

GOVERNMENT OF JAMMU AND KASHMIR
JAMMU AND KASHMIR SERVICES SELECTION BOARD

Hema Complex, Channi Himmat, Jammu/Zamzam Complex, Rambagh, Srinagar
(www.jkssb.nic.in)

Subject: Directions of the Hon'ble Central Administrative Tribunal, Jammu in OA titled Ranjeet Singh and Ors Vs Union Territory of Jammu and Kashmir and Ors-Consideration Order thereof.

Order No. 37-SSB of 2023
Dated: 16.02.2023

Whereas, the Jammu & Kashmir Services Selection Board (JKSSB), vide Notification No.JKSSB-PLAN/25/2022-03 dated 25.11.2022, notified the Provisional Selection List of the candidates for the posts of Junior Assistant/Cashier/Clerk/Store Attendant/Cadrex Clerk/Computer-cum-Junior Assistant/Welfare Organizer of various Departments for UT Cadre, Divisional Cadres and various District Cadres, advertised vide Notification No.04 dated 16.12.2020, No.05 dated 24.12.2020, No.06 dated 29.12.2020 & No.07 dated 31.12.2020 of 2020 & Notification No. 01 dated 03.02.2021, No.02 dated 26.03.2021 & 03 dated 04.06.2021 of 2021; and

Whereas, the above Notification *inter-alia* provided that the candidates may represent for any grievances/objections to the provisional list within seven days; and

Whereas, the representations received in the matter were examined and taking into consideration the issues raised by the candidates, the Selection Committee constituted for these posts observed that some changes in the Provisional List are imperative. The matter was, accordingly, placed in the Board for deliberations/decision, which in its 216th meeting held on 26.12.2022, deliberated the matter and decided that a Revised Provisional Selection List for these posts shall be issued; and

Whereas, in supersession of Notification No.JKSSB-PLAN/25/2022-03 dated 25.11.2022, *the Revised Provisional Selection List* of the candidates selected

(provisionally) for the aforementioned posts was notified vide Notification No.JKSSB-PLAN/25/2022-03 dated 30.12.2022; and

Whereas, some candidates, aggrieved of the above, approached the Hon'ble Central Administrative Tribunal, Jammu through the medium of OA titled Ranjeet Singh and Ors Vs Union Territory of Jammu and Kashmir and Ors seeking following relief:

"Stay the operation of Notification No.JKSSB-PLAN/25/2022-03 dated 30.12.2022 till the final disposal of the above titled OA.

Or

Alternatively, appropriate directions be issued to the respondents No.2 & 3 to accord consideration to the different representations (Annexure-IV) by passing a speaking and reasoned order and also afford a reasonable opportunity of being heard to the applicants and the outcome of the representation so filed may be communicated to the applicants and till then, it is prayed that appropriate directions be issued to the respondents not to finalize the selection process on the basis of the second provisional list dated 30.12.2022..."

Whereas, the Hon'ble Central Administrative, Jammu, vide its Order dated 16.01.2023, disposed of the above titled OA with the following directions:

"In view of the above, the Original Application is disposed of with a direction to Jammu & Kashmir Service Selection Board to publish the final selection list after considering the objections submitted by the aggrieved candidates. Needless to observe that in terms of undertaking given by Mr. Sudesh Magotra, learned Additional Advocate General, the aggrieved candidates shall also be afforded the opportunity of hearing before taking any decision over their objections."

Whereas, vide Notice No.JKSSB-LEG/20/2023-03 dated 13.02.2023 and in deference to the directions of the Hon'ble CAT, Jammu, the petitioners in the aforementioned OA were afforded an opportunity of being heard before taking any final decision on their objections. The petitioners were conveyed telephonically as well through e-mail regarding the said opportunity of being heard. 17 petitioners availed the opportunity and attended the office Secretary,

J&K Services Selection Board, at Hema Complex, Sector-3, Channi Himmat, Jammu on 15.02.2023 at 11 AM onwards, to present their case/objections to the Revised Provisional Selection List for the aforementioned posts (**Annexure-A**); and

Whereas, another representation was received through online mode from the aggrieved candidates; and

Whereas, the representations/grievances of these candidates, received through email as well as physically have been carefully examined in the Board in light of the extant rules/regulations; and

Whereas, the main contention of the petitioners is with regard to the Rule 7(8) of the Jammu and Kashmir Rules, 2005, which provides as under:

"For purpose of services to which Combined Competitive Examination is conducted, the reserved category candidates if selected against open merit vacancies may also be considered for allotment of services allocable to their respective category as per their inter-se-merit/own preference and the resultant left over vacancies in the services in open merit shall be allotted to those reserved category candidates only, as per merit-cum-preference, against whose vacancies the reserved category in the open merit are considered."

