

GOVERNMENT OF JAMMU AND KASHMIR
JAMMU AND KASHMIR SERVICES SELECTION BOARD
CPO Chowk, Panjthirithi, Jammu/Zamzam Complex, Rambagh, Srinagar
(www.jkssb.nic.in)

Subject: **Provisional Selection List** for the post of Veterinary Pharmacist, Under Item No. 610 (Division Cadre, Jammu), Item No. 611 (District Cadre, Samba), Item No. 612 (District Cadre, Kathua), Item No. 614 (District Cadre, Udhampur), Item No. 615 (District Cadre, Reasi), Item No. 616 (District Cadre, Doda), Item No. 617 (District Cadre, Kishtwar), Item No. 618 (District Cadre, Ramban), Item No. 620 (District Cadre, Rajouri), Item No. 622 (District Cadre, Poonch), Item No. 624 (Division Cadre, Kashmir), Item No. 626 (District Cadre, Srinagar), Item No. 627 (District Cadre, Budgam), Item No. 628 (District Cadre, Ganderbal), Item No. 629 (District Cadre, Pulwama), Item No. 630 (District Cadre, Anantnag), Item No. 631 (District Cadre, Kulgam), Item No. 632 (District Cadre, Kupwara), Item No. 633 (District Cadre, Shopian), Item No. 634 (District Cadre, Bandipora), Item No. 635 (District Cadre, Baramulla), Animal/Sheep Husbandry & Fisheries Department, advertised vide Advertisement Notification No. 04 of 2021 dated 17-07-2021.

NOTIFICATION

Whereas, Animal/Sheep Husbandry and Fisheries Department, vide Indent No. ASH/Coord/24/2014 dated 29-09-2020, forwarded the requisition for making direct recruitment to the 116 posts of Veterinary Pharmacist (Divisional/District Cadre), Level-4 (25500-81100) as per the following break-up:

S. No.	Item No.	Cadre	OM	SC	ST	ALC/IB	RBA	PSP	EWS	Total
1	610	Division Jammu	06	02	01	01	01	01	01	13
2	611	District Samba	02	00	00	01	00	00	01	04
3	612	District Kathua	04	00	01	01	01	01	01	09
4	614	District Udhampur	03	00	01	01	00	00	01	06
5	615	District Reasi	01	00	01	00	00	00	00	02
6	616	District Doda	04	00	01	01	01	00	01	08
7	617	District Kishtwar	01	00	00	00	00	00	00	01
8	618	District Ramban	02	00	00	00	00	00	01	03
9	620	District Rajouri	04	00	01	01	00	00	01	07
10	622	District Poonch	05	01	01	01	01	01	01	11
11	624	Division Kashmir	03	01	00	00	01	00	00	05
12	626	District Srinagar	03	00	01	00	00	00	00	04
13	627	District Budgam	02	00	00	01	00	00	01	04
14	628	District Ganderbal	03	00	00	01	01	01	01	07
15	629	District Pulwama	01	00	00	01	01	00	01	04
16	630	District Anantnag	03	00	00	01	01	01	01	07
18	631	District Kulgam	02	00	00	00	00	00	01	03
18	632	District Kupwara	03	00	01	00	00	00	01	05
19	633	District Shopian	02	00	01	00	00	00	00	03
20	634	District Bandipora	03	00	01	00	00	00	00	04
21	635	District Baramulla	03	00	00	01	01	00	01	06
TOTAL POSTS										116

Whereas, as per the Indent/Advertisement Notification, the requisite qualification for selection against these posts is (was) **"Matric with Science"**.

