

I/85404/2023

**Government of Jammu and Kashmir
J&K Services Selection Board
Hema Complex, Sector -3, Channi Himmat, Jammu
(www.jkssb.nic.in)**

ORDER NO: 50 -SSB of 2023

DATED: 01-02-2023

**Subject:- O.A No. 1019/2020 titled Tahira Tabassum Vs UT
Of J&K & Ors.**

Whereas, the J&K Services Selection Board advertised various posts including the posts of Account Assistant in the Finance Department, District Cadre Rajouri in pursuance to Advertisement Notification No. 07 of 2010 dated 12.11.2010 under Item No. 710 with the following breakup:-**OM=24, RBA=08, SC=04, ST=04, ALC=01 Total=41.**

Whereas, the prescribed qualification for the above said post is as under:- **"Graduate from a recognized University."**

Whereas, the criteria adopted by the J&K Services Selection Board is as under:-

**Graduation=70 points (on prorata basis)
Post-Graduation=10 points (on prorata basis)
And Viva Voce=20 points**

Whereas, the J&K Services Selection Board after completion of the selection process, issued the Selection List and forwarded the same to the Indenting Department vide communication No. SSB/Secy/Sel/ 2018/809-15 dated 17.01.2018 and;

Whereas, the Candidate/applicant namely Tahira Tabassum D/o Abdul Rahoof secured 70.3302 points, figured in the waiting list under Open Merit at serial No. 02 but her recommendation was kept withheld subject to genuineness and production of Bonafide certificate/validity of graduation & P.G and ;

Whereas, the applicant (Tahira Tabassum) feeling aggrieved of withheld recommendation approached the Hon'ble Central Administrative Tribunal, Jammu by filing Original Application bearing O.A No 61/1019/2020 titled Tahira Tabassum Vs UT of J&K and others seeking following reliefs:-

The respondent no.3 and 4 may kindly be directed to recommend the name of the petitioner to the respondent no.1 and 2 for her appointment to the post of Accounts Assistant, District Cadre Rajouri under Open Merit Category in reference to advertisement notice no. 07 of 2010 dated 12.11.2010 Item No. 710 within such time frame as may be stipulated by this Hon'ble

Tribunal.

The respondent no. 1 and 2 may kindly be directed to appoint the petitioner as Accounts Assistant District Cadre Rajouri under Open Merit Category in reference to advertisement notice no. 07 of 2010 dated 12.11.2010 Item no. 710 as soon as her name is recommended by respondent no. 3-Board to them and to depute her for ACC training as has been done in the cases of similarly situated candidates.

Whereas, the Hon'ble Tribunal vide its order dated 17th November, 2020 disposed of the case with the following directions:-

"During the course of arguments, learned counsel for the applicant submitted that he will be satisfied if a direction is given to respondents/ competent authority to consider his appointment as Accounts Assistant District Cadre, Rajouri.

Looking to the limited prayer made by learned counsel for the applicant, O.A. is disposed of with a direction to the respondents/competent authority to consider his appointment as Accounts Assistant District cadre Rajouri by passing a reasoned and speaking order in accordance with rules, within a period of one months from the date of communication of certified copy of this order, with intimation to the applicant. It is made clear that we have not entered into the merits of the case. No costs."

Whereas in compliance with the direction of the Hon'ble Tribunal, the instant case was placed before the 182nd Board meeting held on 23.4.2021 to consider the case of the applicant and it was decided to refer the case to sub-committee for re-examining the case of applicant.

Whereas, vide Order No. 218-SSB of 2021 dated 02.6.2021, the sub-committee so constituted submitted its report on 7.6.2021 with following observation and recommendation:-

"That the basic eligibility of the candidate that is Bachelor of Computer Application (BCA) from SAM HIGGINBOTTOM UNIVERSITY OF AGRICULTURAL TECHNOLOGY AND SCIENCES (formerly Allahabad Agricultural Institute Deemed University, Allahabad) is a recognized institute and the qualification acquired by candidate through

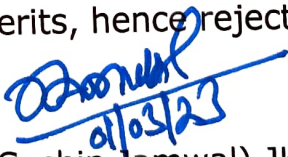
Distance mode from study Centre is not hit by Government Order 252-HE of 2012 dated 30.05.2012; but the Post-Graduation of candidate has come under the preview of Government Order 252-HE of 2012 dated 30.05.2012 which is as under:- "iii) The degree obtained through distance Education mode from off campuses which have been established by the State Universities beyond their territorial jurisdiction shall not be recognized .In view of above facts and subject to the approval of the Board, the Sub-committee recommends that the selection of the candidate may be reframed and the marks obtained by the candidate for her PG Degree will be deducted".

Whereas, the matter was placed before the 186th Board meeting held on 26 th-27th August, 2 021 and it was decided to deduct the PG marks of the applicant and thereafter redraw her merit of the applicant; and

Whereas, after deducting the PG marks (i.e 6.54) of the applicant (Wait/OM-2), she secured 63.79 marks, which are much less than the last selected candidate under the Waiting List/OM category (i.e 69.4905), thereby she moves out of the waiting list.

Now, therefore in deference to the order dated 17.11.2020 passed by the Hon'ble Tribunal, the case of the applicant has been considered for the post of Account Assistant District Cadre Rajouri pursuant to Advertisement Notification No. 07 of 2010/710 dated 12.11.2010 and found devoid of merits, hence rejected.

BY ORDER


(Sachin Jamwal) JKAS,
Secretary

J&K Services Selection Board
Jammu

No. SSB/Legal/204-89/2023

Dated: 01-03.2023

Copy to the:- 1. Additional Chief Secretary to Government Finance Department Civil Sectt Jammu.

2. Commissioner Secretary to Government, General Administration

Department, Civil Secretariat, Jammu

3. Sh. Sudesh Magotra. Additional Advocate General, J&K High Court, Jammu
4. Selection Division/ Record file.
5. Mtr Tahira Tabassum D/o Abdul Rahoof R/o W.No.8 Rajouri.
(Applicant concerned)
6. In-Charge Website.