

Government of Jammu & Kashmir
Directorate of Youth Services and Sports
Sports House, MA Stadium, Jammu

Subject: Appointment of candidates for the post of Class-IV(Grounds man) District Cadre Rajouri.

Ref:

- i. DYSSO/R/01-07/2018 dated 23-02-2018.
- ii. DG-YSS/Estt/4490-95 dated 10-09-2018.
- iii. DG-YSS/Estt/3665-66 dated 25-07-2019.
- iv. DCR/2019-20/DVO/880 dated 07-02-2020.
- v. 336-DDCR of 2019 dated 12-09-2018.
- vi. DCR/2019-20/dvo/786 dated 10-01-2020.
- vii. WPC No.4519/2019 CM No.9568/2019 titled Palvi Sharma Vs State.
- viii. SWP No.1916/2018 titled Nazia Kounsar VS State.
- ix. Edu/Tech/Phu/06/2007-II-67 dated 08-06-2020.
- x. DCR/2020-21/dvo/63 dated 16-12-2020.
- xi. DG-YSS/Estt/6231 dated 01-01-2021.
- xii. DYSS/R/Estt/2020/7006 dated 06-01-2021.
- xiii. DG-YSS/Estt/7224-29 dated 03-02-2021.
- xiv. DG-YSS/Estt/7819 dated 17-02-2021.

ORDER

Whereas, vide Government Order No:-199Edu(Tech) of 2013 Dated 19-11-2013, the Administrative Department constituted District Level Committee for recruitment of Class IV post in J&K Youth Services and Sports Department.

Whereas, 168 posts of Grounds man /Orderly were allotted to this department vide no. Edu/ Tech/Phy/06/2007-II Dated 10-01-2017 and accordingly 168 posts of Class IV Grounds man including 13 (Thirteen) posts of Class IV Grounds man for District Rajouri were advertised vide Advertisement Notice No. 01 of 2017 dated 18-01-2017.

Whereas, vide No DYSSO/R/01-07/2018 Dated 23-02-2018, District Youth Services and Sports Officer Rajouri forwarded the provisional selection list of class IV (Grounds man) to this office.

Whereas, after receipt of the selection list, this directorate issued Provisional selection list of candidates vide Order No:- DG-YSS/Estt/4490-95 dated 10-09-2018 for inviting objections if any.

Whereas, before issuance of appointment orders in favour of the recommended candidates, the Directorate was in receipt of Court Order from the Hon'ble Court in SWP No:- 1916/2018 titled Nazia kousar v/s State and ors and the Hon'ble High Court in terms of order dated 18-09-2018 directed as under:-

*“Record of marks obtained by the petitioner in the interview may be specifically produced on the next date of hearing
Meanwhile subject to the objections, selection of private respondents pursuant to advertisement notice no 1 of 2017 dated 18-01-2017 shall be subject to the outcome of writ petition”.*

Whereas, in compliance to the directions of Hon'ble High Court, the District Youth Services and Sports Officer Rajouri in terms of Letter dated 09-10-2019 followed by reminder dated 27-11-2019 was asked to submit the records to the Hon'ble Court, if not already submitted.

Whereas, in the meantime the case of the petitioner was transferred to the Hon'ble CAT and the department had filed reply/status report before the Hon'ble Tribunal J&K Jammu.

Whereas, during the course of examination of the Provisional selection list, some discrepancies were found in the selection list regarding the allocation of roaster points under 2004 reservation rules while making the aforesaid advertisement by the District Youth Services and Sports Officer Rajouri.

Whereas, the matter was brought to the notice of Deputy Commissioner Rajouri vide this office letter No: DG-YSS/Estt/3665-66 dated 25-07-2019 with the request to revisit the selection list along with his recommendations so that appointment orders can be issued.

Whereas, one candidate namely Pallavi Sharma, approached Hon'ble Court through the medium of WP(C) No: 4519/2019 titled Palavi Sharma v/s UT. Of J&K and ors and the Hon'ble Court on 30-12-2019 was pleased to pass following order:-

“Meanwhile subject to the objection from other side and till next before the bench one post of Orderly/ Groundsman in Youth Services and Sports Department , District Cadre Rajouri advertised vide Notice No 1 of 2017 and 18-01-2017 shall be reserved”.

