



Government of Jammu and Kashmir
Department of Forest, Environment & Ecology
Civil Secretariat, Jammu/ Srinagar.

Subj: - **Placement of Assistant Conservator of Forests (Research) as I/c Deputy Conservator of Forests.**

Government Order No. 175/FST of 2019

Dated: 17/06/2019

Whereas; In view of some litigations with regard to separation of Seniority of ACF (Research) and ACF (General), some posts of Deputy Conservator of Forests were kept reserved by Public Service Commission for promotion of eligible Assistant Conservator of Forests (Research). Besides, one post of Deputy Conservator of Forests was kept reserved with regard to outcome of SWP No. 763/2017 titled Abhijeet Joshi Vs State & others (In respect of Ms. Ifat Ara – ACF(R)). Besides, the claim with regard to separation of seniority of ACF(R) and ACF (G) filed in SWP 2953/2015 titled Khalid Amin Mehta & Other Vs. State and others, was considered and rejected by the Department vide Government Order No. 144-FST of 2018 dated 16/4/2018;

2. Accordingly, on the basis of final combined seniority list of Assistant Conservator of Forests (Research) and Assistant Conservator of Forests (General) issued vide Government Order No. 273-FST of 2015 dated 09/10/2015 and the provision of four posts kept reserved by the PSC, the following Assistant Conservators of Forests were placed as I/c Deputy Conservator of Forests, pending clearance by the DPC/PSC vide Government Order No. 150-FST of 2018 and 151-FST of 2018 dated 19.04.2018: -

S.No.	Name of the officer
G. O. No. 151-1-FST of 2018 dated 19.04.2018	
1.	Rafi Ahmad Bhat
2.	Zubair Ahmad Shah
3.	Mohinder Kumar Gupta
4.	Bishan Dass (RBA)
G. O. No. 150-1-FST of 2018 dated 19.04.2018	
1.	Abhijeet Joshi
2.	Mehraj-u-din Malik
3.	Reserved for RBA candidate
4.	Priyanka Sareen
5.	Ravinder Singh

6.	Khalid Amin Mehta
7.	Reserved for ST candidate
8.	Reserved for SC candidate
9.	Zahid Aslam
10.	Hitashi Sharma
11.	Waseem Farooq Mir
12.	Mudasir Mehmood Malik
13.	Reserved for RBA candidate
14.	Owais Farooq Mir
15.	Vijay Kumar
16.	Pervez Ahmad Wani
17.	Abhinav Ramyotra
18.	Reserved for ST Candidate
19.	Indu Sharma
20.	Reserved for SC Candidate

3. Whereas; a tentative Seniority List of Assistant Conservator of Forests (Combined) as it stood on 01.01.2019 was notified vide G. O. No. 89-FST of 2019 dated 13.03.2019, inviting objections with regard to assignment of positions and reserved category status. In response, Ms. Ifat Ara, ACF (R) represented for her position in the said tentative Seniority List as ACF (Research) on the plea that she did not figure in the Seniority List of ACFs issued vide Government Order No. 273-FST of 2015 dated 09.10.2015 because she was regularized as ACF (Research) w.e.f 17.01.2011 vide Government Order No. 312-FST of 2016 dated 26.12.2016. Her claim was examined and it came to fore that She was regularized as ACF (Research) w.e.f 17.01.2011 vide Government Order No. 312-FST of 2016 dated 26.12.2016 and as such was not positioned in the Final Seniority List of Assistant Conservator of Forests, issued vide Government Order No. 273-FST of 2015 dated 09.10.2015.
4. Whereas, vide Final Seniority List of Assistant Conservator of Forests as it stood on 01.01.2019, the Seniority of Ms. Ifat ARa was fixed at S. No. 05 i.e. above Mr. Abhijeet Joshi and below Mr. Bishan Dass.
5. Whereas, the Hon'ble High Court in its order dated 22.04.2019 in IA No. 03/2018 in SWP No. 763/2017 titled Abhijeet Joshi V/s State and others; ordered as under: -

On the last five consecutive dates of hearing, no one had put in appearance on behalf of the petitioner. Even today, same is the position. It is, thus, apparent that the petitioner has lost interest in prosecuting the matter.

Writ petition is accordingly, dismissed for non-prosecution alongwith connected IA.

Interim direction, if any, shall stand vacated.

Rambhadr

Whereas, in view of the said order of the Hon'ble Court, Ms. Ifat Ara, (ACF-R) is required to be placed as I/c DCF w.e.f. 17/01/2017 i.e. at par with Mr. Mohinder and Mr. Bishan Dass (a post of DCF already reserved with regard to the outcome of SWP No. 763/2017).

7. Whereas, the Clear Vigilance Clearance of the officer has been received from GAD (Vigilance) vide letter dated 27.06.2018 .

Now, therefore, pending clearance from PSC/DPC, Ms. Ifat Ara (ACF-R) presently I/c Joint Director FPF, Jammu, is hereby placed as I/c Deputy Conservator Forests, in her own pay and grade with Charge Allowance as admissible under rules w.e.f. 17/01/2017 i.e. at par with Mr. Mohinder and Mr. Bishan Dass. The order shall be effective for a period of six months or till the post is filled up on regular basis on the recommendations of Departmental Promotion Committee (DPC) / Public Service Commission (PSC).

This shall not confer any preferential right upon the officer to claim regularization against the higher post of DCF and will be subject to outcome of any court case pending before the competent court of law / departmental enquiry, if any pending in the matter.

By Order of the Government of Jammu and Kashmir.

Sd/-

(Manoj Kumar Dwivedi) IAS

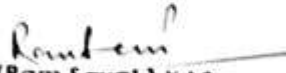
Commissioner / Secretary to Government,
Department of Forests, Envi and Ecology.

No: FST/Ser/99/2018

Dated: 17/06/2019

Copy to the:

1. Principal Accountant General, J&K Srinagar.
2. Principal Chief Conservator of Forests, J&K, Srinagar
3. Director, Forest Protection Force, J&K.
4. OSD to Advisor to Hon'ble Governor.
5. Concerned Officer.
6. Private Secretary to Commissioner Secretary to Govt., Department of Forest, Envi. and Ecology.
7. Government order file (w.3.s.c)/Stock file/office website.


(Ram Savak) KAS

Additional Secretary to Government,
Department of Forests, Envi and Ecology.

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