



JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION

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Subject:- Consideration order in compliance to Hon'ble Central Administrative Tribunal order dated 05.05.2025 passed in OA No. 438/2025 titled Mohammad Mahmood & Ors V/s UT of J&K & Ors.

Order No. 32-(E)PSC of 2025.

Dated: 25.06.2025

Whereas, the Department of Animal/Sheep Husbandry, vide its communication No. ASHF-AHOGAZ/15/2021-03 Dated 28.05.2024, No. ASHF-AHOGAZ/105/2021-03 dated: 05.07.2024 and No. ASHF-AHOGAZ/105/2021-03 Dated: 25.07.2024, referred One Hundred and Seventy Four (174) posts in Animal Husbandry Department and Two (02) Posts in Sheep Husbandry Department, as per the following break-up, to the J&K Public Service Commission, for being filled up in accordance with the relevant rules of the Department:

| Wing/ Deptt. | O M | RBA | SC | ST-1 | ST-2 | EW S | ALC/ IB | OBC | Total |
|--------------------------------|--------|-----|----|------|------|---------|------------|-----|------------|
| Animal Husbandry Department | 70 | 17 | 14 | 18 | 17 | 17 | 07 | 14 | 174 |
| Sheep Husbandry Department | 01 | - | 01 | - | - | - | - | - | 02 |
| Total | | | | | | | | | 176 |

Whereas, the J&K Public Service Commission, notified these One Hundred and Seventy Six(176) posts, vide Notification No.05-PSC (DR- P) of 2024 dated 02.08.2024, mentioning about the category wise breakup of the posts as also the factum regarding horizontal reservation, for inviting applications and for admission of eligible candidates to the Written Test for selection in terms of the Jammu and Kashmir Animal Husbandry Department (Gazetted) Service Recruitment Rules, 1988 issued vide SRO 359 dated 01.12.1988, amended vide SRO 546 dated 10.12.2018, and in terms of J&K Sheep Husbandry Department (Gazetted) Service Recruitment Rules, 1987 dated 06.03.1987 amended vide SRO 547 dated:10.12.2018 which interalia provide that"*....the posts of Veterinary Assistant Surgeons shall be filled on the basis of written test only to be conducted by the J&K Public Service Commission.*" and in terms of the Jammu and Kashmir Public Service Commission (Business and Procedure) Rules 2021 as amended from time to time.

Whereas, OMR based common written examination for both the Notifications was conducted on 12.01.2025 both at Srinagar and Jammu centres; and,

Whereas, Rule-10 of JKPSK Conduct of Examination Rules, 2022 provides the procedure pertaining to the OMR based Offline Screening Test/Written Examination with negative marking. The said rule mentions that after conduct of the examination, Provisional Answer Key shall be notified for inviting objections from the candidates who have taken the test/ examination for which 03 (three) days' time shall be given. The objections shall be received on a prescribed format, through offline or online mode, as may be prescribed, along with such fee in the shape of demand draft drawn in favour of Controller of Examinations, J&K PSC, as may be prescribed by the Commission from time to time (refundable in case the objections are upheld). Objection(s) submitted in any other mode will not be entertained; and,

Whereas, in terms of rule 10, provisional key was notified and 73 objections were received against 24 questions, which were referred to subject experts for their opinion and, accordingly, disposed of under rules; and

Whereas, representations were received from some candidates alleging that the question paper was not framed as per the syllabus and represented for re-examination of written test for the posts of Veterinary Assistant Surgeon; and,

Whereas, representations were also received from another group of candidates, representing for fast tracking the process of evaluation and releasing the merit list for the written test of Veterinary Assistant Surgeon; and,

Whereas, some candidates (Naik Inyat and others) had filed OA in Hon'ble Central Administration Tribunal at Srinagar and Hon'ble Tribunal in the same OA titled Naik Inyat vs Animal & Sheep Husbandry Department has passed following order dated 15.01.2025:

"In the mean while, respondent-PSC will consider and dispose of the representation filed by the petitioners within one week positively. It is further provided that the result declaration will abide by the final outcome of this OA."

Whereas, some other candidates (Naveed Ahmed Malik and others) had filed OA in Hon'ble Central Administration Tribunal at Jammu and Hon'ble Tribunal in same OA titled Naveed Ahmed Malik vs Agriculture Production Department passed following order dated 27.01.2025:

"In the meantime, respondents are directed to decide the representation of the applicant before the declaration of the result as it has been alleged by the applicant's counsel that the syllabus has been changed."