Whereas, the Jammu & Kashmir Services Selection Board (JKSSB), advertised the said 116 posts as per the category wise breakup given herein above, vide Advertisement Notification No. 04 of 2021 dated 17-07-2021 under various Items, for seeking applications for the eligible candidates. The cut-off date for the receipt of Online Application Forms was 06-09-2021, which was later extended till 17-09-2021; and

Whereas, the Jammu & Kashmir Services Selection Board (JKSSB) conducted written examination for the post of Veterinary Pharmacist, Animal/Sheep Husbandry & Fisheries Department on **11-02-2024**; and

Whereas, the JKSSB, vide Notification No. JKSSB-COE0EXAM(UT)/104/2023-03 (7368111) dated 19-02-2024, issued the result/Score Sheet of the candidates who appeared in the OMR Based Written Examination held on 11-02-2024 for the said post. Thereafter, schedule for Documents Verification (D.V) of the Candidates falling under the consideration zone was notified vide Notification No. JKSSB-COE0EXAM(UT)/104/2023-03(7368111) dated 12-03-2024 and Supplementary Document Verification (D.V) vide No. JKSSB-COE0EXAM(UT)/104/2023-03(7368111) dated 22-03-2024; and

Whereas, the JKSSB vide Office Order No. 187-SSB of 2024 dated 14-05-2024, constituted Selection Committee for preparing the Selection list for the post of Veterinary Pharmacist, Animal/Sheep Husbandry and Fisheries Department, Divisional/District Cadre, advertised vide Advertisement Notification No. 04 of 2021 dated 17-07-2021; and

Whereas, the Hon'ble Central Administrative Tribunal, Jammu Bench while vacating the stay in Original Application No. 61/1239/2021, titled Deepak Kumar and Ors. Vs UT of J&K and Ors., in its order dated **29.05.2024**, directed that:

"... **15. The case of the applicants is that they are better suited candidates for selection to the post of Stock Assistant and Assistant Stock Man in the Animal Sheep Husbandry Department, as they possess one year diploma in Paravet Training Course and Stock Assistant Training Course from Government institutions, in comparison to candidates possessing qualification of matric with science, prescribed in Advertisement Notification No. 04 of 2021 dated 17.07.2021. The applicants seek weightage and preferential marks for possessing diploma. In our considered opinion, weightage or preferential marks can only be granted, if the same has been prescribed in the advertisement or recruitment rules. In the case in hand, from perusal of record, we find that the prescribed qualification for the post of Stock Assistant and Veterinary Pharmacist is matric with science only and there is no provision for granting weightage or preferential marks for possessing diploma in the subject concerned.**

16. Since, there is no such provision in the advertisement notice or recruitment rules granting weightage or preferential marks for possessing diploma in the subject concerned, the applicants cannot demand weightage or preferential marks. The applicants are basically trying to prescribe qualification for post of Stock Assistant and Veterinary Pharmacist, which is the sole domain of the employer only.

17. In this regard reliance is placed on the judgement of Hon'ble Supreme Court in the case of Maharashtra Public Service Commission Vs. Sandeep Sharma and others (2019) 6 SCC 362, in which it was held as under:

"9. The essential qualifications for appointment to a post are for the employer to decide. The employer may prescribe additional or desirable qualifications, including any grant of preference. It is the employer who is best suited to decide the requirements a candidate must possess according the needs of the employer and the nature of work. The court cannot lay down the conditions of eligibility, much less can it dwelve into the issue with regard to desirable qualifications being on a par with the essential eligibility by an interpretive re-writing of the advertisement. Questions of equivalence will also fall outside the domain of judicial review. If the language of the advertisement and the rules are clear, the court cannot sit in judgement over the same. If there is an ambiguity in the advertisement or it is contrary to any rules or law, the matter has to go back to the appointing authority after appropriate orders, to proceed in accordance with law. In no case can the court, in the garb of judicial review, sit in the chair of the appointing authority to decide what is best for the employer and interpret the conditions of the advertisement contrary to the plain language of the same."

18. It also appears from the record that many of the applicants had participated in the selection process for the post of Stock Assistant and

Veterinary Pharmacist, however, they could not succeed in the same and, thereafter, they have challenged the selection process. It is also a settled law an unsuccessful participant cannot turn around and challenge the selection process, after participating in it without any challenge.

