

FORM NO. 4
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
ORDER SHEET

1. ORIGINAL APPLICATION No. : -----/2012
2. Transfer Application No. : -----/2012 in O.A. No.-----
3. Misc. Petition No. : -----/2012 in O.A. No.-----
4. Contempt Petition No. : 26 /2012 in O.A. No. 125/2009
5. Review Application No. : -----/2012 in O.A. No.-----
6. Execution Petition No. : -----/2012 in O.A. No.-----

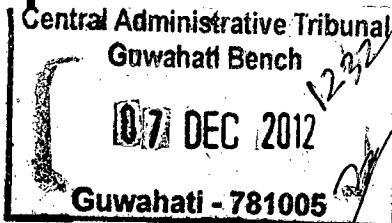
Applicant (S) : Sre' B. C. Das

Respondent (S) : Sre' B. S. Sayam

Advocate for the
[Applicant (S)] : Mr. R. J. Das

Advocate for the
[Respondent (S)] : -----

Notes of the Registry	Date	Order of the Tribunal
<p>This cp. is filed by the applicant, through Mr. R. J. Das, Advocate, praying for non- compliance of the order dated- 30-6-2009 passed in OA. 125/2009.</p> <p>Laid before the Hon'ble court for favour of order.</p> <p><u>10.12.12</u> <u>Section 86(2)(D)</u></p> <p><u>7.12.2012</u></p>	12.12.2012	<p>In this case we have already issued notice under Rule 24 of the Central Administrative Tribunal (Procedure) Rules 1987. As such the present C.P be kept pending till the final disposal of the E.P.24/2012.</p> <p> (Manjula Das) Member(J)</p> <p> (M.K. Chaturvedi) Member (A)</p>
1 pg/		



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI

C.P. No. 26 of 2012
In O.A. No. 125 of 2009

(B.C.Das - Vs - Union of India & others)

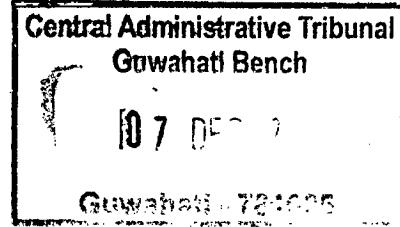
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Filed by:

Rupam Jyoti Das
Rupam Jyoti Das

Advocate



Filed by the
Petitioner
through
Brijesh Chandra Das
Brijesh Chandra Das
Advocate
5/12/12

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL
GUWAHATI BENCH:: GUWAHATI::

C.P. No. of 2012

In O.A. No. 125/2009

(B.C.DAS -VS- UNION OF INDIA & ORS.)

IN THE MATTER OF:

An application under Section 17 of the
Administrative Tribunals Act, 1985 for
initiation of contempt proceeding
against the respondent for willful and
deliberate violation of the order of
the Hon'ble Tribunal dated 30.06.2009
passed in O.A. No. 125 of 2009
(B.C.Das Vs Union of India & Ors).

- AND -

IN THE MATTER OF:

Shri Brijesh Chandra Das,

107 DEC 2009

Guwahati - 781005

Son of late Ram Gopal Das, Geruapar,
P.O. Sarupeta, District: Barpeta,
Assam-781318

PETITIONER

-Versus-

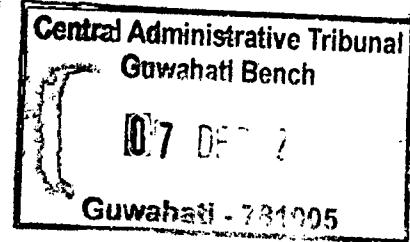
Mr. B.S. Sajwan, Principal Secretary
(Forest) cum Principal Chief
Conservator of Forests, Government of
Arunachal Pradesh, Department of
Environment and Forests, Itanagar.

RESPONDENT

The humble petitioner above named

MOST RESPECTFULLY SHEWETH:

1. That the petitioner had preferred O.A. No. 125 of 2009 (B.C. Das Vs Union of India & Ors) challenging, inter alia, the inaction of the respondents in considering the case of the petitioner for induction/appointment to the Indian Forest Service, AGMUT (Arunachal Pradesh, Goa, Mizoram and Union Territories) Cadre with effect from 26.09.10, i.e., the date when his juniors were inducted and also the inaction of the respondents therein in not considering payments of such consequential benefits to the



applicant as would be admissible pursuant to his such antedated promotion to IFS.

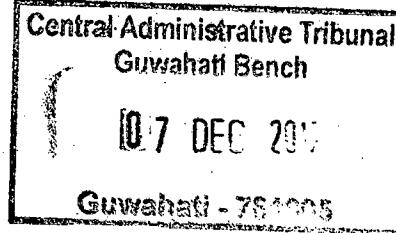
2. That the Hon'ble Tribunal by order dated 30.06.2009 disposed of the OA No. 125/2008 in favour of the petitioner and directed the respondents therein to consider the case of the petitioner for promotion to IFS from the date 26.09.96, i.e., the date his juniors in the State Forest Service were promoted to IFS, by conducting a Review Committee headed by UPSC and grant the petitioner necessary consequential relief, as due and admissible to him, by way of passing a reasoned order within 120 days from the date of receipt of the copy of the order dated 30.06.2009.

A copy of the order dated 30.06.2009 passed in O.A. No. 125 of 2009 is annexed herewith and marked as
ANNEXURE- P/1.

3. That the petitioner submitted a representation dated 15.12.09 to the official respondents enclosing therewith the order dated 30.06.09 passed in OA 125 of 2009 and requested the implementation of the aforementioned order.

A copy of the representation dated 15.12.09 of the petitioner is enclosed herewith and marked as **ANNEXURE: P/2.**

Brajesh Chandra Sar



4. That in the meantime, two persons, viz, Sri Samjam Jongsam and Sri R.K.Deori who were junior to the petitioner in the State Forest Officer filed W.P.(C) No. 448(AP)/2009 (Samjam Jongsam & Anr Vs B.C.Das & Ors) assailing the order dated 30.06.2009 passed in OA 125 of 2009. The Hon'ble High Court, Itanagar Permanent Bench vide its order dated 19.11.2009 was pleased to issue notice of motion and also stayed the operation of the order dated 30.06.2009 passed in OA 125 of 2009.

Brajesh chandran das

5. That pursuant of the aforementioned stay order dated 19.11.09 passed in W.P.(C) No. 448(AP) /2009 everything went into a state of comatose and all administrative processes were also stalled pertaining to the antedating of the petitioner's promotion to the IFS.

6. That in month of February 2012 the aforementioned writ petition was heard on merits and the Hon'ble High Court vide its judgment and order dated 14.02.2012 passed in W.P. (C) No.448(AP)/2009 dismissed the writ petition.

