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

Office order No: 128 SSB of 2021
Date: - 03.03.2021

Subject: WP(C) No.1771/2019 titled Vinod Kumar V/s State and others.

Whereas, the J&K Services Selection Board advertised various posts including three posts (HC=03) of Teacher (School Education Department) District Cadre, Rajouri pursuant to Advertisement Notice No. 02 of 2012 dated 07.11.2012, Item no. 077; and

Whereas, the prescribed qualification for the aforesaid post is:-
“10+2, preference will be given to the candidates having higher qualifications and those having passed M.Ed, B.Ed and diploma/ETT/NTT.”; and

Whereas, the J&K Services Selection Board after completion of the selection process, issued the Selection List and forwarded the same to the Indenting Department (School Education Department) vide communication no. SSB/Secy/Sel/2017/8871-77 dated 11.09.2017; and


Whereas, the petitioner namely, Vinod Kumar who applied for the post of Teacher under HC Category secured 38.92 marks and the last selected candidate secured 46.52 marks and the cutoff of the candidate in the Waiting List is 41.82; and

Whereas, the petitioner approached the Hon'ble High Court by filing writ petition bearing WP(C) No.1771/2019 titled Vinod Kumar V/s State and others seeking following reliefs:-

- i. **commanding the respondents to select and appoint the petitioner under visually/Handicapped/Hearing Impaired and Loco-motor Handicapped (i.e. Blind and Low Vision/Handicapped by one arm and both legs) for the post of Teacher(district Cadre Rajouri) in Education Department in pursuance of advertisement notification No. 02 of 2012 dated 07.11.2012(Item No. 77)**
- ii. **Commanding upon the respondents to consider the case of the petitioner for the abovesaid post as petitioner is next in merit as the said post remains vacant due to non- joining of the waiting list candidates who were above the petitioner and being the only agitating/eligible candidate for the post in question.” ;and**

Whereas, the aforesaid writ petition was disposed of by the Hon'ble Court on 14.05.2019 with the following directions:-

“...this petition is disposed of by providing that in case any post of Teacher under the category of physically handicapped in District Cadre Rajouri has remained unfilled due to non-joining of the selected candidates and the petitioner, who claims to be next in the order of merit, the case of the petitioner, if falls within the purview of the Rules in force, shall be considered and a speaking order shall be passed within a period of six weeks from the date a certified copy of this order is made



available to them. Disposed of as above in the above terms along with connected CM.”

Whereas, the Rule 14(7) of J&K Civil Services Decentralization and Recruitment Rules,2010 provides that *...the selection committee shall not maintain or recommend any selectee or waiting list for any future vacancy or any vacancy caused on account of resignation by any selectee after appointment.*”;and

Whereas, the matter was examined by the J&K Services Selection Board in its 178th meeting held on 10th January, 2021 in compliance with the directions of the Hon’ble High Court, Jammu and the Board after perusing the facts before it, decided that the claim of the petitioner namely Vinod Kumar shall be rejected being devoid of any merit by issuing a speaking order.

Now, therefore, in deference to Judgment/order dated 14.05.2019 passed by the Hon’ble High Court in SWP No. 1771/2019 titled Vinod Kumar V/s State of J&K and others and as per the decision of the Board, the claim of the petitioner namely **Vinod Kumar S/o Raghu Nath Sharma, R/o Channi, Tehsil Siot, Sunderbani District Rajouri**, for the post of Teacher (School Education Department) District Cadre, Rajouri pursuant to Advertisement Notice No. 02 of 2012 dated 07.11.2012, Item no. 077 being devoid of merit and beyond the provisions of rules in force, is hereby rejected.

BY ORDER


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

J&K Services Selection Board

Dated: - 03.03.2021

No.SSB/Legal/S-11/14/2620-25

Copy to:-

1. Administrative Secretary to Government, School Education Department for information.
2. Commissioner/Secretary to Government, General Administration Department for information.
3. Pvt. Secretary to Chairman for information.
4. Sh. Vinod Kumar S/o Raghu Nath Sharma, R/o Channi, Tehsil Siot, Sunderbani District Rajouri.
5. Selection Division/ Record file.
6. In-charge website.