

GOVERNMENT OF JAMMU AND KASHMIR
JAMMU AND KASHMIR SERVICES SELECTION BOARD
CPO Chowk, Panjtirthi, Jammu/Zamzam Complex Rambagh, Srinagar
(www.jkssb.nic.in)

Subject: Selection List of candidates under SRO-202 for the post of "Clinical Staff for Casualty bed", (Health & Medical Education Department) (GMC Baramulla), Divisional Cadre Kashmir Item No. 030 (02 of 2019) – Filling up of Reserved post thereof.

Order No. 421 -SSB of 2024
Dated: 20 .12.2024

Whereas, the J&K Services Selection Board (JKSSB) received an Indent from Health & Medical Education Department for the posts of "Clinical Staff for Casualty bed", (Divisional Cadre Kashmir) for which advertisement notice was issued by the Board vide notification No. 02 of 2019, dated 01.02.2019, under Item No. 030 for making direct recruitment to these posts, as per following category-wise break up:

Cadre of post	OM	RBA	SC	ST	OSC	ALC	Total
Divisional Cadre Kashmir	03	01	01	01	-	-	06

Whereas, the Board advertised these **posts**, vide notification No. 02 of 2019, for seeking applications from the eligible candidates, with the prescribed qualification as under:

10+2 with Science or above qualification with Diploma in Medical Lab. Technology from any recognized Institute.

Whereas, the JKSSB conducted OMR based written Examination for these posts on 11.05.2019; and

Whereas, the designated Selection Committee framed the Final Selection List for these posts of "Clinical Staff for Casualty bed", which was subsequently approved the Board and was uploaded on the official website on 25.02.2020; and

Whereas, in pursuance to the Hon'ble Court directions in W.P(s) No. 604/2020 titled "Ajaz Ahmad Ahanger V/s Union Territory of J&K and others 01 post under OM category alongwith wait list of 01 candidate under OM category was kept reserved, the details of the candidate who otherwise was figuring against the said post is given as under:

SL No.	C.SL No.	Roll No.	Name	Parentage	Address	DoB	Category	Total Marks	Test Score	Name of Inst./Univ	Year of passing
3	OM-5	1060381	Tajamul Islam	Bashir Ahmad Bhat	Kunzar, Magam, 901527, Near Masjid Sharif, Kunzar, Baramulla.	12.09 .1997	OM	66.00	55.00	10+2 from JK Bose & Dip. From SPMC	2012/2016

Whereas, the Selection list for the post of Clinical Staff for Casualty bed, Health & Medical Education Department (GMC Baramulla), Advertisement/Item No. 02/2019/030, Divisional Cadre Kashmir was forwarded to Financial Commissioner, Health & Medical Education Department, vide No. SSB/Secy/Sel/36(K)2020/2389-95 dated 16.03.2020 in which one post at S.No. 3 under OM category was kept reserved in pursuance to Hon'ble Court directions in WP(s) No. 604/2020 titled Aijaz Ahmad Ahanger and other V/s UT of J&K and others, and;

Whereas, the Hon'ble High Court vide dated 6.11.2021 passed the following order;

"...For the foregoing reasons, we do not find any error or illegality in the impugned judgment passed by the Tribunal. The impugned judgment of the Tribunal is well reasoned and lucid. The same does not call for any interference. The writ petition lacks merit and the same is, accordingly, dismissed".

Whereas, the Board vide letter No. JKSSB-LEG/99/2022-05(E-169818)/588-89 dated 20.05.2024, requested General Administration Department for advice regarding various Contempt petitions for hearing-request. In response to this, the GAD-LEG/262/2024-09-GAD dated 06.08.2024 has informed that the matter has been again taken up with the Department of Law Justice & Parliamentary Affairs and the latter has conveyed its opinion vide U.O NO. Law-Ser-I/41/2022-10 dated 26.05.2022; and

Whereas, the General Administration Department has accordingly conveyed the opinion tendered by the Law Department vide U.O No. Law-Opn 1/55/2024 dated 11.07.2024 which reads as under:

Returned: Department is advised to examine each case on its objective facts and align it with the advise rendered by Law Department vide Law-Ser-I/41/2022-10 dated 26.05.2022 (copy enclosed) and thereafter if need be further advise can be sought on a specific point.

Whereas, in light of the opinion conveyed by the Department of Law Justice & Parliamentary Affairs vide U.O NO. Law-Ser-I/41/2022-10 dated 26.05.2022, the case of the applicant was falling under advice of Law/GAD of 2022 at point no. (ii) and was subsequently placed in Board Meeting for discussion/deliberation.

Whereas, the Board in its 287th Board Meeting dated 25.10.2024 took a decision in the instant case reproduced as under;

"The matter was discussed in the Board and it was observed that the qualification prescribed by the Board for the post of Clinical Staff for Casualty bed, Health & Medical Education Department (GMC Baramulla), Divisional Cadre Kashmir notified vide advertisement notification No. 02 of 2019 dated 01.02.2019, Item No. 030 has been upheld by the Hon'ble Central Administrative Tribunal (CAT) Jammu Bench, Jammu in T.A 62/7196/2020 vide order dated 25.10.2021 in Aajaz Ahmad Ahanger and Ors vs UT of J&K and Ors., and the same was upheld by the Division Bench of the Hon'ble High Court of Jammu & Kashmir and Ladakh in W (C) No.

2251/2021 in its judgment dated 16.11.2021 and the SLP of the petitioner was dismissed by the Hon'ble Supreme Court vide its order dated 12.08.2024, as such objective facts of the case are aligning with the opinion tendered by the Law Department as conveyed by the General Administration Department(GAD) vide U.O No. (145866) dated 19.03.2024. GAD-MTGORBIV46/2022-09.

Therefore, it was decided that there is no impediment in filling up the reserved post and subsequently utilizing the post for the candidate in merit for the said post.

Now, in view of the above mentioned fact and Decision of the Board in the instant case, the post kept reserved at Sr. No. 03 under OM category in the Selection list for the post of Clinical Staff for Casualty bed, Health & Medical Education Department (GMC Baramulla), Advertisement/Item No. 02/2019/030, Divisional Cadre Kashmir forwarded to Financial Commissioner, Health & Medical Education Department, vide No. SSB/Secy/Sel/36(K)2020/2389-95 dated 16.03.2020, is hereby filled up/recommended by considering the candidature of Mr. Tajamul Islam S/o Bashir Ahmad Bhat as per the details contained in above given table. However, the other terms and conditions conveyed vide letter No. SSB/Secy/Sel/36(K)2020/2389-95 dated 16.03.2020 shall remain the same.

By Order.


(Atul Kumar) JKAS,
Secretary,

J&K Services Selection Board.

No. JKSSB-SD/12/2023-03 (E-7200175)

Dated: 20.12.2024

Copy to:

1. Commissioner/Secretary to the Government, General Administration Department for information.
2. Secretary to the Government, Health & Medical Education Department, for information and necessary action.
3. Private Secretary to Chairman, JKSSB.
4. In-charge Website, JKSSB.
5. Office records.