Whereas, in response to letter dated 25-07-2019, the Deputy Commissioner Rajouri vide his letter No: DCR/2019-20/DVO/880 Dated 07-02-2020 submitted a detailed report which is reproduced as under:

“With regard to the subject and reference, a committee of officers comprising of Assistant Director Employment Rajouri, Assistant Labour Commissioner Rajouri, District Youth Services and Sports officer Rajouri, Assistant Commissioner Revenue

Rajouri , headed by Additional Deputy Commissioner Rajouri was constituted vide office No. 363-DDCR of 2019 dated 12-09-2018 to re-visit/re-examine the entire selection list as per the rule governing the instant selection process. The committee after re-examining the entire selection process submitted report vide No.DCR/2019-20/DVO/786 dated 10-01-2020 which reveals that the recruiting authority (District Youth Services and Sports Officer Rajouri) has violated the reservation rules (2004) while issuing advertisement notice. Besides, this committee has also clarified other discrepancies pointed out by office and other issues raised in complaints preferred before this office or other offices.

The report of the committee is revealed as under:-

That the Department of Youth Services and Sports Government of Jammu and Kashmir through District Youth Services and Sports Officer Rajouri issued advertisement notice 01 of 2017 dated 18-01-2017 for recruitment for recruitment of 13 posts for Groundsman Class-IV. At para 02 of the instant advertisement notice it has been mentioned that "Reservation shall be applicable as per rules in vogue".

That District Youth Services & Sports Officer Rajouri vide his letter No. DYSS/R/5342-48, Dt: 27-02-2018 requested District Information Officer Rajouri for publishing of short list of Class-IV (Groundsman) with the following break up:

OM = 09; RBA = 02; ST = 01; SC = 01; ALC = Nil; OSC = Nil; OBC = Nil PHC = Nil

That as per the conditions laid in the advertisement notice for implementation of reservation as mandated under SRO-294 Reservation Rules 2005 the breakup of posts under different categories as per roster position should have been as under:

OM = 07; RBA = 03; ST = 01; SC = 01; ALC = 01

and roster for the same is reproduced as under:

01. Open competition
02. Backward areas
03. Scheduled Caste
04. Open competition
05. Open competition
06. Scheduled Tribe
07. Backward areas
08. Open competition
09. Open competition
10. Line of Actual Control
11. Open competition
12. Backward areas
13. Open Competition

That in furtherance to the process District Youth Services & Sports Officer Rajouri accordingly issued Provisional Select List on the basis of roster which is violation of the rules in vogue. As such, the roster/breakup of posts has been made in violation to the law/rules governing the subject.

That further with regard to the clarification/deficiencies pointed out by the Director General YS & Sports Jammu and Kashmir vide his letter under reference mentioned at the clarification is submitted as under:

1. Case of Miss Nazia Kouser, D/o: Jamal-ud-Din figuring at S. No. 10 under ST category.

Deficiencies: As per merit, list three members of selection Committee have indicated that the candidate fails to produce original documents during interview. However, DYSSO Rajouri has granted 10 points in the viva, which contradicts with other members of the selection panel. Besides while framing the merit list the mean of the total viva points have been shown 10 points. Same needs to be clarified as to how 10 points have been given when three members of the selection panel have clearly shown that the candidate fails to produce documents.

Clarification: Besides, deficiency pointed out by the Director General YS & Sports Srinagar matter has also been enquired into in reference to representations made by some of the candidates and also one filed by Nazia Kouser. Members of the interview committee have been called by the Additional Deputy Commissioner, Rajouri and their statements with regard to the award rolls of Nazia Kouser have been taken on record. In the statement then District Social Welfare Officer and Deputy Registrar Cooperative stated that candidate failed to produce requisite documents at the time of interview due to which they have not awarded any marks to the candidate. However, the then District YS & Sports Officer Rajouri stated that he has awarded 10 marks to the candidate as per "Principal of Natural Law of Justice".

