

GOVERNMENT OF ODISHA

FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT

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NOTIFICATION

Bhubaneswar dated the 21.07.23

No. FE-FE2-CASE-0038-2022 15372 /FE&CC; Whereas the promotion of Sri Sailendu Kumar Panda, Now ACF (Retd.) from the rank of Forest Ranger to the post of Assistant Conservator of Forests was considered in the Departmental Promotion Committee meeting held on 22.02.2014 & 24.02.2014 wherein he was "deferred" due to unavailability of CCRs/PARs for the preceding 05 years i.e from 2008-09 to 2012-13.

And whereas, the promotion of Sri Sailendu Kumar Panda, Now ACF (Retd.) from the rank of Forest Ranger to the post of Assistant Conservator of Forests was again considered in the Departmental Promotion Committee meeting held on 01.11.2016 but kept in Sealed Cover due to pendency of 01 Departmental Proceeding initiated vide this Department Memorandum No. 623/F&E dated 13.01.2011.

And whereas, the Departmental Proceeding initiated vide this Department Memorandum No. 623/F&E dated 13.01.2011 was finalized vide this Department Office Order No. 5368 dt. 26.03.2015 with imposition of the following penalties:

1. Withholding 3 (three) increments with cumulative effect.
2. Withholding promotion for next three years.

And whereas, Sri Panda filed an OA No. 2088 of 2015 which has been subsequently re-numbered as WPC (OAC) No. 2088 of 2015 challenging this Department Office Order No. 5368 dt. 26.03.2015 wherein penalty was awarded to him.

And whereas, the Hon'ble High Court in its judgement dated 15.03.2022 passed in WPC (OAC) No. 2088 of 2015 quashed this Department Office Order No. 5368 dt. 26.03.2015.

And whereas, Sri Panda again filed a WP (C) No. 10700 of 2022 before the Hon'ble High Court with the following prayer:

1. To give promotion retrospectively to the petitioner to the post of Asst. conservator of Forests and Deputy conservator of Forests retrospectively w.e.f. 2014 and 2019 respectively after disposal of WP (OAC) No. 2088/2015



2. To fix the pay & allowances of the petitioner by giving promotion to him to the post of Asst. Conservator of Forests and Deputy Conservator of Forests retrospectively w.e.f. 2014 & 2019 respectively &

3. To fix the pension of the petitioner considering his case for promotion to post of Asst. Conservator of Forests and Deputy Conservator of Forests retrospectively w.e.f. 2014 and 2019 respectively.

And whereas, the Hon'ble High Court disposed the WP (C) No. 10700 of 2022 vide their Order dated 29.04.2022 with the following direction:

*" This court disposes of the writ application at the stage of the admission with a direction to the petitioner to file a fresh representation & the OP No.1 is directed to consider the representation of the petitioner in accordance with law & same shall be disposed of by a speaking & reasoned order".*

And whereas, Sri Panda filed a representation dated 10.05.2022 before the Additional Chief Secretary, FE&CC Department.

And whereas, the Government after careful consideration and in accordance to the advice of Law Department decided to quashed this Department Office Order No. 5368 dt. 26.03.2015 in compliance to the Order dated 15.03.2022 passed in WPC (OAC) No. 2088 of 2015 by the Hon'ble High Court.

And whereas, in compliance to the Order dated 29.04.2022 passed in WP (C) No. 10700 of 2022 by the Hon'ble High Court, the CCRs/PARs for the period from 2008-09 to 2012-13 (preceding years to the DPC meeting dated 22.02.2014 & 24.02.2014) of Sri Panda has been obtained which is found to be appropriate.

After careful examination of the CCRs/PARs for the period from 2008-09 to 2012-13 & upon quashing of this Department Office Order No. 5368 dt. 26.03.2015, the Government is pleased to give notional promotion to Sri Sailendu Kumar Panda, Now ACF (Retd.) from the rank of Forest Ranger to the post of Assistant Conservator of Forests w.e.f 30.05.2014 i.e. the date his immediate junior Sri Ganesh Padhi (SI No. 118 of tentative gradation list of Forest Ranger as 01.09.2012 & SI No. 14 of this Department Notification No. 9756/F&E dated 30.05.2014) got promoted to the rank of Assistant Conservator of Forests.

Sri Sailendu Kumar Panda, Now ACF (Retd.) is entitled to receive the arrear salary and the consequential financial benefits in the post of Assistant Conservator of Forests w.e.f 30.05.2014.

**By Order of Additional Chief Secretary**

  
Additional Secretary to Government

Memo No. 15373 /FE&CC, Date 21.07.23

Copy forwarded to the Accountant General (A&E)/ Audit, Odisha/ GA&PG (Vigilance) Deptt. / GA& PG(SE) Deptt. /GA & P.G (Rent) Deptt./ OPSC, Cuttack for information & necessary action.

  
21/7/2023  
Additional Secretary to Government

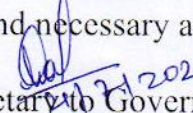
Memo No. 15374 / FE&CC, Date 21.07.23

Copy forwarded to the P.S to the Hon'ble Minister, Forest, Environment & Climate Change Department, Odisha / P.S to the Additional Chief Secretary to Govt. Forest, Environment & Climate Change Department /Confidential Section, FE&CC Department/ 10 spare copies to the Guard file for kind information.

  
21/7/2023  
Additional Secretary to Government

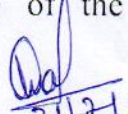
Memo No. 15375 / FE&CC, Date 21.07.23

Copy forwarded to Principal Chief Conservator of Forests, Odisha / Principal Chief Conservator of Forests (KL) Odisha / Principal Chief Conservator of Forests (WL) & CWLW, Odisha/ All RCCFs, Odisha/ All DFOs for information and necessary action.

  
21/7/2023  
Additional Secretary to Government

Memo No. 15376 / FE&CC, Date 21.07.23

Copy forwarded to OE (IT Cell), Forest, Environment & Climate Change Department for publication of this Notification on the website of the Forest, Environment & Climate Change Department.

  
21/7/2023  
Additional Secretary to Government