

Government of Jammu and Kashmir,  
J&K Services Selection Board,  
Hema Complex, Sector No. 3, Channi Himmat, Jammu  
([www.jkssb.nic.in](http://www.jkssb.nic.in))

Order No: 52-SSB of 2021

Date: - 01.02.2021

**Subject: SWP No. 384/2019 titled Ishrat Bano v/s State of Jammu & Kashmir & Ors r/w WP (C) No. 1821/2019 Ishrat Bano v/s State of J&K & Ors- reg.**

Whereas, the J&K Services Selection Board (herein-after referred as Board), vide Advertisement Notification No. 06/2017/15 to 06/2017/28 dated 28.12.2017 invited online applications from the eligible candidates for 644 District Cadre posts of Science/Math Teacher in School Education Department including inter-alia, 79 posts for District Cadre Baramulla (Item No. 017) with the following category-wise breakup:

OM=45, RBA=16, SC=07, ST=08, ALC=02, OSC=01, total=79; and

Whereas, the written test for the said posts was conducted by the Board on 21.04.2018 and on the basis of the merit obtained by the candidates in the written test, provisional short list for the purpose of counseling-cum-document verification was notified by the Board vide Notification No. SSB/Secy/Sel/2018/7458-62 dated 26.06.2018; and

Whereas, during the selection process/document verification, the petitioner was declared as not eligible by the Board as it was found that the candidate belongs to other district i.e. Budgam, as her RBA certificate was issued from District Budgam. Aggrieved of her exclusion from the zone of consideration, the petitioner approached the Hon'ble High Court through SWP No. 384/2019 titled Ishrat Bano v/s State of J&K & Ors, seeking following relief:

- (a) By issuance of a writ of Certiorari or any other appropriate writ, order or direction, selection of respondent No. 03 be quashed.



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(b) By way of a writ Mandamus or any other appropriate writ order or direction, Respondent, Respondent 01 and 02 be directed to select and appoint the petitioner against the post of Science/Math Teacher in District Baramulla under RBA category.

Whereas, the Hon'ble High Court while considering the matter on 06.03.2019, directed as under:-

*"Learned Counsel for the petitioner submits that respondents on finalizing the selection have excluded the petitioner from the selection list merely on the ground that she obtained RBA certificate from District Baramulla. Learned Counsel for the petitioner submits that the village Larkipora, to which the petitioner belongs to is in Tehsil Khag, was included in the District Budgam in the year 2007 and then it was brought back to the District Baramulla in terms of SRO No. 431 dated 31<sup>st</sup> of August, 2014. It is submitted that subsequent to issuance of Advertisement Notice, the petitioner has got RBA certificate from Tehsildar, Karhama, District Baramulla on 10.12.2018. It is submitted that these documents are brought to the notice of Board, but despite that the Board treated the residence of petitioner as Budgam and excluded her from the selection list.*

*Prima facie it appears that petitioner has been excluded from the selection list merely on the ground that she does not belong to District Baramulla, but as a matter of fact the documents reveal that at that given point of time the petitioner with reference to status belongs to District Baramulla.*

*In the meantime, selection of candidate namely Irshad Ahmad Beigh of RBA category, figuring at S.No. 14 in selection list shall stay till next date of hearing before the Bench."*

Whereas, the petitioner again approached the Hon'ble High Court through another WP (C) No. 1821/2019, CM No. 3498/2019, challenging the selection and appointment of respondent No. 4, made in terms of order 467-DSEK of 2019 dated 11.05.2019 by Director School Education, Kashmir and the Hon'ble High Court vide Order dated 30.05.2019 directed as under:-

*Amml*

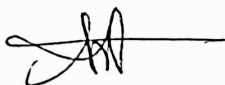
*[Signature]*

*“In the meantime, subject to objections of other side and till next date before the Bench, the impugned order of respondent No. 4, appointing him as Teacher shall stay.”; and*

