

GOVERNMENT OF JAMMU & KASHMIR
DIRECTORATE OF SCHOOL EDUCATION
KASHMIR

Subject: Appointment of candidate for the post of "Junior Assistant" (School Education Department) District Cadre Bandipora Item No. 279(03 of 2016 dated 30/06/2016).

ORDER NO 574 DSEK of 2022

DATED: 10/12/2022

Whereas: Administrative Department vide letter No. Edu-NG K/34/2021-01 dated 01/07/2021 had forwarded the select list of 01 candidate (**RBA=01**) for the post of "Junior Assistant" in School Education Department District cadre Bandipora item No. 279 (03 of 2016, dated 30/06/2016) issued by the Secretary Jammu and Kashmir Service Selection Board, Jammu vide letter No. SSB/Sel/K/04/2021/4236-41 dated 08/06/2021; and

Whereas, this Directorate has issued a notification vide No. DSEK/NT/SSB/ 608/2021/JA/1532-33 dated 01/10/2021 in respect of Mr. Irsahd Ahmad Rather (RBA) in District cadre Bandipora and published in daily newspaper Srinagar Times on 04/10/2021 directed him to submit his Character and Antecedent Rolls in triplicate as per the Govt. order No. 528-JK (GAD) of 2021 dated 21/06/2021; and

Whereas; this office had forwarded his requisite documents as laid down in the Government Order No. 528-JK (GAD) of 2021 dated 21/06/2021 to Special Director General of Police J&K (CID) Srinagar vide this office letter No. DSEK/NT/SSB/608/2021/J.A/1633 dated 16/10/2021 with regard to obtaining of verification of Character and Antecedents report in respect of Mr. Irsahd Ahmad Rather; and

Whereas Special Director General of Police J&K CID vide letter No. CID/VB/2021/50630-636/Edu dated 12/01/2022 furnished verification of his character and antecedents report which reads as;

"the verification roll has been returned with the facts of the service case are that the subject is involved in criminal case FIR No. 38/2018 U/S 341, 323 RPC of P/S Hajin. The Challan of the case was produced before the Hon'ble Court of JMIC Sumbal on 06/09/2018 and is still sub-judice"

Whereas, the matter was taken-up with the Administrative Deptt. vide this office letter No. DSEK/NT/SSB/608/2021/JA/429 dated 14/02/2022 for conveying appropriate instructions in light of police clearance report received from Special Director General of Police J&K; and

Whereas, Mr. Irshad Ahmad Rather approached this directorate and submitted representation along with Hon'ble High Court order dated 23/03/2022 in case State of J&K through P/S Hajin FIR No. 38 of 2018 under Section 341 and 323 of RPC V/S Irshad Ahmad Rather & Others which reproduced as:-

"Prosecution has failed to connect the accused persons with commission of offences punishable under Section 341 and 323 of RPC. Thus prosecution has failed to prove the allegation levelled against the accused person beyond any reasonable doubt. Accordingly the case of prosecution is dismissed and the accused are acquitted of the charges levelled against them. Bail bonds and surety bonds stand discharged. Challan is accordingly disposed of, which shall after due compilation be consigned to records. The sized articles, if any, shall be destroyed after the period of appeal is over".

A copy of report issued by SHO Police Station Hajin Bandipora bearing No. 168/6A/22/H dated 25/03/2022 addressed to Executive Magistrate Ist Class Hajin is also provided by the applicant which indicates that :-

"as per available records of this Police Station the subject was involved in case No. 38/2018 U/S 341-323 RPC of this police station during trial the subject has been acquitted on 23/03/2022. There is nothing adverse against him".