A copy of the judgment and order dated 14.02.2012 passed in W.P. (C) No. 448(AP)/2009 is annexed herewith and marked as **ANNEXURE: P/3**

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7. That thereafter the counsel for the applicant Shri Kamal Saxena, submitted a representation dated 27.02.12 enclosing therewith a copy of the judgment and order dated 14.02.12 to all the official respondents of the W.P. (C) 448 (AP) /2009

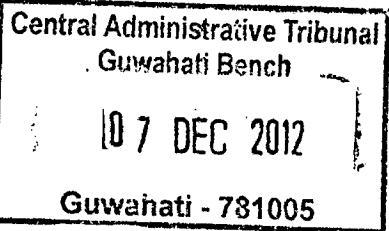
A copy of the representation dated 27.02.12 is annexed herewith and marked as **ANNEXURE: P/4**

8. That thereafter the Director, (AGMUT), Ministry of Environment and Forests, Government of India vide Letter no.32012/2/2010-IFS-I-(AGMUT) dated 09.04.2012 wrote to the Chief Secretary, Government of Arunachal Pradesh, Department of Environment and Forests, Itanagar regarding the implementation of CAT Guwahati order dated 30.06.09 in OA 125/2009.

A copy of the letter dated 09.04.12 of the Director, (AGMUT), Ministry of Environment and Forests, Government of India is annexed herewith and marked as **ANNEXURE: P/5**

9. That the perusal of the aforementioned letter dated 09.04.12 indicates that the UPSC vide its review Selection Committee Meeting on 01.02.10 had recommended for modification of the select list of 1995-96 wherein the

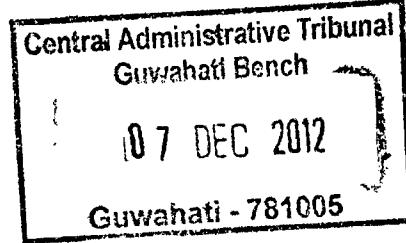
Brayesh Chandra Das



petitioner was placed at serial no.1 and the petitioners in W.P. (C) No. 448 (AP)/2009 were placed at serial no 2 and 3. It was further mentioned in the letter that after obtaining the approval of the Joint Cadre Authority and the Central Government, the UPSC had approved the select list of 1995-96. It was further stated that the Ministry of Environment and Forests, Government of India and the State of Arunachal Pradesh has to implement the order dated 30.06.09 of the Hon'ble Tribunal. As such for implementation of the order dated 30.06.09, the Ministry of Environment and Forests, Government of India requested the State of Arunachal Pradesh to furnish the former the proposal for the induction/appointment into IFS of the petitioner along with copies of the Ministry's earlier orders/notification for induction of the petitioner into the IFS, allotment year, and fixation of inter se seniority and also promotion order of JAG/SG/CF/CCF etc, if any urgently to enable the Ministry of Environment and Forests, Government to process the case further.

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10. That when the aforementioned letter dated 09.04.12 did not yield any response from the State Government of Arunachal Pradesh, the Director, (AGMUT), Ministry of Environment and Forests, Government of India vide letter dated 26.07.2012 wrote to the Principal Secretary (Forest), Department of Environment & Forests, Government

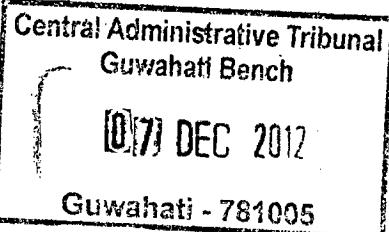


of Arunachal Pradesh requesting once again the State of Arunachal Pradesh to furnish to the Ministry of Environment & Forests, Government of India the proposal for the induction/appointment into IFS of the petitioner along with copies of the Ministry's earlier orders/notification for induction of the petitioner into the IFS, allotment year, and fixation of inter se seniority and also promotion order of JAG/SG/CF/CCF etc.

A copy of the letter dated 26.07.2012 of the Director, (AGMUT), Ministry of Environment and Forests, Government of India is annexed herewith and marked as ANNEXURE: P/6

11. That perusal of the aforementioned judgment and order dated 14.02.12 reveals that the Hon'ble High Court while dismissing the writ petition did not alter in any manner whatsoever the directions of the learned tribunal given in the order dated 30.06.09 passed in OA 125 of 2009. Hence, the official respondents therein is duty bound to give effect to the aforementioned order dated 30.06.09 and consequently the official respondents ought to have antedated the promotion of the petitioner to the IFS to 26.09.96, i.e., the date on which the immediate juniors of the petitioner were given such promotion and also grant

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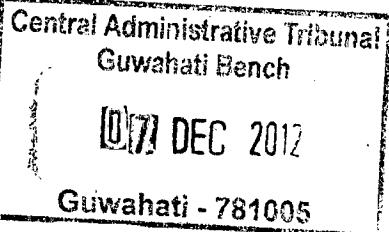


the petitioner necessary consequential relief, as due and admissible to the petitioner by such antedating.

12. That perusal of the aforementioned letters dated 09.04.2012 and 26.07.2012 of the Director, (AGMUT), Ministry of Environment and Forests, Government of India clearly demonstrates that the whole process of antedating the promotion of the petitioner to the IFS to 26.09.96, i.e., the date on which the immediate juniors of the petitioner were given such promotion and granting the petitioner necessary consequential relief, as due and admissible to him has reached a stalemate due to willful inaction of the contemnor/respondent in this present contempt proceeding.

13. That it was incumbent on the part of the respondent herein to provide to the Director, (AGMUT), Ministry of Environment and Forests, Government of India the proposal for the induction/appointment into IFS of the petitioner along with copies of the Ministry's earlier orders/notification for induction of the petitioner into the IFS, allotment year, and fixation of inter se seniority and also promotion order of JAG/SG/CF/CCF etc. However, the respondent has not issued any direction and/or order initiating the process to provide the proposal for the induction/appointment into IFS of the

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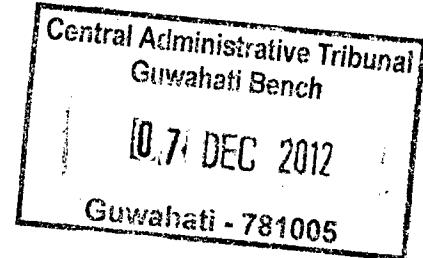
petitioner along with copies of the Ministry's earlier orders/notification for induction of the petitioner into the IFS, allotment year, and fixation of inter se seniority and also promotion order of JAG/SG/CF/CCF etc to the Director, (AGMUT), Ministry of Environment and Forests, Government of India. Thus the sole respondent has willfully violated the order of the Hon'ble Tribunal dated 30.06.2009 and as such deliberately committed civil contempt within the meaning of section 2(b) of the Contempt of Courts Act, 1971.

14. That in the facts and circumstances of the case the Hon'ble Tribunal may be pleased to initiate contempt proceeding against the sole respondent under section 17 of the Administrative Tribunals Act, 1985 read with section 11 & 12 of the Contempt of Courts Act, 1971 coupled with Rule 7 of the Contempt of Courts (C.A.T), Rules 1992.

15. That the petitioner files this petition bonafide for securing the ends of justice.

P R A Y E R

In the premises aforesaid, it is most respectfully prayed that Your Lordships may be pleased to:

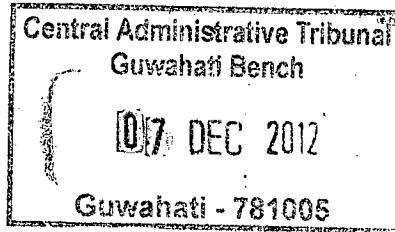


I. Initiate proceeding for civil contempt under the provisions of Contempt of Courts (C.A.T), 1992 against the sole respondent and punish them for contempt under Section 17 of the Administrative Tribunals Act, 1985 read with section 12 of the Contempt of Courts Act, 1971.