It is in place to mention here that then DYSSO Rajouri vide No. DYSSO/U/C/2019-20/01-03, Dt: 04-10-2019 reported that award point in favour of Miss Nazia Kouser (ST), D/o: Sh. Jamal Din, R/o: Kotedhara Rajouri are hereby withdrawn after observing doubtful qualification viz. SSE (10th) passed from JK Board and Marks Sheet from Aligarh Urdu Muslim University. The already awarded viva voce 10 (ten) points treated as Nil under rules.

Further, as far as representation filed by Shadab Ahmed & Ors with regard to the producing of fake record is concerned, interview committee members stated that she failed to produce documents during interview and she is not considered for selection. Hence, no verification for the documents is required.

2. Sh. Rajinder Singh, S/o: Hardiyal Singh figuring under SC category.

Deficiencies: Three members have shown the candidate as ABSENT and one member Dy. Registrar Cooperative Societies Rajouri has given 15 marks to the candidate. However, DYSSO Rajouri have submitted a revised merit sheet where in the member has shown Sh. Rajinder as ABSENT.

Clarification: That the member concerned, then Deputy Registrar Cooperative Society Rajouri was called to the office of Additional Deputy Commissioner Rajouri on 04-10-2019 for making necessary clarification in the matter. Member concerned stated that the candidate namely Rajinder Kumar, S/o: Hardiyal Singh figuring under SC category was absent on the day of the interview and marks were awarded to Pooja Kumari, D/o: Sh. Pritam Kumar figuring next to him under SC category and the same were

inadvertently shown against Rajinder Singh, S/o: Hardiyal Singh instead of Pooja Kumari.

3. Pooja Kumari, S/o: Pritam Kumar figuring under SC category.

Deficiencies: Three members District Social Welfare Office, Rajouri, Dy Director YSS & DYSSO Rajouri have granted 10, 19 & 27 points respectively. However, the 4th member Deputy Registrar Cooperative Rajouri has shown Pooja Kumari as ABSENT.

Clarification: As already explained herein above member concerned viz. then Dy. Registrar Cooperative Society stated that he has given 15 marks to Pooja Kumari, Pritam Kumar which have been inadvertently shown against the name of Rajinder Singh, S/o: Hardiyal Singh.

4. Sh. Nihal, S/o: Ramesh Kumar, R/o: Paloura

Deficiencies: As per the merit list furnished by Sh. Swaran Singh the then DYSSO Rajouri Sh. Nihal, S/o: Ramesh Kumar r/o Paloura Jammu has been selected by obtaining 65.35 marks at S.No.01, however, while examining the merit list prepared by the said DYSSO, one candidate namely Sh. Rajat Kumar S/O Rakesh Kumar figuring under SC category has obtained 70.77 marks and one more candidate Atul Sudan S/O Bopinder Kumar who also figured under SC Category has secured 66.26 marks as such matter need to be clarified.

Clarification: That Sh. Nihal S/O Ramesh Kumar R/O Paloura has been selected under SC Category. However, during re-verification of SC list as provided by District Youth Services and Sports Officer Rajouri, it has been pointed out that during the process of short listing both Rajat Kumar S/O Rakesh Kumar & Atul Sudan S/O Bopinder Kumar figured under Open Merit with having 56.02 and 49.76 points respectively. Interview committee awarded 14, 18, 15 and 12 having totally 59 marks with an average of 14.75 marks to the Rajat Kumar S/O Rakesh Kumar and similarly awarded 17, 15, 16 & 18 totaling 66 marks with an average of 16.50 marks to Atul Sudan S/O Bopinder Kumar. Thus the merit of Rajat Kumar comes to 70.77 points and merit of Atul Sudan comes to 66.66 points. Thus as per the points and rule position both Rajat Kumar with 70.77 points and Atul Sudan 66.66 with points are supposed to be considered for selection under SC Category but same has been ignored for the reasons best known to the selection Committee.

5. Representation of Pallavi Sharma.

That as regards, the representation of Pallavi Sharma is concerned, it has been alleged by the complainant that she falls under ALC category and being higher in merit, She deserve to be selected in the ALC category as per the provisions of SRO 294. The perusal of available record reveals that there was no post for ALC candidate has been advertised by the concerned department vide instant notification.

