

10223
415/17



GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department-Order dated 12.01.2017 in TA No.6434/2012 (WP(C) 14049/2011) filed by Shri.P.P.Muraleedhran, Forester-Complied with-Orders issued.

FOREST & WILDLIFE (A) DEPARTMENT

G.O.(Rt) No.171/2017/F&WLD Dated, Thiruvananthapuram 28.04.2017

- Read:-
- 1) G.O.(Rt) No.611/2007/F&WLD dated 02.11.2007
 - 2) G.O.(Rt) No.432/2009/F&WLD dated 15.09.2009
 - 3) G.O.(Rt) No.480/2010/F&WLD dated 16.11.2010
 - 4) Order dated 12.01.2017 in TA No.6434/2012 filed by Shri.P.P.Muraleedhran, Forester by Hon'ble Kerala Administrative Tribunal
 - 5) Letter No.B1/6429/2011 dated 10.03.2017 of the Additional Principal Chief Conservator of Forest (Administration)

ORDER

In connection with large scale illicit felling of trees in Resurvey No.88/IA3 of Periya Village at Mananthavady Taluk in the Wayanad District disciplinary proceedings were initiated against Shri.P.P.Muraleedharan, Forester and 7 others and Government decided to conduct a formal enquiry vide Government Order read as 1st paper above.

2) Government examined the Enquiry Report and connected records. Related to the two charges leveled against S/Sri.P.P.Muraleedharan, Forest Guard, M.K.Padmanabhan, Forest Guard, B.P.Sunilkumar, Forest Guard, the Inquiry Officer concluded that both the charges do not exist. The Chief Conservator of Forest (Admn) agrees with this findings of Inquiry Authority.

3) But the Disciplinary Action initiated against S/Sri.P.P.Muraleedharan, M.K.Padmanabhan and B.P.Sunilkumar were finalized by barring two increments with cumulative effect as per Government Order read as 2nd paper above.

4) The review petition submitted before the Government was also rejected vide Government Order read as 3rd paper above.

5) Shri. P.P. Muraleedharan filed WP(C) 14049/2011, challenging Government orders, before the Hon'ble High Court which was later transferred to Hon'ble Kerala Administrative Tribunal as T. A. No. 6434/2012. As per the order read as 4th paper above the Hon'ble Kerala Administrative Tribunal quashed G.O.(Rt) No.432/2009/F&WLD dated 15.09.2009 and ordered to disburse the benefit of barring of two increments without cumulative effect to the applicant within a period of 3 months from the date of receipt of a copy of final order.

6) On examining the case in detail with respect to the connected records, it is clear that as per the enquiry report and the comments of Chief Conservator of Forest (Administration) the charges leveled against Shri.P.P.Muraleedharan, Forest Guard including two officers S/Shri.M.K.Padmanabhan and B.P.Sunilkumar were not proved. The disciplinary action against them was proceeded by Government by accepting the findings of the Inquiry Authority. But the Inquiry Authority reported that both the charges leveled against them do not exist. As such there is a contradiction happened in this case. Such an assessment happened in the case of the co-delinquents S/Sri.M.K.Padmanabhan and B.P.Sunilkumar. Among them Sri. B.P.Sunilkumar has been exonerated vide G.O.(RT) No.494/2015/Forest dated 13.11.2015 based on a judgment in TA 5867/12.

7) Government have reexamined the case in detail. In connection with the illicit felling of trees in Resurvey No.88/IA3 of Periya Village at Mananthavady Taluk in the Wayanad District the disciplinary action against S/Shri.P.P.Muraleedharan and M.K.Padmnabhan, Forest Guards is finalised by exonerating them and Additional Principal Chief Conservator of Forest (Administration) is hereby directed to reckon and disburse the withheld benefit to them urgently. Thus the order of Kerala Administrative Tribunal read as 3rd paper above is complied with.

8) The Additional Principal Chief Conservator of Forest (Administration) shall furnish the action taken report to Government.

(By Order of the Governor)
Anilkumar G
Additional Secretary

Additional Principal Chief Conservator of Forest (Administration)
Shri.P.P.Muraleedharan, Forester } (through the Additional Principal
Shri.M.K.Padmanabhan, Forester } Chief Conservator of Forest
(Administration))

The Advocate General, Kerala, Thiruvananthapuram (with C/L)
The Principal Accountant General (Audit/A&E), Kerala Thiruvananthapuram
✓ The Information & Public Relations (Web & New Media) Department
Stock File/ Office Copy



Forwarded/By Order


Section Officer