

Government of Jammu and Kashmir,
J&K Services Selection Board,
Rail Head Complex, Sehkari Bhawan, Jammu.
(www.jkssb.nic.in)

Office order No: 187 SSB of 2022
Dated: - 03 - .06. 2022

Subject: SWP No. 676/2017 titled Chaman Lal and Others v/s State of J&K and Others.

Whereas, the Jammu and Kashmir Services Selection Board (JKSSB) advertised various posts including the 295 posts of Teacher District Cadre Rajouri in pursuance of the Advertisement Notification No. 07 of 2010 dated 12.11.2010 under District/Divisional/State Cadre.

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/M.Ed and diploma in ETT/NTT".

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 (School Education Department) vide communication No. SSB/Secy/Sel/012/2311-14 dated 04.09.2012.

Whereas, feeling aggrieved of his non selection against the aforesaid posts, the petitioner approached the HHC by filing SWP NO.676/2012 titled Chaman Lal Vs State of J&K & ors and the Hon'ble High Court vide order dated 07.9.2012 disposed of the said petition and the same is reproduced as:-

"The main petition at request is taken on board and the same is disposed of with a direction to the respondents to accord consideration to the petitioner's case in light of the averments set out in the writ petition and also objections which the petitioner claimed to have filed before the respondents. Respondents shall do well to take a decision in the matter in accordance with the rules occupying the filed within a period of six weeks from the date copy of the order is served upon them. Petitioner on his part may furnish copy of the order as well as copy of writ petition along-with annexures appended thereof so as to facilitate the respondents to take the decision within time."

Whereas, in pursuance of the aforesaid directions of the Hon'ble High Court, the case was examined by the Board and it was observed that the petitioner failed to demonstrate his status of being a permanently resident of the State of J&K as on the cut-off date fixed for submission of application forms, as such, was considered ineligible in terms of the advertisement notice at that very point of time by the selection committee. The permanent resident certificates relied upon by the petitioner in the present petition has been issued in his favour after the cut-off date fixed for submission of application forms in the above said advertisement notice. One of the essential eligibility qualification laid down in the advertisement notification was that a candidate seeking consideration for the post advertised thereby shall be a permanent resident of the State of Jammu and Kashmir. A further condition in the advertisement notification in clause (iv) under heading "How to Apply" provided as under:

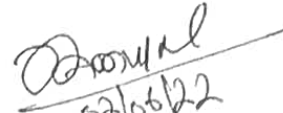
"The details of certificates in respect of eligibility qualification, additional qualification, reserved category, (SC, ST, RBA, OSC, ALC, Ex-serviceman and HC) or any other certificate relied upon should be clearly detailed in the application form at the appropriate place. No Certificates/testimonials should be enclosed/annexed with the form. It should, however, be borne in mind that only such qualifications and claims viz-a-viz the qualification and category etc. should be recorded in the application form, which are relevant and in possession of the candidate before the last date for receipt of application forms. Any qualification or claim accruing to the candidate after the last date of receipt of applications shall not merit any consideration and shall be treated to have been rejected without any intimation to the defaulters. No under claim will be admitted at any stage."

A specific condition in this regard was also contained in the shortlisting notification dated 27.04.2011 in its Clause (7), which reads as under:

"(7) The additional qualification, permanent resident certificate/reserved category certificate acquired by the candidate after the last date of receipt of application forms shall not be entertained."

Whereas, In view of the combined reading of both the aforesaid conditions, it was decided by the Board to reject the claim of the petitioner for the post in question being devoid of merit as he has not produced any Permanent Resident Certificate of district Rajouri issued before the cut off date i.e last date fixed for submission of application forms, and

Now, therefore, in deference to the order dated 07.09.2012 passed by the Hon'ble High Court, Jammu in SWP No.676/2012 titled Chaman Lal Vs State of J&K and others and as per the decision of the Board, the Candidature of the petitioner namely Chaman Lal has been considered for the Post of Teacher, (School Education Department) District Cadre, Rajouri in pursuance to Advertisement Notification No. 07 of 2010 dated 12.11.2010 under Item No. 700, and rejected, being without any merit.


62/06/22
(Sachin Jamwal) JKAS

Secretary

 **J&K Services Selection Board
Jammu.**

No. SSB/Legal/C-4/12/2022 /157-62
Copy for information to:-

Dated: - 03.06.2022

1. Principal Secretary to Government, School Education Department, Civil Secretariat, Jammu/Srinagar.
2. Principal/Secretary to Government, General Administration Department, Civil Secretariat, Jammu/Srinagar for information please.
3. Pvt. Secretary to Ld. Chairman for kind information of the Chairman.
4. Chaman Lal S/o Late Sh. Mani Ram R/o Village Bampuri Tehsil Sunderbani District Rajouri.
5. Selection Division/ Record file
6. In-charge website.