II. Pass such other order/orders as may be deemed fit and proper in the facts and circumstances of the case.

And for this act of kindness the petitioner as in duty bound shall ever pray.

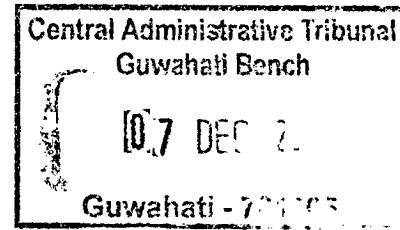
Brayesh Chandra Das



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DRAFT CHARGE

Whereas Mr. B.S.Sajwan, Principal Secretary (Forest) cum Principal Chief Conservator of Forests, Government of Arunachal Pradesh, Department of Environment and Forests, Itanagar, have willfully and deliberately violated the order dated 30.06.2009 passed in O.A. No. 125/2009, by this Hon'ble Tribunal and as such they are liable to be punished severely for committing contempt of Hon'ble Tribunal's order.



AFFIDAVIT

I, Brajesh Chandra Das, son of Late Ram Gopal Das, aged about 66 years, resident of Geruapar, P.O. Sarupeta, District Barpeta, Assam-781318, do hereby solemnly affirm and state as follows:

1. That I am the petitioner in the instant contempt petition. I am well conversant with the facts and circumstances of the case and as such I am competent to swear this affidavit.
2. That the statements made in this petition in paragraphs 1 to 11 are true to my knowledge and those made paragraphs 12, 13 & 15 being matters of records are true to my information derived there from and also contains information to the best of my knowledge.
3. The Annexures are true copies of its original and I have not suppressed any material facts.

And, I sign this affidavit on this the 5th day of December, 2012.

Identified by me


Advocate


Brajesh Chandra Das

DEPONENT

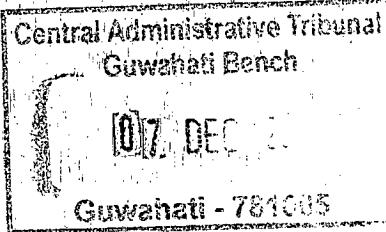
123
ANNEXURE : P/1

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH::: GUWAHATI**

Original Application No.125 of 2009

Date of Order: This, the 30th day of June, 2009.

HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN



Shri Brajesh Chandra Das
Son of Late Ram Gopal Das
Gerupar, P.O. Sarupeta
District : Barpeta, Assam
PIN- 781 318.

.....Applicant

By Advocates: Mr. S. Dutta, Mrs.U.Dutta, Ms.Pahmida K. Zannat,
Ms.Nimshim Vashum & Mr. Chanakya Shankar Hazarika.

-Versus-

1. The Union of India
Represented by Secretary
to the Government of India
Ministry of Environment and Forest
Paryavaran Bhavan
CGO Complex, Lodhi Road
New Delhi- 110 003.
2. The Director (IFS Division)
Ministry of Environment and Forest
Paryavaran Bhavan
CGO Complex, Lodhi Road
New Delhi- 110 003.
3. The State of Arunachal Pradesh
Through the Principal Secretary to the
Government of Arunachal Pradesh
Environment and Forest Department
Itanagar- 791 111.
4. The Principal Chief Conservator of Forests
Arunachal Pradesh, Itanagar- 791 111.
5. Union Public Service Commission
Through its Secretary
Dholpur House
New Delhi- 110 069.

.....Respondents

By Advocates: Mr. G. Baishya, Sr. C.G.S.C. for Govt. of India &
Mr. R. K. Dev Choudhury, for Govt. Arunachal Pradesh.

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ASST. SECY.

Central Administrative Tribunal
Guwahati Bench

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ORAL ORDER

Dated 30.06.2009

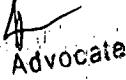
O.A. No.125/2009

MANORANJAN MOHANTY, (VICE-CHAIRMAN):-

Applicant (who was appointed as Forest Ranger in NEFA/Arunachal Pradesh on 01.04.1970) was promoted as ACF during 1980. One of his junior named S.J. Jongsam (who became ACF during 1981, by direct recruitment to State Service) superseded him, during 1988, by obtaining promotion as DCF in State Govt. Service. During 1992, some others were also granted promotion as DCF. Applicant, having not been given promotion, approached the Hon'ble Gauhati High Court by way of filing CR No. 455/1993; which was, virtually allowed, on 18.05.1998, with direction to promote the Applicant w.e.f. 28.11.1992 with all service benefits including seniority. Accordingly by an order Dated 24.06.1999, the State Govt. brought the Applicant to DCF post by creating temporary post of DCF with effect from 28.11.1992 i.e. the date on which his juniors received the promotion as DCF. Later, the Writ Appeal No. 36/2000 (challenging the order dated 18.05.1998 passed in CR No. 455/1993) was dismissed, as infructuous, by the Division Bench of the Hon'ble Gauhati High Court on 28.06.2006.

2. While the grievances of the Applicant were pending before the Hon'ble High Court, as aforesaid, some officers from Arunachal Pradesh Forest Services were nominated (by the State Govt. of Arunachal Pradesh) for promotion to IFS and four persons (some of whom were juniors to the Applicant) were granted promotion (to IFS) on 26.09.1996. Applicant was not nominated by the State Govt.; apparently because he was superseded by his juniors, by that time, by the action of the State Govt.

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Advocate

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3. However, after succeeding (with aid of the Hon'ble Court) in his order as aforesaid) to get DCF post in State Govt. Service, the Applicant was granted promotion to IFS on 18.08.2000. His representation to antedate his promotion (to IFS) to 26.09.1996 (i.e. the date when his juniors were promoted to IFS) was forwarded by the State Govt. (of Arunachal Pradesh) to the Govt. of India on 22.08.2005. He filed another representation on 18.08.2006; which was forwarded (by the State Govt.) to Govt. of India on 07.09.2006. On 04.07.2007, the State Govt. of Arunachal Pradesh issued an order placing the name of the Applicant above the name of aforesaid Shri S.J. Jongsam in the Seniority/Gradation list dated 03.07.1993 of DCF in State Govt. Service by treating him (Applicant) to be in the Cadre of DCF w.e.f. 28.11.1992. Applicant, thereafter submitted representations to the Govt. of India, on 19.07.2007 and 25.11.2007 seeking to antedate his promotion to IFS.

