

Government of Jammu and Kashmir,
J&K Services Selection Board,
Hema Complex, Sector-3, Channi Himmatt Jammu.
(www.jkssb.nic.in)

Office order No: 45 SSB of 2021
Date: - 28 .01.2021

Subject: SWP No. 2646/2016 titled Amit Bassan V/s State of J&K and others

Whereas, the Jammu and Kashmir Services Selection Board advertised various posts including the post of Jr. Engineer, PWD Department, under State Cadre in pursuant to Advertisement Notification No. 02 of 2014 dated 30.12.2014 under Item No. 134 with the following breakup of posts:-

OM=133, RBA=47, SC=23, ST=20, ALC=07, OSC=5, Total=235; and

Whereas, the Jammu and Kashmir Services Selection Board after completion of the Selection Process issued the Selection List and forwarded the same to the Indenting Department (PWD Department) vide communication No. SSB/Secy/Sel/ 2016/PWD/12133-39 dated 29.04.2016; and

Whereas, the petitioner Amit Bassan who applied under SC/HCL Category failed to secure his place in the Final Selection List issued by the J&K Services Selection Board having obtained 36.8446 points in comparison to the cut off merit obtained by last selected candidate for the post under the SC Category i.e. 52.8311 points; and

Whereas, the petitioner aggrieved of his non-selection filed a writ petition before the Hon'ble High Court bearing SWP No. 2646/2016 titled Amit Bassan V/s State of J&K and others, and the Hon'ble High Court vide its order dated 18.12.2017 disposed of the writ petition with the following Order/directions:-

"....8. In this view of the matter, the instant writ petition is disposed of giving liberty to the petitioner to make a detailed representation to respondent No. 2 Services Selection Board on the above lines. On such representation being filed, respondent No. 2 Services Selection Board shall accord consideration and disposed of the same on its merits, expeditiously, preferably within a period of four to six weeks from the date of receipt of representation along with copy of this order. 9. If authority does not accord consideration to the prayer of the petitioner, he will be entitled to urge the matter as per law."; and

Whereas the petitioner has filed a representation before the J&K Services Selection Board seeking consideration under SC/ HCL for the post of Jr. Engineer(Civil) PWD Department, under State Cadre in pursuant to Advertisement Notification No. 02 of 2014 dated 30.12.2014 under Item No. 134; and

Whereas, the matter was examined by the Board in its 177th meeting held on 22nd and 23rd of December,2020 and the Board after examining the matter, decided to reject the claim of the petitioner by way of speaking order mentioning therein explicitly that as per the extant norms, horizontal reservation can be considered in Mother Category only and that while preparing the Selection List, the Board have adhered to the provisions of the J&K Persons With Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1998 and to the extent specified therein read with Government Order No. 147-SW of 2014 dated 17.06.2014.

Now, therefore, in deference to Judgment/order dated 18.12.2017 passed by the Hon'ble High Court in SWP No 2646/2016 titled Amit Bassan V/s State of J&K and others and as per the decision of the Board, the claim of the petitioner namely Amit Bassan S/o Sh. Jagdish Raj, R/o Barnai, Ward No.65, Tehsil and District Jammu, has been found devoid of merit and is rejected.

BY ORDER


27/01/21
(Sachin Jamwal) KAS,
Secretary,

J&K Services Selection Board

Dated: 28 .01.2021

No. SSB/Legal/A-29/16 | 122-29/2021

Copy for information to:-

1. Commissioner/Secretary to Government, PWD(R&B) Department.
2. Commissioner/Secretary to Government, General Administration Department.
3. Pvt. Secretary to Chairman, J&K Services Selection Board.
4. Amit Bassan S/o Sh. Jagdish Raj, R/o Barnai, Ward No.65, Tehsil and District Jammu.(Petitioner)
5. Selection Division/ Record file.
6. In-charge website.