Whereas, the matter was placed in 159<sup>th</sup> Board Meeting of the Services Selection Board held on 14<sup>th</sup> December, 2019 and it was decided to verify from the Indenting Department i.e. School Education Department that whether the last selected candidate under RBA category has been appointed or not, so that the selection of the petitioner at appropriate place may be recommended to the Indenting Department. Accordingly the said information was sought from the School Education Department vide communication dated 20.01.2020, and the School Education Department forwarded the report of the Director School Education, Kashmir vide communication No. Edu/L/KI/57/2019 dated 11.05.2020, conveying that the provisional appointment Order of Irshad Ahmad Beigh (last selected candidate under RBA) figuring at Serial No. 14 of the select list has been kept in abeyance; and


Whereas, the matter has been examined by the Board and it has been found that the revenue village Larkipora was again brought within the jurisdiction of District Baramulla by virtue of SRO 431 dated 31.08.2014 i.e prior to the issue of Advertisement Notification and that the provisional shortlist notified by the Board vide Notice No. SSB/Secy/Sel/2018/7458/62 dated 26.06.2018 pursuant to Notification No. 06/2017/15 to 06/2017/28 dated 28.12.2017 reveals that the petitioner has secured higher merit i.e. 39.7500 points than the last selected candidate under RBA who has only 38.78 points and as such the claim of the petitioner appears to be genuine and holds merit.

Now, therefore, keeping in view the above facts and circumstances, sanction is hereby accorded to the recommendation/selection of the petitioner namely Ishrat Bano D/o Nazir Ahmad Parra, R/o Larkipora, Baramulla (Annexure A) to the Indenting Department for appointment against the post of Science/Math Teacher (School Education Department), District Cadre



Baramulla under RBA category at Serial No. 11, pursuant to Advertisement Notification No. 06/2017 dated 28.12.2017, Item No 17 as per Selection list already forwarded to the Indenting Department vide communication No. SSB/Secy/Sel/17/2019/1791-97 dated 08.03.2019 and consequently Abdul Hamid Malla will figure at S.No. 12, Mudasir Ahmad Parry will figure at S.No.13, Abdul Rehman will figure at S.No. 14 and Irshad Ahmad Beigh will figure at S.No. 01 of the wait list under RBA, so on and so forth. The other terms and conditions already conveyed vide aforesaid communication to the Indenting Department shall remain the same.

By Order

  
01/02/21  
(Sachin Jamwal) KAS,  
Secretary,

J&K Services Selection Board

  
Dated:- 01.02.2021

No.SSB/Legal/I-1/2019/166-75/2021

Copy to:-


1. Commissioner/Secretary to Government, General Administration Department for information
2. Secretary to the Government, School Education Department, for information and further necessary action.
3. Pvt. Secretary to Chairman for information of the Chairman.
4. Ishrat Bano D/o Nazir Ahmad Parra, R/o Larkipora, Baramulla.
5. Selection Division/ Record file.
6. In-charge website.

**Annexure "A"**

**Part Selection List of candidate(s) for the post of Science/ Math Teacher (School Education Department) District Cadre Baramulla, Item No. 017(06 of 2017, Dated 28-12-2017)**

S.No.	C. S.No.	A_REG_NO	Roll No.	Candidate Name	Father/Husband Name	Address	DOB	Category	Weightage to written Exam (out of 85)	Total Addl. Qualif. points (Out of 15)	Grand Points Written + Addl Qualif. (Out of 100)	Name of Inst. / Univ.	Year of passing	Remarks
<b>Selection list (RBA Category)</b>														
11	OM- 123	17000000090 16700002573	10451024934	ISHRAT BANO	NAZIR AHMAD PARA	larkipora, hard aboora, larkipora, kawarhama, masjid, 193404, Baramulla, Larkipora	18-02-1991	RBA	29.7500	10	39.7500	Grad, B.Ed & M.Ed from KU	2011, 2013 & 2015	

- The recommendation of the aforementioned candidates is subject to genuineness of all academic / technical certificates viz-a-viz recognition of institutes which is to be verified by the indenting department.
- The select list shall be subject to outcome of any writ petition(s) pending in any court of law of the competent jurisdiction.

  
 (Sachin Jamwal) KAS  
 Secretary,  
 J&K Services Selection Board.