Whereas, in due deference to the directions passed by Hon'ble Central Administration Tribunal Srinagar/Jammu in aforementioned two OAs, the representations of candidates/applicants were referred to subject experts for their expert comments/opinion in the matter and the subject experts have certified that the questions in the question paper set for the post of "Veterinary Assistant Surgeon 2024" conducted on January 12, 2025, is within the specified syllabus; and,

Whereas, the allegations that the syllabus has been changed was also examined in-depth by the competent authority and it has been found that the same is without any merit. It is to reiterate that the question paper for the PSC examination for the post of Veterinary Assistant Surgeon, 2024 was exclusively set as per the notified syllabus; and,

Whereas, in view of aforesaid facts and in due deference to the Order dated: 15.01.2025 passed by Hon'ble Central Administrative Tribunal, Srinagar Bench in OA OA/37/2025 titled Naik Inyat vs Animal & Sheep Husbandry Department and Order dated: 27.01.2025 passed by Hon'ble Central Administrative Tribunal, Jammu Bench in OA/29/2025 titled Naveed Ahmed Malik vs Agriculture Production Department, the representations submitted by the applicants had been considered and found devoid of any merit and rejected vide Order No. 18(E)-PSC of 2025 dated 03.03.2025; and,

Whereas, the coordinate bench (Hon'ble Tribunal Jammu Bench) has already dismissed the matter OA/29/2025 titled Naveed Ahmed Malik vs Agriculture Production Department vide its order dated 26.04.2025 as under:

In view of the foregoing discussion, the Tribunal is of the considered opinion that the applicants, having participated in the examination without protest and not having raised objections in the prescribed manner, are not entitled to now challenge the process or seek setting aside of the selection.

19. Accordingly, the Original Application No. 29/2025 is dismissed. Interim order, if any, shall be considered vacated.

Whereas, after the disposal of the above said OA the candidates on 01.05.2025 filed OA/438/2025 titled Mohammad Mahmood vs Animal & Sheep Husbandry Department before the Hon'ble Central Administrative Tribunal Srinagar and the Hon'ble Tribunal has passed following order dated 05.05.2025:

"In the meanwhile, the Public Service Commission to dispose of the representation filed by the petitioners reportedly in accordance with law and its merits by giving an opportunity of hearing, thereafter, to pass a speaking and reasoned order"

Whereas, in pursuance to Hon'ble Tribunal order dated 05.05.2025 the candidates were given opportunity of being heard in the office of the Secretary J&K PSC on 16.05.2025 at 3 PM viz the representation filed by the applicants.

Whereas, the representation filed by the applicants wherein they had challenged that 60% of the question paper was out of syllabus has already been taken up with the experts and the experts have categorically replied that all the questions asked in the said paper were from the prescribed syllabus.

Whereas, rule 10 (e) of the J&K Public Service Commission (Conduct of Examination) Rules 2022 is clear ***that "The decision of the team of experts shall be final and binding upon all the stake holders"***.

Now, therefore, the claim of the applicants having been considered in light of the Order dated 05.05.2024 passed by the Hon'ble Central Administrative Tribunal, Srinagar in OA No. 438/2025 titled Mohammad Mahmood V/s UT of J&K & Ors. has been found devoid of any merit and is rejected.

By Order

(Sachin Jamwal) JKAS,

Controller of Examinations,

J&K Public Service Commission

No: PSC/Ex-Secy/2025/02

Dated: 25-06-2025

Copy to the:-

1. Principal Secretary to Government, Agriculture Production Department, Civil Secretariat, Jammu.
2. Mr. F.A Natnoo, Standing Counsel, JKPSK; Central Administrative Tribunal, Jammu.
3. Mr. Shah Aamir, Standing Counsel, JKPSK, Central Administrative Tribunal Srinagar.
4. Private Secretary to Chairman for information of the Hon'ble Chairman.
5. Private Secretary to Member___for information of the Hon'ble Member.
6. A.L.R, J&K Public Service Commission for information.
7. P.A. to Controller of Examinations, J&K Public Service Commission.
8. Incharge Website, J&K Public Service Commission.