



Government of Jammu and Kashmir  
Public Works (R&B) Department  
Civil Secretariat, Jammu/Srinagar

Subject: Appointment to the post of Junior Engineer (Civil) Public Works (R&B) Department in pursuance of LPASW No. 225/2017 IA No. 1/2017 & 1/2018 CM No. 2297/2019 C/W PERLP No. 28/2017 titled Archana Baloria and another V/s State of J&K and others.

Government Order No. 364 -PW(R&B) of 2021

Dated: 9 -12-2021.

Whereas, the J&K Services Selection Board vide advertisement Notification No. 02 of 2014 dated 30.12.2014 invited applications from eligible candidates for the post of Junior Engineer (Civil) State Cadre , under Item No. 134; and

Whereas, the said posts were advertised in the following category wise breakup:

Open	RBA	SC	ST	ALC	OSC	Total
133	47	23	20	07	05	235

Whereas, the candidates belonging to ST category approached the Hon'ble High Court through the medium of SWP No. 976/2016 titled Imran Ahmed Chowhan and others vs State and others seeking directions for quashing communication No. PW(R&B)/NG/145/2010 dated 05.4.2016 written by respondent No. 01 to Respondent No. 02 i.e. Service Selection Board, wherein actual position with respect to the posts of Junior Engineer (Civil) under ST Category referred to JKSSB had been wrongly communicated as 20 instead of 24 being 10% of quota prescribed under J&K Reservation Rules, 2005 notified vide Notification SRO-294 of 2005. Further a direction commanding the respondents to grant complete quota of 10% out of 235 posts of Junior Engineer (Civil) advertised vide Item No. 134 (02 of 2014) to the candidates belonging to ST Category i.e. 24 posts instead of 20 posts for ST Category as indicated in the advertisement notice; and

Whereas, in MP No. 1/2016 filed in SWP No. 976/2016, the Hon'ble High Court vide order dated 07.5.2016 was pleased to direct as under:-

**"Meanwhile as an interim, subject to objections, the Administrative Department, herein respondent No. 01 shall accord consideration to the matter and filling up the vacancies as they may be available under ST Category pursuant to its communication dated 05.4.2016 (supra) by operating the waiting list under that category. Till the consideration is accorded and decision taken, the aforementioned 4 posts shall not be filled up from any other source.**

**Since the matter relates to employment of youths, the Administrative Department is expected to complete this exercise expeditiously, preferably within two weeks time after petitioners produce a copy of this order in the office of respondent No. 1".**



Whereas, the selection list was forwarded by the J&K Services Selection Board and 4 posts were kept unfilled in deference to the directions of the Hon'ble High Court dated 07.5.2016 under SC Category; and

Whereas, the Services Selection Board was conveyed vide this department's letter No. PW(R&B)/NG/145/2010 dated 16.6.2016 to select the ST category candidates against 4 reserved seats in current selection list by deleting these 4 posts from the quota of the SC Category and it was clarified to the Board that instead of 23 vacancies referred under SC category, only 19 had become available at the given point of time, while as 24 vacancies were available under ST category instead of 20 vacancies referred and advertised by the Services Selection Board; and

Whereas, the J&K Services Selection Board vide order No. 738-SSB of 2017 dated 06.12.2017 issued under endorsement No. SSB/Secy/Sel/2017/ 12880-93 dated 06.12.2017 in compliance to the Judgment of the Hon'ble High Court passed in SWP No. 976/2016 clubbed with SWP No. 1218/2016 dated 08.11.2017, recommended the following 04 candidates to the post of Junior Engineer (Civil) with given slots as indicated against each, in continuation to its earlier selection forwarded to the indenting department vide communication No. SSB/Sel/Secy/2016/ PWD/12133-39 dated 29.4.2016 under item No. 134 (02 of 2014):-

S.No.	Particulars	Merit Obtained
01	Zaffar Iqbal S/o Mohd Iqbal R/o Thangdumbhar, Sankoo Kargil	49.2230
02	Imran Ahmad Chowan S/o Niaz Ahmed R/o Surankote, Poonch	48.9865
03	Shoket Ali S/o Abdul Aziz R/o Dhanore Dhindian, Rajouri	48.2590
04	Zakir Hussain Mir S/o Mumtaz Ahmad Mir R/o Check Arsala Khan, Bandipora	47.9865

Whereas, the Hon'ble High Court J&K and Ladakh at Jammu disposed off the SWP No. 976/2016 clubbed with SWP No. 1218/2016 filed by SC candidates vide judgment dated 03.09.2021 with the following directions:-

**"In the result the communication dated 05.4.2016 sent by the Public Works Department to the Secretary, J&K Service Selection Board respondent No. 02 is hereby quashed and the official respondents are directed to fill up the vacancies of Junior Engineers (Civil) and to issue an appointment orders to the Petitioners in SWP No. 976/2016 as they are the selected candidates.**

**Accordingly, SWP No. 976/2016 is allowed, whereas, SWP No. 1218/2016 is hereby dismissed".**

Whereas, in compliance to Hon'ble High Court directions passed in SWP No 976/2016, the above selected candidates got advised through the medium of notice to submit the verification rolls in triplicate in the Public Works (R&B) Department, within a period of 10 days for verification for further referral to the Criminal Investigation Department for a report in terms of J&K Civil Services (verification of Character and Antecedents) instruction, 1997 notified vide Government order No. 1328-GAD of 2016 dated 07.12.2016 read with Government order No. 528-JK(GAD) of 2021 dated 21.6.2021 issued by the General Administration Department; and



