



JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION
Solina Srinagar, Kashmir -190009

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

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

Subject: Consideration of claim of Shri Mohd. Iqbal Zargar in compliance with Order dated 30.03.2026 passed by the Hon'ble Central Administrative Tribunal, Srinagar in O.A. No. 619/2025 titled Mohd. Iqbal Zargar vs. J&K Public Service Commission.

Notice

Dated: 03.06.2026

Whereas, the Planning Development & Monitoring Department vide Letter No. PD-HRM/38/2022 dated 10.01.2023 referred 09 posts (OM-05, RBA-01, SC-01, ST-01 & EWS-01) of Assistant Director (E&S) in the J&K Planning Development & Monitoring Department to the J&K Public Service Commission for selection of suitable candidates and the same were notified vide Notification No. 13-PSC(DR-P) of 2023 dated 13.04.2023; and,

Whereas, subsequently the Planning Development & Monitoring Department vide Letter No. PD-HRM/38/2022 dated 21.02.2024 referred another 89 posts (OM-44, SC-07, ST-09, SoC-04, ALC/IB-04, RBA-08, PSP-04 & EWS-09) of Assistant Director (E&S) in the J&K Planning Development & Monitoring Department to the Commission and the same were notified vide Notification No. 01-PSC(DR-P) of 2024 dated 05.03.2024; and,

Whereas, the written examination for both notifications was conducted on 06.08.2024 and the result thereof was declared vide Notification No. PSC/Exam/S/2025/06 dated 31.01.2025; and,

Whereas, Shri Mohd. Iqbal Zargar applied for the post of Assistant Director (E&S) under **SLC category** and qualified the written test and was shortlisted for document scrutiny; and,

Whereas, during scrutiny of documents, it was found that the SLC certificate submitted by the candidate had been issued on **30.03.2024**, i.e., after the prescribed cut-off date **27.03.2024**; and,

Whereas, vide Notice dated 15.05.2025, the candidature of the candidate was rejected with a stipulation that the candidate, if aggrieved, may file representation before the Appellate Authority of the Commission within ten days along with documentary evidence in support of his claim; and,

Whereas, in response to the ibid Notice, the candidate submitted a representation seeking consideration of his candidature under SLC category, which was examined by the Appellate Authority and the following opinion was recorded:

"The claim of the candidate to extend the benefit to him on the analogy of the explanation given in SRO-103 pertaining to Combined Competitive Examination under Rule 12 was also examined. The Appellate Authority is of the opinion that the said SRO has been issued specifically for the candidates applying for CCE and cannot be applied mutatis-mutandis in the instant case. Hence the plea of the candidate cannot be accepted and is hereby rejected."

Whereas, the Hon'ble Central Administrative Tribunal, Jammu Bench, vide order dated 06.10.2025, directed as under:

"The respondents are directed to permit the applicant to participate in the interview at his own risk and cost. However, the result of the applicant shall not be finalized or declared without the permission of this Tribunal."

Whereas, in compliance with the aforesaid directions of the Hon'ble Tribunal, the candidate was allowed to participate in the interview on 16.10.2025; and

Whereas, Hon'ble Central Administrative Tribunal, while disposing of OA No. 619/2025, titled Mohd Iqbal Zargar vs. J&K Public Service Commission, has passed Order dated 30th of March, 2026, as under:

"----- Accordingly, the O.A. is disposed of by providing that the respondents shall consider the case of the applicant in the light of the law laid down in the case titled as Saima Ashraf v. UT of J&K in WP(C) No. 408/2022 CM No. 1001/2022. The respondents shall pass orders in accordance with law within a period of four weeks positively. While parting, it is made clear that we have not expressed any opinion on the merits of the case or as regards the right of the applicant to seek his appointment, which is left to the domain of the JKPS in accordance with law and the merit position of the applicant herein"

Whereas, in compliance with the aforesaid directions, the case of the applicant has been re-examined in light of the applicable rules, the terms and conditions of the advertisement notifications, and the legal position emerging from judgment relied upon by the Hon'ble Tribunal; and

Whereas, it is an admitted and undisputed position on record that the applicant had applied under the SLC category and the certificate in support thereof was issued on 30.3.2024, i.e subsequent to the prescribed cut-off date of 27.3.2024 fixed under Notification No. 01-PSC(DR-P) of 2024 dated 05.03.2024; and

Whereas, the terms and conditions of the advertisement notifications governing the selection process unequivocally mandate that all requisite eligibility conditions,

including possession of valid category certificates, must be fulfilled as on or before the cut off date, failing which the candidature is liable to be rejected; and

Whereas, upon a careful and holistic reading of the aforesaid judgment, it is manifest that the rationale laid down therein is confined to the peculiar facts relating to domicile certificate issued after cutoff date. However the candidate possessed RBA category certificate giving details of residence, further supported by PRC; and

Whereas, the SLC category stands on a distinct statutory and factual footing, governed by separate eligibility criteria and certification requirements, and cannot be equated with or brought at par with the domicile certificate for the purposes of extension of the benefit contemplated in the aforesaid judgment; and

Whereas, the principle of law is well settled that a judgment is an authority for what it actually decides and cannot be applied mechanically without regard to the factual matrix and statutory context of the case at hand; and

Whereas, in the instant case, the applicant did not possess a valid SLC certificate as on the cut-off date and the certificate having been issued only on 30.03.2024, the applicant was ineligible for consideration under the said category as per the governing terms of the advertisement; and

Whereas, J & K Public Service Commission(Business & Procedure)Rules, 2021, are crystal clear on this account, rule 19 and 28(b) state as under:

"19. The Cut-off date specified under Rule 18 shall be determined as under: (a) Last date of receipt of application as indicated in the notification shall for all purposes be the cut-off date for determining eligibility, acquiring of minimum qualifications, experience, improvement in the qualification, distinction in sports/NCC, Special attributes if any, or any other attribute claimed by the candidate.

28. Determination of Eligibility (b): The eligibility of a candidate for participation in an examination/screening test or interview, as the case may be, shall be referable to the cut-off date fixed in the notification inviting the applications. The age of the candidate, however, shall be reckoned with reference to 1st of January of the year in which the posts have been advertised."

Whereas, the contention of the applicant seeking relaxation or extension of benefit on the basis of the aforesaid judgment has been duly considered but is found to be untenable in law for the reasons recorded hereinabove; and

Whereas, it is further pertinent to reiterate that adherence to the cut-off date is a foundational principle in recruitment processes to ensure transparency, fairness, and a level playing field among all candidates, and any deviation there from would be violative of settled principles of service jurisprudence; and

Whereas, it is also pertinent to mention that the SLC certificate of the applicant/petitioner has been issued on 30.03.2024, which is after the cut-off date prescribed under the relevant notification, and as such, the claim of the applicant/petitioner is devoid of merit and not sustainable in law.

Now, therefore, in compliance with the directions of the Hon'ble Tribunal and upon due consideration of the entire matter, it is hereby ordered that the claim of the applicant for consideration under the SLC category is rejected


Under Secretary
J&K, Public Service Commission

No:PSC/DR/Assistant Director/E&S/2025(7898141)

Dated: 03.06.2026

Copy to the:

1. Commissioner/Secretary to the Government, Planning Development & Monitoring Department, Civil Secretariat, Jammu/Srinagar.
2. I/C website.