19. In the case of Tajvir Singh Sodhi and Ors Vs. The State of Jammu and Kashmir and others 2023 LiveLaw (SC) 253, it was held that:

"13.1 It is, therefore, trite that candidates, having taken part in the selection process without any demur or protest, cannot challenge the same after having been declared unsuccessful. The candidates cannot approbate and reprobate at the same time. In other words, simply because the result of the selection process is not palatable to a candidate, he cannot allege that the process of interview was unfair or that there was some lucana in the process. Therefore, we find that the writ petitioners in these cases, could not have questioned before a Court of law, the rationale behind recasting the selection criteria, as they willingly took part in the selection process even after the criteria had been so recast. Their candidature was not withdrawn in light of the amended criteria. A challenge was thrown against the same only after they had been declared unsuccessful in the selection process, at which stage, the challenge ought not have been entertained in light of the principle of waiver and acquiescence."

20. In view of the aforesaid judicial pronouncements and discussions made herein above, the O.A. being devoid of any merit is dismissed.

21. The interim order dated 17.08.2021 passed by this Tribunal restraining the respondents from declaring the result of the selection stands vacated. The respondents are at liberty to declare the result and take further action, as per rules.

22. No order as to costs."

Whereas, upon the receipt of the aforesaid directions from the Hon'ble Central Administrative Tribunal, Jammu Bench, the provisional selection list for the aforementioned posts prepared as per the merit/eligibility of the candidates and having regard to the extent rules /regulations was placed before the Board in its 276th Board meeting held on 25.06.2024, which, after deliberations and consideration of the matter, approved its notification.

Now, therefore, the Provisional Selection List for the above mentioned 116 posts of Veterinary Pharmacist, Animal/Sheep Husbandry and Fisheries Department, advertised vide 04 of 2021 dated: 17-07-2021, under various Items is hereby notified as per **Annexure-A** to this Notification. It is further notified that:

- (i) This Provisional Selection List shall be subject to outcome of the OAs/Writ Petition(s), if any, pending in any competent court of law.
- (ii) This shall also be subject to the *outcome of the any pending enquiry*, involving candidate(s), figuring in this Provisional Selection List.
- (iii) This is a Provisional List and shall be subject to the change(s) as per the objections as may be received against it and mere figuring in it shall not confer any right to selection, which shall be finalized after examination of the objections based on merit.
- (iv) In case any candidate/s is aggrieved with this Provisional Selection List or intends to furnish any *document/clarification* regarding his/her withheld candidature, he/she may represent through the email address ***jkssbveterinarypharmacist@gmail.com*** within **Five (05) days** from the date of this Notification, ***beyond which no representations whatsoever shall be entertained***. The representations in this regard shall necessarily include complete details of the candidate including Name, Address, Roll Number and Contact Number.

By Order. (Atul Kumar) JKAS Secretary,
No. JKSSB/SD0SECY(JMU)/18/2024-03(E-7499468) J&K Services Selection Board
Dated: 06.06.2024 **DIP/J-2027/24 Dt. 28-06-24**

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CPO Chowk, Panjthirithi, Jammu/Zamzam Complex, Rambagh, Srinagar
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Subject: **Provisional Selection List** for the posts of Stock Assistant, Divisional/District Cadres, Jammu/Kashmir, under Item No.s 641, 644, 646, 648, 650, 652, 654, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687 and 688, advertised vide Advertisement Notification No.04 of 2021 dated 17.07.2021 and Item No.s 133, 134, 136, 137, 138, 139, 140, 141 and 142, advertised vide Advertisement Notification No.04 of 2022 dated 27.07.2022, respectively, of Animal/Sheep Husbandry and Fisheries Department.