4. In response to his letter dated 25.11.2007, the State Govt. of Arunachal Pradesh informed the Applicant (in their Communication dated 10.10.2008) that his (Applicant) representation dated 10.08.2006 (claiming induction to IFS w.e.f. 26.09.1996 in accordance with the judgment dated 28.06.2006 in W.A. No. 36/2000 against judgment dated 18.05.1998 in Civil Rule No. 455/1993) was forwarded to Govt. of India on 07.09.2006 and that the Govt. of India has also been requested, on 24.07.2007, to refer to the representations dated 24.02.2006 & 27.10.2006 of the Applicant and that no decision has so far been received from Govt. of India. Finally, it was disclosed in the said letter dated 10.10.2008 of the State of Govt. as under:-

"Your promotion to IFS cadre from the State Cadre with retrospective effect can be done by the Union of India only in accordance with IFS (Appointment by Promotion) Regulations, 1966. The Service benefits as admissible to you under rules will be

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Advocate

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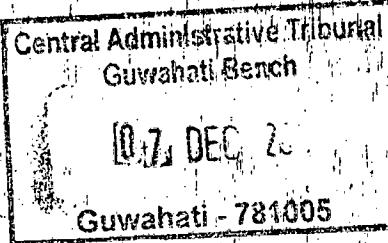
considered on receipt of the Decision from the Govt. of India."

5. Finally, the Applicant (who has already retired from services on 31.07.2005) submitted a representation to the Govt. of India on 03.02.2009 (which was forwarded to Govt. of India, by the State Govt. of Arunachal Pradesh, on 24.03.2009) before, filing the present Original Application (on 29.06.2009) under section 19 of the Administrative Tribunals Act, 1985, wherein he has prayed as under:-

- 8.1 That the Hon'ble Tribunal be pleased to direct the respondents to hold review DPC so as to consider induction/appointment of the applicant to the IFS (AGMUT Cadre) with effect from 26.09.1996 i.e., the date when his junior Sri S.J. Jongsam was inducted/appointed to the said cadre.
- 8.2 That the Hon'ble Tribunal be pleased to direct the respondents to consider grant of the benefit of Junior Administrative Grade and Selection Grade with effect from the year 2001 and 2005 respectively, of the dates when Sri S.J. Jongsam, the immediate junior of the applicant was granted the said benefits.
- 8.3 That the Communiqué dated 10.10.2008 be set aside and quashed.
- 8.4 Costs of the application.
- 8.5 Any other relief (s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper."

6. Heard Mr. S. Datta, learned counsel appearing for the Applicant; Mr. Gautam Baishya, learned Sr. Standing Counsel for the Union of India and Mr. R. K. Dev Choudhury, learned Counsel for the State of Arunachal Pradesh (to whom copies of this O.A. have already been supplied) and perused the materials placed on record.

Qualified in the year 1984
Advocate



7. By order dated 18.05.1998 of the Hon'ble High Court rendered in CR No. 455/1993, the Applicant was to be given promotion retrospectively w.e.f. 28.11.1992 with all service benefits; which includes the right to be considered for promotion at appropriate stage (at least when his juniors received consideration for promotion) and, accordingly, the State Govt. (of Arunachal Pradesh) and the Govt. of India ought to have acted promptly to consider the case of the Applicant for nomination (for promotion to IFS) at least with effect from the date his juniors were nominated/promoted to IFS by detailing a Review Committee. Since the State Govt. (of Arunachal Pradesh) has, by now, repeatedly written to the Govt. of India to consider the case/representation of the Applicant to antedate his promotion to IFS, it is now for the Govt. of India, UPSC & the State Govt. of Arunachal Pradesh to detail a Review Committee to examine, retrospectively, as to whether the Applicant could have been nominated at the time (26.09.1996) when his juniors in State Govt. Service were nominated/appointed to IFS and act accordingly and, if required, by creating a temporary post (in IFS) from a retrospective date and, as now claimed by the Applicant, also consider his case for conferment of 'Junior Administrative Grade' and 'Selection Grade' w.e.f. 2001 & 2005 respectively; as his un-disputed Junior (in State Service) Shri S. J. Jongsam got the said benefits during 2001 & 2005.

8. It has been alleged by the Applicant that instead of acting promptly, the Respondents are only satisfied by transmitting & sitting over the repeated representations of the Applicant for years. It is the positive case of the Applicant that no final orders have yet been passed by the Central Govt. on his (Applicant)' repeated representations. Copies of the letter dated 10.10.2008 and 24.03.2009 (filed as Annexure-11 & Annexure-13 to this

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Advocate

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O.A.) of the State Govt. goes to show that Govt. of India has not reacted on the prayers of the Applicant (to antedate his promotion, to IFS, to a date on which his juniors got the promotion) till 10.10.2008/24.03.2009.

9. In the above said premises, without any waste of time, this matter is remitted to the Respondents (Govt. of India, UPSC & State Govt. of Arunachal Pradesh) who should act promptly to consider the case of the Applicant for his promotion to IFS from the dates (starting from 26.09.1996) his juniors (in State Govt. Service) received promotion to IFS, by detailing a Review Committee headed by UPSC and to grant him necessary relief, as, due and admissible under the Rules, by way of passing a reasoned order within 120 days from the date of receipt of copy of this order.

10. Subject to above observations and directions, this case is disposed of.

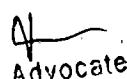
11. Send copies of this order to the Applicant and (to all the Respondents (along with the copies of the Original Application) by Registered Post and free copies of this order be also supplied to the Advocates appearing for the parties.

sd/-
MANORANJAN MCHANTY
VICE CHAIRMAN.

TRUE COPY



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Advocate

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O.A.) of the State Govt. goes to show that Govt. of India has not reacted on the prayers of the Applicant (to antedate his promotion, to IFS, to a date on which his juniors got the promotion) till 10.10.2008/24.03.2009.

9. In the above said premises, without any waste of time, this matter is remitted to the Respondents (Govt. of India, UPSC & State Govt. of Arunachal Pradesh) who should act promptly to consider the case of the Applicant for his promotion to IFS from the dates (starting from 26.09.1996), his juniors (in State Govt. Service) received promotion to IFS, by detailing a Review Committee headed by UPSC and to grant him necessary relief, as due and admissible under the Rules, by way of passing a reasoned order within 120 days from the date of receipt of copy of this order.

10. Subject to above observations and directions, this case is disposed of.

11. Send copies of this order to the Applicant and (to all the) Respondents (along with the copies of the Original Application), by Registered Post and free copies of this order be also supplied to the Advocates appearing for the parties.

Sd/-
MANORANJAN MCHANTY
VICE CHAIRMAN.

Certified to be true copy

Advocate



THE GAUHATI HIGH COURT AT ITANAGAR

(The High Court Of Assam, Nagaland, Meghalaya, Manipur, Tripura, Mizoram and Arunachal Pradesh)

ITANAGAR BENCH

Page No. 1

SL. NO. 242

CASE NO : WP(C) 448/2009

District : Papum Pare

Category : 10057 (Order of the Appellate or Revisional authority.)

