



JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION

Resham Garh Colony, Bakshi Nagar, Jammu

<http://www.jkpsc.nic.in>

Subject: Filling up of the post of Medical Officer in Health & Medical Education Department.

Order No.258 –PSC of 2013

Dated: 22. 11.2013

Whereas, vide this Commission's Notification No. 16-PSC(DR-P) of 2013 dated 18.08.2013, 769 posts of Medical Officers in Health and Medical Education Department in different categories were advertised.

Whereas Dr.Ajaz Ahmad Wani also applied for the said post in pursuance of the above notification.

Whereas, on scrutiny of documents submitted by the candidate, it has been found that the candidate is overaged and is working in Border Security Force on contractual basis and is not eligible for the said post.

Whereas, the candidature of the candidate was rejected vide notice dated 23.10.2013 alongwith other ineligible candidates.

Whereas, the case was examined in the Commission and in view of the verdict delivered by the Hon'ble High Court in its judgement titled Ajay Gupta V/s State and others in LPASW Nos. 144/2008 and 125/2008, CMA No. 156/2008, 157/2008 mentioned that the eligibility qualification mentioned in the advertisement notification is based on Rule 17 of the Rules 1956 since the rules of 1956 pertain to Government Service of the State of Jammu and Kashmir and regulate only those service, the mention made in Rule 17 of the Rules of 1956, in respect of candidates already "in Government Service", is only the reference to the candidates who are working in the services constituted by the State of Jammu and Kashmir and no other Government Service including that of All India Service. Further, the expression, "Government Service" used in the advertisement notification, thus, would not include a member of Military Engineering Service or All India Service.

Now therefore, in view of the above, the candidature of Dr. Ajaz Ahmad Wani S/o Shri Ghulam Ahmad Wani R/o Lasjan (Zoo), Srinagar for the post of Medical Officer in Health & Medical Education Department is hereby rejected.

Sd/-

(Dr.T.S.Ashok Kumar) IFS
Secretary

J&K Public Service Commission

Dated: 22.11.2013

No:PSC/DR/M.O/2013