

5653
17/3/20



GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department- Judgement dated 02.09.2019 in OA(EKM) 1511/2019 filed by Sri.C.C.Pathrose, Grade Deputy Range Forest Officer (Retired) before the Hon'ble Kerala Administrative Tribunal- complied with - Orders issued.

FOREST & WILDLIFE (A) DEPARTMENT

G.O.(Rt)No.54/2020/F&WLD Dated,Thiruvananthapuram, 07/03/2020

- Read 1 Order No. E1-2817/07 dated 09/02/2016 of Divisional Forest Officer, Malayattoor
- 2 Order No. -B4-34319/2015 dated 01/03/2016 of Additional Principal Chief Forest Conservator (Administration)
- 3 Order No. E1-1516/16 dated 25/06/2016 of Assistant Conservator of Social Forest Division, Ernakulam
- 4 Representation dated 25/05/2019 submitted by Sri.C C Pathrose , Retired Grade Deputy Range Forest Officer
- 5 Judgement dated 02/09/2019 in OA(EKM) 1511/2019 filed by Sri.C C Pathrose before the Hon'ble Kerala Administrative Tribunal
- 6 Letter No. F2-90474/2019 dated 03/02/2020 of Additional Principal Chief Forest Conservator (Administration)

ORDER

Sri. C.C.Pathrose, Grade Deputy Range Forest Officer (Retired) while

working as Forest Guard in Kodanad Range Office under Malayattoor Division was placed under suspension for the period from 12.04.2007 to 06.09.2007 on the basis of an inquiry report furnished by Divisional Forest Officer, Ernakulam flying Squad that he has illegally loading up visitors in the picnic spots without valid tickets. As per the order read as 1st Paper above, the period of suspension of the officer was regularized as eligible leave.

2) Sri. C.C. Pathrose was again placed under suspension from 05.07.2015 on an alleged elephant poaching case registered in 2015 at Karimbani Forest Station in Thundathil Range of Malayattoor and was reinstated on 01/03/2016 vide the order read as 2nd Paper above. As per the order read as 3rd Paper above, pay fixation statement of the officer was revised as opted by him. Later Sri. C. C. Pathrose was exonerated from the charges and consequently his period of suspension was regularized as duty for all purposes including salary.

3) As per the representation read as 4th paper above, Sri. C. C. Pathrose, Grade Deputy Range Forest Officer (Retired) has informed the Government that 2014 pay revision benefits, the difference of salary during the period of suspension, 2017 grade fixation benefits, 2019 pay revision benefits and the third grade arrears from July 2014 have not been disbursed to him. Citing the above, he filed OA(EKM) 1511/2019 before the Hon'ble Kerala Administrative Tribunal also. The Hon'ble Kerala Administrative Tribunal vide the judgement read as 5th Paper above disposed of the petition with a direction to the Government to take a decision on the representation already submitted by the applicant after being heard.

4) Accordingly the petitioner was heard by the Government and examined the argument put forth by him in the hearing scrupulously. Subsequently a report in this regard was also sought from the Additional Principal Chief Forest Conservator (Admn). As per letter read as 6th paper above, Additional Principal Chief Forest Conservator (Admn) stated that all pensionary benefits except the pay revision arrear from 07/2014 due to him have been disbursed and the same have been pending due to some error occurred in SPARK and steps were initiated to rectify it.

5) Government have examined the matter in detail. No intentional

delay has been happened in disbursing the pensionary benefits due to the petitioner. At the time of his retirement ie, on 31.05.2017, disciplinary action was pending against him and the same was finalised only on 17.09.18. After calculating the leave account and procedures for regularising the suspension period , the Service Book in respect of Sri. C.C. Pathrose has been forwarded to the office of the Accountant General on 18.12.2018. The Accountant General has revised the pension and returned the same on 16.05.2019. Hence the argument of the petitioner to distribute his pending benefits along with an interest @9% cannot be justified.

6) In the above circumstances, Additional Principal Chief Forest Conservator (Administration) is hereby directed to take urgent necessary steps for the disbursement of pay revision arrear from 7/2014 after completing all formalities as per the existing rules and regulations . The Judgement of the Hon'ble Kerala Administrative Tribunal in OA(EKM) 1556/2019 is complied with accordingly.

(By order of the Governor)
SHEELA.M
UNDER SECRETARY

To:

The Principal Chief Forest Conservator & Head of Forest Force Additional Principal Chief Conservator of Forest (Administration)

Shri. Sri.C. C. Pathrose , Retired Grade Deputy Range Forest Officer

(through Additional Principal Chief Conservator of

Forest (Administration))

Advocate General Kerala ,Ernakulam (with C/L).

The Principal Accountant General (A&E/Audit), Thiruvananthapuram

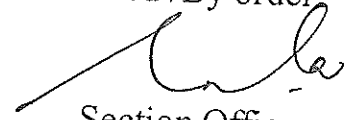
Information & Public Relations (Web&New Media) Department

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Forest &wildlife (PS) Department

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Section Officer