

**GOVERNMENT OF JAMMU AND KASHMIR**  
**JAMMU AND KASHMIR SERVICES SELECTION BOARD**

CPO Chowk, Kacchi Chowni, Jammu/Zamzam Complex Rambagh, Srinagar  
([www.jkssb.nic.in](http://www.jkssb.nic.in))

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Subject: Directions of the Hon'ble Central Administrative Tribunal, Jammu, in OA No.61/80/2023 titled Sudha Verma & Ors Vs UT of J&K & Ors- Consideration Order thereof.

**Order No. 108 -SSB of 2023**

**Dated: 02.06.2023**

Whereas, vide Notification No. JKSSB/55/2022-05 dated 03.01.2023, the J&K Services Selection Board notified the Provisional Selection List for the 80 posts of Class-IV, belonging to the Deaf and Hard of Hearing Category, advertised vide Notification No.1 of 2020 dated 26.06.2020; and

Whereas, the above Notification inter-alia provided that the candidates may represent with any grievances/objections to the aforementioned Provisional Selection List within three days; and

Whereas, some candidates, aggrieved of the above Provisional Selection, approached the Hon'ble Central Administrative Tribunal, Jammu, through OA No.61/80/2023 titled Sudha Verma & Ors Vs UT of J&K & Ors. The Petitioners challenged the aforementioned List on the following grounds:

***"That the provisional list was issued by the official respondents despite the facts as per definition of the deaf under The Rights of Persons with Disability Act, 2016 which provides that deaf means persons having 70 DB hearing loss in speech frequencies in both ears; b) hard of hearing means persons having 60 DB to 70 DB hearing loss in speech frequencies in both ears meaning thereby only those individuals were selected under deaf and hard of hearing category who were having loss of hearing of more than 60 DB or above, but quite shockingly, the respondents have selected private respondents in gross violation of provisions of the Rights of persons with Disability Act,2016 as the private respondents who were having loss of even 40 have also been selected in the impugned select list."***

Whereas; the above OA came to be finally disposed of with the following directions:

***"...the Original Application is disposed of with a direction to Chairman, Services Selection Board, Jammu (Respondent No.2 herein) to decide the applicants' objections while keeping in view the provisions of the schedule annexed with the '2016 Act' before finalising the select list of Class-IV candidates under PWD Category. Before taking such a decision, the applicants shall be afforded an opportunity of being hearing..."***

Whereas, the Board vide No. JKSSB-LEG/72/2023-03 dated 13.04.2023



issued a Notice by affording an opportunity of being heard to the Petitioners in the aforementioned OA and advised them to attend the office of Secretary/Additional Secretary, J&K Services Selection Board at Jammu/Srinagar on 17.04.2023 to present their case/objections to the Provisional Selection List for the aforementioned posts; and

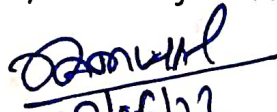
Whereas, on the scheduled date, a total of four petitioners attended the JKSSB office at Jammu and one at Srinagar office. The applicants gave no written submissions against the above referred Provisional Selection List and requested that due regard should be given to the provisions of the Rights of Persons with Disability Act, 2016 while finalizing the Selection for these Posts; and

Whereas, pursuant to the above directions of the Hon'ble Tribunal, a thorough examination of the Disability Certificates of the candidates figuring in the Provisional Selection List was conducted which indicated that while these certificates do not mention the Decibels, no candidate with less than 40% Disability has been considered for selection (provisionally) for these posts. Moreover, each candidature as figuring under it would be subject to further scrutiny while finalizing the selection. Pertinently, the Rights of Persons with Disability Act, 2016 defines 'Person with Benchmark Disability' as a person with not less than forty percent of a specified disability. Also, as per the recommendations of the Committee framed by the Ministry of Social Justice & Empowerment, Department of Empowerment of Persons with Disabilities, vide Order dated 08.07.2015, the existing guidelines for the purpose of assessing the extent of specified disability in a person included under the Rights of Persons with Disability Act, 2016, the computation/comparison of percentage of hearing disability with degree in decibels is clearly mentioning that 40% hearing disability is equivalent to 60 dB (decibels); and

Whereas, the issues arising out of the aforementioned OA were also deliberated in the 225th Board meeting held on 04.05.2023.

Now therefore, the claim of the applicants having been considered in compliance to the directions of the Hon'ble Central Administrative Tribunal, Jammu in OA No.61/80/2023 titled Sudha Verma & Ors Vs UT of J&K & Ors and examined in light of the extant rules/regulations, is found devoid of merits and, hence rejected.

**By Order.**

  
02/06/23  
(Sachin Jamwal) JKAS,  
**Secretary,**  
**J&K Services Selection Board.**

No. JKSSB-LEG/72/2023-03 (E-7117922)

Dated: 02 .06.2023

Copy to:

1. Commissioner/Secretary to the Government, General Administration Department.
2. Ld. Additional Advocate General, JKSSB.
3. Director Information, J&K, with the request to publish this Order in at- least two newspapers of Jammu/Srinagar.
4. Deputy Legal Remembrancer, JKSSB, Jammu.
5. Private Secretary to Chairman, J&K Services Selection Board.
6. I/c Website, J&K Services Selection Board.
7. Office records.