

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

Order No: 04 -SSB of 2024

Dated: 03 .01.2024

Subject: OA No. 61/1642/2023 titled Dr. Anil Sharma vs Union Territory of Jammu & Kashmir & Ors. – Consideration order thereof.

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Whereas, the J&K Services Selection Board advertised various posts including the posts Sr. Horticulture Technician, Divisional Cadre Jammu/Kashmir Horticulture Department advertised vide Advertisement notification no. 01 of 2021 dated 03.02.2021 with the following category-wise break-up.

Department of Horticulture											
Name of the Post	Cadre of the Post	Category-wise Break-up									Qualification Required.
		OM	SC	ST	OSC	ALC/IB	RBA	PSP	EWS	Total	
Senior Horticulture Technician	Division Cadre (Jammu)	6	1	1	0	1	2	0	1	12	B.Sc. Horticulture OR B.Sc Agriculture with Horticulture as major subject.
Senior Horticulture Technician	Division Cadre (Kashmir)	7	2	2	0	1	2	1	1	16	
Total		13	3	3	0	2	4	1	2	28	

Whereas, the J&K Services Selection Board conducted the written examination of the candidates/applicants and the successful candidates were called for Document Verification as per the criteria adopted by the Board; and

Whereas, the issue regarding the ALC Category was considered in the Board in its 247th meeting held on 28.11.2023 and the decision of the Board is reproduced as under:- ***"The Board examined the candidature of these candidates and decided that these shall be considered for category benefit only on possession/production of valid within the date category certificates"***.

Whereas, the J&K Services Selection Board vide notification no. JKSSB-PLAN/27/2023-03 (E-7283041) dated 08.12.2023 issued the provisional Selection List of the candidates for the aforesaid posts; and

Whereas, in the meantime, the applicant filed an Original Application (OA), bearing No. 1642/2023 before the Hon'ble Central Administrative Tribunal, Jammu Bench, and upon consideration of the matter on 15.12.2023, the Hon'ble Central Administrative Tribunal, Jammu Bench disposed of the case with the following

directions:-

"At the outset, learned counsel for the applicant submitted that the applicant would be satisfied if the present Original Application is disposed of with a direction to respondents to treat this O.A. as representation of the applicant and decide the same by passing a reasoned and speaking order within a time frame. Accordingly, the Original Application is disposed of with a direction to respondents to treat this O.A. as representation of the applicant and decide the same by passing a reasoned and speaking order keeping in view the judgments of Hon'ble Supreme Court as well as Hon'ble High Court of Jammu and Kashmir at Jammu annexed in the Original Application. Respondents are further directed to communicate the order so passed to the applicant. The whole exercise shall be undertaken within a period of four weeks from the date of receipt of a certified copy of this order. So long as the representation of the applicant remains pending with the respondents, final select list of Senior Horticulture Technician in ALC category shall not be finalized. With these directions, O.A. No. 1642 of 2023 is disposed of. It is made clear that I have not entered into the merits of the case. ..."

Whereas, in compliance to the directions passed by the Hon'ble Tribunal the case of the applicant was considered and found that the applicant has produced two ALC category certificates, one certificate issued on 18.11.2014 with validity period of five years from the date of the issuance and the other ALC category certificate was issued on 10.07.2021 i.e. after the cutoff date **29.03.2021**. Therefore, the candidate has been declared **Not Eligible** under said category (ALC) for the aforesaid post for not possessing the requisite within date category certificate on the date of filing of application form.

Whereas, the merit of the applicant is 76.25, whileas the cut off in the Open merit for the said post is 85.75, which implies that the merit of the petitioner is much less for consideration of his selection in the Open Merit. Further, the judgment cited by the applicant in the Original Application is not per se applicable to the present case.

Now therefore, in view of aforesaid facts and in due deference to the order dated 15.12.2023 passed by the Hon'ble Central Administrative Tribunal, Jammu Bench, the case of the applicant is considered and found devoid of any merit, hence rejected.

By Order


03/01/24
Secretary


J&K Services Selection Board

No: JKSSB-LEG/2024(E-) /18-22

Dated:-03-01.2024

Copy to the:

1. Commissioner/Secretary to the Government, General Administration Department, Civil Secretariat, Srinagar/Jammu.
2. Sh. Sudesh Magotra, Ld. Additional Advocate General, JKSSB, for information.
3. Applicant concerned.
4. In-charge website, JKSSB.
5. Order file.