

**GOVERNMENT OF ODISHA**  
**FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT**

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**NOTIFICATION**

Bhubaneswar dated the 05.10.23

**No. FE-FE2-CASE-0045-2023** 20895/FE&CC; Whereas a meeting of the Departmental Promotion Committee for promotion of Forest Rangers to the rank of Assistant Conservator of Forests was held on 21.01.2010.

And whereas, the Departmental Promotion Committee found Sri Krupasindhu Sarangi, then Forest Ranger, Now Retd. suitable for promotion to the rank of Assistant Conservator of Forests.

And whereas, the promotion to the rank of Assistant Conservator of Forests couldn't be given effect till 03.02.2010 as the recommendation of said DPC was stayed by the Hon'ble Tribunal vide Order No. 3 dtd. 21.1.2010 passed in O.A No. 157 (C) of 2010.

And whereas, the matter was subjudice in the Court of Law, Sri Sarangi retired from Government service on attaining the age of superannuation w.e.f 31.01.2010 i.e. before the vacation of the stay order on the recommendation of the DPC held on 21.01.2010.

And whereas, Sri Sarangi filed P. No.147 (C)/2016 arising out of O.A. No. 888(C)/2017 before the Hon'ble OAT, Cuttack Bench seeking the following relief(s):-

I. To declare the final select list approved by the Department vide annexure-3 is final and

II. To grant promotional benefits with retrospective effect from 25.02.2000.

And whereas, the Hon'ble O.A.T while disposing the aforesaid O.A vide Order No.4 dtd. 07.04.2017 directed the Respondent No.1 to consider the representation of the applicant vide Annexure-10 on its own merit and dispose of the same as expeditiously as possible but within a period of three months from the date of receipt of copy of this order. As the applicant has already retired from Govt. service, the pensionary benefits be settled accordingly soon thereafter.

And whereas, the representation of the petitioner vide Annexure-10 of O.A. No. 888(C)/2017 was rejected being devoid of merits vide this Department Office Order No. 19203/F&E dtd. 12.09.2017.




And whereas, being aggrieved Sri Sarangi filed another OA No. 3280/2017 seeking the following relief(s):-

- I. To set aside the Order dated 12.09.2017 passed by the Additional Chief Secretary to Govt.
- II. To declare the final select list approved by the Department vide Annexure-4 is final
- III. To grant promotional benefits with retrospective effect from 25.02.2000 &
- IV. To grant any other reliefs as the Hon'ble Tribunal may deem fit and proper.

And whereas, the OA No. 3280/2017 has been subsequently renumbered as WPC (OAC) No. 3280 of 2017 & the Hon'ble High Court while disposing the said Writ petition vide Order No. 07 dtd. 09.05.2023 directed as follows:

*" 7.1 In view of such position and taking into account the fact that prior to the recommendation by the subsequent DPC held on 21.01.2010, since all the proceedings were already disposed of, the authority should have taken a decision on the claim of the Petitioner in terms of the recommendation of the DPC held on 25.02.2000 under Annexure-1. Since that was not done by the authority after disposal of the proceeding and even after vacation of the interim order as well as disposal of the O.A No.157(C) of 2010, this Court while disposing the writ petition directs the Opposite Party No.1 to open the sealed cover of the DPC held on 25.02.2000 as well as 21.01.2010. On such opening of the sealed cover, if it is found that the Petitioner has been recommended by the DPC held on 25.02.2000 and /or dated 21.01.2010, the Opposite No.1 shall extend the benefit of promotion in terms of the recommendation of the DPC dated 25.02.2000 and / or 21.01.2010".*

*"7.2 Since the Petitioner has retired from service on 31.01.2010 and taking into account the submission of the learned Sr. Counsel that the Petitioner will not claim any financial benefit, this Court while disposing the writ petition with quashing of the order under Annpxure-14, directs the Opposite Party No.1 to extend the benefit of promotion only on notional basis, if the Petitioner is found eligible for the same in terms of the recommendation of the DPC dated 25.02.2000 and/or 21.01.2010. Such an exercise shall be undertaken by the Opposite Party No.1 within a period of two (2) months from the date of receipt of this order. However, the Petitioner will be entitled for revision of his pension and pensionary benefits from the date of his retirement".*

And whereas, the stay order on the proceedings of the DPC dated 21.01.2010 has been vacated & OA No. 157 (C)/ 2010 has been disposed of vide Order dtd. 26.04.2011 of Hon'ble OAT. 

And whereas, in obedience to Para- 7.1 of Order No. 07 dtd. 09.05.2023 of Hon'ble High Court passed in WPC (OAC) No. 3280 of 2017 , it is to mention here that, a total of 06 Disciplinary proceedings were initiated against Sri Sarangi. All the disciplinary proceedings were finalized, the last being finalized in the year 2009 vide Office Order No. 358 dtd. 30.03.2009 of PCCF & HoFF, Odisha. Hence, the opening of Sealed Cover of Sri Sarangi is not required since he would have been found suitable for promotion to the next higher rank i.e. Assistant Conservator of Forests eventually after finalization of the pending Disciplinary proceeding.

Hence, after careful consideration & vacation of the interim order dated 21.01.2010 as well as disposal of OA No. 157 (C)/ 2010, the Government have been pleased to notionally promote Sri Krupasindhu Sarangi, Forest Ranger (Retd.) to the rank of Assistant Conservator of Forests, OFS (JB) w.e.f. 21.01.2010.

**Sri Sarangi will be entitled for revision of his pension and pensionary benefits.**

**By Order of Additional Chief Secretary**

  
Additional Secretary to Government

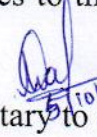
Memo No. 20896 /FE&CC, Date 05.10.23

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.

  
Additional Secretary to Government

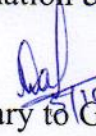
Memo No. 20897 / FE&CC, Date 05.10.23

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 / 10 spare copies to the Guard file for kind information.

  
Additional Secretary to Government

Memo No. 20898 / FE&CC, Date 05.10.23

Copy forwarded to the PCCF & HoFF, Odisha for kind information & necessary action.

  
Additional Secretary to Government

Memo No. 20899 / FE&CC, Date 05.10.23

Copy forwarded to Sri M K Balabantaray, Addl. Govt. Advocate, O/o the Advocate General, Odisha, Cuttack, Buxi Bazar, Cuttack- 753001 for kind information and necessary action w.r.t WPC (OAC) No. 3280 of 2017.

  
Additional Secretary to Government

Memo No. 20900 / FE&CC, Date 05.10.23

Copy forwarded to Under Secretary, Legal Cell, FE&CC Department for kind information and necessary action w.r.t WPC (OAC) No. 3280 of 2017.

  
Additional Secretary to Government

Memo No. 20901 / FE&CC, Date 05.10.23

Copy forwarded to OE (IT Cell), Forest, Environment & Climate Change Department with a request to publish this Notification on the website of the Forest, Environment & Climate Change Department.

  
Additional Secretary to Government

Memo No. 20902 / FE&CC, Date 05.10.23

Copy forwarded to Sri Krupasindhu Sarangi, Forest Ranger (Retd.), AT-Srivihar, Pragati Marg, Contractorpada, PO- Phulbani, PIN-762002 for information only.

  
Additional Secretary to Government