

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00524/2019

Thursday, this the 25th day of July, 2019

C O R A M :

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

Sri.C.T.Joju, S/o.C.K.Thomas,
Divisional Forest Officer, Kothamangalam.
Residing at Chirayath Manjiyil House,
Kukkathukara, P.O. Nettissery,
Thrissur – 680 651.

...Applicant

(By Advocate Mr.P.K.Madhusoodhanan)

v e r s u s

1. Union of India represented by the Secretary,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhavan, 6th Floor, Prithvi Block,
Jorbag Road, Aligarg, New Delhi – 110 001.
2. State of Kerala represented by Chief Secretary,
Government of Kerala, Thiruvananthapuram – 695 001.
3. Union Public Service Commission,
represented by its Secretary, Shajahan Road,
New Delhi – 110 001.
4. Selection Committee for Selection to Indian Forest Service -
Constituted under Regulation 3 of IFS (Appointment by Promotion)
Regulation, 1966, represented by its Chairman,
Union Public Service Commission,
Shajahan Road, New Delhi – 110 001.
5. The Principal Chief Conservator of Forests
& Head of Forest Forces, Kerala,
Thiruvananthapuram – 695 014.

...Respondents

**(By Advocates Mr.V.A.Shaji, ACGSC [R1], Mr.M.Rajeev, GP [R2&5]
& Mr.Thomas Mathew Nellimoottil [R3&4])**

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This application having been heard on 25th July 2019, the Tribunal on the same day delivered the following :

ORDER (ORAL)

Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Learned counsel for the applicant submitted that the applicant is retiring from service on superannuation on 31.7.2019. He wanted an order to the effect that his retirement will not stand in the way of his name being considered for promotion to the Indian Forest Service for the years 2016 and 2017 under the Non SCS quota.

2. Heard Nodal Counsel for the Union Public Service Commission (UPSC) as well as learned Government Pleader for the Government of Kerala. In the interest of justice, it is directed that the fact of the applicant's retirement from service will not stand in the way of his name being considered for promotion/selection to IFS for the years 2016 and 2017 under the Non-SCS quota, if he is otherwise eligible.

3. The O.A is disposed of as above. No costs.

(Dated this the 25th day of July 2019)

**ASHISH KALIA
JUDICIAL MEMBER**

**E.K.BHARAT BHUSHAN
ADMINISTRATIVE MEMBER**

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List of Annexures in O.A.No.180/00524/2019

- 1. Annexure A-1** – A copy of the relevant extract of U.O Note dated 26.4.2017 of the Additional Principal Chief Conservator of Forests (Administration) Thiruvananthapuram which was forwarded to the 5th respondent which obtained under RTI Act.
 - 2. Annexure A-2** – A copy of the relevant extract of final seniority list of ACF as on 1.1.2016 forwarded along with Annexure A-1.
 - 3. Annexure A-3** – A copy of the Notification dated 14.2.2017 showing officers at Serial Nos.1, 2, 4, 5, 7, 8 and 11 in Annexure A-2 were already conferred IFS including them in the select list of 2013 and 2014.
 - 4. Annexure A-4** – A copy of the Notification dated 17.1.2018 issued by 1st respondent.
 - 5. Annexure A-5** – A copy of the letter dated 13.6.2018 from Government of India, Ministry of Environment, Forest & Climate Change.
 - 6. Annexure A-6** – A copy of the order dated 24.7.2017 made in O.A.No.180/589/2017.
 - 7. Annexure A-7** – A copy of the order in O.A.No.180/594/2017 dated 25.7.2017.
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