Whereas, the above provisions have strictly been adhered in the Revised Provisional Selection List for the aforementioned posts. Such reserved category candidates who have made to the selection zone in the Open Merit on their own merit have been treated as Meritorious Reserved Category (MRC) candidates and selected in the Open Merit. The petitioners have clearly failed to appreciate that this selection is for 210 Items belonging to various departments. As many as 22 Indenting Departments have referred these posts and the selection is required to be finalized Item-wise. This mechanism is being adopted by the recruiting agencies including JKSSB in respect of the vacancies belonging to various departments and for which the combined exams are held; and

Whereas, the reservation in appointments applicable to various categories has been strictly adhered to in this selection, with MRC candidates selected in the Open Merit as per their merit-cum-preference and availability of

vacancies, with-out being counted as part of the reserved category candidates as their selection is purely based on merit. The selection has been made item-wise and once the posts in one item exhausted, next item/s have been filled up as per the merit-cum-preference of the candidates figuring in the merit list, while applying reservation rules in letter and spirit. The available vacancies in the instant selection are not to be treated in common pool, but strictly as per the referral made by the indenting departments. The preference of a candidate has been taking into consideration as long as he/she figures in the merit list and the availability of vacancies.

Now therefore, in deference to the directions of the Hon'ble Central Administrative Tribunal, Jammu issued in OA titled Ranjeet Singh and Ors Vs Union Territory of Jammu and Kashmir and Ors, the objections of the petitioners to the Revised Provisional Selection List notified vide No.JKSSB-PLAN/25/2022-03 dated 30.12.2022 for these posts of Junior Assistant/Cashier/Clerk/Store Attendant/Cadrex Clerk/Computer-cum-Junior Assistant/Welfare Organizer of various Departments for UT Cadre, Divisional Cadres and various District Cadres, advertised vide Notification No. 04 dated 16.12.2020, No.05 dated 24.12.2020, No.06 dated 29.12.2020 & No.07 dated 31.12.2020 of 2020 & Notification No. 01 dated 03.02.2021, No.02 dated 26.03.2021 & 03 dated 04.06.2021 of 2021, having been considered in light of the extant rules/regulates, are hereby rejected as being devoid of merit.


16/2/23
(Sachin Jamwal) JKAS

Secretary
J&K Services Selection Board


Dated:16.02.2023

No.JKSSB-LEG/20/2023-03 (II)

Copy to:

1. Commissioner/Secretary to the Government, General Administration Department.
2. Ld. Additional Advocate General, JKSSB.
3. Director Information, J&K, with the request to publish this Order in at least three leading newspapers of Jammu/Srinagar.
4. Private Secretary to Chairman, J&K Services Selection Board.
5. I/c Website, J&K Services Selection Board.
6. Office records.

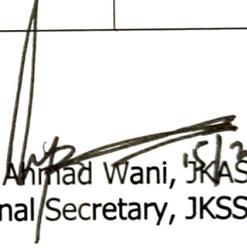
Attendance of the candidates who attended the office of Secretary, J&K Services Selection Board on 15.02.2023 at 11 AM onwards in pursuance of Notice No. JKSSB-LEG/20/2023-03 dated 13.02.2023, issued in-compliance to the directions of the Hon'ble Central Administrative Tribunal, Jammu dated 16.01.2023 in OA titled Ranjeet Singh and Ors Vs Union Territory of Jammu and Kashmir and Ors.

Sr. No.	Name of the Candidate	Father's Name	Address	Roll No.	Contact Number	Signature
1.	Sunil Singh	Surjit Singh	Ramban		88037 35045	
2.	Simranjeet Singh	Ranbir Singh	Ghou-Manhasu		705178 7853	
3.	Ahajibhan ul Haq Shah	Bahar Din Shah	Ramban Gool		6005031766	
4.	Mohd. roshidaza	Mohd. Yousuf	Maitoa Ramban		7889750599	
5.	Sunil Sharma	Vijay Kumar	Samba		7108447200	
6.	Sunny Kumar	Mohan Lal	Dode		901785522	
7.	Jaswinder Singh	Tara Chand	Calhu		98944686 26	
8.	Ankush Choudhary	Charan Singh	ak kotha -207		87150 26607	
9.	Abinash Kumar	Mukand Lal	Lookote Rajouri		8712060 786	
10.	Sunil Kumar	Jay Mohan	Manthra Baramulla		9797420 990	
11.	Ankush Sharma	Yog Raj	Rahyg		979753 600	
12.	Narjeet Sharma	Eupal Das Sharma	Romgala Udhampur		794482 2513	
13.	MAZIM KHURSHED	MAKHURSHED AHMAD	BARAMULLA J&K		9797 965523	
14.	Deepak Sharma	Ganesh Das Sharma	Bishnupur		9086177 817	
15.	Mohseen Hussain	Mohd Ashraf	Kishtwar		6005330 320	

16.	Jehi Sharma	Khem Raj	Majalta		9107330661	Jehi Sharma
17.	Jyoti Khant	Om Parkash	Kannaya		700601478	Jyoti
18.	Rajendra	Krishna	WOTUN		8825060-144	Rajendra
19.						
20.						
21.						
22.						
23.						
24.						
25.						


 15-02-2023
 Anil Kumar, JKAS
 Under Secretary, JKSSB


 15/02/23
 Sachin Jamwal, JKAS
 Secretary, JKSSB


 15/2/23
 Reyaz Ahmad Wani, JKAS
 Additional Secretary, JKSSB