



**Directorate of Fire & Emergency Services J&K,
Jammu/Srinagar.**

Subject:- O.A. No. 62/1213/2020 titled **Mustafa Sultan and others v/s UT of J&K and others;**

Ref'nce:- Judgement dated 10.11.2021 passed in OA No. 62/1213/2020 by the Hon'ble CAT Jammu Bench, Jammu

ORDER NO. 33 OF 2022
D A T E D: 02 .02.2022

Whereas, aggrieved with the selection of private respondents as Firemen (Drivers) in the Fire and Emergency Services Department, one Mustafa Sultan s/o Mohammad Sultan r/o Bandipora Kashmir along with other 15 candidates, filed an O.A. No. 62/1213/2020 titled Mustafa Sultan and others v/s UT of J&K before the Hon'ble Court of CAT Bench Jammu praying thereunder for cancellation of selection of the private respondents (26 in total) and their selection as Firemen(Drivers) against the resultant vacancies;

Whereas, the O.A came up for final hearing through video conferencing on 10/11/2021 and the Hon'ble CAT Bench disposed of the matter with the following directions:-

“ Looking to the stand of the official respondents, we dispose of the present O.A. by directing the official respondents to complete the exercise of verification of the HGV licences of the selected candidates from the concerned office/RTO within a period of one month from receipt of certified copy of this order. The details of HGV driving licences of private respondents shall be uploaded on the official website of J&K Fire and Emergency Services immediately thereafter. OA is accordingly disposed of. No costs”.

Whereas pursuant to the aforesaid judgement, the matter has been examined in consultation with the available records during which it has transpired that as a part of laid down formalities, among other requirements, driving licences of all the selected candidates as Firemen(Drivers) were referred to the concerned Issuing Authorities by the Directorate of F&ES J&K for two purposes; (1) whether the driving licence is genuine and duly issued by the concerned Licensing Authority and (2) what is the date of endorsement of each of the licence as Heavy Goods Licence(HGV).

Whereas, based on the verification/ re-verification reports received from the concerned RTOs/Licensing Authorities, selection/ temporary appointment of those candidates whose driving licences were found genuine and endorsed as HGV upto the cut off date i.e. 18.04.2013 (as stipulated in the Advertisement Notice No. 01 of 2013 dated 12.03.2013) was upheld whereas in case of those where the driving licences were found having been endorsed beyond the cut-off

date i.e. 18.04.2013, selection/ temporary appointment of such candidates were cancelled abinitio;

Whereas, with respect to the case of 26 private respondents as arrayed in the aforesaid O.A, the details of HGVs, as had come forth during the process of verification/ re-verification are notified as under :-

S.No.	Private Resp No (in OA)	Name of the private respondent	Licence No.	Date of Issue	Endorsement as HGV	Issuing Authority	Remarks
1.	6	Mohammad Fazil Malik	JK-0120110033772	10-06-2011	15-02-2016	RTO Kashmir	Temporary appointment cancelled vide order No. 146/2021 dated 22.02.2021.
2.	7	Taseen Majeed	JK-1520110001884	25.03.2011	10.02.2016	ARTO Bandipora	Temporary appointment cancelled vide order No. 44/2021 dated 14.01.2021.
3.	8	Jahangeer Ahmad Sheikh	JK-1620110006419	13.09.2011	14.03.2018	ARTO Ganderbal	Temporary appointment cancelled vide order No. 22/2021 dated 11.01.2021.
4.	9	Mohd Younus Bhat	21139/MVD/Pul	15.07.2011	06.12.2012	ARTO Kulgam	
5.	10	Nisar Ahmad lone	JK-0420090006249	21-08-2009	02-04-2012	ARTO Budgam	
6.	11	Parvaiz Ahmad Mir	Not joined				Temporary appointment cancelled vide order No. 1071/2020 dated 16.12.2020.
7.	12	Bilal Ahmad Parray	JK-0320120020929	06.12.2012	23.02.2018	ARTO Anantnag	Temporary appointment cancelled vide order No. 24/2021 dated 11.01.2021.
8.	13	Joginder Singh	JK-0220120094945	20.09.2012	27.01.2014	RTO Jammu	Temporary appointment cancelled vide order No. 145/2021 dated 22.02.2021.
9.	14	Firdous Ahmad Dar	JK-0420080004154	27-12-2008	14-01-2015	ARTO Budgam	Temporary appointment cancelled vide order No. 42/2021 dated 12.01.2021.
10.	15	Fayaz Ahmad Najar	JK-1620110002652	23.03.2011	23.03.2018	ARTO Ganderbal	Temporary appointment cancelled vide order No. 23/2021 dated 11.01.2021.
11.	16	Mukhtar Ahmad Ganie	18556/MVD/Ang	17-09-2009	28-12-2012	ARTO Kulgam	
12.	17	Suhail Ahmad Khan	JK-0120100018735	25.02.2010	05.06.2013	RTO Kashmir	Temporary appointment cancelled vide order No. 144/2021 dated 22.02.2021.
13.	18	Jehanger singh	Not traced				
14.	19	Shashi Paul	JK-0820090007834	17.03.2009	27.08.2010	ARTO Samba	

