

17540

10/10/19



**GOVERNMENT OF KERALA**

**Abstract**

FWLD- SLP(C) Nos.7378-7379/2017 filed by Sri.P P Anilkumar - judgment of the Hon'ble Supreme Court of India- complied with -Orders- issued.

**FOREST&WILDLIFE(F)DEPARTMENT**

**G.O.(Rt)No.397/2019/F&WLD** Dated,Thiruvananthapuram,  
30/09/2019

- Read 1 GO (Rt) No. 205/2013/FWLD dt.30/05/2013.
- 2 GO (Rt) No. 307/2013/FWLD dt: 23/08/2013.
- 3 Judgment of the Honble High Court of Kerala dt:12.07.2016 in O.P.(KAT) No.364 of 2015.
4. Judgment of the Hon'ble Supreme Court of India dated: 25/09/2018 in Civil Appeal No(S) 9954-9955/18 in SLP(C)Nos.7378-7379/2017 by Sri. Anilkumar P.P.
5. Letter No. D1-14956/17,dated:15.11.2018 from Additional Principal Chief Conservator of Forests (A), Thiruvananthapuram.

**ORDER**

In exercise of the powers conferred under Rule 39 of the K S & S S Rs, Shri. Anilkumar P.P, Section Forest Officer had been granted promotion to the post of Range Forest Officer, as per the Government Order read as 1st paper above. As per the order read as 2nd paper above, he has also granted exemption from training as contemplated in the Kerala Forest Service Special Rules. As per the judgement read as 3rd paper above, the same was struck down by the Hon'ble High Court with a direction to revert him to the post of Deputy Ranger, and as such he was reverted to the cadre of Deputy Range Forest Officer. Sri. Anil Kumar approached the Hon'ble Supreme Court of India by filing SLP(c) Nos. 7378-7379/ 17. The Apex Court disposed of the same as per the judgment read as 4th paper above. The Hon'ble Apex Court observed in the judgement that the promotion ordered to the appellant as per the Order

read as 1st paper above was in equity and justice; but Government had exempted the appellant from the mandatory requirement of training as per order read as 2nd paper above, on the sole ground that the service left was only four and a half years as on the date of the order and after undergoing the training, the appellant may not get sufficient service without considering the fact that whether the appellant was eligible for exemption from training considering his experience, exposure and expertise. Therefore the hon'ble Apex Court set aside the order read as 2nd paper above, and remitted the matter to Government for consideration afresh, after affording an opportunity of hearing to the appellant.

2. Accordingly, the applicant was heard on 03/11/2018, along with the officers concerned. Details/clarifications in this regard was also obtained from the office of the Additional Principal Chief Conservator of Forests (Administration). While examining the facts of the matter, it was noticed that he had served the department meticulously and got distinguished service certificate for the investigation of the Wildlife Offence No 48/2005 of Devikulam Range, and has also got Good Service Entry in his service and has not undergone any disciplinary action so far. He has only 9 months left for retirement from service. He has already worked as Range Forest Officer for more than 3 years without undergoing training. Head of Forest Force has also certified his competency to serve as Range Forest Officer.

3. In the above circumstances, having convinced of the fact that the Appellant, Sri P P Anilkumar has sufficient experience, exposure and expertise to be posted as Range Forest Officer without undergoing the mandatory training, Government, in exercise of the powers vested under Rule 39, Kerala State & Subordinate Service Rules, 1958, as a special case, hereby issue orders exempting Shri.P P Anilkumar from the mandatory training stipulated under Kerala Forest Service Special Rules, 2010.

4. The Order of the Hon'ble Supreme Court, read as 4th paper above, is hereby complied with.

(By order of the Governor)  
**SATYAJEET RAJAN**  
**ADDITIONAL CHIEF SECRETARY**

To:

Shri. P P Anilkumar, Deputy Range Forest Officer, Edamalayar Forest  
Station, Kothamangalam.

The Advocate General, Kerala, Ernakulam.  
(With Covering Letter)

The Law Officer, Kerala House, New Delhi (With Covering Letter) .

The Additional Principal Chief Conservator of Forest  
(Administration), Thiruvananthapuram

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

✓ The Web & New Media.

Stock file/Office

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Signature valid

Digitally signed by BIJI K  
Date: 2019.10.03 12:15:41 IST  
Reason: Approved

Section Officer

F&WL(PS) Department.