

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

Office order No: 230 SSB of 2021  
Date: - 10 .06.2021

**Subject:** SWP No. 2609/2018 titled Rajeev Kumar V/s State of J&K and others.

Whereas, the Jammu and Kashmir Services Selection Board advertised various posts including the post of Forest Guard, Forest Department, under District Cadre Kishtwar in pursuant to Advertisement Notification No. 06 of 2015 dated 01.09.2015 under Item No. 541 with the following breakup:- OM=15, RBA=05, SC=02, ST=03, Total=25; and

Whereas, the written examination for the aforesaid post was held in the month of December, 2017 and the Jammu and Kashmir Services Selection Board vide notification No. SSB/Sel/Secy/2018/1682-84 dated 14.02.2018 issued the provisional Selection list of candidates for Counseling/Document verification on 06<sup>th</sup> of March, 2018; and

Whereas the Jammu and Kashmir Services Selection Board after completion of the Selection Process issued the Selection List and forwarded the same to the Indenting Department (Forest Department) vide communication No. SSB/Secy/Sel/2018/8724-31 dated 24.07.2018; and

Whereas the petitioner feeling aggrieved of non-selection filed a writ petition before the Hon'ble High Court bearing SWP No. 2609/2018 titled Rajeev Kumar V/s State of J&K and others, and the Hon'ble High Court vide its order dated 11.03.2020 disposed of the writ petition with the following directions:-

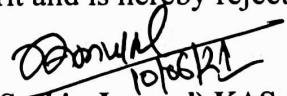
*"Having heard learned counsel for the parties and perused the record, I am of the view that this petition can be disposed of by providing that the respondent-Board shall consider the issue raised by the petitioner in this petition and if, it is found that respondent No. 3 is not an Ex-Serviceman as defined in clause X of the Jammu and Kashmir Reservation Rules, 2005, his candidature shall be cancelled and the eligible candidate in the category of Ex-servicemen, who is next in the order of merit, shall be considered for appointment. It is made clear that in terms of the definition of "Ex-Servicemen" as contained in Clause X of the Rule 2 of J&K Reservation Rules, 2005, ex-servicemen is a person who is permanent resident of the State, who has served in Army, Navy or Air Force and has honorably discharged and has not come to notice for any criminal or anti-national activity. No person other than the person having honorably discharged from three wings of the armed forces is entitled to be treated as ex-servicemen for grant of benefit of reservation provided to the category of Ex-Servicemen. Be that as it is, let respondent No. 2 consider the case of the petitioner in light of the aforesaid provision of J&K Reservation Rules, 2005 and the observations made above and pass appropriate orders, as may be warranted in law, within a period of six weeks from the date a copy of this order is served upon it."*

Whereas, the J&K Services Selection Board had shortlisted two candidates under Ex- Serviceman Category (ESM) as per the provisions of J&K Reservation Rules 2005 for Document Verification cum counseling vide notice no. SSB/Sel/Secy/2018/1682-84 dated 14.02.2018 and the candidate namely Bhushan Lal S/o Sewa Ram secured 52.5 points, got selected and figured in the Selection List at serial no. 5 under RBA/ESM Category but his recommendation was withheld subject to production of valid category certificate, which was later on cancelled by the Board vide Order No. 159-SSB of 2020 dated 26.05.2020, on the ground that the candidate namely Bhushan Lal was selected in the category of Ex Servicemen, but as per his certificate he had served in Border Security Force, due to which he was not entitled to be given the benefit of Ex-Serviceman Category;and

Whereas, the case of the petitioner namely Rajeev Kumar was examined by the J&K Services Selection Board in its 182<sup>nd</sup> meeting held on 23<sup>rd</sup> April, 2021 in compliance with the directions of the Hon'ble High Court, Jammu and in accordance with the provisions of the J&K Reservation Rules 2005 and it was found that the case of aforesaid petitioner is not covered by the rules occupying the filed, as such the Board decided to declare the candidate as Not-Eligible by issuing a speaking order.

Now, therefore, in deference to order dated 11.03.2020 passed by the Hon'ble High Court, Jammu in SWP No. 2609/2018 titled Rajeev Kumar V/s State of J&K and others and as per the decision of the Board, the petitioner namely **Rajeev Kumar S/o Munshi Ram R/o Upper Poochal, Tehsil & District Kishtwar** is hereby declared Not Eligible under Ex-Serviceman Category for the post of Forest Guard, Forest Department, under District Cadre Kishtwar pursuant to Advertisement Notification No. 06 of 2015 dated 01.09.2015 under Item No. 541 and the case of the petitioner was found devoid of merit and is hereby rejected.

By Order.

  
(Sachin Jamwal) KAS,  
Secretary,

J&K Services Selection Board

Dated: 10.06.2021

No. SSB/Legal/R-29/18 / 736-41

Copy to:-

1. Commissioner/Secretary to Government, General Administration Department for information.
2. Commissioner/Secretary to Government, Forest Department for information.
3. Pvt. Secretary to Chairman, J&K Services Selection Board for information of the Chairman.
4. Selection Division/ Record file.
5. In-charge website.
6. Rajeev Kumar S/o Sh. Munshi Ram R/o Upper Poochal, Tehsil & District Kishtwar.