

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

ORDER NO: 215 -SSB of 2022
DATED: 29 -6-2022

Subject:- CPSW No. 447/2017 in SWP No.408/2012 titled Rachna Bawa Vs F.A. Shah

Whereas, that the JKSSB advertised various posts of Teacher, District Cadre Jammu pursuant to Advertisement Notice No. 07 of 2010 dated 12.11.2010 item No. 696 with the following break up :

(OM=346, RBA=122, SC=49, ST=61, ALC=17 and OSC=13 Total=608)

Whereas, the prescribed qualification for the aforesaid post is as under:-**"10+2 Preference will be given to the candidates having higher qualification and those having passed B.Ed/SM.Ed and diploma in ETT/NTT"**.And the following criteria was adopted by the Board for making selections of candidates as against the aforesaid posts as:-

- | | |
|-----------------------------|---|
| i. Minimum 10+2 | =25 pts(on prorated basis) |
| ii. Graduation | =10 pts (on prorated basis) |
| iii. ETT/NTT | =05 pts (on prorated basis) |
| iv. E.Ed | =10 pts (on prorated basis) |
| v. P.G | =10 pts (on prorated basis) |
| vi. M.Ed | =10 pts (on prorated basis) |
| vii. M.Phil | =02 pts (on prorated basis) |
| viii. Ph.D after M. Phil or | =03 pts (Across the Board) |
| ix. Ph.D (Directed | =05 pts (Across the Board without M.Phil) |
| x. Viva Voce | =20 pts |
| Total | =100 pts |

Whereas the provisional select list was notified by the Board for inviting claims/objections of unselected candidates as against their non-inclusion. The petitioner also filed her claim for inclusion of her M. Phill and giving of weightage to the degree obtained by her from Vinayaka Mission University, session 2008-09 through Distance Education Mode. The claim of the petitioner was considered at very point of time and rejected for the reason that the distance course of M. Phill obtained by petitioner from vinayaka Mission University

is not a recognized course. The same is reflected from the universities Handbook 2010, issued by Association of Indian Universities, New Delhi.

Whereas, the Jammu and Kashmir Services Selection Board, after completion of the selection process for the aforesaid posts, issued the Selection List and forwarded the same to the Indenting Department (Education Department) vide communication No. SSB/Secy/Sel/012/2294-97 dated 03-09-2012.

Whereas, feeling aggrieved of his non selection against the aforesaid posts, the petitioner approached the HHC by filing SWP NO.408/2012 titled Rachna Bawa Vs State of J&K & ors and the Hon'ble High Court vide order dated 27.1.2017 disposed of the said petition and the same is reproduced as:-

“Learned counsel for the petitioner submitted that the identical writ petition (SWP No.2512/12) has been disposed of by the court vide order dated 24.2.2016 copy whereof is produced by the learned counsel for the petitioner in the open court.

This writ petition alongwith all connected MPs is disposed of and respondents are directed to consider the claim of the petitioner in terms of Govt Order No. 252-HE of 2012 dated 30.5.2012 provided petitioner is governed by the said government order.

Respondents to consider and take decision in the matter within 8 weeks from the date copy of the order is service on them.

Writ petition is disposed of along-with all connected matters.”

Whereas, in compliance with the aforesaid order, the case of the petitioner was re-examined by the Board and it was decided to reject the claim of the petitioner for the post in question being devoid of merit as she had obtained her degree through distance Mode and thus, hit by the Government order No. 252-HE of 2012 dated 30.5.2012 under clause v which clearly postulates that M.Phil/P.hd degrees obtained through Distance Mode shall not be recognized as equivalent to degrees obtained through regular Mode.

Now, therefore, in deference to the order dated 27.01.2017 passed by the Hon'ble High Court of Jammu and Kashmir and Ladakh at Jammu in SWP No. 408/2012 titled Rachna Bawa v/s UT of J&K and Others, the claim of the petitioner namely Rachna Bawa for the post of Teacher under OM category in

pursuance of the Advertisement Notification No. 07 of 2010 dated 12.11.2010 has been considered and found without any merit, and accordingly is rejected.

BY ORDER

Sachin Jamwal
29/06/22
(Sachin Jamwal) KAS,

Secretary
J&K Services Selection Board
Jammu

WJ

Dated: 29.6.2022

No. SSB/Legal/R-5/12 / 262-67
Copy to the:-

1. Commissioner/Secretary to Government, General Administration Department, Civil Secretariat, Jammu.
2. Commissioner Secretary to Government Education Department Civil Sectt Jammu.
3. Mr. Amit Gupta, Ld. Additional Advocate General, J&K High Court, Jammu
4. Racha Bawa W/o Rakesh Dubey R/o F-965, Dogra Mohall Canal Road Jammu
5. Selection Division/ Record file.
6. In-Charge Website.