



Government of Jammu & Kashmir
Department of Forest, Ecology & Environment Department
Civil Secretariat, J&K

Subject:- Consideration of the claim of Shri Ghulam Nabi Ganie S/o Mohd Akbar Ganie R/O Muqami-Shaheed Mir Sopore District Baramulla in compliance to order dated 29.04.2024 passed by Hon'ble High Court in WP (C) No. 875/2024 CM No.2321/2024 titled Gh Nabi Ganie versus UT of Jammu & Kashmir and ors.

Reference:- Letter No. DIR/DSF/Legal/293-94 dated. 24.12.2024, from Department of Social Forestry, J&K.

Government Order No: 35 -JK (FST) OF 2025
Dated: 20 .02.2025

Whereas, Shri Ghulam Nabi Ganie S/o Mohd Akbar Ganie R/O Muqami-Shaheed Mir Sopore (hereinafter referred to as petitioner) had approached the Hon'ble High Court through the medium of writ petition numbered as WP (C) No. 875/2024 CM No. 2321/2024 titled Gh Nabi Ganie versus UT of Jammu & Kashmir and Others seeking therein directions upon the respondents to consider the request of the petitioner;

Whereas, the aforesaid writ petition stands disposed by the Hon'ble High Court vide its order dated 29.04.2024, the operative part whereof is as under:-

"In view of the submission made by learned council for the petitioner, the instant writ petition is disposed of with a direction to respondent No. 01 to consider and decide representation claimed to have been made by petitioner strictly in accordance with the rules in vogue".

Whereas, the Director, Department of Social Forestry vide No. DIR/DSF/Legal/293-94 dated:- 24-12-2024 has furnished the following details of the case:-

- i. An e-auction for harvesting of trees in six planation units was held in the Social Forestry Division, Baramulla through designated auction committee during the month of November, 2023.
- ii. The petitioner (Shri Ghulam Nabi Ganai S/O Shri Mohd Akbar Ganai) was declared successful bidder in respect of Shahgund Nursery with a bid amount of **Rs. 2.60 Crore**.
- iii. As per the Auction Notice conditions, the successful bidder was to deposit the bid amount in full in one go.

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- iv. The petitioner instead of depositing the bid amount had approached Administrative Department (Forest) through a representation for considering his request for deposition of bid amount in five equal installments.
- v. The Administrative Department vide letter No. FST/-GEN/28/2024-02 (C.No. 7401920) dated: - 01-02-2024 forwarded his representation to Department of Social Forestry, J&K for examination and take appropriate action under rules/norms.
- vi. The representation of the petitioner was examined and as per condition No. 10 laid down in Auction Notice No. 01 of 2023-24 dated 17.11.2023, the bidder was to deposit whole amount of the bid in one go, but he failed to act on the guidelines of the aforementioned e-Auction Notice and also there was no other provision in auction notice/rules for allowing the petitioner to deposit the bid amount in installments.
- vii. In the meantime, a complaint was received regarding some imprecision's in holding the said auction and after preliminary enquiry and as per the recommendations of concerned DFO, the auction held in the Division in light of Auction Notice No. 01 of 2023-24 dated 17.11.2023, including the one held in Shahgund Nursery stands cancelled by the Director (HoD) vide No. DIR/DSF/M&E/1408 dated:- 27.03.2024 and all the bidders were returned their CDRs.
- viii. An enquiry has been ordered in the matter, interim report whereof stands submitted by the Regional Director, DSF, Kashmir vide No. RDK/DSF/Plg/02/857/24 dated: - 28.10.2024 and the concerned officers posted in the Division were charge sheeted.

Whereas, as per the above report (i) there was no provision in auction notice/rules to allow the bidder to deposit the bid amount in installments (ii) the entire auctions including the one concerning to the petitioner has been cancelled (iii), the representation of the petitioner has already been considered.

Now, therefore, in compliance to order passed by the Hon'ble High Court in WP(C) No. 875/2024 CM No.2321/2024 on 29.04.2024, the representation of the petitioner has been again considered and in view of above facts of the case, is found devoid of merit, and hence rejected.

By order of the Government of Jammu and Kashmir.

Sd/-

Sheetal Nanda, IAS

Commissioner/Secretary to the Government

No: FST-Lit/226/2024-02(CC-7484479)

Dated. 20.02.2025

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Director, Directorate of Social Forestry, J&K.
3. Director, Archives, Archaeology and Museums, J&K.
4. Officer on Special Duty (OSD) with Hon'ble Minister, Forest, Ecology &

- Environment Department.
5. Additional Secretary (Legal) Forest, Ecology & Environment Department.
 6. Private Secretary to the Commissioner/Secretary to Government, Forest, Ecology & Environment Department.
 7. Shri Ghulam Nabi Ganie R/o Muqami-Shaheed Mir Sopore District Baramulla (Petitioner).
 8. I/c Website.
 9. Government Order file (w.3.s.c)/Stock file.

Ambika Bali
(Ambika Bali)JKAS
Under Secretary to the Government