Central Administrative Tribunal
Guwahati Bench

07 DEC
Guwahati - 781006

- 1 Shri Samjan Jongsam
Son of Lt. T. Jongsam, Deputy Conservator of Forest,
office of the Principal Chief Conservator of Forest, AP
Itanagar
- 2 Sri R K. Deori,
son of Lt. K.R. Deori, Deputy Conservator of Forest,
office of the Principal Chief conservator of Forest,
Itanagar

Petitioner/appellant/applicant

Versus

- 1 Shri B.C. Das
son of Lt. R.G. Das, resident of Geruapar, Dist.
Barpeta, Assam
- 2 Union of India
through the Secretary to the Govt. of India, Ministry
of Environment and Forest, new Delhi;
- 3 Director (IFS Division)
Ministry of Environment and Forest, New Delhi
- 4 State of Arunachal Pradesh
represented by the Principal Secretary, Environment
and Forest, Itanagar
- 5 Principal Chief Conservator of Forest,
AP, Itanagar
- 6 Union Public Service Commission,
Dholpur House, New Delhi

Respondent/Opp. Party

Advocates for Petitioner/appellant

- 1 Mr U Bhuyan
- 2 Mrs S D Bhuyan
- 3 Mrs K M Talukdar
- 4 Mr A Hazarika
- 5 Mr B Chakraborty
- 6 Mr A Apang
- 7 Ms L Lombi

Advocates for Respondents

- 1 GA
- 2 CGC
- 3 Mr P K Tiwari
- 4 Mr K Saxena
- 5 MR. L Tenzin
- 6 Mr A K Singh

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Asst. Registrar (Just.)
Guwahati High Court, Itanagar Bench
Authorised under S 78 of Act I of 1872

Summary Of Case And Prayer In Brief

Dismissed

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Advocate

CERTIFIED COPY OF JUDGEMENT / ORDER

DATE OF FILING APPLICATION	DATE WHEN COPY WAS READY	DATE OF DELIVERY
21/02/2012	21/02/2012	21/02/2012

BEFORE
THE HON'BLE MR JUSTICE IA ANSARI
THE HON'BLE MR JUSTICE AC UPADHYAY

- 21 -

DATE OF ORDER : 14/02/2012

JUDGMENT & ORDER
(ORAL)

{IA Ansari, J}

Central Administrative Tribunal
Guwahati Bench

07 DEC 2012

Guwahati - 781005

We have heard Mr. A. Apang, learned counsel, for the petitioners, and Mr. P.K. Tiwari, learned counsel, for the respondent No.1. We have also heard Mr. M. Pertin, learned ASG, for the respondent Nos.2, 3 and 6, and Mr. R.H. Nabam, learned Senior Govt. Advocate, for the respondent Nos.4 and 5.

2. With the help of this writ application, made under Article 226 of the Constitution of India, the petitioners have put to challenge the order, dated 30.06.2009, passed by the learned Central Administrative Tribunal, Guwahati Bench, Guwahati, in Original Application No.125/2009, whereby the learned Tribunal has directed the State respondents to consider the case of the respondent No.1 herein for his promotion to the Indian Forest Service, with effect from 26.06.1996, by forming a review committee within a period of 120 days from the date of receipt of the copy of the order, dated 30.06.2009, aforementioned.

3. In order to understand the material issues involved in this writ petition, and, in order to appreciate the reliefs, if any, to which the petitioners are entitled, it is apposite to take note of those facts, which are relevant for the purpose of a correct decision in the writ petition. Put in a nutshell, the material facts are as under:

(i) The respondent No.1 was appointed, as a Forest Ranger, on 01.04.1970, in the erstwhile North East Frontier Agency, which has presently become the State of Arunachal Pradesh. By notification, dated 15.10.1980, while respondent No.1 was promoted retrospectively to the post of Assistant Conservator of Forest (in short, 'ACF') from the post of Forest Ranger with effect from 20.02.1980, the present petitioners were directly recruited to the Arunachal Pradesh State Forest Service as ACF with effect from 01.04.1981 and they were confirmed in the said post with effect from 01.01.1985.

(ii) Thereafter, the petitioner No.1 herein, namely, Shri S. Jongsam, was granted officiating promotion to the post of Deputy Conservator of Forest

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Authorised S 78 of Act I of 1872

Shri S. Jongsam
Guwahati High Court, Legalariat Bench
Guwahati High Court, Legalariat Bench

(in short, 'DCF'). The promotion of petitioner No.1 was followed by an order, dated 28.11.1992, whereby the present petitioners, along with three other State Forest Service officers, were given regular promotion as DCF in the State Forest Service. Thus, the petitioners were regularly promoted to the post of DCF with effect from 28.11.1992.

(iii) Alleging to the effect that he was senior to the present petitioners, because he was promoted to the post of ACF on 20.02.80, whereas the present petitioners were recruited directly to the post of ACF on 01.04.81, respondent No.1 herein filed a writ petition, under Article 226, which gives rise to Civil Rule No.455/93, wherein he contended that the present petitioners were junior to him, he had been wrongly superseded and claimed promotion to the post of DCF. Before the said Civil Rule could come to be decided, three State Forest Service officers, including the present petitioners, whom respondent No.1 had claimed to be junior to him in the said writ petition, were all nominated, on 26.09.1996, to Indian Forest Service. However, upon nomination of the present petitioners to Indian Forest Service, as indicated hereinbefore, Civil Rule No.455/93 was disposed of, on 18.05.98, by this Court, whereby respondent No.1's prayer was allowed and a direction was given to promote him with effect from 28.11.92, i.e., the date on which the present petitioners had been regularly promoted to the post of DCF in the State Forest Service. By judgment and order, dated 18.05.98, aforementioned, passed in Civil Rule No.455/93, it was further directed that respondent No.1 herein shall be given all service benefits including seniority, meaning thereby that respondent No.1 herein ought to be treated, in the post of DCF, senior to the present petitioners.

(iv) In compliance with the directions, so issued, in Civil Rule No.455/93, the State Government, on 24.06.99, promoted respondent No.1 to the post of DCF with effect from 28.11.1992, i.e., the date on which the present petitioners too had already been promoted to the post of DCF, though they were, as indicated above, junior to the respondent No.1 herein in the cadre of ACF. The present petitioners, then, put to challenge, by way of writ appeal No.36/2000, the reliefs, which had been granted to respondent No.1 herein and the directions, which had been issued in favour of respondent No.1 herein, by a learned Single Judge of this Court in Civil Rule No.455/1993.

(v) On 18.08.2000, respondent No.1 was nominated to Indian Forest Service and, on being so nominated to the Indian Forest Service, respondent No.1 submitted a representation to the authorities concerned to ante date his nomination to Indian Forest Service with effect from 01.01.2001, in which his junior, more specifically, the

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18 of Act 1 of 1872
Auth. by
Assstt. Commr.
Gauhati Hqrs

present petitioners, were nominated to Indian Forest Service. While the representation, so made by the respondent No.1 had remained pending before the authorities concerned, respondent No.1 retired, on 31.07.2005, on attaining the age of superannuation. A year after his retirement and, to be precise, on 28.08.2006, writ appeal No.36/2000 was dismissed as infructuous. Thus, the decision in Civil Rule No.455/1993 and the directions issued therein attained finality.

(vi) In further compliance of the directions given in Civil Rule No.455/1993, the State Government issued another order, dated 04.07.2007, placing the respondent No.1 herein above the petitioner No.1 in the seniority list of DCF with effect from 28.11.1992. Even though the order, dated 04.07.2007, aforementioned, making respondent No.1 herein senior to the petitioner No.1, namely, S. Jongsam, was made almost a year after the disposal of the writ appeal, no grievance, against the State Government's order, dated 04.07.2007, aforementioned, was expressed by the present petitioners. The order, dated 04.07.2007, too, thus, remain unchallenged.

