



GOVERNMENT OF KERALA

Abstract

Forest and Wildlife Department – Establishment – OA (EKM)No.591/2022 filed by Sri.Krishnamoorthy & 7 others – Final order dated 08.04.2022 of Hon'ble Kerala Administrative Tribunal - Complied with - Orders issued

FOREST & WILDLIFE (F) DEPARTMENT

G.O.(Rt)No.346/2022/F&WLD Dated,Thiruvananthapuram, 11-08-2022

Read 1 Government letter No.F1/332/2021-FWLD dated 23.09.2021.

2 Representation dated 07.02.2022 submitted by Sri.Krishnamoorthy & 7 others.

3 Final Order of the Hon'ble Kerala Administrative Tribunal dated 08.04.2022 in OA (EKM)No.591/2022 filed by Sri.Krishnamoorthy & 7 others.

Letter No. KFDHQ/3146/2022-ADMIN/E6 dated 15.07.2022 from 4 the Additional Principal Chief Conservator of Forest (Administration).

ORDER

Sri.Krishnamoorthy & 7 others who are working as daily wage Watchers in Forest Department had filed OA (EKM)No.591/2022 before the Hon'ble Kerala Administrative Tribunal with a prayer to not to disengage them from service under the guise that they have crossed the age of 56 years.

2. The Hon'ble Tribunal in its final order read as 3rd paper above, had directed the 1st Respondent ie, State represented by the Principal Secretary, Forest and Wildlife Department to consider and pass appropriate orders on Annexure A9 representation, in accordance with law within a period of 3 months from the date of receipt of a copy of the order.The Hon'ble Tribunal had also directed that the Applicants should not be disengaged and will not be substituted by another daily wage workers till final orders are passed on Annexure A9 representation.

3. In Annexure A9 representation read as 2nd paper above, the Applicants had stated that Government had allowed the Agriculture Farm Workers, those who are not eligible for pension, to continue till attaining the age of 60 years and also provided the LPF scheme applicable to permanent workers. In view of this, the Applicants had also requested to allow them to continue till the age of 60 years. As per letter read as 4th paper above, the Additional Principal Chief Conservator of Forests(Admin) has submitted that the decision to terminate the service of temporary employees was taken in view of the Government direction contained in the letter read as 1st paper above.

4. Government have examined the matter in detail. As far as Forest Department is concerned, Government had taken a policy decision to terminate the service of all daily wage employees who have attained an age of 56 years, except those who belong to SC/ST category, those who appointed on compassionate basis and those who appointed on the basis of specific Government order/direction, in Forest Department. The employees who are appointed as NMR workers through employment exchange and not completed the stipulated service tenure allowable as per Rules can also be continued. Government had also decided that temporary appointment, if any needed in any division can only be done with the prior approval from Government. The Applicants alone cannot be given exemption in this regard. Hence the request of the Applicants to allow them to continue as daily wage workers in Forest Department till they attain the age of 60 years is hereby rejected. The disengagement of Applicants in OA (EKM)No.591/2022 from Forest Department will be subjected to further orders/direction of Hon'ble Kerala Administrative Tribunal in OA (EKM) 880/2022 filed by Sri.E V Elias and 38 others.

5. The final order of Hon'ble Kerala Administrative Tribunal dated 08.04.2022 in OA 591/2022 is thus complied with.

(By order of the Governor)
LIYA LATHEEF.A
UNDER SECRETARY

The Principal Chief Conservator of Forests and Head of Forest Force,
Thiruvananthapuram.

The Additional Principal Chief Conservator of Forests (Admin),
Thiruvananthapuram.

The Employees concerned [through APCCF (Admin)]

The Advocate General, Ernakulam (With C/L).

The Accountant General (Audit), Kerala, Thiruvananthapuram

The Principal Accountant General (A&E), Kerala, Thiruvananthapuram

The Information Officer, Web & New Media, Information & Public Relations
Department, Government Secretariat, Thiruvananthapuram (For publishing in
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