NOTIFICATION

Whereas, Animal/Sheep Husbandry and Fisheries Department, vide indent No. ASH/Coord/24/2014 dated 29.09.2020 and No. ASH/SH/65/2015-Idated 19.10.2020, vide indent No. ASHF-SHOGAZ/105/2021-03dated 04.04.2022 and Indent No. ASHF-CORD/92/2021-03 dated 04.04.2022, among other posts, forwarded the requisition for making direct recruitment to 145 posts, which were advertised under various items as per the following break up:

S. No.	Advt No	Item No.	Name of the post	Cadre of the post	OM	SC	ST	OSC	ALC / IB	RBA	PSP	EWS	Total posts
1	04 of 2021	641	Stock Assistant	Div. Kashmir	1	0	0	0	0	1	0	0	2
2	04 of 2021	644	Stock Assistant	Ganderbal	1	0	1	0	0	0	0	0	2
3	04 of 2021	646	Stock Assistant	Pulwama	2	0	1	0	0	0	0	0	3
4	04 of 2021	648	Stock Assistant	Anantnag	2	0	0	0	1	0	0	1	4
5	04 of 2021	650	Stock Assistant	Kupwara	2	0	0	0	1	0	0	1	4
6	04 of 2021	652	Stock Assistant	Shopian	1	0	1	0	0	0	0	0	2
7	04 of 2021	654	Stock Assistant	Baramulla	2	0	0	0	0	0	0	1	3
8	04 of 2021	668	Stock Assistant	Jammu	1	0	0	0	0	1	0	0	2
9	04 of 2021	669	Stock Assistant	Samba	1	0	0	0	0	1	0	0	2
10	04 of 2021	670	Stock Assistant	Kathua	3	1	1	0	0	1	0	0	6
11	04 of 2021	671	Stock Assistant	Poonch	3	1	0	0	0	1	0	0	5
12	04 of 2021	672	Stock Assistant	Rajouri	5	1	1	0	0	1	0	0	8
13	04 of 2021	673	Stock Assistant	Reasi	3	1	1	0	0	1	0	0	6
14	04 of 2021	674	Stock Assistant	Udhampur	3	1	0	0	0	1	0	0	5
15	04 of 2021	675	Stock Assistant	Ramban	2	1	0	0	0	1	0	0	4
16	04 of 2021	676	Stock Assistant	Doda	3	1	0	0	0	1	0	0	5
17	04 of 2021	677	Stock Assistant	Kishtwar	3	1	0	0	0	1	0	0	5
18	04 of 2021	678	Stock Assistant	Srinagar	3	1	1	0	0	1	0	0	6
19	04 of 2021	679	Stock Assistant	Budgam	4	1	1	0	0	1	0	0	7
20	04 of 2021	680	Stock Assistant	Ganderbal	3	1	0	0	0	1	0	0	5
21	04 of 2021	681	Stock Assistant	Baramulla	3	1	1	0	0	1	0	0	6
22	04 of 2021	682	Stock Assistant	Kupwara	3	1	1	0	0	1	0	0	6
23	04 of 2021	683	Stock Assistant	Anantnag	4	1	1	0	0	1	0	0	7
24	04 of 2021	684	Stock Assistant	Kulgam	3	1	0	0	0	1	0	0	5
25	04 of 2021	685	Stock Assistant	Pulwama	2	1	0	0	0	1	0	0	4
26	04 of 2021	686	Stock Assistant	Shopian	2	1	0	0	0	1	0	0	4
27	04 of 2021	687	Stock Assistant	Bandipora	3	1	0	0	0	1	0	0	5
28	04 of 2021	688	Stock Assistant	Budgam	1	0	0	0	0	0	0	1	2
29	04 of 2022	133	Stock Assistant	District Samba	0	1	0	0	0	0	0	0	1
30	04 of 2022	134	Stock Assistant	District Ramban	3	0	1	0	1	0	0	1	6
31	04 of 2022	136	Stock Assistant	District Kupwara	1	0	0	0	0	0	0	0	1
32	04 of 2022	137	Stock Assistant	District Anantnag	0	1	0	0	0	0	1	0	1
33	04 of 2022	138	Stock Assistant	District Srinagar	2	0	0	0	0	0	0	1	3
34	04 of 2022	139	Stock Assistant	District Shopian	1	0	0	0	0	0	0	0	1
35	04 of 2022	140	Stock Assistant	District Bandipora	2	0	1	0	0	0	0	0	3
36	04 of 2022	141	Stock Assistant	District Budgam	1	0	0	0	1	0	0	0	2
37	04 of 2022	142	Stock Assistant	District Ganderbal	1	0	0	0	0	0	0	0	1

