sharma Sr.CGSC
: Mr.P.Naveen Rao,SC for AP

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.L.Ramesh for Mr.S.Satyam Reddy, learned
Counsel for the Applicant, Mr.Jacob for Mr.B.Narasimha-
Sharma, learned Standing Counsel for the Central Government,
and Mr.Phaniraj for Mr.P.Naveen Rao, learned Standing
Counsel for the State Government.

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2. The applicant herein was appointed to the Senior time scale of Indian Forest Service with effect from 4-12-1987, vide Proceedings No.17013/01/97-IFS-2, dated: 15-5-1998 of the 4th respondent and the appointment to the I.F.S. was notified by the respondents 1 and 2 in G.O.Ms.No.205, G.A.(S-IFS) Department dated:18-5-1998. Thereafter, the Government issued further orders in G.O. Rt.No.4844,GA(SC-IFS) Department, dated:14-11-1998, fixing the pay of the applicant and also equating the post held by him as equivalent in status and responsibilities to the cadre of Deputy Conservator of Forests. The applicant submits that, according to the said G.O. he is deemed to have been working as Deputy Conservator of Forests in the Senior Time Scale with effect from 4-12-1987 and was ordered to be paid the consequential benefits, such as, arrears of pay etc.,.

3. The applicant claims that he is eligible for promotion to the post of Conservator of Forests after completing 12 years of service. He submits that he was appointed to the Senior Time Scale in the year 1987 and his year of allotment is 1983 and he is eligible for promotion to the post of Conservator of Forests.

4. He submits that after litigation, he was appointed to the I.F.S. cadre in the year 1998 with effect from 1987. He submits that the Deputy Conservator of Forests of the year 1984 have been promoted to the post of Conservator of Forests in December,1998. He had submitted a representation to the respondents 1 to 3, requesting them to promote him to the post of Conservator of Forests

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by taking the year of allotment as 1983, as that of Sri Mohan Reddy, who was also given the year of allotment as 1983. However, respondents 1 to 3 proceeded to promote Sri S.Sowmya Kanta Chottray, Manoranjan Bhanja and Sri P.Raghuvver of the year 1994 as Conservator of Forests. The above Officers were given the Senior time scale on 1-4-1989 and 20-5-1988 respectively.

5. The applicant having been appointed to the senior time scale on 4-12-1987, is senior to the said three Officers. Therefore, his case for promotion to the post of Conservator of Forests ought to have been considered and if he is found fit, ought to have been promoted. He submits that his case was not considered.

6. Hence, the applicant has filed this OA for a direction to the respondents 1 to 3 to promote the applicant to the post of Conservator of Forests by taking his year of allotment as 1983.

7. The learned Counsel for the State of A.P. submits that the case of the applicant has been recommended for showing his year of allotment as 1983 and also further promotion on that basis and it is pending with the Central Government.



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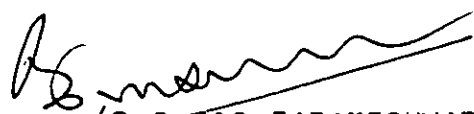
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8. The learned/Counsel for the Central Government submits that a decision is yet to be taken and he requests for three months time to reply to the State Government.

9. In view of the above, the following direction is given:-

"The pending proposal showing the year of allotment of the applicant as 1983, and ^{his further} ~~the case of the applicant~~ ^{promotion} should be decided and conveyed to the State Government within a period of two months from the date of receipt of a copy of this Judgment. In case the recommendations of the State Government is not accepted by the Central Government, the reasons should be given to the applicant for rejecting the proposals sent by the State Government."

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

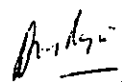

(B.S. JAI PARAMESHWAR)
26.2.1999 MEMBER (JUOL)


(R. RANGARAJAN)
MEMBER (ADMN)

DATED: this the 26th day of February, 1999

Dictated to steno in the Open Court

DSN


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