(vii) The respondent No.1 herein, then, made representations, on 19.07.2007 and 25.11.2007, to the State and the Central Governments seeking his nomination to the cadre of Indian Forest Service to be given effect from 26.09.1996, i.e., the date on which the present petitioners had been nominated to Indian Forest Service. As the representations, so made by respondent No.1 herein, had not yielded any favourable result to him, he filed an Original Application in the Central Administrative Tribunal, Guwahati Bench, Guwahati, which gave rise to OA No.125/2009, wherein respondent No.1 herein, as applicant, sought for, *inter alia*, direction to be issued to the State and the Central Governments to grant him nomination to the cadre of Indian Forest Service, with effect from 26.09.1996, when his immediate junior, i.e., petitioner No.1 herein, had been inducted to the Indian Forest Service.

(viii) By order, dated 30.06.2009, OA No.125/2009, has been allowed by the learned Tribunal and directions have been given to the Government of India, Union Public Service Commission and the State of Arunachal Pradesh to properly consider the petitioner's case for his nomination to Indian Forest Service, with effect from 26.09.1996, by forming, as already indicated above, a review committee within 120 days from the date of receipt of the copy of the order, dated 30.06.2009. Aggrieved by the directions, so issued, the present writ petition has been filed.

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Advocate
Guwahati
11/11/2011

Regd. No. 107
Arunachal High Court Registry
Date of filing 10/07/2011
Case No. 107
Arunachal High Court Registry
Date of filing 10/07/2011

Verdicted is given
Date 10/07/2011

Verdicted is given
Date 10/07/2011

30.06.2009, is that the present petitioners were not made parties to the Original Application, and, hence, there was denial of the principles of natural justice and, in consequence thereof, the impugned order, dated 30.06.2009, becomes illegal and cannot be sustained. Suffice it to point out, in this regard, that the order, dated 18.05.98, whereby Civil Rule No.455/93 was disposed of, remained, as already indicated above, unchallenged and attained finality and, in consequence thereof, the petitioners were treated as junior to the respondent No.1 as they cannot, but must be treated to have had been junior to the respondent herein, for all intents and purposes, in the cadre of DCF.

5. As the petitioners had been nominated to the Indian Forest Service on 26.09.1996 and respondent No.1 had claimed this nomination, too, to the Indian Forest Service to be given effect from 26.09.1996, it becomes clear that since the petitioners were junior to the respondent No.1, no prejudice can be said to have been caused to them, when they were not given any notice and directions were issued by the learned Tribunal to the

respondents/authorities concerned to consider the case of the respondent No.1 herein for nomination to the Indian Forest Service with effect from

07 DEC 2012 26.09.1996, when his juniors, (i.e., the present petitioners) had been nominated. We do not find any infirmity, legal or factual, with the impugned

direction given by the learned Tribunal on 30.06.2009 and we do not see any reason to interfere with the same merely because the petitioners were not made parties to the Original Application No.125/2009. In fact, a pointed query was made by this Court as to what prejudice can be said to have been caused to the petitioners, because of the omission to make them parties in Original Application No.125/2009. No convincing reason could be given, on behalf of the petitioners, except pointing out that they were directly recruited to the post of ACF as against the respondent No.1, who was a promotee to the post of ACF.

6. In view of the fact that it has already been judicially determined and has remained unchallenged that the petitioners were junior to respondent No.1 in the cadre of DCF, the fact, that they were directly recruited to the post of ACF and the respondent No.1 was a promotee to the post of ACF, can be of no consequence on considering the ultimate direction, which the learned Tribunal has given by its order, dated 30.06.2009, particularly, when the petitioners have been treated as junior to the respondent No.1 even in the cadre of DCF.

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10/12/2012
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Signature of
Advocate

been challenged on the ground that the subject-matter of Original Application No.125/2009 was not tenable. For the reason that we have elaborately discussed above, we do not find that the learned Tribunal was incorrect or acted illegally in either entertaining the Original Application or in issuing the directions, which it has issued.

8. Yet another ground of challenge to the decision reached by the learned Tribunal, on 30.06.2009, is that respondent No.1 had approached the learned Tribunal belatedly. This ground is a ground, which is not open to challenge by the petitioners, when the petitioners were decidedly junior to the respondent No.1 in the cadre of DCF.

9. Though an attempt has been made, on behalf of the petitioners, to show that the directions given by the order, dated 05.01.2010, in Original Application Nos.118 and 172/2006 of the learned Central Administrative Tribunal, Guwahati Bench, Guwahati, have some bearing on the directions, which have been issued in Original Application No.125/2009, we must point out that in Original Application Nos.118 and 172/2006, what has been observed by the learned Tribunal is that in terms of the relevant rules, there ought to have been triennial cadre review and the learned Tribunal has, therefore, directed that necessary review be carried out within the specified period of six months by the Central and the State Governments. The direction, so issued, has really no bearing on the question of seniority of the respondent No.1 vis-a-vis the present petitioners in the cadre of DCF or in the matter of nomination to the Indian Forest Service inasmuch as the petitioners were, and shall always remain, junior to the respondent No.1 in terms of the directions issued in Civil Rule No.455/93, which have attained finality.

10. Because of what have been discussed and pointed out above, we find no substance in this writ petition. This writ petition, therefore, fails and the same shall accordingly stand dismissed.

11. We, however, leave the parties to bear their own costs.

Sd/ F A. C. UPADHYAY

JUDGE

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Advocate

Sd/ I A. ANSARI

JUDGE

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Advocate

A. C. UPADHYAY
JUDGE

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Guwahati - 781005

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ANNEXURE: P/4

Kamal Saxena
Advocate,
Gauhati High Court

Chamber:

House No.1, Government Press
Road, Bamunimaidam, Guwahati-
21, Assam, Phone No: 9954300521(M)

Dated: 27/02/2012

To

1. The Secretary to the Government of India, Ministry of Environment and Forest, Paryabaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110093.
2. The Director (IFS Division) Ministry of Environment and Forest, Paryabaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003.
3. The Principal Secretary to the Government of Arunachal Pradesh, Environment and Forest Department, Itanagar-791111.
4. The Principal Chief Conservator of Forest, Arunachal Pradesh, Itanagar-791111.
5. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi-110069.

In re: W.P.(C) No.448/2009 (*Samjan Jongsam & Anr* -Vs- *Sri Brijesh Chandra Das & Ors*)

Sub : Order of the Hon'ble Gauhati High Court dated 14/02/2012

Sir,

My client Sri Brijesh Chandra Das had preferred O.A. No 125/2009 before the Gauhati Bench of Central Administrative Tribunal for antedating his promotion to IFS w.e.f. 26.09.1996 i.e. the date on which his immediate junior Sri Samjan Jongsam was

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Advocate

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Guwahati - 781005

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given such promotion. The aforementioned OA was allowed by the Tribunal by its order dated 30.06.2009 directing the Government of India, UPSC & State Government of Arunachal Pradesh to act promptly to consider the case of the applicant for his promotion to IFS from 26.09.1996 by detailing a review committee within 120 days from the date of receipt of the copy of the order.

Against the aforementioned order of the Tribunal the private opposite parties Sri Samjan Jongsam and Rama Kanta Deori preferred W.P.(C) No.448/2009 before the Itanagar Bench of the Gauhati High Court wherein by an interim order dated 19.11.2009 the High Court suspended the order of the Tribunal. However, by order dated 14.02.2012 the Division Bench of the High Court dismissed the aforementioned writ petition (copy enclosed).

