

GOVERNMENT OF KERALA

Abstract

Forest of wildlife Department-Establishment a promotion of Forest-Guards who secured 1st rank in Forest 's training and guards training –Dispensing of-Orders issued.

FOREST & WILDLIFE (P) DEPARTMENT

G.O.(RT)304/98/P&WLD

Dated, Trivandrum,29.6.98

- Head 1. Petition dated 24.7.95 from Sri.P.G.Anilkumar, Forest Guard, Kumily Forest Range.
2. Petition dated 7.8.95 from Sri.A.Kareem, Forest Guard, Adimali Forest Range
 3. Correspondence resting with Ir.No.87.28451/92 dated 3.6.97 from Chief Conservator of forests (P)
 4. Judges: dated 25.2.97 of High Court in O.F.No.4020/96-9
 5. From the Advocate General. Ernakulam Fax message No.E4.269/98/etc dated 7.6.98.

ORDER

The Kerala state Forest subordinate services special Rule, provides for promotion of Forest Guards who secured 1st rank to Guards training and Forester, training being conducted to Forest Training School at Malayar and Arippa, in preference to seniority. There are service of completion ergs the Forest Protective staff Association against this system of rank Promotion. Hence the proposal to dispense with this system by amending the special Rules in engaging attention go Government and the draft special rules for amendment submitted by the chief conservator of forests(p) in under consideration of government. To this mean ting Shri.A.Kareem and Shri.P.C.Anilkumar two Forest Guards of the Department filed O.P.Ro.1026/96 before the High court challenging the existence of note to Rule 2 of the Kerala Forest subordinate services special rules with a prayer to give direction to Government to ale pence their Ext. 10 a 11 representation stated to have been pending with government. The Honorable High court in his

judgment read 3rd allowed the prayers of the petitioners and directed Government to dispense of the extra 10 and Ext. P11 representations of the petitioners read as 1st above within a period of 3 months from the date of receipt of judgment.

While considering the High Court directions with reference to the proposal submitted by the Chief Conservator of forest (P) for amendment of the special rules the time half allowed by the High Court is the above mentioned judgment expired and therefore the petitioner filed a contempt case against Govt. for order implementation of the High Court direction file contempt case direction within the stipulated time.

As already pointed out above the draft by the Chief Conservator of forest (P) to be under scrutiny by Govt. It is a time proceeding under which requires a decision to be taken at the highest level. Government were not able to take a decision on the request made by the petitioner alone in their Ext.P10 & P11 representation. However Govt. have been alleged with the non implementation of the time bound High Court directions by way of contempt once for which notice has been received from the Advocate General Kerala in the name of Chief minister, Govt. order that operate of the provision of promotion of forest guards who secure bank in their Training so foresters in preference over that seniority as concerted in rule of the Kerala state Forest subordinate service special rules to stand herewith till a final decision on deletion of the role provision is taken.

(By order of the Governor)

G.Parvathi Amma
Additional Secretary

Endt.on.RI.25451/92/dt.17.1.98

Copy forwarded to all Conservator of forests.

Sd/-for Chief Conservator of forests

Endt.on.E1.2166/96/dt.1.8.98.

Copy to OF's file/TA/A.1/H.R/d.F(2)/F8

Copy to E1.2209/91, E1.9350/95/S.F

Sd/-for conservator of Forests

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