

Government of Jammu and Kashmir
Directorate of School Education Kashmir
Website : www.dsek.nic.in

Sub:- Select list of the candidates for the post of Teacher (Education Department) District Cadre Budgam,(Item No. 384) advertised vide Notification No. 07 of 2010 dated 12.11.2010 under SWP No. 292/2015, I.A.No. 448/2015 titled Shazia Akhter V/s State and Others.

Ref:- Administrative Department's letter No. Edu/L/K/36/2015 dated 09.06.2016.

NOTIFICATION

Whereas, the Administrative Department vide letter No. Edu-I/154/2012 dated 14.08.2012 forwarded the list of **339** candidates selected as Teachers for District Cadre Budgam pursuant to the selection made by the J&K Services Selection Board, Srinagar vide No. SSB/Sel/Secy/012/2097-2100 dated 01.08.2012;

Whereas, many candidates under OM Category failed to join in the department and the resultant slots were filled up by way of operation of wait list;

Whereas under chain of events, the wait list under OM Category has been operated upto S.No. 18 and S.No. 19 furnished an undertaking in the shape of affidavit to the effect that he is not interested to join the Education Department as he is already working somewhere;

Whereas, the candidate figuring at S.No. 20/Wait under OM Category namely Shazia Akhter filed a writ petition before the Hon'ble Court under SWP No. 292/2015 titled Shazia Akhter Vs State of JK & Ors for considering her appointment against the slot which remained unfilled due to non-joining of S.No. 19, who furnished an undertaking in the shape of affidavit to the effect that he is not interested to join the Education Department as he is already working somewhere, and the wait list under OM Category stand already operated upto S.No. 18;

Whereas, the Hon'ble High Court on 05/03/2015 was pleased to pass order, the operative part of which reads as under:-

"The writ petition alongwith connected IA(s) is disposed of and respondents are directed to give effect to the waiting list in respect of the petitioner, also consider and appoint her on the post of teacher in District Cadre Budgam".

Whereas, in compliance to the Hon'ble High Court order dated 29.08.2012, the Administrative Department vide letter No. Edu/L/K/36/2015 dated 21.05.2015 sought status report in the instant case;

Whereas, accordingly vide this office letter No. DSEK/Legal/583 dated 20.06.2015 and No. Estt-III/B-Trs/66360 dated 30.09.2015, the Administrative Department was apprised that out of 12 slots under wait list only 11 slots stand utilized, leaving one post vacant against item 384 (Notice 07 of 2010 it was informed that one slot under OM Category is not so far utilized);

Whereas, another aggrieved candidate namely Fayaz Ahmad Bhat filed a writ petition in the Hon'ble Court through SWP No. 1797/2012 titled Fayaz Ahmad Bhat Vs State and Others wherein he made the plea that his M.Phil merit has not been considered by SSB and on the pretext of Hon'ble Court directions, the Administrative Department vide letter No. Edu/Leg/K/208/2012 dated 03.02.2016 forwarded SSB's communication No. SSB/F-8/2012/L22-23/15 dated 11.06.2015 *whereunder the petitioner (Fayaz Ahmad Bhat) has been recommended for the post of Teacher in District Cadre Budgam against the said available slot;*

Whereas, the Administrative Department vide letter No. Edu/L/K/36/2015 dated 09.06.2016 conveyed that *"appointment order be issued in favour of Shazia Akhter for the post of Teacher District*

Cadre Budgam, by de-reserving any one of the vacant posts preferably of ALC occurring due to non joining of candidates”;

Now, therefore, in deference to the Hon'ble Court directions and in view of the recommendations of the Administrative Department conveyed vide aforementioned communications, the below named candidate is hereby advised to deposit her undertaking (duly attested) by the Judicial Magistrate (1st Class) on the devised format appended herewith as “Annexure A” in the Directorate of School Education Kashmir alongwith all original certificates within **Seven days** from the date of publication of this notification, enabling to issue formal appointment order in her favour.

SSB. S.No.	Item & Notf. No	Candidate Name	Father Name	ADDRESS	CAT	Total Merit
20/Wait	384 (07 of 2010)	SHAZIA AKHTAR	SANAULLAH MALLA	RO CHATTABUGH BUDGAM THE & DISTT BUDGAM	OM	54.99

No such undertaking shall be entertained after expiry of the stipulated time frame. Moreover, any genuine person having reasonable objection against her appointment shall also deposit his/her objections within **Seven (07)** days and after expiry of the said period no objection shall be entertained.

This notification is issued subject to final outcome of the court case, if any, pending before the Hon'ble High Court or any court of law.

Sd/-
Director School Education
Kashmir

No. DSEK/Estt/III/B-Trs/*lit file* /569

Dated: *30* / 08 / 2016

Copy to the:-

1. Commr./Secretary to Government Education Department, Civil Secretariat, Srinagar for information and necessary action with regard to de-rserving one post from backlog vacancies under ALC Category.
2. Secretary SSB Srinagar for information.
3. Director Information, J&K Government Srinagar for information with the request to publish the notification alongwith the Annexure in leading newspapers of the Valley/Jammu based for two consecutive days on priority
4. Chief Education Officer **Budgam** for information and necessary action.
5. I/C Computer for uploading the above notification on website of DSEK.

2/8/16
Personnel Officer
Directorate of School Education
Kashmir / 8