Whereas, as per the Indent/Advertisement Notification, the prescribed qualification for the post(s) is/was **"Matric with Science Subject"**

Whereas, the Jammu and Kashmir Services Selection Board (JKSSB) advertised the aforesaid posts among other posts of Animal/Sheep Husbandry and Fisheries Department vide Advertisement Notification No. 04 of 2021 dated 17.07.2021 and vide Advertisement Notification

No. 04 of 2022 dated 27.07.2022, respectively and the cut-off date, i.e., the last date for applying for the aforementioned posts and for determining the eligibility/academic qualification and validity of category certificates and other such documents of the candidates which may be required as per indent was **17.09.2021** and **20.09.2022**, respectively for the above mentioned two notifications; and

Whereas, the Jammu and Kashmir Services Selection Board (JKSSB) advertised the aforesaid posts among other posts of Animal/Sheep Husbandry and Fisheries Department vide Advertisement Notification No.04 of 2021 dated 17.07.2021 and Notification No. 04 of 2022 dated 27.07.2022, respectively; and

Whereas, the Jammu & Kashmir Services Selection Board (JKSSB) conducted written examination for the post of Stock Assistant, Animal/Sheep Husbandry & Fisheries Department on **14.01.2024**; and

Whereas, the JKSSB, vide Notification No. JKSSB-COE0EXAM(UT)/103/2023-03 (7368109) dated 01.02.2024, issued the result/Score Sheet of the candidates who appeared in the OMR Based Written Examination held on 14.01.2024 for the said post. Thereafter, schedule for Documents Verification (D.V.) of the Candidates falling under the consideration zone was notified vide Notification No. JKSSB-COE0EXAM(UT)/103/2023-03(7368109) dated 12.03.2024 and Supplementary Document Verification (D.V.) vide No. JKSSB-COE0EXAM(UT)/103/2023-03(7368109) dated 20.03.2024; and

Whereas, the Selection Committee for preparing the selection to the aforementioned posts was constituted vide Order No.187-SSB of 2024 dated 14.05.2024; and

Whereas, the Hon'ble Central Administrative Tribunal, Jammu Bench, while vacating the stay in Original Application No. 61/1239/2021, titled Deepak Kumar and Ors. Vs UT of J&K and Ors., in its order dated **29.05.2024**, directed that:

"... **15. The case of the applicants is that they are better suited candidates for selection to the post of Stock Assistant and Assistant Stock Man in the Animal Sheep Husbandry Department, as they possess one year diploma in Paravet Training Course and Stock Assistant Training Course from Government institutions, in comparison to candidates possessing qualification of matric with science, prescribed in Advertisement Notification No. 04 of 2021 dated 17.07.2021. The applicants seek weightage and preferential marks for possessing diploma. In our considered opinion, weightage or preferential marks can only be granted, if the same has been prescribed in the advertisement or recruitment rules. In the case in hand, from perusal of record, we find that the prescribed qualification for the post of Stock Assistant and Veterinary Pharmacist is matric with science only and there is no provision for granting weightage or preferential marks for possessing diploma in the subject concerned.**

16. Since, there is no such provision in the advertisement notice or recruitment rules granting weightage or preferential marks for possessing diploma in the subject concerned, the applicants cannot demand weightage or preferential marks. The applicants are basically trying to prescribe qualification for post of Stock Assistant and Veterinary Pharmacist, which is the sole domain of the employer only.

