

**GOVERNMENT OF JAMMU AND KASHMIR**  
**JAMMU AND KASHMIR SERVICES SELECTION BOARD**  
CPO Chowk, Panjirthirti, Jammu/Zamzam Complex Rambagh, Srinagar  
(www.jkssb.nic.in)

**Subject: Directions of the Hon'ble High Court in WP (C) No. 586/2023 titled Rafiq Ahmad Malik vs UT of J&K and Ors- Consideration Order thereof.**

**Order No. 127-SSB of 2023**  
**Dated: 12.07.2023**

Whereas, the petitioner has filed the afore-titled Writ Petition before the Hon'ble High Court of Jammu, Kashmir and Ladakh at Srinagar and upon consideration of the matter on 27.03.2023, the Hon'ble Court was pleased to pass the following orders:

***"Learned counsel for the petitioner after arguing for a while seeks leave of this Court to withdraw this writ petition with liberty to file representation before the Jammu and Kashmir Service Selection Board, Srinagar. Statement of learned counsel for the petitioner is taken on record.***

***The petition is dismissed as withdrawn with liberty as prayed for. Needless, to say that in case representation is made on behalf of the petitioner, same shall be considered sympathetically by the Jammu and Kashmir Service Selection Board, Srinagar."***

Whereas, pursuant to the above-mentioned Orders passed by the Hon'ble Court, the petitioner submitted a representation dated 24.04.2023 in the Board, and the factual position which has emerged is noted as under:

1. The petitioner applied for the post of Health Inspector/Health Assistant, advertised vide Notification No. 02 of 2019/001 and No. 02 of 2019/041 in Government Medical College Baramulla, Divisional Cadre, Kashmir.
2. The Provisional Shortlist was issued by the Board vide No. SSB/Secy/Sel/2019/5352-58 dated 18.10.2019.
3. In the Provisional Shortlist, among others, the petitioner namely Rafiq Ahmad Malik, was also figuring at Serial No. 01 under RBA Category.
4. The candidates who were falling in the said Provisional Shortlist were informed to appear before the Board for Document Verification (DV) in the month of January 2020.
5. The petitioner did not appear before the Document Verification Committee (DVC) on the scheduled date and time.



6. The primary grievance of the petitioner is that the Provisional Shortlist was issued by the Board after constitutional changes were made on August 05<sup>th</sup>, 2019, and due to this situation, he was not aware of its publication.
7. The Petitioner is further submitting that with the onset of Covid-19 pandemic, he was not able to appear before the DVC.

Whereas, the representation dated 24.04.2023 submitted by the petitioner, was examined in the Board, and it was found that the Provisional Shortlist issued by the Board in the instant case was given wide publicity in the leading newspapers like Greater Kashmir, Daily Aftab, Srinagar Times and Rising Kashmir; and

Whereas, the above facts are verifiable from the Department of Information, Government of Jammu and Kashmir as well; and

Whereas, after giving wide publicity to the notice, the Board called the candidates for the Document Verification and finalized the Selection List and, thereafter forwarded the same vide No. SSB/Secy/Sel/03/2020/525-31 dated 16.01.2020 to Financial Commissioner, Health & Medical Education Department, J&K, where-under, only one candidate namely Mohsin Rasool Reshi was selected under RBA category against the said post for the reason that the petitioner failed to appear before the Board for his document verification on the scheduled date and time; and

Whereas, the Selection Committee constituted for these posts has prepared the Final Selection List in accordance with the merit obtained/eligibility of the candidates and as per the rules in vogue. The candidates who failed to appear before the Document Verification Committee, despite adequate opportunity having been afforded to them, were not considered for selection as Document Verification is a critical stage in the entire selection process which helps determine the eligibility of a candidate for the advertised post(s); and

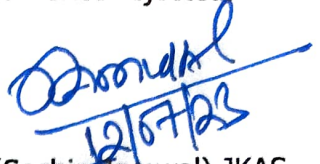
Whereas, the candidates who fail to appear before the DVC are declared **Absent** and, therefore, **in-eligible** for being considered for selection. Further, the time allotted to the candidates who fall in the zone of consideration for selection for a post to appear before the Document Verification cannot remain open ended as this would keep the selection process perpetually inconclusive. Time bound selection of the candidates requires that each candidate remains aware and responds to each notice as and when issued by the Board and failure to do so forfeits his/her right to selection; and

Now therefore, the claim of the applicant, having been considered in compliance to the directions of the Hon'ble High Court of Jammu, Kashmir and Ladakh, in



WP (C) No. 586/2023 titled Rafiq Ahmad Malik vs UT of J&K and Ors and examined in light of the extant rules/available record, is found devoid of merits and hence rejected.

**By Order.**

  
(Sachin Jamwal) JKAS  
**Secretary**

**J&K Services Selection Board**

Dated: 12.07.2023

No. JKSSB-LEG/139/2023-03 (7156853) 854-58

Copy to

1. Commissioner/Secretary to the Government, General Administration Department.
2. Ld. Counsel, J&K Services Selection Board.
3. Deputy Legal Remembrancer, Jammu/Kashmir.
4. Private Secretary to the Chairman, JKSSB.
5. Order file.