

Government of Jammu and Kashmir
Department of Skill Development
Civil Secretariat, J&K

Subject:- Appointment of Mr. Ishfaq Ahmad S/o Abdul Salam Sofi as Demonstrator (Travel & Tourism).

Ref:- i) Administrative Council Decision No.47/3/2022 dated: 15.03.2022.
ii) O.M. No.GAD-MTGORBIV/200/2021-09-GAD dated 22.03.2022 from General Administration Department.

Government Order No. 38-JK(DSD) of 2022
Dated: 21.04.2022

Whereas, JK, Service Selection, Board, vide Order No. 50-SSB of 2021 dated 29.01.2021, released withheld recommendation in favour of Mr. Ishfaq Ahmad S/o Abdul Salam Sofi figuring at Sr. 01 under OM category for the post of Demonstrator (Travel & Tourism) in Skill Development Department (Erstwhile Technical Education Department), subject to the condition that genuineness/relevance and validity or otherwise of certificates (i.e Degree, category and allied documents) of the candidate is verified by the appointing authority.

Whereas, Administrative Department recommended the case to Director, Skill Development with the request to issue appointment orders in favour of Mr. Ishfaq Ahmad S/o Abdul Salam Sofi figuring at Sr. 1 under OM category as Demonstrator (Travel & Tourism) subject to the condition that genuineness/relevance and validity of certificates (i.e Degree, category and allied documents) are verified at the first instance from the concerned issuing authority.

Whereas, Director, Skill Development, vide letter dated 29.03.2021 has intimated that the post of Demonstrator, Travel & Tourism (Non-Engineering) Branch as per Government Order No.42-Tech (Edu) of 2005, dated 22.03.2005 was created at Govt. Polytechnic Leh and due to bifurcation of erstwhile State of J&K into UTJK & UT Ladakh, all the posts created for Govt. Polytechnic Leh are now being operated by the Administration of UT Ladakh. After the bifurcation of the erstwhile State and as per SRO 739 and SRO 742 dated 25.10.2019 and further as per rationalization order issued vide Govt. order 19-JK (DSD) of 2021 dated 22.03.2021, no posts of Demonstrator, Travel and Tourism is available in the department, so the Directorate may not be in position to issue formal appointment order in favour of Mr. Ishfaq Ahmad S/o Abdul Salam Sofi and accordingly requested to advise on the issue.

[Handwritten signature]

1/4

Whereas, after examination the case was referred to Department of Law, Justice and Parliamentary Affairs, vide O.M No. Edu/Tech/Poly/41/2018 dated 15.04.2021. The Department of Law, Justice and Parliamentary Affairs, vide their O.M No. LD (Opn) 2021/51-DSD dated 27.04.2021, opined as under:-

"The applicant has to be appointed on the post advertised and as per recommendations of Service Selection Board notwithstanding the fact that the said post has been allocated to Union Territory of Ladakh. At the most, he can be transferred/allocated to Ladakh for manning the post. The department is advised to proceed accordingly and also to take up the matter with General Administration Department for the required relaxation in age".

Whereas, case was accordingly forwarded to General Administration Department for opinion, into the matter. The General Administration Department vide U.O. No. GAD-SERVOKAS/53/2021-02-GAD dated 18.06.2021, opined as under:-

"The matter has been examined in the General Administration Department and the department is informed that in terms of extant rules, the age of a candidate for appointment to Government service is reckoned as on the first day of January of the year in which the examination is held or applications are invited for vacancy for which direct recruitment is made.

As such, the selected candidate in the instant case, even if by now might have crossed the permissible age for appointment against the Government jobs, that would have no bearing for considering him for appointment against a post for which he has applied while being well within age limits at the time of applying for such post".

Whereas, keeping in view the opinion of Department of Law Justice & Parliamentary Affairs and General Administration Department, the case was again examined in the Administrative Department in order to prevail the justice and secure the future of selected candidate (who has crossed the upper age limit for entry into the Government service), and also to avoid any litigation in the matter, the case file was resubmitted to General Administration Department for its concurrence for appointment of candidate against available post of Demonstrator vacant in the overall cadre strength of Demonstrators.

