

**Government of Jammu and Kashmir,
J&K Services Selection Board,
Rail Head Complex, Sehkari Bhawan, Jammu.**
(www.jkssb.nic.in)

Office order No: 211 - SSB of 2020

Date: - 28-08-2020

Subject: SWP No. 401/2009 titled Som Nath Thakur v/s State of J&K & Ors.

Whereas, the J&K Services Selection Board vide Advertisement Notification No. 03 of 1996 dated 24.12.1996 advertised various posts inter-alia for the post of Forest Guard/Forest Protection Force District Cadre, Doda in the Department of Forest, Environment and Ecology, (Item No. 81); and

Whereas, the J&K Services Selection Board issued Selection List/revised Selection List of the candidates for the post of Forest Guards/Forest Protection Guard, District Cadre, Doda Item No. 81 in pursuance to Advertisement Notification No. 03 of 1996 dated 24.12.1996 and forwarded the same to the Indenting Department/Forest, Environment and Ecology Department; and

Whereas, the petitioner namely Som Nath Thakur S/o Sh. Mangat Ram, R/o Village Hanzal, Tehsil Marwah District Kishtwar competed in the Selection process and secured 37.74 points which is much less than the last selected candidate who secured 43.81 points in Open Merit category for the post of Forest Guard/Forest Protection Force District Cadre, Doda, and was not selected and has filed the writ petition before the Hon'ble High Court of J&K;

Whereas, aggrieved of the Selection List, the petitioner filed a writ petition bearing SWP No. 401/2009 titled Som Nath Thakur v/s State of J&K & Ors before the Hon'ble High Court, Jammu, seeking directions in the nature of writ of Mandamus commanding the respondents to appoint the petitioner against one of the available vacancies of Forest Guards which have become available in the face of the non-joining of many selected candidates upon considering the petitioner for such appointment.

Whereas, the Hon'ble High Court disposed of the writ petition on 06.04.2017 with the following directions:-

"In view of submissions made by the learned counsel for the parties and in the facts of the case, this writ petition is disposed with a direction to the Competent Authority to consider the claim of the petitioner for appointment on one of the post of Forest Guard, which were

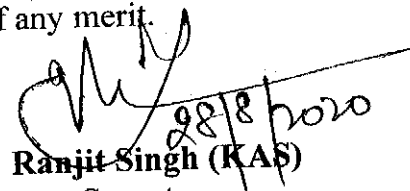
notified vide Advertisement Notification dated 24.12.1996, subject to availability of the vacancy. Needless to state that in case the petitioner is found eligible for recruitment against the aforesaid post, the competent authority shall consider the case of the petitioner for relaxation in age strictly in accordance with rules. Let the aforesaid exercise be completed by the respondents within a period of four months from the date of receipt of a certified copy of order passed today. It is made clear that this court has not expressed any opinion on merits of the case.

With the aforesaid directions, the writ petition is disposed of."

Whereas, the case of the petitioner was placed before the Board in its 171st meeting held on 12.06.2020 for deliberation and decision in terms of the directions dated 06.04.2017 passed by the Hon'ble High Court and after due consideration, it was decided to reject the claim of the petitioner, being devoid of merit, owing to the reason that the candidate has secured much less marks (than the last selected candidate) for the post of Forest Guard/Forest Protection Force (Forest, Environment and Ecology Department) District Cadre Doda, under OM Category; and

Whereas no post is available with the Board relating to the Advertisement Notification No.03 of 1996 dated 24.12.1996;

Now, therefore in due deference to the order dated 06.04.2017 passed by the Hon'ble High Court of J&K in SWP No. 401/2009 titled Som Nath Thakur v/s State of J&K & Ors, the claim of the petitioner for the post of Forest Guard/Forest Protection Force (Forest, Environment and Ecology Department) in pursuance of the Advertisement Notification No. 03 of 1996 dated 24.12.1996 under Item No. 81, District Cadre Doda, under OM Category is hereby rejected, being devoid of any merit.


Ranjit Singh (RAS)
Secretary
J&K Services Selection Board

Copy for information to:-

1. Commissioner/Secretary to Government, General Administration Department, Civil Secretariat, Srinagar.
2. Commissioner/Secretary to Government, Department of Forest, Environment and Ecology, Civil Secretariat, Srinagar.
3. Pvt. Secretary to Chairman for information.
4. Som Nath Thakur S/o Sh. Mangat Ram, R/o Village Hanzal, Tehsil Marwah District Kishtwar.
5. Selection Division/ Record file.
6. In-charge website.