In view of the dismissal of the writ petition, the order of the Guwahati Bench of Central Administrative Tribunal is now required to be complied with. Kindly take appropriate administrative measures towards compliance of the order of the Guwahati Bench of Central Administrative Tribunal without further delay failing which my client would be left with no other alternative but to pursue an action for contempt. This is for your information.

Thanking you.

Yours faithfully,

(Kamal Saxena)

Advocate

Enclosed:

1. Copy of the order of the CAT dated 30.06.09 passed in O.A. No.125/2009.
2. Copy of the order dated 15.02.2012 of the Hon'ble High Court Passed in W.P.(C) No.448/2009

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Advocate

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Guwahati - 781005

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ANNEXURE: P/5

No.32012/2/2010-IFS-I (AGMUT)

Government of India

Ministry of Environment and Forests

Paryavaran Bhawan,
CGO Complex Lodhi Road,
New Delhi-110003

Dated: April 09, 2012

To,

The Chief Secretary,
Government of Arunachal Pradesh,
Department of Environment and Forests
Itanagar.

**Subject: - Implementation of CAT Guwahati order dated 30.6.2009 in
OA No. 125/2009 filed by Sh. B.C. Das Vs UOI & Others.**

Sir,

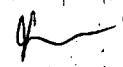
I am directed to refer to Govt. of Arunachal Pradesh (Department of Environment & Forests) letter No.FOR.294/EA/2006/412 dated 28.12.2011 and to say that Hon'ble Guwahati High Court at Itanagar Bench vide its order dated 14.2.2012 (copy enclosed) has dismissed the WP(C) 448/2009 filed by S. Jongsam and Shri R.K Deori requesting not to implement the order dated 30.6.2009 of the Hon'ble Central Administrative Tribunal, Guwahati directing the Respondents (Govt. of India, UPSC and State Government of Arunachal Pradesh) to consider the case of Shri B.C Das for his promotion to IFS by convening a Review Selection Committee Meeting.

2. It is informed that UPSC has already taken action in the matter by holding Review Selection Committee Meeting on 1.2.2010 in UPSC which has recommended for modification of the Select List of 1995-96 as under:

S. No.	Name of Officer (S/Shri)	Date of Birth
1*	R Modi (ST)	01.03.1947
1	Brabesh Chandra Das	01.08.1945
2	S.J. Jongsom (ST)	03.01.1955
3	R.K Deori (ST)	01.08.1959
4	S. Thirunavukarasu	04.02.1954
5	S. Choudhury	01.04.1940
6	M.C Baruah	31.10.1941

* Shri R. Modi stands included in the Select List of 1985 on the recommendation of the Review SCM held on 9.6.2008.

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A. S. Mukundan
Commissioner

07 DEC 2011

Guwahati - 781005

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3. After obtaining approval of JCA and central Govt., the UPSC has finally approved the above Select List of 1995-96. In view of this, the Ministry of Environment & Forests and State Govt. of Arunachal Pradesh has to implement the above order dated 30.6.2009 of Hon'ble CAT, Guwahati, by issuing revised orders for induction/appointment of Shri B.C Das into IFS. The Ministry has also to issue orders for his revised Allotment year and fixation of inter se seniority and also issue his revised promotion orders of JAG/SG/CF/CCF etc. if any due to him based on the revised proposal to be submitted by the State Government of Arunachal Pradesh. Since this is a very old matter, the records in the Ministry are not readily traceable. However, a copy of Notification No. 32012/1/93-IFS-I dated 23.11.2000 issued by the Ministry for appointing Shri B.C Das into IFS w.e.f. 18.8.2008 and allocating him Arunachal Pradesh segment of AGMUT Joint Cadre is enclosed.

4. In order to implement the above said CAT, Guwahati order dated 30.6.2009, in letter spirit, the State Govt. of Arunachal Pradesh is requested to kindly furnish the proposal for his induction/appointment into IFS along with copies of this Ministry's earlier orders/notifications etc, for his induction into IFS, allotment year and fixation of inter se seniority and also promotion order of JAG/SG/CF/CCF etc. if any urgently to enable this Ministry to process the case further.

Yours faithfully,

Vivek Saxena

(Vivek Saxena)

Director (AGMUT)

Telefax: 24362065

Encl. as above

Copy to:-

1. The PCCF Arunachal Pradesh, Itanagar for information and similar necessary action. It is requested that a copies of above documents in respect of Shri B.C Das may kindly be furnished to this Ministry urgently.
2. Shri B.C Das, S/o Late Shri Ram Gopal Das, Geruapar, P.O. Sarupeta, District: Barpeta, Assam, Pin-781318 for information. It is requested that a copies of above documents may kindly be furnished to this Ministry urgently.
3. The Secretary, UPSC, Dholpur House, Shahjahan Road, New Delhi-110069 w.r.t their letter No. 10/22(1)/2009-AIS dated 23.6.2011 for information.

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Certified to be true copy

Advocate

(Vivek Saxena)
Director (AGMUT)

NO. 52014/2012
Government of India
Ministry of Environment and Forests

Paryavaran Bhawan, CGO Complex,
Lodhi Road, New Delhi-110003.
Dated: July 26, 2012.

Received on 16/7/12
Central Administrative Tribunal
Guwahati Bench

To,
The Principal Secretary (Forest)
Government of Arunachal Pradesh
Department of Environment and Forests
Itanagar.

Subject: - Implementation of CAT Guwahati order dated 30.6.2009 in
OA No. 125/2009 filed by Sh. B.C. Das Vs UOI & Others.

Sir,
I am directed to invite a reference to this Ministry's letter of even No. dated 9.4.2012 (copy enclosed for ready reference) on the subject mentioned above and to say that no reply has so far been received from the Govt. of Arunachal Pradesh in the matter.

2. As the matter pertains to implementation of CAT Guwahati order dated 30.6.2009, in letter and spirit, State Govt. of Arunachal Pradesh is once again requested that the proposal for induction/appointment of Sh. B.C. Das into IFS along with copies of this Ministry's earlier orders/notifications etc. for induction into IFS, allotment year and fixation of inter se seniority of the officers included in the Select List of 1995-96 and also copies of their promotion orders of JAG/SG/CF/CCF etc. may kindly be furnished urgently to enable this Ministry to process the case further.

Yours faithfully,


(S. S. Badhwan)

Director (IFS)

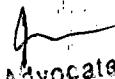
Telefax: 011-24367077

Encl. as above

Copy to:-

1. Chief Secretary Government of Arunachal Pradesh, Itanagar for information and similar necessary action. It is requested that a copies of above documents in respect of Shri B.C. Das and other officers of 1995-96 Select List may kindly be furnished to this Ministry urgently.
2. The PCCF Arunachal Pradesh, Itanagar for information and similar necessary action. It is requested that a copies of above documents in respect of Shri B.C. Das and other officers of 1995-96 Select List may kindly be furnished to this Ministry urgently.
3. Shri B.C. Das, S/o Late Shri Ram Gopal Das, Geruapar, P.O. Sarupeta, District: Barpeta, Assam, Pin-781318 for information. It is requested that a copies of above documents may kindly be furnished to this Ministry urgently.
4. The Secretary, UPSC, Dholpur House, Shahjahan Road, New Delhi-110069 w.r.t their letter No. 10/22(1)/2009 AIS dated 23.6.2011 for information.

