

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

Subject: Termination of Service of Sh. Kewal Krishan Sharma, Forest Guard.

Government Order No. : 93 -JK (FST) of 2021
Dated : 10 - 09- 2021

Whereas, case of Sh. Kewal Krishan Sharma, Forest Guard, presently under suspension, was forwarded by the Principal Chief Conservator of Forest (HoFF), J&K, wherein, the matter regarding fake and fraudulent qualification certificate furnished by the official has been reported, including other acts of omissions and commissions; and

Whereas, in the matter of securing appointment by the official, Sh. Kewal Krishan Sharma, Forest Guard, on the basis of fake qualification certificate, the Law Department has advised that any appointment based on a fake certificate, which forms the basic eligibility, is non-est in the eyes of law and no right flows from anything that is a nullity or a non-est right from the very inception; and

Whereas, the grave acts of omission and commission, having overtones of criminal intent have been established by the investigating agencies and are being dealt with by the competent authorities and the aspect that the appointment has been obtained by Sh. Kewal Krishan Sharma, Forest Guard, through fraudulent means, needs to be dealt with in accordance with the principles laid down by the Hon'ble Supreme Court in various judgments; and

Whereas, based on the facts of the case, the department decided that the case of Sh. Kewal Krishan Sharma, Forest Guard is fit for termination from service; and

Whereas, the Competent Authority has given approval for termination of services, of Sh. Kewal Krishan Sharma, Forest Guard; and

Now, in light of the entire background of the case and the very fact that the official has secured appointment on the basis of fake and fraudulent certificate - thus lacking the basic eligibility to hold a civil post, and

consequently, he is not entitled to any safeguards given to a civil servant, under Article 311 of the Constitution of India or those provided under Jammu and Kashmir Civil Services (Classification Control and Appeal) Rules, 1956.

Therefore, the services of Sh. Kewal Krishan Sharma, Forest Guard are hereby terminated ab-initio.

By order of the Government of Jammu and Kashmir.

Sd/-

(Sanjeev Verma) IAS


Commissioner/ Secretary to Government

No: - FST/29/2021-04- Forest Department

Dated: 10.09.2021

Copy to the:-

1. Principal Secretary to Hon'ble Lieutenant Governor.
2. Joint Secretary, J&K, Ministry of Home Affairs, Government of India
3. Principal Chief Conservator of Forests (HoFF) J&K, Jammu.
4. Director, Archives, Archeology & Museum, J&K, Jammu.
5. Private Secretary to Chief Secretary, J&K.
6. Private Secretary to Commissioner/Secretary to Government, General Administration Department.
7. Private Secretary to Commissioner/Secretary to Government, Forest, Ecology and Environment Department.
8. I/c Website/Government Order file (w.2.s.cs)/Stock file.


(Vivek Phonsa) JKAS

Deputy Secretary to Government