17. In this regard reliance is placed on the judgement of Hon'ble Supreme Court in the case of Maharashtra Public Service Commission Vs. Sandeep Sharma and others (2019) 6 SCC 362, in which it was held as under:

"9. The essential qualifications for appointment to a post are for the employer to decide. The employer may prescribe additional or desirable qualifications, including any grant of preference. It is the employer who is best suited to decide the requirements a candidate must possess according the needs of the employer and the nature of work. The court cannot lay down the conditions of eligibility, much less can it dwelve into the issue with regard to desirable qualifications being on a par with the essential eligibility by an interpretive re-writing of the advertisement. Questions of equivalence will also fall outside the domain of judicial review. If the language of the advertisement and the rules are clear, the court cannot sit in judgement over the same. If there is an ambiguity in the advertisement or it is contrary to any rules or law, the matter has to go back to the appointing authority after appropriate orders, to proceed in accordance with law. In no case can the court, in the garb of judicial review, sit in the chair of the appointing authority to decide what is best for the employer and interpret the conditions of the advertisement contrary to the plain language of the same."

18. It also appears from the record that many of the applicants had participated in the selection process for the post of Stock Assistant and Veterinary Pharmacist, however, they could not succeed in the same and, thereafter, they have challenged the selection process. It is also a settled law an unsuccessful participant cannot turn around and challenge the selection process, after participating in it without any challenge.

19. In the case of Tajvir Singh Sodhi and Ors Vs. The State of Jammu and Kashmir and others 2023 LiveLaw (SC) 253, it was held that:

"13.1 It is, therefore, trite that candidates, having taken part in the selection process without any demur or protest, cannot challenge the same after having been declared unsuccessful. The candidates cannot approbate and reprobate at the same time. In other words, simply because the result of the selection process is not palatable to a candidate, he cannot allege that the process of interview was unfair or that there was some lucana in the process. Therefore, we find that the writ petitioners in these cases, could not have questioned before a Court of law, the rationale behind recasting the selection criteria, as they willingly took part in the selection process even after the criteria had been so recast. Their candidature was not withdrawn in light of the amended criteria. A challenge was thrown against the same only after they had been declared unsuccessful in the selection process, at which stage, the challenge ought not have been entertained in light of the principle of waiver and acquiescence."

20. In view of the aforesaid judicial pronouncements and discussions made herein above, the O.A. being devoid of any merit is dismissed.

21. The interim order dated 17.08.2021 passed by this Tribunal restraining the respondents from declaring the result of the selection stands vacated. The respondents are at liberty to declare the result and take further action, as per rules.

22. No order as to costs."

Whereas, upon the receipt of the aforesaid directions from the Hon'ble Central Administrative Tribunal, Jammu Bench, the provisional selection list for the aforementioned posts prepared as per the merit/eligibility of the candidates and having regard to the extant rules /regulations was placed before the Board in its 276th Meeting held on 25.06.2024, which, after deliberations and consideration of the matter, approved its notification.

Now, therefore, the Provisional Selection List for the above-mentioned posts of **Stock Assistant**, Animal/Sheep Husbandry and Fisheries Department, advertised vide Advertisement Notification No.04 of 2021 dated 17.07.2021 and Notification No. 04 of 2022 dated 27.07.2022, respectively, under various Items is hereby notified as per **Annexure-A** to this Notification. It is further notified that:

- (i) This Provisional Selection List shall be subject to outcome of the OAs/Writ Petition(s), if any, pending in any competent court of law.
- (ii) This shall also be subject to the *outcome of the any pending enquiry*, involving candidate(s), figuring in this Provisional Selection List.
- (iii) This is a Provisional List and shall be subject to the change(s) as per