It is pertinent to mention here that while this enquiry is being concluded Palvi Sharma produced directions dated 19-01-2020 passed by the Hon'ble High Court of Jammu & Kashmir at Jammu in the writ petition WPC No. 4519/2019 CM No.9568/2019 titled Palvi Sharma D/O Bushan Kumar Vs UT of Jammu & Kashmir through Commissioner Secretary to Govt. Youth Services and Sports Department J&K Jammu and ors wherein Hon'ble High Court has passed directions which are re-produced as "One post of Orderly/Groundman in Youth Services and Sports Department District Cadre Rajouri advertised vide Notice No.01 of 2017 dated 18-01-2017 shall be reserved".

Further this Committee has not verified the genuineness of documents such as permanent resident certificates, Category Certificates & Academic/Technical qualification Certificates of the candidates.

Whereas, to resolve the issue a four member committee vide no.DG-YSS/Estt/15277 dated 20-03-2020 was constituted to look into the matter and the Committee of officers while going through the contents of the recommendations made by the Deputy Commissioner Rajouri and direction from Hon'ble Court observed that before considering the recommendation made by the Deputy Commissioner Rajouri, the matter needs approval from higher authorities, as in case the recommendation of the Deputy Commissioner is considered, the whole selection / recommendation made by the Selection Committee will change.

Whereas, the department vide letter No: DG-YSS/Estt/1615 dated 24-04-2020 has forward the detailed report of selection for the post of Groundsman Class IV District Cadre Rajouri to Administrative Department with the request to kindly look into the matter and pass further direction regarding the process of selection of candidates as Groundsman Class IV District Cadre Rajouri, in response the Administrative department vide letter No: Edu/Tech/ Phy/ 06/2007-II-67 dated 08-06-2020 conveyed that the matter may kindly be taken up with the Deputy Commissioner Rajouri constituted vide Government Order No 199 Edu/Tech of 2013 dated 19-11-2013 to revisit and re-examine the entire selection list as per the governing rules and furnish the selection list.

Whereas, as per the instructions of Administrative Department vide their letter dated 08-06-2020, the department vide letter No: DG-YSS/ Estt/761-63 Dated 12-06-2020 requested Deputy Commissioner Rajouri that the matter may kindly be looked into on priority and this department may be provided the list of candidates who shall be appointed for the post of Class IV Groundsman District Cadre Rajouri, followed by reminder vide No:DG-YSS/ESTT/4197-4200 Dated 16-10-2020 and another reminder dated 13-11-2020.

Whereas, the Deputy Commissioner Rajouri vide No.DCR/2020-21/DVO/63 dated 16-12-2020 has conveyed that the detailed report after getting the matter enquired through committee headed by Additional Deputy Commissioner Rajouri stands submitted vide No.DCR/2019-20/DVO/880 Dated 07-02-2020 thereby pointing out all discrepancies found in the selection process, besides conveyed that the instant selection process for recruitment of Class-IV(Groundsman) has been carried out by District YS&Sports Officer Rajouri as Chairman.

Whereas, as conveyed by DDC Rajouri vide No.DCR/2020-21/DVO/63 dated 16-12-2020 the department vide letter No: DG-YSS/Estt/6231 dated 01-01-2020 asked District Youth Services and Sports Officer Rajouri to re-visit the selection list and furnish the list of candidates category wise for consideration of appointment as Class-

IV(Groundsman) in lieu of the enquiry conducted by the Deputy Commissioner Rajouri,

Whereas, the District Youth Services and Sports Officer Rajouri vide No. DYSS/R/Estt/2020/7006 dated 06-01- 2021 has furnished the selection list category wise and has recommended the candidates for appointment for the post of Class-IV (Groundsman) in District Rajouri besides one post under ST category has been unfilled for some time till the outcome of writ petition bearing SWP No: 1916/2018 titled Nazia Quoser v/s UT.of J&K

