

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00058/2019

DATED THIS THE 04TH DAY OF APRIL, 2019

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

K. M. Narayanaswamy, IFS,
S/o Late Munivenkatappa
Aged about 59 years
Working as
Conservator of Forests & Director
Rajiv Gandhi National Park
Hunsur – 571 105
Residing at
Director Forest Qtrs,
Hunsur – 571 105 Applicant
(By Advocate M/s Subbarao & Co.)

Vs.

1. Union of India
Represented by its Secretary to Government
Ministry of Environment, Forests and Climate Change
Indira Paryavaran Bhavan, 6th Floor,
Prithvi Block, Jor Bagh Road,
Aliganj, New Delhi – 110 003

2. The State of Karnataka
Rep by its Principal Secretary
Department of Public & Administrative Reforms
Vidhana Soudha,
Bengaluru – 560 001

3. The State of Karnataka
Rep by its Addl Chief Secretary
Department of Forest, Ecology
And Environment,
M.S. Building, Bengaluru – 560 001

4. The Principal Chief Conservator of Forests (HOFF)
Department of Forest, Ecology
And Environment,
Aranya Bhavan, 4th Floor,
Malleswaram 18th Cross,
Bengaluru – 560 003

5. Shri T. Balachandra, IFS
Aged 58 years
S/o Not known to this applicant
Working as Conservator of Forests
Working Plan, ShivamoggaRespondents

(By Shri M.V. Rao, Counsel for Respondent No. 1,
Shri R.B. Sathyanarayana Singh, Counsel for Respondent No. 2-4 and
Shri P. Changalaraya Reddy, Counsel for Respondent No. 5)

ORDER (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J))

Heard. The applicant alleges that despite his retirement due in 2020, he was transferred from Nagarhole to Shivamogga. Shri Satyanarayana Singh, learned government advocate, explains that a tiger had attacked a man in the forest and the applicant being the Director of the Tiger Reserve should have taken immediate steps to recover the body. The body was recovered after a little while. Quite obviously the concerned persons who

had ordered his transfer had not understood wildlife and the difficulties in handling it. A tiger is a majestic animal but then totally unpredictable also once it had made a kill. It is not clear whether it is a man-eater or not, or maybe, the man might have surprised it in the point of mating and at that time it would be so ferocious and it has to be approached with great caution. That being so, we do not find any merit in the contentions raised by the respondents.

2. It is also brought to our notice that a man brought in as replacement has now been transferred to Bandipur also and now there is a vacancy existing. For all these cumulative reasons, the transfer order is hereby quashed. Applicant will continue till his retirement at Nagarhole.

3. The OA is allowed. No order as to costs.

(C.V. SANKAR)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

Annexures referred to by the applicant in OA No. 170/00058/2019

Annexure-A1: Copy of the notification dated 12.10.2018

Annexure-A2: Copy of the movement order dated 12.10.2018

Annexure-A3: Copy of the circular dated 15.10.2018

Annexure-A4: Copy of the notification dated 11.01.2019

Annexure-A5: Copy of the notification dated 11.01.2018

Annexures referred in rejoinder

Annexure-A6: Copy of the order dated 25.02.2019

Annexure-A7: Copy of the letter dated 05.02.2019

* * * * *