

**Central Administrative Tribunal
Principal Bench**

OA No.2719/2012

New Delhi, this the 26th day of July, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Hari Krishnan
S/o A. R. Krishna Kurup,
Aged 25 years,
IFS Probationer (2010), IFNFA,
Dehradun, Uttarakhand,
Residing permanently at
Arackal House,
Alampally, Pampady,
PO Kottayam, Kerala.

... Applicant.

(By Advocate, Shri Ajesh Luthra)

Vs

1. Union of India,
Through Secretary to Government of India
Ministry of Environment and Forests,
Pariyavaran Bhavan,
CGO Complex, New Delhi 110 003.
2. Secretary
Department of Personnel and Training,
Ministry of Public Grievances and Pension,
New Delhi 110 001.
3. Director
Indian Forest Service,
Ministry of Environment and Forests,
Pariyavaran Bhavan,
CGO Complex,
New Delhi 110 003.
4. Government of Kerala
Through its Chief Secretary
Secretariat,
Thiruvananthapuram 695001.
5. State of West Bengal
Through its Chief Secretary
Secretariat,

Writers Building
Kolkata 700001.

6. State of Tamil Nadu
Through its Chief Secretary
Government of Tamil Nadu
Secretariat, Chennai 600009.
7. State of Karnataka
Through its Chief Secretary
3rd floor, R. No.320,
Vidhan Souda, Secretariat,
Bangalore 560 001.
8. State of Andhra Pradesh
Through its Chief Secretary,
Government of Andhra Pradesh
Secretariat,
Hyderabad 500 022.
9. State of Madhya Pradesh
Through its Chief Secretary
Government of Madhya Pradesh
Mantralaya, Vallabh Bhawan,
Bhopal 462004.
10. State of Uttarakhand/Uttaranchal
Through its Chief Secretary
Government of Uttarakhand
4, Subhash Road,
Secretariat, Dehradun 248001.
11. State of Himachal Pradesh
Through its Chief Secretary
Government of Himachal Pradesh
Secretariat, Shimla 171002.
12. State of Rajasthan
Through its Chief Secretary
Government of Rajasthan
Secretariat, Jaipur 302001.
13. State of Gujarat
Through its Chief Secretary
Government of Maharashtra
Mantralaya, Mumbai 400 032.
14. State of Maharashtra
Through its Chief Secretary

Government of Maharashtra
Mantralaya,
Mumbai 400 032.

15. Sh. Shakti Kant
IFS
Divisional Forest Officer
Teliamura Division
Khowai District
Tripura 799205.

... Respondents.

(By Advocates, Ms. Aishwarya Dobhal for Shri Hilal Haider
and Ms. Aruna Mathur for Shri Nishkant Pandey)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman :

The applicant appeared in the Civil Services Examination conducted for the vacancies of the year 2009. Based upon his merit, he was allotted to Indian Forest Service (IFS). The applicant hails from the state of Kerala. In the context of allocation of cadres to the candidates in various states, Ministry of Environment and Forest issued Notification dated 08.07.2011. The applicant was allotted to the State of West Bengal. Same is challenged in this OA.

2. The applicant contends that had the respondents properly implemented the Office Memorandum dated 10.04.2008 issued by the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, eight vacancies would have been available for

the State of Kerala, and the applicant was entitled to be allotted against one such vacancy.

3. The respondents filed the counter affidavit opposing the OA. It is stated that the vacancies for the State of Kerala were worked out strictly in accordance with the office memorandum dated 10.04.2008, and on finding that these vacancies are available for that year, two outsider candidates and one insider candidate were allotted. The respondents contend that the contention advanced by the applicant that eight vacancies are available for the State of Kerala, is totally imaginary.

4. We heard Shri Ajesh Luthra, learned counsel for the applicant and Ms. Aishwarya Dobhal for Shri Hilal Haider, learned counsel for respondent Nos.1 to 3.

5. It is strongly argued on behalf of the applicant that eight vacancies would have been available for the concerned year for the State of Kerala. A perusal of the OM dated 10.04.2008 clearly indicates the manner in which the vacancies are to be filled in a year. Much emphasis is laid on the initial exercise which is to be undertaken for preparation of 200-point roster. That stage has already been crossed in the first year itself. It is mentioned that only three vacancies were available for the State of Kerala for the year in question. The list of allotment discloses that the candidates at Sl. No.14, 15 &

19 were allotted the State of Kerala. The candidates at Sl. No.14 & 19 are from Andhra Pradesh and Haryana respectively, whereas the candidate at Sl. No.15 is from Kerala. Thus, two outsiders and one insider were allotted for three vacancies. Therefore, no illegality can be said to have taken place in allotting the candidates.

6. The OA is accordingly dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/