Whereas, this directorate has received a modified re-verification of character and antecedent report bearing No. CID/VB/2021/50630-636/Edu dated 18/05/2022, issued by Special DG, CID J&K UT Srinagar in respect of Irshad Ahmad Rather S/o Mohammad Sadiq Rather R/o Kathpora Baharabad Sumbal Bandipora which reveals that, **nothing adverse has been reported against the individual in the records of concerned police station and may be treated clear from CID point of view; and**

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Whereas, this Directorate had forwarded the said CID report bearing No. dated 18/05/2022 to Administrative department vide this office communication No. DSEK/NT/SSB/608/2021/JA/2170 dated 30/05/2022 with the request to allow this directorate to issue the appointment order in favour of Mr. Irshad Ahmad Rather (Junior Assistant); and

Whereas, this office has received Government order No. 2184-JK (Edu) of 2022 dated 08/12/2022 issued by Administrative Department vide endorsement No. Edu-42/2022-01 dated 08/12/2022 in which sanction has been accorded to the revalidation of selection list for the post of Junior Assistant in favour of Mr. Irshad Ahmad Rather, district cadre Bandipora under notification No. 03 of 2016 dated 30/06/2016 under item No. 279 as recommended by J&K Service Selection Board vide letter No. SSB/Sel/Secy/K/04/2021/4236-41 dated 08/06/2021 in relaxation of Rule 14(7) of Jammu and Kashmir Civil Services (Decentralization) Recruitment, Rules 2010 beyond the date of its expiry i.e 08/06/2022 upto 15/12/2022.

Now pursuant to the selection made by the J&K Service Selection Board, Jammu and conveyed by the Administrative Department vide above referred communications, sanction is hereby accorded to the appointment of Mr. Irshad Ahmad Rather S/o Mohamad Sadiq Rather R/o Kathipora Bharabad Hajin Sonawari Bandipora under RBA category as Junior Assistant in the minimum of Pay Level 4 (25500-81100/-) in pursuance to SSB's advertisement Notice No. 03 of 2016 dated 30/06/2016 against item No. 279.

The appointment of the candidate shall be subject to outcome of any writ petition(s), if any, pending in any Court of competent jurisdiction or any order which may not be presently within the knowledge of this Directorate.

The appointment of the candidate as "Junior Assistant" is subject to the following conditions:-

- I. *The appointee shall be governed under New Pension Scheme as Per SRO 400 of 2009 dated 24/12/2009.*
- II. *In case, at any stage it emerges that the certificates/any relevant document furnished /produced by the selectee is/are/fake/fictitious, the appointment order shall be cancelled abinitio and criminal proceedings shall be initiated against the candidate and to this effect the provisional appointee shall give an undertaking by way of affidavit duly attested by the 1st Class Judicial Magistrate;*
- III. *The appointee shall give an undertaking by way of Affidavit duly attested by the 1st Class Judicial Magistrate to the effect that they will not apply for transfer in any case for whatsoever reasons during the temporary service from the place where they have been adjusted/posted.*

The appointee shall report to the Chief Education Officer, **Bandipora** within a period of 21 days from the date of issuance of this appointment order for seeking further posting orders. In case of failure to join within stipulated time period, the appointment shall be deemed to have been cancelled abinitio without further notice in terms of the circular instructions issued by GAD vide No. 08-JK (GAD) of 2019 dated 04/12/2019.

The Chief Education Officer, Bandipora shall allow the candidate to join on the post after observing all the conditions of appointment order and after verifying the following certificates (in original)

- *All Academic/Technical Qualification certificates.*
- *Domicile Certificate*
- *Category Certificate.*
- *Age and health certificate.*
- *Discharge certificate from the Institution attending /last attended.*
- *Certificate from District Industries Centre/Employment Exchange to the effect that no loan under self-employment scheme has been taken.*
- *Total Marks/Marks obtained and percentage of the selectee be also got verified/authenticated from the issuing authority in order to ensure that the qualifications as reflected in the selection list is according to the genuineness marks card/qualification certificate.*

Sd/-

Director

School Education Kashmir

Dated 10/12/2022

No. DSEK/NT/SSB/608/JA/JA/4159-61

Copy to the:-

1. *Principal Secretary to Government School Education Department Civil Secretariat Srinagar for information.*
2. *Secretary to Government J&K Service Selection Board Srinagar/Jammu for information.*
3. *Chief Education Officer, Bandipora, for information with the remarks that variation if any found in the particulars qualification-percentage of marks of candidate, same should be reported to this office forth-with for clarification before issuance of adjustment orders in such cases.*
4. *I/C web-site, DSEK for information.*
5. *Order file /stock file.*

Joint Director (EE)
Directorate of School Education
Kashmir