Whereas, General Administration Department vide O.M. No.GAD/MTGORBIV/200/2021-09-GAD dated 22.03.2022, conveyed the approval of Administrative Council Decision vide No. 47/3/2022 dated 15.03.2022 for issuance of appointment order

in respect of following post which was referred to the recruiting agencies prior 31.10.2019 and the recommendations have been received from the recruiting agencies on the terms and conditions as mentioned below:

Name of the post	No. of posts	No. & date of referral of vacancies to the recruiting agencies	No. & date of receipt of recommendations from recruiting agencies (JKPSC/JKSSB)
Demonstrator, Travel & Tourism	01	Edu/Tech/Insty/32/2009 dated 24.01.2013	551/Secy/2010/1526 JJ dated 09.02.2018 (withheld) released by 558 vide order No. 50-558 of 2021 dated 29.01.2021.

"The appointment orders shall be issued only after ensuring the following.

1. The post(s) against which order(s) are to be issued should be free from all encumbrances.
2. There are no court interventions/orders etc.
3. All other terms and conditions for issuance of appointment orders issued by Government from time to time shall be followed.
4. If any of the above select lists/recommendations have lost validity owing to delay in issuance of appointment orders/other procedural delays, **one-time relaxation is also granted with the directions to concerned Department to issue appointment orders within a period of one month from the date of issuance of communication".**

Now, pursuant to approval of Administrative Council Decision vide No. 47/3/2022 dated 15.03.2022, sanction is hereby accorded to the appointment of Mr. Ishfaq Ahmad S/o Abdul Salam Sofi R/o 39-A New Colony, Brain Nishat, Srinagar as Demonstrator (Travel & Tourism) in the Skill Development Department in the Pay Level L6-D (35800-113200), whose particulars as per select list of J&K Services Section Board are as under:-

Roll No.	Item code	A REG-No	Name	Fathername	address	D.o.B	Category	Total marks	Percent Age
Select under open category									
211937102730	01301 of 2013	0848411	ISHFAQ AHMAD	ABDUL SALAM SOFI	39-A NEW COLONY BRAIN NISHAT SRINAGAR	26.02.1981	OM	97.25	64.833

The appointment shall be subject to the following conditions:-

- i) The appointee shall report in the Directorate of Skill Development Department, Jammu/Srinagar (erstwhile Technical Education Department), within a period of 21 days alongwith all original certificates. In case, appointee does not join within stipulated period, his appointment shall be deemed to have been cancelled ab-initio without any further notice;
- ii) He shall give an undertaking in the shape of an affidavit to the effect that:-

[Handwritten signature]

3/4

If on verification the qualification certificate/ reserved category certificate/experience certificate (wherever applicable) is found forged, false or fake by the concerned issuing authorities, he shall have no claim for appointment and his services shall be deemed to have been terminated ab-initio. Further his appointment shall be subject to the final verification of Character and antecedents from the CID in terms of Government Order No.528-JKGAD of 2021 dated 21.06.2021 as amended from time to time.

- iii) His salary shall not be drawn and disbursed unless and until the satisfactory report/genuineness of the certificates in respect of (ii) above is received;
- iv) His appointment shall be governed by in terms of the Jammu and Kashmir Probationer (Condition of Service, Pay and Allowances) and Fixation of Tenure Rules, 2020 notified vide S.O No. 192 of 2020 dated 17-06-2020;
- v) His inter-se seniority shall be fixed in the exists seniority of Demonstrators in terms of Rule-24 of Jammu & Kashmir, Civil Service (Classification, Control & Appeal) Rules 1956 ;
- vi) His appointment shall be subject to outcome of the writ petition/OA, if any pending in any competent court/ Tribunal on the subject.

By order of the Government of Jammu & Kashmir.

Sd/-

**(Dr. Asgar Hassan Samoon) IAS
Principal Secretary to the Government**

No:-DSD-Poly/03/2021-02

Dated: 21.04.2022

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Principal Secretary to Government, GAD, Jammu.
3. Director, Skill Development Department, Jammu.
4. Director, Archives, Archaeology & Museums, J&K Jammu.
5. OSD with Hon'ble Advisor (B) I/c Department of Skill Development.
6. Secretary, J&K Service Selection Board.
7. Secretary, J&K Board of Technical Education.
8. Concerned Treasury Officer.
9. PS to Principal Secretary to the Government, Department of Skill Development.
10. Concerned Officers.
11. Government Order file/Incharge website.

(Fayaz Ahmad Bhat)

Under Secretary to the Government

4/4