

Sub:- SWP No:- 1744/2015 titled Fayaz Ahmad Dar SWP No:- 2112/2015 titled Syed Aethsham Hussain.

Ref:- 1. Administrative Department's letter No:- HD/Legal/NG/MR/202/2015-F
Dated:- 04.09.2017.

ORDER NO:- 4061 NG of 2017.
DATED:- 07/10 / 2017.

Whereas Administrative Department vide their letter No:- HD/Legal/NG/MR-202/2015-F Dated:- 04.09.2017, forwarded the Services Selection Board order No:- 257/SSB of 2017 Dated:- 17.07.2017, regarding selection of three candidates to the post of Junior Dental Technician District cadre Budgam & Baramulla under open category in pursuance of advertisement notice 07 of 2013 and 10 of 2013 under item No:- 642 and 798

Whereas Mr. Fayaz Ahmad Dar and Syed Tajamul Inayat petitioners in SWP No:- 1744/2015 had applied for the post of Junior Dental Technician District cadre Budgam under open merit category in pursuance to the advertisement notice 07 of 2013 and 10 of 2013 under item No:- 642 and 798.

Whereas Services Selection Board vide order No:- 356 SSB of 2015 Dated:- 07.08.2015 has withdrawn the selection of the petitioners as it was noticed that the petitioner were possessing Diploma in Dental Hygienist but not the requisite qualification i.e. 10+2 with Diploma in Dental Technician/relevant field.

Whereas, the petitioners aggrieved of the above action taken by the Board approached the Hon'ble High court through the medium of SWP No:- 1774/2015 for quashment of order dated:- 07.08.2015 and direction to accept the qualification of the petitioners as requisite qualification for filling of said post etc.

Whereas as per the interim directions dated:- 14.08.2015 passed by the Hon'ble High court in MP No:- 01/2015 filed in SWP No:- 1744/2015, two posts were kept reserved.

Whereas SWP No:- 1744/2015 has been finally disposed of by the Hon'ble High court vide judgement dated:- 08.09.2016, & directed the respondents to consider their continuance as per the merit secured by them in the selection process.

Whereas the judgment dated:- 08.09.2016, of the Hon'ble High court was referred to the General Administration Department for filling of LPA in the whole matter and General Administration Department after examining the whole issue conveyed vide letter dated:- 24.04.2017 as under

" The department is advised that the judgement dated:- 08.09.2016 and 19.09.2016, passed by the Hon'ble High court in SWP No:- 1744/2015 and SWP No:- 2112/2015 are based on the rules and the clarification issued by the Health and Medical Education Department. There are no chance of success of LPA before the next higher forum as such the judgment be complied with in letter and spirit".

Whereas another candidate Syed Aethsham Hussain who had also applied for the post of Junior Dental Technician under open merit for District cadre Baramulla in pursuance to the advertisement No:- 10 of 2013 under item No:- 792 and also filed SWP No:- 2112/2015, before the Hon'ble High court praying their for directions against respondents to recommend his name against the post of Junior Dental Technician in terms of Notification No:- 10 of 2013 on the basis of his qualification i.e.Dental Hygienist obtained from State Medical Faculty and merit secured.

Whereas SWP No:- 2112/2015 has also been finally disposed of by the Hon'ble High Court vide judgement dated:- 19.09.2016.

Whereas two posts of the Junior Dental Technicians District cadre Baramulla are unfilled for want of certain clarification.

Whereas in compliance to the judgement dated:- 08.09.2016, and judgment dated:- 19.09.2016, passed by the Hon'ble High Court in SWP No:- 1744/2015 and SWP No:- 2112/2015 read with recommendations dated:- 06.02.2017, of the indenting department and advise of the General Administration Department conveyed vide letter No:- GAD(legal)F-540/2016 Dtaed:- 24.04.2017, the petitioners namely Fayaz Ahmad Dar and Syed Tajamul Inayat of SWP No:- 1744/2015 and Syed Aethsham Hussain of SWP No:- 2112/2015 have been recommended against reserved /unfilled posts of Junior Dental Technicians in District cadre Budgam & Baramulla respectively.

Whereas S.No:- 01 to 03, below have tendered an affidavit duly attested by Executive Magistrate 1st Class Srinagar to the effect that the requisite certificates submitted by them are genuine & in case any of them is found forged/fake by concerned verifying agency their appointment shall be deemed to have been cancelled ab-initio.

Now pending verification of their credentials from the concerned verifying agencies, sanction is hereby accorded to the temporary appointment of below mentioend candidates as Jr.Dental Technician Distirct cadre Baramulla & Budgam in the pay band of Rs. (5200-20200) with grade pay 2400/- against the available vacancies in District Baramulla & Budgam.

.No	Name of the candidate with parentage	Residence	Category/ Cadre	Place of posting.
01.	Fayaz Ahmad Dar S/o Mohammad Akbar Dar	Sozeeth Goripora Beerwah	Open/ District cadre Budgam.	PHC.Narbal

02.	Syed Tajamul Inayat S/o Syed Inayat-ullah	Chewdara Beerwah Budgam.	-do-	SDH.Khansahib.
03.	Syed Aethsham Hussain S/o Syed Mohammad Yaseen	Tilgam Pattan Baramulla.	Open/ District cadre Baramulla.	CHC.Chandoosa

Their appointment shall be subject to following terms & conditions:-

01. The arrangements if any made against the said posts will simultaneously be drawn & appointees adjusted.
02. The appointment is District cadre is non transferable from one District cadre to another District cadre.
03. The salary of the appointees shall not be drawn & disbursed to them till genuineness of their character and antecedents report including report from other verifying agency is received by this Directorate and forwarded to the concerned DDO's.
04. The appointees shall be on probation for a period of two years which shall have to be completed satisfactorily.
05. If on verification character and antecedents of the appointees are found adverse and the certificates produced by the appointee are proved fake/forged their appointment shall be deemed to have been cancelled ab-initio without any further notice.
06. The appointees shall report to concerned Chief Medical Officer within a period of 21 days from the date of issuance of their appointment order & in case they fail to join within this period their appointment order shall be deemed to have been cancelled ab-initio without any further notice.
07. The orders issued are without prejudice to the outcome of any petition pending in any competent court of law.

Sd/-

Director Health Services
Kashmir

Dated:- 07/10/2017.

No:-Est-4/NG-13/690-705

Copy for information & n/a to the:-

01. Principal Secretary to Govt Health & Med, Edu Deptt J& K Govt Jammu.
02. Chief Accounts Officer DHS Office Sgr.
03. Chief Medical Officer Baramulla/Budgam.
04. Section Officer DHSK.
05. P/A to DHSK.
06. Candidate _____ for compliance.
07. I/c Website Barazulla Sgr.

Dy. Director Health Services
(HQ) Kashmir

07-10-2017