

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

Office order No: 137 SSB of 2021

Date: - 10 .03.2021

**Subject: SWP No. 2854/2016 titled Sanjiv Singh and Anr. V/s State of J&K and Ors.**

Whereas, the Jammu and Kashmir Services Selection Board vide Advertisement Notice No. 01 of 2015 dated 07.04.2015, Item No. 019 invited various applications inter-alia for the post of Sr. Lab Technician, Civil Engineering (Higher Education Department) Divisional Cadre Jammu with the following breakup:- **OM=02, RBA=01, SC=01, Total= 04;and**

Whereas, the J&K Services Selection Board conducted the common written test for the aforesaid posts alongwith the posts of Junior Engineer, Civil, PHE, I&FC and R&B Department (State Cadre) and Demonstrator (Civil Engineering), District Cadre Jammu. Subsequently, the selection as against the posts of Junior Engineer (Civil), R&B Department as well as PHE, I&FC Department was taken to its logical conclusion by the Board by forwarding of the recommendations/Selection List to the concerned Indenting Departments; and

Whereas, in so far as the present post of Sr. Laboratory Technician, Civil Engineering is concerned, the Board issued shortlist of the candidates vide endorsement No. SSB/Sel/Secy/2016/1546-61 dated 29.01.2016. However, subsequently it was found that the shortlisted candidates for the post of Senior Lab Technician (Civil Engineering) and Demonstrator Civil Engineering had also been shortlisted for the post of Jr. Engineer, PWD and PHE Departments for which the selection had already been taken into logical conclusion and most of these candidates had been recommended for selection to the Indenting Department; and

Whereas, in order to avoid repetition of the candidates in the Select List for the post of Senior Laboratory Technician/Demonstrator Civil Engineering, the Board decided to seek preferences from shortlisted candidates which included those candidates who were selected for the post of Junior Engineer(R&B as well as PHE Department), for which a notice bearing No. SSB/Sel/Secy/2016/16258-67 dated 11.06.2016 was issued by the Board calling upon the shortlisted candidates to submit their preferences in the Divisional Office(s) of the Board at Jammu and Srinagar within 05 days i.e upto 16.06.2016;and

Whereas, the petitioners filed writ petition bearing SWP No. 2854/2016 titled Sanjeev Singh & others Vs State & others before the Hon'ble High Court, Jammu and the Hon'ble Court vide order dated 30.11.2017 of the writ petition, the operative part of which reads as **"in view of the submissions made by the learned counsel for the respondents, instant writ petition is disposed of with the direction that for selection of Sr. Lab Technician (Civil Engineering) and for other posts, Authority will adhere the criteria of merit-cum-preference, as indicated in the Notices dated 24.03.2016 and 14.06.2016, issued by Secretary, J&K Services Selection Board.."**

Whereas, the selected candidates of Sr. Lab Technician Civil\Engineering Higher Education Department, Divisional Cadre Jammu Item No. 019(01 of 2015) who have also been selected as Jr. Engineer (Civil) State Cadre, Item no. 134(02 of 2104) & 001(01 of 2014) did not give preferences against in the Item No. 019(01 of 2015) as sought by this Board vide Notice dated

11.06.2016. In the said notice, it is specifically mentioned that the preferences/option of any candidate shall be operated strictly in order of merit & there shall be no compromise in the merit in what so ever situation, it was also mentioned in the said notice that in case no consent is received from the selected candidates for the post of Jr. Engineer (PWD) PHE, it will be presumed that the candidates are not interested to get selected for the post of Sr. Lab Technician (Civil Engg) Higher Education Department, Div Cadre Jammu Item No. 019(01 of 2015). The selection list of the candidates of the above said two items of Jr. Engineer has already been forwarded to the Indenting Departments; and


Whereas, Sh. Himanshu Sharma S/o Sh. Vishwa Mitter R/O Parwa Jammu had already represented before the Board and the Board conducted his interview for the post of Senior Laboratory Technician in pursuance of Advertisement Notice No. 01 of 2015 Item No. 019 vide Notice No. SSB/Sel/Secy/2016/16258-67 Dated 11.06.2016 and No. SSB/Sel/Secy/2016/19305-15 dated 31.08.2016;and


Whereas, in response to the aforementioned notice, only two candidates submitted their preferences in the J&K Services Selection Board, namely Sanjiv Singh S/o Sh Jaswant Singh R/o Ahadwah District Ramban (RBA) and Sh. Himanshu Sharma S/o Sh Vishwa Mitter R/o Parwa District Jammu OM and that no other candidate furnished his/her preferences in respect of the posts in question; and

Whereas, the matter was examined by the J&K Services Selection Board in its 171<sup>st</sup> meeting held on 12<sup>th</sup> June, 2020 in compliance with the directions of the Hon'ble High Court, Jammu and it was decided to release/forward the select list for the post of Sr. Laboratory Technician (Civil Engineering) Divisional Cadre Jammu in favour of Mr. Sanjiv Singh, given that he figures in the shortlist as prepared by the Board following the ratio of 1:5, prescribed in the rules. As far as the case of Mr. Himanshu Sharma is concerned, it has been found that he does not figure in the shortlist prepared by the Board following the norm of five times the number of vacancies and the Board accordingly deemed it fit to reject his claim, being devoid of merit.

Now, therefore, in due deference to the Judgment/order dated 30.11.2017 passed by the Hon'ble High Court in SWP No 2854/2016 titled Sanjiv Singh and another V/s State of J&K and others and as per the decision of the Board, the claim of the petitioner namely **Himanshu Sharma S/o Shri Vishwa Mitter R/o Parwah P.O Sangrampur, Tehsil Marh District Jammu (Open Merit)** for the post of Sr. Lab Technician, Civil Engineering (Higher Education Department) in pursuant to Advertisement Notification No. 01 of 2015 dated 07.04.2015, Item No. 019, Divisional Cadre Jammu has been found devoid of any merit, and accordingly is rejected.

**BY ORDER**

  
(Sachin Jamwal) KAS,  
Secretary,

  
J&K Services Selection Board  
Dated: - 10.03.2021

No. SSB/Legal/S-41/16/3543-48  
Copy for information to the:-

1. Commissioner/Secretary to Government, Higher Education Department, Civil Secretariat, Jammu.
2. Commissioner/Secretary to Government, General Administration Department, Civil Secretariat, Jammu.
3. Pvt. Secretary to Chairman, JKSSB for information of the Chairman.
4. Selection Division/ Record file.
5. In-charge website.
6. Mr. Himanshu Sharma S/o Shri Vishwa Mitter R/o Parwah P.O Sangrampur, Tehsil Marh District Jammu.