

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

Office order No: 245 SSB of 2020

Date: - 28 09-2020

Subject: SWP No. 1508/2018 titled Talab Hussain Vs State & Ors.

Whereas, the Jammu & Kashmir Services Selection Board vide Advertisement Notification No. 06 of 2015 dated 01.09.2015 advertised various posts including the post of Forest Guard in Forest Department, District Cadre Kathua (Item No. 518) with the following category wise breakup:

OM-25, RBA-09, SC-03, ST=04, ALC-01, OSC-01, Total=43

Whereas, the qualification prescribed for the aforesaid post is "Matric" with Physical standard as under:-

- I. Height: 163 CMS
- II. Physical Fitness 25 Kms walk to be completed in four Hours
- III. Physical fitness certificate from Chief Medical Officer

Whereas, the Selection List for the said post was finalized and forwarded to the Indenting Department vide communication No. SSB/Secy/Sel/2018/8716-23 dated 24.07.2018; and

Whereas, the Petitioner (Talab Hussain) figured (in the Provisional Selection List) under ST/HC category but his recommendation was kept withheld and is subject to verification of Disability Certificate as well as fitness certificate issued by CMO Health Kathua; and

Whereas, the petitioner submitted certificate issued by CMO Health Kathua vide No. CMO/K/DC486 dated 15.01.2014 as well as fitness certificate issued by the CMO Kathua vide No. CMO/K/4475 dated 08.03.2018 and in the meanwhile the petitioner approached the Hon'ble High Court of Jammu & Kashmir, Jammu by way of SWP No. 1508/2018, titled Talab Hussain Vs State & Ors. The Hon'ble Court vide its order dated 27.07.2018 disposed of the above titled writ petition with the following directions:-

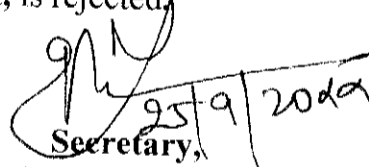
"....Respondent No. 2 to finalize the selection list for the post of Forest Guard (Forest Department), District Cadre, Kathua advertised vide aforesaid notification under item No. 518 under handicapped category. Let this exercise be carried out expeditiously, preferably within a period of four weeks from the date of receipt of certified copy of this order. The decision so taken by respondent No. 2 shall be communicated to the petitioner."

Whereas, the matter was taken up with the Director Health Services vide communication No. SSB/Secy/Sel/2018/11334-35 dated 07.12.2018 seeking clarification with respect to the disability and fitness certificate issued to the petitioner (i.e. Disability Certificate issued by CMO Health Kathua vide No. CMO/K/DC486 dated 15.01.2014 as well as fitness certificate issued by CMO Kathua vide No. CMO/K/4475 dated 08.03.2018) which was responded by the Directorate of Health Services Division Jammu vide its communication No. DHSJ/Gen-Disability/17067 dated 22.02.2019 which is reproduced hereunder:-

“..In reference to your office letter No. SSB/Secy/Sel/2018/11334-35 dated 07.12.2018, as stated by the Chief Medical Officer Kathua vide his letter No. CMOK/2018-19/PLG/Land Acq/7457-59 dated 12.02.2019 it is stated that the disability certificate has been issued vide office No. 486 dated 15.01.2014 of the Medical Board is authenticate and as reported by the Incharge Medical Superintendent MGH Kathua vide his letter No. MGH/K/359 dated 08.02.2019, the medical fitness certificate issued to the applicant is due to oversight.”

Whereas the matter was placed before the Board in its 163rd meeting held on 19.02.2020 and it was decided that claim of the petitioner is not covered in terms of Government Order No.147-SW of 2014 dated 17.06.2014 issued by the Social Welfare Department and accordingly it was resolved to reject the claim of the petitioner;

Now, therefore, in deference to the Order dated 27.07.2018 passed in SWP No. SWP No. 1508/2018, titled Talab Hussain Vs State & Ors., and as per the decision of the Services Selection Board taken in its 163rd meeting held on 19. 02.2020, the claim of the petitioner namely **Talab Hussain S/O Noor Alam R/O Village Fafal PO Kathera, Tehsil & District Kathua** found devoid of merit, is rejected.


Secretary,
Services Selection Board,
Jammu

No. SSB/Legal/ 5144-48

Dated: 28/09/2020

Copy to the:-

1. Commissioner/Secretary to Government, Department of Forest, Ecology and Environment for information.
2. Commissioner/Secretary to Government, General Administration Department.
3. Pvt. Secretary to Chairman for information to the Ld. Chairman.
4. Talab Hussain S/o Noor Alam R/o Village Fafal, P.O Kathera, Tehsil & District Kathua.
5. Selection Division/ Record file.
6. In-charge website.