Whereas, the verification rolls in triplicate got forwarded to the Criminal Investigation Department vide this department's letter No. PWD-LIT/186/2021-05 dated 07.10.2021 for obtaining Character Antecedents reports; and

Whereas, in turn, the Criminal Investigation Department vide No. CID/VB/2021/FINAL/39185-187/OD dated 28.10.2021, No. CID/VB/2021/FINAL/39185-187/OD dated 13.11.2021, No. CID/VB/2021/FINAL/39185-187/OD dated 23.11.2021 and No. CID/VB/2021/FINAL/39185-187/OD dated 24.11.2021 furnished the verification reports, wherein, there is nothing adverse against these individuals; and

Whereas, the case got further examined and it has been observed that the matter in concern with the apportionment of posts with the Union Territory of Ladakh, it shall be appropriate to issue formal appointment order in respect of the selected candidate namely Zaffar Iqbal S/o Mohd Iqbal R/o Thangdumbhar, Sankoo Kargil, after consultation with the General Administration Department.

Now, therefore, consequent upon the recommendation of the J&K Service Selection Board and in compliance of directions of the Hon'ble High Court, J&K and Ladakh, Jammu, sanction is hereby accorded to the appointment of the following three (03) candidates as Junior Engineers (Civil) in the Pay Level 6 (35400-112400) in the J&K Engineering (Subordinate) Service, notionally with effect from 25-06-2016 and monetarily with immediate effect:-

S.No.	Particulars	Parentage	Residence
01	Imran Ahmad Chowan	Niaz Ahmed	Surankote, Poonch
02	Shoket Ali	Abdul Aziz	Dhanore Dhindian, Rajouri
03	Zakir Hussain Mir	Mumtaz Ahmad Mir	Chek Arshala Khan, Bandipora

The appointees hailing from Jammu Division shall report to the Chief Engineer, PW(R&B) Jammu and those hailing from Kashmir Division shall report to the Chief Engineer, PW(R&B) Kashmir. The candidates shall be allowed to join only on the production in original and verification of the following certificates/documents:-

1. Educational/Technical Qualification certificate/marks sheet which will also include whether technical degree/diploma is approved for government employment in J&K.
2. Date of Birth certificate/Matriculation certificate.
3. Permanent Resident Certificate/Domicile Certificate.
4. Age and Health certificate issued by an officer not below the rank of Chief Medical officer.
5. Certificate from concerned authorities to the effect that no loan under Self Employment Scheme has been obtained/availed by the concerned candidate.
6. Reserved category certificate, wherever applicable.
7. Any other relevant certificate as required under rules.

Further, the appointment shall be provisional and subject to the following conditions:-

- a. The appointee(s) shall furnish an Undertaking in the shape of an Affidavit to the effect that the appointee(s) have no criminal records and also not facing any criminal proceedings in any Court of Law; and
- b. If, on verification of the qualification certificates/DOB and other documents from the concerned issuing authority are proved fake/forged, the claim of the appointee(s) for appointment as (Jr. Engineer) shall be deemed to have been cancelled ab-initio and the legal action as warranted under rules shall be initiated against his/her; and



- c. The salary of the appointees shall not be drawn and disbursed to them unless the satisfactory reports in respect of genuineness of Qualification/Date of Birth/Relevant Category Certificate /Technical Qualification is received from the concerned Authorities/Agency; and
- d. The appointment of the candidates shall be governed in terms of the Jammu and Kashmir Probationer (Condition of Service, pay and Allowances) and Fixation of Tenure Rule, 2020 notified vide S.O. 192 of 2020 dated 17th June, 2020; and
- e. The inter-se-seniority of the appointee (s) shall be drawn in accordance with the merit secured by the appointee(s) in the selection list prepared by the J&K Services Selection Board; and
- f. The other terms and conditions shall remain same as laid down in the Government order No. 173-PW(R&B) of 2016 dated 25.5.2016.;and
- g. The appointee(s) shall join within a period of 21 days from the date of issuance of this order and such candidates who fail to join within the stipulated time, shall forego their right to appointment, and the same shall be deemed to have been cancelled *ab-initio* without any further Notice.
- h. The appointment of the above candidates shall be subject to outcome of writ petition(s), if any, pending before Competent Court of Law.

**By order of the Government of Jammu and Kashmir.**

**Sd/-**

(Shailendra Kumar)IAS

Principal Secretary to Government

Public Works(R&B) Department

Dated: 9-12.2021

No:-PW-LIT/186/2021-05

Copy to the-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Commissioner/Secretary to the Government, General Administration Department.
3. Secretary, J&K Services Selection Board, Jammu.
4. Director, Achieves, Archaeology and Museum Department, J&K, Jammu.
5. Chief Engineer, Public works (R&B) Department, Kashmir/Jammu.
6. Pvt. Secretary to the Principal Secretary to the Government, PW(R&B) Department
7. Concerned.
8. Incharge Website.
9. Government order file/stock file (w.s.2.c).

  
(Hamid Hameed)

**Under Secretary to the Government**