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Advocate

31-
राष्ट्रीय पोस्ट / STATE POST
No. 32012/2/2010/IFS-I (AGMUT)

Government of India

Ministry of Environment and Forests

Central Administrative Tribunal
Guwahati Bench

07 DEC 2012

Guwahati - 781005

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110003.
Dated: April 09, 2012.

To,

The Chief Secretary
Government of Arunachal Pradesh,
Department of Environment and Forests
Itanagar.

**Subject: - Implementation of CAT Guwahati order dated 30.6.2009 in
OA No. 125/2009 filed by Sh. B.C. Das Vs UOI & Others.**

Sir,

I am directed to refer to Govt. of Arunachal Pradesh (Department of Environment & Forests) letter No.FOR.294/EA/2006/412 dated 28.12.2011 and to say that Hon'ble Guwahati High Court at Itanagar Bench vide its order dated 14.2.2012 (copy enclosed) has dismissed the WP(C) 448/2009 filed by S. Jongsam and Shri R.K Deori requesting not to implement the order dated 30.6.2009 of the Hon'ble Central Administrative Tribunal, Guwahati directing the Respondents (Govt. of India, UPSC and State Government of Arunachal Pradesh) to consider the case of Shri B.C Das for his promotion to IFS by convening a Review Selection Committee Meeting.

2. It is informed that UPSC has already taken action in the matter by holding Review Selection Committee Meeting on 1.2.2010 in UPSC which has recommended for modification of the Select List of 1995-96 as under:-

S. No.	Name of Officer (S/Shri)	Date of Birth
1*	R. Modi (ST)	01.03.1947
1	Brayesh Chandra Das	01.08.1945
2	S.J. Jongsom (ST)	03.01.1955
3	R.K Deori (ST)	01.03.1959
4	S. Thirunavukarasu	04.02.1954
5	S. Choudhury	01.04.1940
6	M.C Baruah	31.10.1941

* Shri R. Modi stands included in the Select List of 1985 on the recommendation of the Review SCM held on 9.6.2008.

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Advocate

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After obtaining approval of JCA and central govt. the Ministry of Environment & Forests and State Govt. of Arunachal Pradesh has to implement the above order dated 30.6.2009 of Hon'ble CAT, Guwahati by issuing revised orders for induction/appointment of Shri B.C. Das into IFS. The Ministry has also to issue orders for his revised Allotment year and fixation of inter se seniority and also issue his revised promotion orders of JAG/SG/CF/CCF etc. if any due to him based on the revised proposal to be submitted by the State Government of Arunachal Pradesh. Since this is a very old matter, the records in the Ministry are not readily traceable. However, a copy of Notification No. 32012/1/93-IFS-I dated 23.11.2000 issued by the Ministry for appointing Shri B.C. Das into IFS w.e.f. 18.8.2008 and allocating him Arunachal Pradesh segment of AGMUT Joint Cadre is enclosed.

4. In order to implement the above said CAT Guwahati order dated 30.6.2009, in letter spirit, the State Govt. of Arunachal Pradesh is requested to kindly furnish the proposal for his induction/appointment into IFS along with copies of this Ministry's earlier orders/notifications etc. for his induction into IFS, allotment year and fixation of inter se seniority and also promotion order of JAG/SG/CF/CCF etc. if any urgently to enable this Ministry to process the case further.

Yours faithfully,

Jawar
(Vivek Saxena)
Director (AGMUT)
Telefax: 24362065

10.7. DEC 2012

Guwahati - 781005

Encl as above

Copy to:-

1. The PCCF Arunachal Pradesh, Itanagar for information and similar necessary action. It is requested that a copies of above documents in respect of Shri B.C. Das may kindly be furnished to this Ministry urgently.
2. Shri B.C. Das, S/o Late Shri Ram Gopal Das, Geruapar, P.O. Sarupeta, District Barpeta, Assam, Pin-781318 for information. It is requested that a copies of above documents may kindly be furnished to this Ministry urgently.
3. The Secretary, UPSC, Dholpur House, Shahjahan Road, New Delhi-110 w.r.t their letter No. 10/22(1)/2009-AIS dated 23.6.2011 for information.

Jawar
(Vivek Saxena)

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No. A/2012/1793-IFS-
Government of India
Ministry of Environment and Forests

Parivartan Bhawan, CGO Complex,
Lotus Road, New Delhi - 110 003

Dated the 23rd November, 2000

NOTIFICATION

In exercise of the powers conferred by sub-rule (1) of rule 8 of the Indian Forest Service (Recruitment) Rules, 1966 read with sub-regulation (1) of Regulation 9 of the Indian Forest Service (Appointment by Promotion) Regulations, 1966, the President is pleased to appoint with effect from 18.08.2000 the undermentioned two officers of the Indian Forest Service of Arunachal Pradesh to the Indian Forest Service against existing vacancies and to allocate them to the Arunachal Pradesh segment of AGMUT joint cadre under sub-rule (1) of Rule 5 of the Indian Forest Service (Cadre) Rules, 1966.

S No.	Name of the officer	Date of Birth
01	Shri M.K. Palit	28/02/1955
02.	Shri B.C. Das	01/08/1945

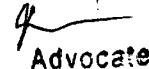
The appointment of Shri B.C. Das to IFS is subject to outcome of (i) W.A. 86/2000 in Civil Rule No. 455/93 and (ii) W.R. (c) No. 21/2/2000 in Guwahati High Court.

Under Section 10(2)(a)

General Manager,
Government of India Press,
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Advocate

Central Administrative Tribunal
Guwahati Bench

107 DEC 21

Guwahati - 781005

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Copy to:

1. The Chief Secretary, Andaman & Nicobar Islands Administration, Port Blair.
2. The Chief Secretary, Government of Arunachal Pradesh, Itanagar.
3. The Chief Secretary, Government of Goa, Panaji.
4. The Chief Secretary, Government of Mizoram, Aizawl.
5. The Chief Secretary, NCT of Delhi, Delhi.
6. The Chief Secretary, Government of Daman Diu and Dadra and Nagar Haveli, Silvassa - 396 230.
7. The Principal Chief Conservator of Forests and Secretary Forests, Andaman and Nicobar Islands Administration, Port Blair.
8. The Principal Chief Conservator of Forests and Secretary Forests, Government of Arunachal Pradesh, Itanagar.
9. Conservator of Forests, Government of Goa, Panaji.
10. The Deputy Accountant General, Andaman and Nicobar Islands, Port Blair.
11. The Pay and Accounts Officer, VII, Delhi Administration, 11, Hazaribagh, New Delhi - 110 011.
12. The Secretary, Union Public Service Commission, 11 Molnur House, Shahjahanpur, New Delhi - 110 011.
13. Officer concerned.
14. Personal file of the officer's.
15. Guard file/Spare copies - 10

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23/11

Under Secretary to the Govt.

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Advocate