Whereas, in pursuance to the selection list submitted by DYSSO Rajouri vide No: DYSS/R/Estt/2020/7006 dated 06-01-2021,the provisional selection list of candidates as Class-IV (Grounds man) District Cadre Rajouri was issued by the department vide order No.DG-YSS/Estt/7224-29 dated 03-02-2021 on print media subject to the following terms and conditions as detailed below:-

1. The select list is purely provisional and subject to alteration/modification and as such no right accrues to the candidate to claim selection/appointment against the post as a matter of right on the basis of his/her mere inclusion in the provisional select list and shall be subject to the verification of all certificates/ documents/required undertakings.
2. The provisionally selected candidates, as indicated herein above, are advised to report to the office of the District Youth Services & Sports Officer concerned within 07 days from the date of publications of this provisional select list in the print media along with all original certificates viz Date of Birth, Matriculation Marks Card, Higher Secondary Part-II (10+2) Marks Certificate, State Subject Certificate, Fitness Certificate, NOC Industries Department, Category Certificate, wherever applicable, for verification from the concerned agencies as required under rules, failing which the candidature of the selected candidate shall be deemed to have been cancelled.
3. Any candidate found guilty of submitting fabricated/tampered documents shall be liable to criminal prosecution under law and the selection of such candidate shall be deemed to have been cancelled ab-intio.
4. The selection list shall be subject to outcome of any writ (petition)(s) pending if any in court of law of the competent jurisdiction.
5. The provisional selectee are advised to see that their particulars are correct and in case of any error or omission/objection, they may approach to the concerned District YS & Sports Officer along with documentary proof for seeking correction within 07 days from the date of publication of this provisional selection list and no representation shall be considered afterwards.

Whereas, in view of the above, the provisional selection list was published in the local daily namely "State Times" news paper in its edition dated 06-02-2021. The candidates so selected were asked that in case of any error or omission/objection, they may approach to the concerned District YS & Sports Officer along with documentary proof for seeking correction within 07 days from the date of publication of this provisional selection list and no representation shall be considered afterwards.

Whereas, after expiry of seven days District Youth Services & Sports Officer Rajouri was asked to intimate the status of objection received if any vide department letter No: DG-YSS/Estt/7819 dated 17-02-2021.

Whereas, the District YS& Sports Officer Rajouri vide No: DYSS/R/9584 dated 17-02-2021 has informed that no objection has been received from any candidate with regard to provisional list except one representation filed in the name of Ayaz Ahmad and Mukhtar Ahmad was received on 11-02-2021 without signatures of the candidates regarding list of ST candidates which have been kept unfilled in view of pending litigation.

Whereas the representation of the applicants was considered by the department vide order/letter No. DG-YSS/Estt/8964-68 dated 16-03-2021 and has been found without any merit on the ground that selection authority has not recommended the case of the candidates in question under ST Category for the post of Class IV Grounds man. Since the case of Nazia Kuoser v/s UT of J&K and ors bearing SWP No:- 1916/2018 is subjudice in the Central Administrative Tribunal J&K Jammu and no final outcome has been received from the Central Administrative Tribunal till date, as such, as and when any final direction is received from the Central Administrative Tribunal J&K Jammu, due consideration shall be given to meritorious candidates on the basis of merit and eligibility .

Therefore, in the above backdrop and in view of selection list furnished by District Youth Services and Sports Officer Rajouri vide No. DYSS/R/Estt/2020/7006 dated 06-01-2021, Sanction is hereby accorded to the appointment of following candidates, as Class-IV(Groundsman) in District Cadre Rajouri in the pay level SL-I(14800-47100), however the appointment shall be governed in terms of SRO-202 of 2015 dated 30-06-2015.

