



Government of Jammu and Kashmir  
**Forest, Ecology and Environment Department**  
Civil Secretariat, J&K, Jammu/Srinagar

**Subject: - OA No. 891/2024 titled Zahid Aslam Moghal Vs Union Territory of J&K.**

**Government Order No. 318 - JK(FST) of 2024**  
**Dated: 26.12.2024**

**Whereas,** the petitioner namely, Mr. Zahid Aslam Moghal had approached the Hon'ble Tribunal through the medium of Original Application that came to be registered as OA No.891/2024 titled Zahid Aslam Moghal Vs Union Territory of Jammu and Kashmir & others seeking, inter alia, directions upon the respondents to quash Government Order No. 172-JK (FST) of 2024 dated 16.08.2024.

**Whereas,** the aforesaid O.A has been disposed of by the Hon'ble Tribunal vide its order dated 21.08.2024, relevant part whereof reads as under:-

*"...6. In view of the above, this O.A. is disposed of with a direction to the respondent to treat this O.A. as representation of the applicant and consider the case of the applicant, sympathetically, in view of the averments made in the petition and decide the same by passing a reasoned and speaking order.*

*7. Respondent are also directed to communicate the order so passed to the applicant. The whole exercise shall be undertaken within a period of two weeks from the date of receipt of a certified copy of this order.*

*8. With these directions, O.A. No. 891 of 2024 is disposed of.*

*9. However, there shall be no orders so as to costs.*

*10. Till then, status quo be maintained as on today.*

*11. The respondent is directed to allow the applicant to serve at his previous place of posting as I/c Regional Director, Social forestry, Kashmir with additional charge of the post of Joint Director, Soil and Water Conservation, Kashmir and no coercive action should be taken against the applicant."*

**Whereas,** transfer/posting of the officers are effected in view of their Integrity/Work & Conduct, capabilities and overall suitability.

**Whereas**, the transfer of the officer has become necessitated due to the reason that some officers represented before the department regarding their transfers on the grounds of life consuming diseases faced by their family member(s) and while analyzing their grievances and genuine problems faced by them, they were considered for relocation from their postings;

**Whereas**, the transfer of the officer has been issued with the approval of the Competent Authority (Hon'ble Lieutenant Governor) after taking into the grievances of the officers who were facing problems in discharging duties due to severe medical conditions of their family members.

**Whereas**, in order to fill up the vacant posts remained vacant due to the transfer of the officers on medical grounds, the name of the officer was accordingly considered;

**Whereas**, the health factor of the officer was also considered, and it was observed that the petitioner is a domicile of District Doda, as per his service records, and as such he can avail the medical services at Jammu Headquarters to his convenience, as Jammu has best medical facilities in view of functional Government Medical College and AIIMS in Vijaypur;

**Whereas**, the transfer/posting order was issued well before the announcement of the Model Code of Conduct and the claim made by the petitioner is devoid of any merit/standing;

**Whereas**, the post of Regional Director, Social Forestry, Kashmir is an IFS Cadre post and, as such the officer has no claim on it either and has now been assigned to an Officer of an IFS rank;

**Now, therefore**, keeping in view the afore-stated position, claim of the petitioner having been considered in deference to the order dated 21.08.2024 passed by the Hon'ble Central Administrative Tribunal in OA No. 891/2024, and is found devoid of merit. Accordingly, the claim of the petitioner is hereby rejected, with a further direction to report to his place of posting as Regional Director, Ecology, Environment & Remote Sensing, J&K, with immediate effect.

**By Order of the Government of Jammu and Kashmir.**

Sd/-  
(Shailendra Kumar), IAS  
Principal Secretary to the Government


No: FST-Lit/450/2024-02


Dated: 26.12.2024

**Copy to the:-**

1. Advocate General, Jammu and Kashmir.
2. Pr. Chief Conservator of Forests & HoFF, J&K.
3. Director, Social Forestry, J&K.

4. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
5. Director, Ecology, Environment & Remote Sensing, J&K.
6. Director, Archives, Archaeology and Museums, J&K.
7. Concerned Officer.
8. Private Secretary to the Principal Secretary to the Government, Forest, Ecology & Environment Department
9. I/c Website.
10. Government Order file (w.3.s.c)/Stock file.

  
(Abid Khan) 26/12/2024

 Under Secretary to the Government 