

**Government of Jammu and Kashmir
Directorate of School Education
Kashmir**

Sub:- SWP No. 2520/2011 titled Mushtaq Ahmad Mir V/s State and others.
Ref:- Administrative Department's No. Edu/L/K/125/2017 dated 11.01.2018.

ORDER NO. 215 DSEK OF 2018
DATED: 101 03 1 2018

Whereas, the Administrative Department vide letter No. Edu-I/63/2009 dated 08.06.2009 had forwarded the list of 427 candidates selected as Teachers for District cadre Srinagar, pursuant to the selection made by the J&K Services Selection Board, Srinagar vide No. SSB/Sel/Secy/09/1772-76 dated 20.05.2009, against advertisement notice No. 01 of 2008, dated 22.04.2008;

Whereas, the petitioner namely Mushtaq Ahmad Mir S/o Gh. Ahmad Mir R/o Hanjura Chadoora who was figuring at S.No. 9 under RBA Category in the Waiting list, in District Cadre Srinagar filed a writ petition in the Hon'ble High Court under SWP No. 2520/2011 titled Mushtaq Ahmad Mir V/s State and others, challenging that the candidates figuring at S.No. 7 & 8 in the wait list didn't joined the post of Teacher as both of them were appointed in some other government service;

Whereas, the Hon'ble High Court vide order dated 20/09/2017 disposed of the said writ petition with the directions "to consider the petitioner for his appointment against the post of Teacher within a period of two months to be reckoned and calculated from the date the copy of the order is served on them";

Whereas, the matter was taken up with the Administrative Department vide this office communication No. DSEK/Legal/503/11/1290 dated 06.10.2017 for seeking further instructions/guidance in the matter;

Whereas, the Administrative Department vide letter No. Edu/Legal/K/125/2017 dated 11.01.2018 advised to implement the Hon'ble Court order in letter and spirit.

Whereas, this Directorate issued a notification vide No. DSEK/Estt/III/B-Trs/376 dated 17/02/2018, whereunder the above named candidate was advised to deposit his undertaking duly attested by the 1st Class Judicial Magistrate on the devised format in the Directorate of School Education Kashmir as well as all original certificates/testimonials with a set of self-attested Xerox copies in this office within Seven (07) days from the date of publication of this notification ;

Whereas, in response to the notification dated 17.02.2018, Mushtaq Ahmad Mir S/o Gh. Ahmad Mir R/o Hanjura Chadoora figuring at S.No. 9/Wait under RBA Category deposited the requisite documents within the stipulated time for considering provisional appointment order in his favour;

Now, therefore, sanction is hereby accorded to the provisional appointment of **Mushtaq Ahmad Mir S/o Gh. Ahmad Mir R/o Hanjura Chadoora figuring at S.No. 9/Wait under RBA Category** (whose full particulars are reproduced below) as Teacher in District Cadre Srinagar against the available slot under RBA Category in the pay scale of Rs.5200-20200 with grade pay of Rs.2800, as admissible under SRO-93 dated 15.04.2009. The candidate is required to report to the Chief Education Officer, Srinagar within **Ten (10) days** from the date of issuance of this appointment order for seeking further posting on his own risk and responsibility till the verification/authentication of all relevant documents/certificates are received from the concerned issuing authorities.

SSB S. NO.	Notf. No	NAME	F/NAME	ADD1	DOB	CAT	10+2		Grad		PG		Total Points
							M.O	M.M	M.O	M.M	M.O	M.M	
9/Wait	01 of 2008	Mushtaq Ahmad Mir	Gh. Ahmad Mir	Hanjura Chadoora Budgam	03.02.78	RBA	317	600	826	1800	885	1600	55.31

The Provisional appointment shall be subject to the following conditions:-

- A) The appointee shall give an undertaking in the shape of an affidavit to the effect that in case adverse report about his/her character and antecedents is received from the Additional Director General of Police, CID, Jammu & Kashmir, to whom a reference shall be made by the concerned Chief Education Officer; his/her appointment shall be itself stand cancelled abinitio and he/she shall have no claim of his/her appointment.
- B) The verification of qualification certificates/reserved category certificate (wherever applicable) from the concerned issuing authority.

The Chief Education Officer Srinagar shall allow the candidates to join on the post after verifying the following certificates (in original).

- *Character and antecedents certificates from Additional Director General of Police (CID)*
- *Qualification certificates viz Degree/Marks*
- *Permanent resident certificates*
- *Age and health certificates*
- *Discharge certificate from the Institution attending/ last attended*
- *Certificate from the concerned authority to the effect that no loan under-self employment scheme has been taken by the concerned candidates.*
- *Category certificate (in case of reserved categories) under SRO 294 of 21/10/2005.*
- *Total Marks/Marks obtained and percentage of the selectee be also got verified/authenticated from the issuing authority and ensure that the merit points reflected in the selection list are recorded according to the genuineness marks card /qualification certificate.*

The formal appointment orders of the above selectee shall be issued by this Directorate only after receiving verification reports viz date of birth certificates / qualification/marks certificate/category certificate and other (if any) from the issuing authority through concerned Chief Education Officer and no salary till issuance of such orders shall be drawn.

The provisional appointment of candidates is subject to the final outcome of the cases, if any, pending before in any Hon'ble Court.


Sd/-
Director School Education
Kashmir

Dated:- 10/03/2018

No: Estt-III/B-Trs/SSB/Sel/ 794-97
Copy to the: -

1. Commr./Secretary to Government, General Administration Department, Jammu.
2. Secretary to Government, Education Department, Civil Secretariat, Jammu.
3. Secretary, J&K Services Selection Board, Jammu.
4. Chief Education Officer, Srinagar for information and necessary action.
5. Order file /Stock file.


Personnel Officer


Directorate of School Education
Kashmir