

Government of Jammu and Kashmir
Housing & Urban Development Department
Civil Secretariat, Jammu.

Subject: O.A 61/00510/2021 Titled Vikas Chander S/o Sh Ramesh Chander
R/o A-21 Tirath Nagar Talab Tillo Jammu Vs UT of J&K and
others.

Government Order No. 154-JK(HUD) of 2021
Dated: 16.11.2021

Whereas, Mr. Vikas Chander filed a petition before the Hon'ble Central Administrative Tribunal praying therein to consider his claim for appointment against the post of Executive Officer under Scheduled Caste category (SC), in Kashmir Division on clubbing request as the petitioner had applied in both the Divisions of Jammu and Kashmir; and

Whereas, the Hon'ble Central Administrative Tribunal, Jammu, has disposed of the petition on 23.03.2020 with the directions to the respondents to consider the claim of the applicant for appointment as Executive Officer, under Scheduled Caste category pursuant to advertisement Notice No. 01-HUD of 2015 dated 01.09.2015 within a stipulated period of time; and

Whereas, in terms of Jammu and Kashmir Urban Local Bodies Institution (Management) Service Recruitment Rules of 2008 issued vide SRO- 417 of 2008 dated 18.12.2008, the post of Executive Officers in Urban Local Bodies, Jammu and Kashmir were advertised vide notification No. 01-HUD of 2015 dated 01.09.2015, with category-wise break-up (i.e Jammu Division =09 posts and Kashmir and Ladakh Division= 13 posts); and

Whereas, Service Selection Board conducted the written examination, and submitted the result and merit list of the candidates for the post of Executive Officers to the Housing and Urban Development Department; and

Whereas, on the basis of the merit list conveyed by Service Selection Board, formal appointment orders as Executive Officers were issued vide Government Order No. 140- JK(HUD) of 2020 dated 21.04.2020; and

Whereas, the petitioner Mr. Vikas Chander being a Scheduled Caste category candidate requested to consider his case for appointment as Executive Officer, against the post of Scheduled caste category which remained unfilled in Kashmir Division; and

Whereas, the Secretary, Service Selection Board, Jammu vide reference dated 14.01.2020 forwarded a copy of representation received from the candidate namely Mr. Vikaas Chander S/o Sh. Ramesh Chander under Roll No. No. JHU000197 who has applied for both Divisions under Scheduled Caste Category for the post of Executive Officer; and

Whereas, Roll No of Mr Vikas Chander was issued only for the Jammu Division post; and

Whereas, the Secretary, Service Selection Board requested to look into the matter as the application form has already been forwarded to Housing and Urban Development Department vide letter No. SSB/Sel/Secy/2019/5334 dated 17.10.2019 for taking appropriate action in the matter; and

Whereas, the matter was examined in the department and vide this department's letter dated 09.06.2020 certain clarifications were sought from Secretary, Service Selection Board; and

Whereas, in response Secretary, Service Selection Board vide communication dated 17.11.2020 followed by another letter dated 08.02.2021 has intimated that Mr Vikas Chander has submitted his representation on 05.05.2019 before the Board and the said candidate has submitted his clubbing representation, within cutoff date for Kashmir Division; and

Whereas, on perusal of the records, the following candidates have applied for the post of Executive Officers under Scheduled Caste category in Kashmir Division; and

S No	Name	Parentage	Roll No.	Marks Obtained in Written Test	Percent age
01	Satish kumar	Mangat Ram	JKU000150	Absent	
02	Rupali Bhagat	Bishan Das	JKU000638	Absent	
03	Arun Singh	Sagar Anand Gill	JKU00506	Absent	
04	Balbir Kumar	Tara Chand	JKU000152	34.50	28.75%
05	Meenakshi Bhagat	Madan Lal Bhagat	JHU000639	56.50	47.08%
06	Surjeet Kumar	Sukhdev Raj	JKU000103	Absent	
07	Harvinder Singh	Mohinder Singh	JKU000477	60.25	50.21%
08	Pankaj Kumar Meinia	R. C. Meinia	JKU000060	Absent	
09	Subash Chander	Maheshwar Chand	JKU000117	Absent	
10	Soniaka Thappa	K. R. Thappa	JKU000034	Absent	
11	Vijay Kumar Chadgal	Krishan Ram Chadgal	JKU000358	Absent	
12	Dhirender Mohan	Mohan Lal Radha	JKU000629	Absent	
13	Vikas Chander	Ramesh Chander	JKU000197	50.00	41.67%

Whereas, as per the report of Service Selection Board, only one candidate namely Mr. Vikas Chander (SC) had submitted the clubbing request in pursuance of notification no. SSB/Secy/Sel/2019/2867-72 dated 08.05.2019; and

Whereas, case of the petitioner has been further examined and referred to General Administrative Department for seeking opinion; and

Whereas, General Administration Department (GAD) vide UO No.MTG0RBIV/97/2021-09-GAD dated 31.07.2021 has opined as under:

Returned. "An examination of the details available in the departmental file indicate that the selection list in the instant case has not only been rendered time barred on the expiry of one year since its notification, there has also been a reduction in the notified posts of Executive Officers in Urban Local Bodies, Jammu/ Kashmir post re-organization. Further the department has not drawn any waiting list in the instant case.

Keeping in view the above aspects of the case, no candidate can be considered for appointment at this stage. The Department is advised to apprise the Hon'ble CAT accordingly and contest the case on merits".

Now, therefore, in light of the opinion tendered by General Administration Department, the case of the petitioner having been considered in accordance with the Rules governing the field and found devoid of merit is accordingly rejected.

By Order of the Government of Jammu and Kashmir.

**Sd/-
(Dheeraj Gupta) IAS
Principal Secretary to the Government
Housing and Urban Development Department**

No. HUD/LIT/ULBJ/49/2021(C.No.15609)

Dated: 16.11.2021

Copy to the:

1. Commissioner/Secretary to the Government, General Administration Department.
2. Director, Urban Local Bodies, Jammu.
3. Special Secretary (Legal) Housing and Urban Development Department.
4. Private Secretary to Principal Secretary to the Government, Housing and Urban Development Department.
5. Vikas Chander S/o Sh Ramesh Chander (Petitioner)
6. I/c Website Housing and Urban Development Department.
7. Government orders file (w.2.sc.s)/Stock file

(Thannaji Bhat)
Under Secretary to the Government