



Government of Jammu and Kashmir
Health & Medical Education Department
Civil Secretariat, Jammu/Srinagar

Subject: O.A No. 61/622/2022-titled Ruhi Mahajan Vs UT of J&K and others – Rejection thereof.

Government Order No. 755 –JK (HME) of 2022

Dated: 27-10-2022

WHEREAS, through a medium of O.A No. 61/622/2022 titled "Ruhi Mahajan V/S UT of JK & Ors" the applicant, Ruhi Mahajan, approached the Hon'ble Central Administrative, Tribunal, Jammu Bench with a plea that the applicants with Medical background i.e MBBS, MD be only considered eligible for the post of Lecturer (Bio-Chemistry) advertised by the JKPSA vide notification 12/PSC(DR-P) of 2022 dated 13.05.2022;

AND WHEREAS, the Hon'ble Central Administrative, Tribunal, Jammu Bench vide order dated 07.07.2022 disposed of the instant O.A No. 61/62/2022 -titled Ruhi Mahajan Vs UT of J&K & Ors with following directions:

"...On consideration of the above submissions of the counsels for both the parties, this OA is disposed of at admission stage, without expressing any opinion on merits of the case, directing Respondent No.1 to consider the pending representation of the applicant dated 13-06-2022 against advertisement issued by J&K PSC on 13.05.2022 for the post of Lecturer (Bio-Chemistry) as per provisions of relevant applicable rules and binding instructions about maintaining ratio of 70% medical and 30% non-medical candidates for the posts of Lecturers (Bio-Chemistry) and decide it with a reasoned order within one week today and thereafter inform the applicant accordingly."

AND WHEREAS, the representation submitted by Ruhi Mahajan on 13.06.2022 was examined in the Health & Medical Education Department in light of the J&K Medical Education (Gazetted) Service Recruitment Rules, 1979 notified vide SRO-517 dated 19.09.1979 where in the general note, it has been provided that "Except in case of Non-Clinical Departments of Anatomy, Physiology, Pharmacology, Bio-Chemistry and Microbiology where non-medical teachers to the extent of 30% may be appointed to the posts other than the head of the departments..."

AND WHEREAS, vide communication No. ME-Gztd/317/2021 dated 14.03.2022, inadvertently wrong information was conveyed to JKPSK due to typographical error in which the JKPSK was intimated to have 02 posts being occupied by non-Medical teachers in the Department of Bio-Chemistry in Government Medical College, Jammu. However, the same was clarified to JKPSK vide letter dated 20.09.2022 intimating that out of 15 faculty posts, 04 posts have already been occupied by non-Medical teachers;

AND WHEREAS, by virtue of the clarification tendered by the Health and Medical Education Department on 20.09.2022, it is well within the competence of the JKPSK to work out the 70:30 ratio of Medical: non-Medical faculty in the Department of Bio-Chemistry in Government Medical College, Jammu and advertise the posts accordingly;

Now, therefore, in light of the above, the claim of the applicant has been considered in light of the directions of the Hon'ble Central Administrative Tribunal, Srinagar Bench & disposed of in light of the fact that the current/latest faculty position in the Department of Bio-chemistry in GMC, Jammu has been brought to the notice of the JKPSK vide communication No. ME-Gztd/317/2021(e- office) dated 20.09.2022.

By Order of Government of Jammu and Kashmir.

Sd/-

(Bhupinder Kumar) IAS

Secretary to the Government
Health and Medical Education Department

No. ME-Leg0GAZ/12/2022

Dated: 27-10-2022

Copy to the:-

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Joint Secretary (J&K), Ministry of Home Affairs, Govt of India.
3. Director, Archives Archaeology and Museums, J&K.
4. Additional Secretary (Legal), H&ME Department.
5. OSD to Advisor (B) (Incharge, Health and Medical Education Department).
6. Pvt. Secretary to Secretary to Government, Health and Medical Education Department.
7. Concerned.
8. I/C Website.
9. Government order file/Stock /Monday return file.

(Shakoor Ahmad Dar) JKAS

Deputy Secretary to the Government
Health and Medical Education Department