



JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION

Solina Srinagar, Kashmir -190009

website: <http://jkpsc.nic.in>
email: jkpscsecretary@gmail.com

Jammu: 0191-2566528 (t) 2566530
Srinagar: 0194-2312629 (t) 2312631

Subject: Filling up of the post of Veterinary Assistant Surgeon in the Sheep Husbandry Department- Decision of Appellate Authority thereof.

Notice

Dated: 05.08.2026

Whereas, vide Notice dated 17.06.2026, the candidature of Mr. Sachin Singh Katoch was rejected for the post of Veterinary Assistant Surgeon in the Sheep Husbandry Department by the Commission, on the basis of reasons specified in the notice, with an option to make an appeal before the Appellate Authority;

Whereas, in response to the *ibid* Notice the candidate submitted representation and claim against his rejection; and

Whereas, the case of the candidate was placed before the Appellate Authority of the Commission for decision in the matter.

The Appellant Authority has examined the case and given their opinion are as under:-

The appeal has been examined in the light of the records, the advertisement notification, the statutory Rules governing recruitment, the order of the Hon'ble High Court and the submissions made by the appellant.

The controversy essentially revolves around whether a fresh RBA certificate issued after the prescribed cut-off date can be accepted for claiming reservation in a recruitment governed by the J&K Public Service Commission (Business & Procedure) Rules, 2021.

Rule 19(a) of the J&K Public Service Commission (Business & Procedure) Rules, 2021 provides that the last date prescribed for receipt of applications shall, for all purposes, be the cut-off date for determining eligibility. Acquisition of qualifications, experience, special attributes or any other attribute claimed by a candidate. Rule 28(b) further mandates that the eligibility of every candidate for participation in the selection process shall be referable to the cut-off date specified in the advertisement notification

The advertisement governing the present recruitment expressly incorporated the aforesaid statutory requirement. Consequently, the Commission was legally obliged to determine the appellant's eligibility strictly with reference to the position obtaining on 17.12.2024.

It is not disputed that the appellant did not possess an RBA certificate issued by the competent authority on the prescribed cut-off date. The certificate on which reliance has been placed was admittedly issued on 30.12.2024

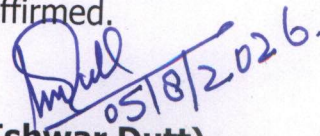
The appellant's contention that the certificate merely recognizes an existing status cannot override the statutory mandate. Recruitment under the Commission is regulated by statutory Rules, and the Commission, being a constitutional recruiting agency, possesses no authority to relax or ignore the mandatory cut-off date prescribed therein. Acceptance of a fresh category certificate issued after the prescribed date would amount to creating an exception not contemplated under the Rules and would defeat the principle of certainty, uniformity and equal treatment amongst all competing candidates.

The order dated 06.12.2024 passed by the Hon'ble High Court has also been carefully considered. A plain reading thereof reveals that the Hon'ble Court did not declare the appellant entitled to reservation under the RBA category nor did it direct the Commission to treat him as an RBA candidate irrespective of the cut-off date. The Hon'ble Court merely directed the competent revenue authority to consider the appellant's claim for issuance of an RBA certificate in accordance with law. The eventual issuance of the certificate pursuant thereto does not have the effect of retrospectively satisfying the statutory requirement contained in Rules 19(a) and 28(b) of the J&K Public Service Commission (Business & Procedure) Rules, 2021.

The judicial precedents relied upon by the appellant have also been considered. None of the judgments cited has been shown to lay down that the Commission is empowered to disregard the mandatory provisions of the J&K Public Service Commission (Business & Procedure) Rules, 2021 or to recognize a fresh reserved category certificate obtained after the prescribed cut-off date in the absence of any enabling provision in the Rules.

In view of the foregoing discussion, this Authority is satisfied that the Commission rightly rejected the appellant's claim for consideration under the RBA category as the appellant admittedly did not possess a valid RBA certificate on the prescribed cut-off date, namely 17.12.2024. The subsequent issuance of the certificate on 30.12.2024 cannot retrospectively validate the claim or confer eligibility contrary to the statutory Rules.

Accordingly, the appeal is dismissed, and the rejection of the appellant's candidature under the RBA category communicated vide Notice No. PSC/DR/VAS/AS&H Deptt./2025 (7585119) dated 17.06.2026 is affirmed.


(Ishwar Dutt)

Under Secretary
J&K Public Service Commission

No: PSC/DR/VAS/AS&H Deptt/2025(7585119)
Copy to the:

Dated:05.08.2026

1. Commissioner/Secretary to the Government, Higher Education Department, Civil Secretariat, Jammu/Srinagar.
2. I/C website.