

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 172 of 2022

Sri Jewel Debbarma and 15 Ors.

---Petitioner(s)

Versus

The Union of India and 5 Ors.

---Respondent(s)

For Petitioner(s)	: Mr. H. Sarkar, Advocate. Mr. P. Chakraborty, Advocate.
For Respondent(s)	: Mr. M. Debbarma, Addl. GA. Mr. B. Majumder, Asst. SG.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

05.03.2024

This is a petition under Article 226 of the Constitution of India for seeking the following reliefs:

- (i) *Issue Rule calling upon the respondents and each one of them to show cause as to why a Certiorari and/or in the nature thereof, shall not be issued, for directing the respondents to transmit the records appertaining to this writ petition lying with them for rendering substantive and conscionable justice to the petitioners.*
- (ii) *Issue Rule calling upon the respondents and each one of them to show cause as to why a Writ of Mandamus and/or in the nature thereof shall not be issued for mandating/directing them to forthwith modify the Recruitment Rules for the post of Forest Range Officer, to give full effect to the recommendations of the Pande Committee and consequential benefits thereof to the Forest Range Officer, and further declare that the post of Forest Ranger as Group-A/Group-B, Gazetted as applicable.*
- (iii) *Issue Rule, calling upon the respondents and each one of them to show cause as to why a Writ of Mandamus and/or in the nature thereof for mandating/directing the respondents to forthwith to change the designation of Forest Range Officer to Range Forest Officer and thereupon fix the pay of the petitioners as Forest Ranger in Pay Band-4.*
- (iv) *Call for the records appertaining to this petition.*
- (v) *After hearing the parties be pleased to make the Rule absolute in terms of (ii) and (iii) above.*
- (vi) *Costs of and incidental to this proceeding.*
- (vii) *Any other relief(s) as to this Hon'ble High Court may deem fit and proper.*

[2] It is the case of the petitioners that for providing uniform pay scale for subordinate Forest Service personnel, throughout the country, the Director of Ministry of Environment, Forest and Climate Change issued a letter dated 25.01.2007 to the Joint Secretary Sixth Pay Commission, whereby the Director of MOEFCS recommended for parity of pay scale, thereby recommending the pay scale of Rs.

7,450-11,500/-, for the post of Range Forest Officer. The Inspector General of Forest issued letters to all the Principle Chief Conservator of Forest of all the States of India, for improvement in the service conditions of the Range Forest Officer. On 16.04.1998, for improvement in the service conditions of Range Forest Officer, the Inspector General of Forest issued a letter to the Principal Chief Conservator of Forest, Government of Assam. Thereafter, on 18.10.1999, the Ministry of Environment and Forest, Government of India issued a letter, where it was clearly noted that the Ministry of Environment and Forest was making correspondences to all the States and Union Territories, from time to time, thereby emphasizing the need of treating Forest Officials at par with police personnel in the matter of pay scale and other facilities. It is further submitted that a representation dated 09.09.2015 was made by the petitioners to the respondents which has not been acted upon as yet. Aggrieved by the same, the petitioners have approached this court for seeking relief.

[3] Heard learned counsel appearing for the parties.

[4] After perusing the entire records and having considered the submission as advanced by the learned counsel for the parties, it appears to this court that the case of the petitioners for upgradation of their services were not considered despite repeated request made to the respondents. According to the petitioners, they were entitled and equally eligible for the relief claimed. Mr. P. Chakraborty, learned counsel for the petitioners has also drawn the attention of this court to the certain orders passed by this Court in similarly placed matters of his colleague employees, one such is **Mr. Tapan Das & Anr.** who filed the writ petition being **WP(C) 1399 of 2017** which was disposed of way back on 03.01.2020. The petitioners herein are also seeking similar benefits under the light of the orders from which their colleague have got the benefit. It is apparent from the record that the petitioners made their last representation way back in 2015 and since then no fresh representation has been made by them till today.

Meanwhile, the petitioners have approached this Court for seeking relief. This Court feels that knocking the door of this Court at this juncture after so many years itself amounts to laches on the part of the petitioners. Therefore, the instant writ petition is liable to be dismissed on this sole ground.

[5] However, having considered the case of the petitioners on the point of discrimination as pointed by Mr. P. Chakraborty, learned counsel appearing for the petitioners, this court considers his argument for the petitioners and gives liberty to the petitioners to make a fresh representation enclosing all relevant documents in support of their claims before the concerned respondents. On receipt of such representation, the respondents shall consider the same in accordance with law within a period of three months from the date of receipt of such representation from the end of the petitioners.

[6] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

JUDGE

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