

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

Order No: 184 SSB of 2021

Date: - 06 .04.2021

Subject: SWP No. 152/2019 titled Mohammad Maqbool Khan V/s State of J&K & Ors—(Release of the post of Teacher under HC Category, Notification No. 06 of 2017 dated 28.12.2017).-reg.

Whereas, the J&K Services Selection Board (herein after referred as Board), vide Advertisement Notification No. 06 of 2017 dated 28.12.2017 advertised various District Cadre Posts of General Teacher, Science/Math Teachers and Urdu; and

Whereas, under Item No. 06/2017/22 (for District Cadre posts of Science/Math Teacher), 31 out of 55 posts were identified for O.M. Category, whereas 11,05,05,02 and 01 posts were identified for RBA, SC ST, ALC and OSC categories respectively and 3% vacancies were earmarked for Physically Handicapped candidates; and

Whereas, the Board vide Notice dated 26.06.2018, notified provisional short lists for the various District Cadre posts of Science and Math Teachers, inter-alia, the posts earmarked for Physically Handicapped Category. However, subsequently it was found that the candidates with locomotory disability have not been short listed under the said category in some districts though the post is also identified for that category. It was also found that in terms of rules, where the number of posts is less than 03, the candidates with superior merit in all the eligible sub-category of Physically Handicapped Category are required to be considered for selections in the Physically Handicapped Category on the basis of merit, which fact was also clarified by the Social Welfare Department, that in case of limited number of posts, merit shall prevail; and

Whereas, the issue was considered by the Board in its meeting held on 03.01.2019 and it was resolved to call the eligible candidates in the desired Physically Handicapped Sub-category in the required District for counseling-cum-Document Verification. Sequel to the decision taken in the Board meeting, Notice was issued by

the Board, thereby calling the candidates for counseling-cum-Verification for according them consideration against the posts earmarked for ESM/Physically Handicapped category in indicated Districts including District Pulwama for the posts of Science and Math Teachers; and

Whereas, it was provided in the aforesaid notice that the consideration shall be strictly in accordance with the merit and eligibility and keeping in view the number of posts earmarked for that particular category; and

Whereas the said Notice was challenged by the petitioner before the Hon'ble High Court and the Hon'ble while considering the matter on **01.02.2019**, directed to keep one post of Science/Math Teacher under HC Category reserved ; and


Whereas, the stand of the Board was that the said Notice was not contrary to section 22 of the Jammu and Kashmir persons with Disabilities (Equal opportunities, protection of Rights and Full Participation) Act, 1998, as for the limited number of posts less than three in number, the merit of each category irrespective of nature of disability rather than chronology of nature of disability, is to be considered so as to provide equal opportunity to all the physically handicapped candidates and in such eventuality, the merit shall prevail. The mandate regarding reservation of one percent (1%) of vacancy for person suffering from Blindness or low vision, Hearing Impairment and the Locomotor disability respectively, can only be given effect when there are three or more than three posts and in case of limited number of vacancies, selection of the Physically Handicapped candidates is to be made on the basis of merit irrespective of the chronology of the sub-categories as clarified by the Social Welfare Department vide communication dated 02.10.2018, and that the candidates having locomotor disability are equally entitled to compete along with other sub-category for the posts earmarked for PHC. As such, the candidates with locomotor disability were called for counseling-cum-document verification, as it was found that candidates falling under said sub-category of the PHC have not been shortlisted in some districts inter-alia, for district Pulwama, as such, in order to give due representation as provided under law to the said sub-category impugned Notice was issued; and

Whereas, the petition was contested on merits by the Board. However, on an application filed by the petitioner, the Hon'ble Court vide Order dated 21.01.2020 dismissed the same as withdrawn; and

Whereas, the matter was finally placed in 174th Board Meeting of the Services Selection Board held on 16th September, 2020 and the Board resolved to release the name of qualified candidate against reserved post strictly as per merit and in accordance with rules.

Now, therefore, keeping in view the above facts and circumstances, sanction is hereby accorded to the release of recommendation in favour of Gulzar-ul-Hassan, S/o Ghulam Hassan Dar, for appointment, against the post of Science/Math Teacher under HC Category, advertised vide Notification No. 06 of 2017 dated 28.12.2017, District Cadre Pulwama, Item No 22. The merit position of the said candidate, who will figure at Sr. No. 31 as per the selection already forwarded to the indenting department (School Education Department), vide communication No. SSB/Secy/Sel/22/2019/1624-30 dated 08.03.2019, is enclosed herewith as annexure "A". The terms and conditions shall be same as per the said selection list communicated to the indenting department.

By Order

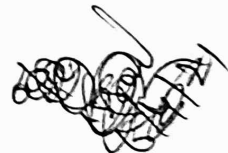

05/04/21
(Sachin Jamwal) KAS,
Secretary,
J&K Services Selection Board
Jammu

No.SSB/Legal/M-3/2019 | 540-43 | 21

Dated:- 6 .04.2021

Copy to:-


1. Administrative Secretary, School Education Department, for information and further necessary action.
2. Commissioner/Secretary to Government, General Administration Department.
3. Pvt. Secretary to Chairman for information of the Chairman.
4. Gulzar-Ul Hassan Dar, S/o Gh Hassan Dar, R/o 191, Bijbehera, Dar House, Awantipora, Jamia Masjid, Dogripora, Pin Code No. 192124 District Pulwama.
5. Selection Division/ Record file.
6. In-charge website.



Annexure "A"
Part Selection list of candidates for the post of Science & Maths Teacher (Education Department), District Cadre Pulwama, Advt/Item No. 06/2017/22 .

S.No.	C.S.No	AREGNO	Roll_Number	Candidate Name	Father/Husband Name	ADDRESS	DOB	Categor Y	Total Addl.p oints (Out of 15 points)	Grand Points written + Addl.qualfc. (out of 100)	Name of Univ./Institute	Year of Passing	Remarks
Selection list (Open Merit Category)													
31	Sup- HCL-1	17000000090 21700002407	10111011241	GULZAR UL HASSAN DAR	GH HASSAN DAR	191,Bijbehara,Dar House,Awantipora, Jamia Masjid, 192124,Pulwama, Dogripora	15-02-1990	OM/ HCL	7	40.6458	Graduation, PG & B.Ed. from K.U	2010, 2014, 2016	

- The recommendation of the aforementioned candidates is subject to genuineness of all academic & technical certificates viz-a-viz recognition of institutes by the indenting department.
- The selection list is subject to the outcome of writ petition pending (if any), in any court of competent jurisdiction.


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