

JAMMU & KASHMIR STATE FOREST CORPORATION

Subject: Consideration in terms of order dated 06.11.2015 passed by the Hon'ble Court at Srinagar in SWP No. 2437/2015 titled Mohammad Mukhtar Khan V/s State and others.

S.F.C. ORDER NO 29 .OF 2016
D A T E D 20 - .02 .2016

Whereas, the Hon'ble Court disposed of the above titled writ petition along-with connected MPs vide its order dated 06.11.2015, with the following orders:

"The writ petition along-with connected MPs is disposed of and respondents are directed to consider the claim of the petitioner set up in the writ petition and pass orders in accordance with rules and Government Orders occupying the field.

Respondents to consider and take decision within four weeks from the date copy of this order is served".

Whereas, in compliance to the directions dated 06.11.2015 of the Hon'ble Court, the case has been examined. The record reveals that Shri Mohammad Mukhtar Khan (petitioner) has been regularized as "Dak Runner" under SRO-64 of 1994 adopted vide SFC order No.244 of 1994 dated 08.08.1994 after completion of seven years Daily wage services and the effect to his regularization has been given from 01.04.1997;

Whereas, the above said categories of Class-IV employees are eligible for promotion to the post of Field Supervisor and Jr. Assistant and the method of recruitment for Direct and through promotion is as under:

Field Supervisor

- d) 60% by Direct Recruitment.
- e) 20% by Promotion from Class-J of Ministerial Cadre employees having a minimum of 5 years of service in that class who are Higher Secondary Part-II(12th) and having prescribed physical standards.
- f) 20% by Promotion from Class-J of Ministerial Cadre employees having a minimum of 8 years of service in that class who are Matriculates and having prescribed physical standards.

Jr. Assistant

- d) 70% by Direct Recruitment.
- e) 10% by Promotion from Class-J employees having a minimum of 5 years of service in that class who are Graduates.
- f) 20% by Promotion from Class-J of Ministerial Cadre employees having a minimum of 8 years of service in that class who are Matriculates.



Typist -cum -Computer Operator

- c) 80% by Direct Recruitment.
d) 20% by Promotion from Class-J employees having a minimum of 5 years service in that class who are Matriculates subject to passing type test with a speed of 30 words per minute and computer proficiency test as prescribed from time to time.

Whereas, as per J&K State Forest Corporation Employees (Condition of Services) Amendment Regulations 2011, the post of "Dak Runner" has been abolished and merged with the post of "Orderly", except for the posts of the Dak Runners etc created under SRO-64 of 1994, adopted vide SFC order No.244 of 1994 dated 08.08.1994 for the regularization of Daily Wagers. Administrative order has been issued vide SFC order No. 26 of 2016 dated 20.02.2016 and now the following Class-IV categories are provided as feeding cadres for promotion to the level of Field Supervisor/ Jr. Assistant.

"Jamadar/ Senior Mali/ Orderly / Guest House Attendant/ Chowkidar/ Grading Attendant/Beltman/Camp Follower / Farsh/ Washman/ Waterman/Gunman etc."

Whereas, in pursuance to the Administrative order the seniority list of orderlies after merger is being floated accordingly.

Whereas, the promotions are being cleared by the Departmental Promotion Committee but so far no meeting of DPC has been convened. His case for promotion shall be considered by the SFC Departmental Promotion Committee as per availability of post, eligibility and seniority on its merits .

Now therefore, in view of the above facts, the claim of the petitioner namely Shri Mohammad Mukhtar Khan has been considered in terms of the Hon'ble Court order dated 06.11.2015, and found ineligible for promotion to the next higher grade at this stage on the grounds mentioned hereinabove.

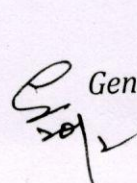
Sd/-
Managing Director

No. 271-76 /Bix/SFC

dated 20-02.2016

Copy for information and necessary action to the:

1. Principal Secretary to Government, Forest Department, Civil Secretariat Jammu. This has reference to his office No. FST/Lit/SFC/210/2015 dated 28.12.2015.
2. Director Finance SFC.
3. Deputy Financial Advisor (Finance), SFC Srinagar. He will serve a copy of this order to the petitioner.
4. Labour Welfare Officer / Law Officer, SFC Srinagar, for apprising the Hon'ble Court accordingly.
5. I/C Web site.
6. SFC order file.

 General Manager (Adm)