

GOVERNMENT OF KERALA

Abstract

Forest and Wild Life Department – Establishment – Appointment to the post by transfer from the Ministerial Category – Restoration of the old provision Special Rules – Orders issued.

Forest & Wild Life (F) Department
G.O.(MS) No.11/98/F&WLD. Dated, Thiruvananthapuram, 31-1-1998.

Read:- 1) G.O.(P) No.17/90/F & WLD dated 27-2-1990.
2) Judgment dated 7-8-1996 of the High Court in the O.P. No.17051/1996.
3) CCF (P) Lr. No.E7-28451/98 dated 3-6-1997.
4) Note dated 19-11-1997 from the PCCF (General).

ORDER

There had been a provision in the Kerala Forest Subordinate Service Rules for filling up of 10% vacancies of 'Forester' by transfer from the Ministerial Category of Upper Division Clerks/Lower Division Clerks. This provision was dispensed with by an amendment made to the Special Rules as per the Government Order read first and the quota for direct recruitment through Public Service Commission was raised to 35%. Since then, there had been a series of complaints from the Ministerial Staff of Department against the dispense of their provisions and there have been requests for restoration of the old provision. Shri. A.N. Viswanathan Upper Division Clerk, Divisional Forest Office, Kannur in his capacity as District Secretary, Kerala Forest Ministerial Staff Union along with another, filed O.P. No.17051/95 before the Hon'ble High Court which was decreed by the Court on 7-8-1996 with direction to Government. The time limit allowed by the Hon'ble Court for implementation of the direction had already been expired and the petitioner filed contempt case No.407/97 against the State Government.

The Principal Chief Conservator of Forests (General) has reported that the amendment made in the Special Rules dispensing the old provision was the sub motto decision of Government and that his remarks was not called for that. He had submitted a proposal for amendment of the Special Rules which includes restoration of the old provision along with some other recommendation which is under active consideration of Government.

However in view of the time stipulation in implementation of the High Court direction in O.P. No.17501/95, read with the contempt CC No.407/97 taken by the Hon. Court, Government have considered their amendment proposals recommended by the Principal Chief Conservator of Forests (General) and Chief Conservator of Forests (Protection). Pending amendment to the Special Rules Government Order that the old provision of filling up of 10% vacancies of "Forester" in the Kerala Forest Subordinate Services Rules by transfer from the Ministerial wing of the Department which was dispensed with the Government order read first is restored forth with. Government also order that the candidates who have the educational qualification of a pass in P.D.C. with Physical measurement as prescribed for direct recruitment alone will be eligible for appointment by this method. Formal amendment to the Special Rules method will be issued separately.

By order of the Governor,

K. MOHANACHANDRAN,
Principal Secretary.