

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

Subject: - Consideration of the claim of Ranjit Singh S/O Shri Pritam Singh R/O Ward No. 4, Near Panchayat Ghar, Danjasdhar, Billawar District Kathua in deference to the order dated 18.01.2022 passed by the Hon'ble Tribunal in O.A. No. 61/43/2022 titled Ranjit Singh Vs. UT of J&K and others.

Government Order No: 94 - JK (FST) of 2022
Dated: 27-06-2022

Whereas, Mr. Ranjit Singh S/O Shri Pritam Singh R/O Panchayat Ghar, Danjasdhar, Billawar District Kathua had approached the Hon'ble Central Administrative Tribunal (CAT) through the medium of application O.A No. 61/43/2022 and had sought direction upon the respondents, for appointment against the post of Forester;

Whereas, the application came to be disposed of by the Hon'ble Tribunal vide its order dated 18.01.2022, operative part whereof reads as under: -

"...this OA is disposed of at the admission stage directing the respondent No. 2 to consider the case of the applicant for appointment against the post of Forester as per provisions of relevant applicable rules and binding instructions on the subject, and decide it with a reasoned and speaking order..."; and

Whereas, in compliance with the aforesaid direction of the Hon'ble Tribunal, the matter was examined in light of available records and following factual/legal position came to fore: -

- i. That this department vide communication No. FST/Coord/69/2012 dated 06.08.2015 had referred various posts to the J&K Service Selection Board, for filling up the same, which also included 06 posts of Foresters, Divisional Cadre, Jammu, category-wise breakup whereof was as under:

OM	04 posts
RBA	01 post
ST	01 post

- ii. That the J&K Service Selection Board conducted the selection process and on conclusion of the same, the J&K Service Selection Board vide its letter No. SSB/Secy/Sel/7/2019/3466-72 dated 17.06.2019 had forwarded the select list of 06 candidates along with the wait list of 04 candidates (OM=03, ST=01), for the post of Foresters, Divisional Cadre, Jammu.
- iii. That this department vide letter No. FST/Coord/20/2019 dated 17.07.2019 had forwarded the above referred select list received from the J&K Services Selection Board, to the Principal Chief Conservator of Forests, J&K Srinagar, for issuance of formal appointment orders in favour of the selected candidates, except those whose recommendations was withheld by the J&K Services Selection Board, after fulfillment of all codal formalities.
- iv. That the J&K Service Selection Board vide its Order No. 154-SSB of 2020 dated 13.05.2020 had intimated regarding the decision taken in 169th meeting of J&K SSB, whereby the

recommendation of one candidate namely, Ranveer Singh S/O Shammi Kumar R/O Poneja Thathri Doda, figuring at S. No. 02 under OM Category, for the post of Forester (Forest Department), Divisional Cadre, Jammu, notified vide Advertisement Item No. 258 (05 of 2015) was kept withheld, for want of certain clarification/furnishing of documents and said candidate was required to furnish the deficient documents in respect of his candidature within a period 30 days. However, the said candidate had chosen not to furnish the same and instead had submitted an affidavit, duly attested by a 1st Class Judicial Magistrate, to the effect that he is not interested in joining on the said post.