15.	20	Ramnik Singh	NL-0220090093663	28.09.2009	05.09.2012	RTO Mokokchung Nagaland	
16.	21	Jagdev Singh	JK-0220120086233	21.02.2012	31.05.2013	RTO Jammu	Temporary appointment cancelled vide order No. 1071/2020 dated 16.12.2020.
17.	22	Neeraj Kumar	45961/TV/T/09	22.04.2009	27.04.2010	DTO Nagaland	
18.	23	Mohd Yaseen	Not joined				Temporary appointment cancelled vide order No. 1071 of 2020 dated 16.12.2020.
19.	24	Tanveer Ahmad Mir	11517-MVD-Budgam	06-06-2011	12.11.2013	ARTO Budgam	Temporary appointment cancelled vide order No. 41/2021 dated 12.01.2021.
20.	25	Manzoor Ahmad	JK-1520100000251	09.10.2010	10.09.2020	ARTO Bandipora	Temporary appointment cancelled vide order No. 43/2021 dated 14.01.2021.
21.	26	Javaid Ahmad Hajam	JK-1520110001519	07.04.2011	23.06.2012	ARTO Bandipora	
22.	27	Shakeel Ahmad Mapnoo	JK-1520100000320	06.11.2010	12.04.2014	ARTO Bandipora	Temporary appointment cancelled vide order No. 98/2021 dated 03.02.2021.
23.	28	Mohsin Ahmad Wani	JK-0320090010309	12.10.2009	01.04.2013	ARTO Anantnag	
24.	29	Shabir Hussain	UT of Ladakh				
25.	30	Arshad Ahmad Sheikh	21523/LAB	29.07.2008	04.02.2011	ARTO Sopore	
26.	31	Lateef Ahmad Ganie	11802/MVD/Pul	06.11.2008	15-12-2011	RTO Pulwama	

Whereas, as indicated above, the driving licences in respect of private respondents mentioned at S.No.1, 2,3, 7, 8,9,10,12, 16, 19, 20 and 22 were found to have been endorsed/up-graded as HGV beyond the cut-off date i.e. 18.04.2013 and selection/temporary appointment of these candidates were cancelled abinitio by this Directorate vide orders as indicated against each such case above. However, regarding assumption of the petitioners with regard to validity of HGV licences of other private respondents, the same were found to have been up-graded/endorsed by the concerned Licensing Authorities within the cut-off date and, therefore, they were allowed to continue on the rolls of the Department as do other eligible/bonafide selected candidates;

Whereas, in consequence of cancellation of selection of candidates for being in possession of HGV licence issued beyond the cut-off date or those who were unwilling to join the department, the department has already operated the waiting list for the post of Firemen(Drivers) and petitioners of the instant OA figuring at S.No. 1, 3, 4,5,6,7,8,9 and 14 of the said OA have already been selected/ appointed as Firemen (Drivers) vide this office order No. 114 of 2021 dated 08.02.2021 read with another order No. 707 of 2021 dated 29.06.2021 on the basis of their merit/superior position in the waiting list besides having fulfilled the other prescribed formalities including being in possession of the HGV before the cut-off date i.e. 18.04.2013. Petitioner No. 2 namely, Mustaq Ahmad though being in merit, could not find his name in the selection list as his

driving licence bearing No. JK-0420090004730 issued by ARTO Budgam has been upgraded/endorsed as HGV on 05.08.2013 i.e. beyond the cut-off date;

Whereas, the aforesaid details explicitly make out that the department has cancelled selection of those candidates who were found in possession of the HGVs having been issued beyond the cut-off date and simultaneously operated the waiting list, which coincidentally resulted in selection of 09 petitioners (out of 16) on the basis of their merit/other laid down formalities;

Therefore, in compliance to the judgement dated 10.11.2021, the aforesaid details are notified for information of all concerned and a copy of this order shall be hosted on the official website of the department i.e. <http://www.fireandemergencyjk.co.in>


(Dr B. Srinivas) IAS
Director,


Fire & Emergency Services,
Jammu & Kashmir.

NO: DF&ES/EST/ *LegooA/5/2021-02/63424cc*

Dated: *02*.02.2022

Copy to the:-

1. Principal Secretary to Government, Home Department, J&K for favour of information.
2. Shri Hakeem Amaan Ali, Ld Deputy Advocate General, CAT Bench Srinagar for information.
3. In Charge IT/Website DF&ES J&K Jammu with the directions to upload/host the order in official website.
.....for information and necessary action.
4. Order Book/ File for records.


Director,
Fire & Emergency Services,
Jammu & Kashmir.