

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

OA 123/2001

DATE OF ORDER : 15.11.2002

S.S. Mann son of Shri sher Singh, aged about 50 years at present working on the post of Chief Conservator of forests, Arawali Afforestation Project, Forest Department, Jaipur. resident of A-10, Van Vihar Colony, Tonk Road, Jaipur.

....Applicant.

VERSUS

1. Union of India through the Secretary to the Government, Department of Forest and Environment, Government of India, New Delhi.

2. The State of Rajasthan through the Chief Secretary, Government of Rajasthan, Government Secretariat, Jaipur.

3. The Secretary to the Government, Department of Forests & Environment, Government of Rajasthan, Jaipur.

4. Shri D.P. Govil, IES, presently working as Additional Principal chief Conservator of forests, Rajasthan, Jaipur.

....Respondents.

Mr. Sorabh Purohit, Counsel for the applicant.

Miss Shalini Sheoran, Proxy counsel for

Mr. Bhanwar Bagri, Counsel for respondent No. 1.

Mr. U.D. Sharma, Counsel for respondents Nos. 2 & 3.

Mr. Vinod Goyal, counsel for the respondent No. 4.

CORAM

Hon'ble Mr. G.C. Srivastava, Member (Administrative)

Hon'ble Mr. M.L. Chauhan, Member (Judicial)

ORDER (ORAL)

PER HON'BLE MR. G.C. SRIVASTAVA, MEMBER (ADMINISTRATIVE)

Heard the learned counsel for the parties.

2. In this OA, the applicant who was holding the post of Chief Conservator of Forests under the Rajasthan Government

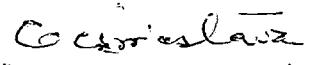
has challenged his supersession to the post of Additional Principal Chief Conservator of Forests by his junior, Mr. D.P. Govil, vide order dated 16.2.2001 (Annexure A/1). He has taken many grounds and during the course of arguments, he has stated that the ACRs of the applicant for the periods 1998-1999 and 1999-2000 were not considered by the Screening Committee. He further stated that ACRs in respect of Respondent No. 4 for the period 1999-2000 were also taken on record.

3. The respondents have contested the OA and have filed reply stating, inter-alia, that the applicant has not exhausted the departmental remedy provided under the rules by making representation to the Government of India against the said supersession. The learned counsel for the respondents has also shown the minutes of the Screening Committee held on 6th September, 2000 for adjudging the suitability of Indian Forest Service Officers for promotion as Additional Principal Chief Conservator of Forests. A perusal of the minutes of the Screening Committee, clearly reveals that nothing has been mentioned about the years of CRs, which the Committee had considered and there are no reasons recorded for finding that the applicant was not suitable for promotion. However, as the applicant has not exhausted the departmental remedy, it is appropriate and proper that he files a representation to the competent authority in the Government of India for consideration and passing an appropriate order.

4. Accordingly we direct that if the applicant makes a representation in this regard within a period of one month from today, the respondents shall consider the same as per rules and regulation and pass a speaking order under intimation to him within three months thereafter.

5. With the above direction, the OA stands disposed of. No order as to costs.


(M. L. CHAUDHARY)
MEMBER (J)


(G.C. SRIVASTAVA)
MEMBER (A)

AHQ