- v. That notwithstanding that Ranveer Singh S/O Shammi Kumar R/O Poneja Thathri Doda had furnished an affidavit, stating therein that he is not interested in joining on the said post, the J&K Service Selection Board had subsequently issued two notices vide No. SSB/Secy/Sel/243/17/J/306-09 dated 14.01.2020 and No. SSB/Secy/Sel/42/19/J/1440-43 dated 20.02.2020 to the said candidate, asking him to furnish the requisite documents within the time-frame granted therein and informing him further that in the event he fails to do the needful, his selection against the said post shall be cancelled without any further notice.
- vi. That the said candidate failed to produce the requisite documents within the stipulated time-frame and accordingly, his candidature was cancelled/withdrawn *ab-initio* and this department was requested to operate the wait list, if required.
- vii. That the case was examined in the department and it was found that as per the select/wait list furnished by the J&K Service Selection Board vide its letter No. SSB/Secy/Sel/7/2019/3466-72 dated 17.06.2019, the candidate namely, Mr. Ranjit Singh S/O Shri Pritam Singh R/O Danjisdhar Billawar, Kathua was figuring at S. No. 01 in the wait list, under OM category, for the post of Forester, Divisional Cadre, Jammu and accordingly, the case was referred to the General Administration Department, for seeking approval of the Hon'ble Lieutenant Governor, for operating the wait list, so as to appoint the said candidate as Forester in Divisional Cadre, Jammu, on cancellation of candidature of Ranveer Singh, S. No. 02 under OM category.
- viii. That the General Administration Department vide its U.O. No. GAD/Mtg/RB-IV/82/2020 dated 21.09.2020 returned the file with following advice: -

"The matter has been examined in the General Administration Department and the department is informed that the validity of the recommendation in favour of Mr. Ranjit Singh, figuring at Sr. No. 01 in the waiting list under OM category, has lost its validity on the expiry of the one year on 17.06.2020. The recommendation in his favour does not fall under the purview of SRO-60 of 2018 dated 02.02.2018. SRO-60 comes into play only in respect of candidates whose selection has been kept withheld and it does not accrue any benefit to the candidate whose right to appointment accrues on account of cancellation of selection of a withheld candidate. In the instant case, result of the candidate next in merit was not withheld at any point of time.

From the detail, it transpires that the instant select list was received in the Department of Forest, Ecology and Environment on 15.05.2020 and the reference has been processed on 30.07.2020. Sufficient time of one month was available with the department to operate the waiting list, but delay has taken place. Accordingly, the department is advised to find out the reasons for delay."

[Handwritten signature]

- ix. That, the case was re-examined in light of the aforesaid opinion and reasons for the delay that had occasioned in the present case were conveyed to the General Administration Department with the request to consider extension of time in order to operate the wait list. However, the General Administration Department vide its U.O. No. GAD/Mtg/RB-IV/82/2021 dated 24.04.2021 returned the file with following advice: -

"In terms of Rule-14 of J&K Civil Services Decentralization and Recruitment Rules, 2010, the selection/waiting list remains valid for a period of one year from the date of release of original selection. In the instant case, the Service Selection Board has forwarded the selection/waiting list to the indenting department on 17.06.2019, and it has lost its validity on 17.06.2020. As such, the waiting list cannot be operated at this juncture.

The post of Forester which has become available due to cancellation of candidature of Shri Ranveer Singh may be referred to the J&K Services Selection Board for fresh selection."

Now, therefore, keeping in view the afore-stated position, together with the opinion of General Administration Department, the claim of the applicant has been considered in compliance to the orders passed by the Hon'ble Central Administrative Tribunal (CAT) in O.A. No. 61/43/2022 titled Ranjit Singh Vs. UT of J&K and is found devoid of any merit hence rejected.

By Order of the Government of Jammu and Kashmir.

Sd/

(Sanjeev Verma) IAS

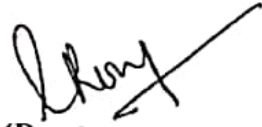
Commissioner/Secretary to Government

Dated: 27-06-2022

No: FST-Lit/34/2022-02

Copy for information to the:-

1. Pr. Chief Conservator of Forests (HoFF), J&K.
2. Joint Secretary, Ministry of Home Affairs Government of India.
3. Secretary, J&K Services Selection Board, Jammu.
4. Private Secretary to the Chief Secretary.
5. Private Secretary to Principal Secretary to Government, General Administration Department.
6. Private Secretary to Commissioner/Secretary to Government, Forests, Ecology & Environment Department.
7. Ranjit Singh S/O Shri Pritam Singh R/O Ward No. 4, Near Panchayat Ghar, Danjardhar, Billawar, District Kathua.
8. Government Order file/Stock file.


(Rouf Ahmad Bhat)
Under Secretary to Government