

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 756 of 2003

Jabalpur, this the 3rd day of November, 2003

Hon'ble Shri Sarveshwar Jha, Administrative Member  
Hon'ble Shri G. Shanthappa, Judicial Member

Haresh Chandra Tiwari, S/o.  
Shri Rajeshwari Tiwari, Date  
of birth - 10.10.1956, Divisional  
Forest Officer, (Working Plan),  
Bilaspur, R/o. DFO Working Plan,  
Bhakt Kanwar Ram Marg,  
Bilaspur-405 001.

... Applicant

(By Advocate - Shri S. Patil)

V e r s u s

1. Union of India, Through its Secretary, Ministry of Forest and Environment, CA Complex, Lodhi Road, New Delhi.
2. The Principal Secretary, Forest, DK Bhawan, Raipur.
3. Shri R.C. Sharma, Principal Chief Conservator of Forest, Jail Road, Aranya Bhawan, Raipur.
4. Shri B.P. Nonhare, Conservator of Forest, Jagdalpur (Chhattisgarh).
5. Shri R.K. Dey, Conservator of Forest, Laghu Van Upag Sangh, Anupam Nagar, Raipur.
6. Shri K.C. Kisku, Conservator of Forest, Forest and Environment Advisor (on deputation) Through Chairman-cum-Managing Director, South Eastern Coal Fields Limited, Seepat Road, Bilaspur

... Respondents

O R D E R (Oral)

By Sarveshwar Jha, Administrative Member -

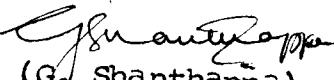
The applicant, who is an I.F.S. Officer of the Chhattisgarh cadre and who has been working as Divisional Forest Officer (Working Plan), Bilaspur, in the pay scale of Rs. 12000-16500/-, has prayed for reliefs as are explained in paragraph 7 of the Original Application.



2. It has been observed that the applicant has not been considered in the review DPC held on 12.09.2003 for promotion to the post of Conservator of Forest simply for the reason that integrity certificate has not been issued in his favour by the Chief Conservator of Forest. He has further submitted that he has since been exonerated of the charges that had been levelled against him vide orders of the respondents dated 27th June, 2003 (Annexure A-2) and has thereafter been promoted to the Deputy Conservator of Forest Grade vide the orders of the respondents dated the 22nd August, 2003 (Annexure A-3). He has argued that while integrity certificate had been provided by the authorities concerned in his case and while he was being considered for promotion to the Deputy Conservator of Forest grade, it is not clear as to why the same has been denied for no specific reason and why he has not been considered by the review DPC for promotion to the post of Conservator of Forest. He has also submitted a detailed representation submitting all these facts to the Additional Chief Secretary, Forest Department, Chhattisgarh Government on the 19th, September, 2003 (Annexure A-6) and the same has not as yet been disposed of by the respondents.

3. After hearing the learned counsel for the applicant and after considering the submissions which have been made in this OA and on the short ground, as submitted by the applicant in paragraph 7 of the OA, without notices being served on the respondents Nos. 3 to 6, we are of the considered opinion that it would be appropriate to dispose of this Original Application at this stage itself while hearing on the point of admission with directions to the respondents to consider the representation of the applicant as referred to hereinabove and to dispose of it by issuing a reasoned and speaking order as per law within a period of 4 weeks from the date of receipt of this order. The

learned counsel for the applicant has also submitted ~~as~~ he has not been considered by the review DPC for no fault of his, promotion to the grade of Conservator of Forest, as recommended by the review DPC should not be effected till such time ~~the case~~ of the applicant has also ~~been~~ <sup>not</sup> considered and disposed of. We have considered this prayer also of the applicant and we are of the opinion that it would be reasonable on the part of the respondents to hold back the promotions being effected in the case of others as covered in the review DPC till such time ~~the case~~ of the applicant ~~has~~ been given due consideration and has been disposed of as per law and instructions on the subject. With this, this original Application stands disposed of in terms of ~~the~~ above directions.

  
(G. Shanthappa)

Judicial Member

  
(Sarveshwar Jha)  
Administrative Member

प्राप्तिकरण सं. अ०/सा. .... लखनऊ, दि. ....  
(1) ....  
(2) ....  
(3) ....  
(4) ....

राज्य विधान सभा, लखनऊ, उत्तर प्रदेश

  
6/11/03

"SA"

S. Paul Adde

  
6/11/03