S. No	Name of the Candidate With Parentage	Address	D.O.B.	Category	Total Marks (100)
SELECT LIST (OM)					
01.	Sobia Shakeel S/O Shakeel Ahmed	W. No. 8 Rajouri	02-08-1998	OM	84.16
02.	Supriya Kumari D/O Dalbir Shoor	Kangri Sunderbani	16-04-1998	OM	83.60
03.	Janu Sharma D/O: Chander Parkash Sharma	W. No. 2 Shiv Nagar Nowshera	25-07-1994	OM	81.34
04.	Shubam Sharma S/o: Girdhari Kumar	W.No.4 Nowshera	17-02-1997	OM	80.14

05.	Zaffer Hussain S/O Mohd Yousaf	Phulghar Manjakote	02-02-1992	OM/ST	78.35
06.	Umer Shabir s/oMohd Shabir	Dhanore Jarallan Rajouri	29-01-1998	OM	76.45
07.	Maninder Singh S/OHarjeet Singh	Phaliana Rajouri	07-11-1995	OM	74.39
Waiting List(OM)					
1	Ayaz Ahmad S/O Mohd Rafiq		12-12-1997	OM/ST	74.25
2	Arshad Mehmood S/O Manzoor Hussain	Dabbar nowshehra	05-04-1997	OM/O BC	74.10
3	Rashid Nasir S/O Nasir Ahmad	Thanamandi	12-02-1998	OM	73.62
Selection List RBA					
01.	Jyoti Thakur D/O Punjab Singh	Mohra Kotranka	16-07-1995	RBA	70.94
02.	Abid Mehmood s/o Mohd Maqbool	Rajouri	15-01-1998	RBA	70.80
03.	Mohd Shadab Mirza S/O Ab. Shabad Mirza	Rajouri	01-01-1998	RBA	69.07
Waiting List RBA					
01	Khalid Latif S/O Mohd Latif Dar	Churand Hasplot Thanamandi	16-03-1984	RBA	68.82
Selection List (ST)					
01.	Post unfilled till the out come of Writ petition bearing No.SWP No.1916/2018 titled Nazia Kounser Vs State and Ors pending in the Hon'ble High Court.				
Selection List (SC)					
01.	Rajat Kumar S/O Rakesh Kumar	Rajouri	26-11-1997	SC	70.77
Selection List (ALC)					
01	Palvi SharmaD/O Bushan Kumar	Patrara Rajouri	17-04-1998	ALC	72.18

The District Youth Services and Sports Officer Rajouri shall allow the candidates to join subject to production of following certificates:-

1. Permanent Resident Certificate.
2. Date of Birth Certificate.
3. Health Certificate issued by competent authority.
4. Academic qualification certificate.
5. Certificate from General Manager DIC and Dy. Director Employment concerned to the effect that no loan under self employments scheme has been taken.
6. Character and Antecedent Certificate from ADGP (CID).
7. Reserved category certificate wherever is applicable.
8. The District YS&Sports Officer concerned shall verify all documents of the candidates confidentially from the verifying agencies.
9. An undertaking duly attested by Ist Class Magistrate to the effect that in case of any adverse report from the verifying agencies with regard to verification of character/antecedent, academic documents /category certificate,PRC and other allied documents, the appoint shall be cancelled abintio and the candidate shall be dealt with law of the land.
10. The salary of the incumbent(s) shall be released after receipt of verification report of all certificates and character antecedent report from concerned agencies.

11. In case of any adverse report, the DYSSO concerned shall bring into the notice of HOD for further course of action.
12. The appointment(s) shall be subject to outcome of any writ petition pending in any Court of Law.
13. The appointment of the candidate(s) shall be governed by the provision of SRO-202 of 2015 dated 30-06-2015 issued by GAD.
14. The appointment of the candidate shall be on probation for a period of 05 (five) years on the post against which he has been appointed and such appointee shall not be eligible for transfer for whatsoever reason during the temporary service of five years. Besides any person appointed against available vacancy on the basis of being a resident of backward area or an area adjoining line of actual control shall serve in such area for a period not less than seven years.
15. The candidate shall join his / her duties within a period of 21 days, failing which his/her appointment shall be cancelled.

Sd/-
Director General

NO:DG-YSS/Estt/

Dated: -03-2021.

Copy to the:-

1. Principal Secretary to Government, Youth Services and Sports, J&K, Jammu for information.
2. OSD to Advisor(F) for information of Hon'ble Advisor.
3. Joint Director Information Jammu with the request that the list may kindly be published in two leading news papers of the UT.
4. Joint Director Youth Services and Sports Jammu for information.
5. District Youth Services and Sports Officer Rajouri for information.

(Ravi Kumar)
Deputy Director (E&S)