

GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS
(Establishment Section) Civil Secretariat
Srinagar/Jammu.

Subject:- Tentative Seniority List of the Legal Assistants District Cadre.

Circular No: 06 - JK(LD) of 2023.

Dated : 09 - 05 - 2023.

Whereas, the Department of Law, Justice & Parliamentary Affairs referred twenty(20) posts of Legal Assistants in the pay scale of Rs. 9300-34800 with Grade Pay of Rs. 4280/- (pre-revised) available in various Districts (District Cadre), under different indents on 24 -10-2014 to the Jammu & Kashmir Services Selection Board (SSB) for making selection. A common selection process was conducted by the Service Selection Board for all the posts referred, merit was assessed and select lists drawn separately for each district cadre; and

Whereas, on the recommendations of the Service Selection Board made vide,-

- As per*
- i. communication No. SSB/ Secy/Sel/2016/19164-70 dated 29-08-2016, 12 candidates were appointed as Legal Assistants (District Cadre) in the pay scale of Rs. 9300-34800 with Grade Pay of Rs. 4280/- (pre-revised) vide Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016, one each in the Districts of Anantnag, Bandipora, Baramulla, Budgam, Kupwara, Pulwama, Srinagar, Jammu, Kathua, Poonch, Reasi and Samba. The order, inter-alia provided that the inter-se-seniority of the appointees shall be as per the merit as it existed in the select list;
 - ii. communication No. SSB/Secy/Sel/2016/19164-70 dated 29-08-2016, one candidate was appointed as Legal Assistant (District Cadre Pulwama) in the pay scale of Rs. 9300-34800 with Grade Pay of Rs. 4280/- (pre-revised) vide Government Order No. 2772-LD(Estt) of 2016 dated 17-10-2016;
 - iii. communication No. SSB/Secy/Sel/137/2016/19976-78 dated 11-11-2016, one candidate was appointed as Legal Assistant (District Cadre Shopian) in the pay scale of Rs. 9300-34800 with Grade Pay of Rs. 4280/- (pre-revised) vide Government Order No. 3017-LD(Estt) of 2016 dated 23-11-2016;
 - iv. communication No. SSB/Secy/Sel/2016/20735-38 dated 08-12-2016, four (4) candidates were appointed as Legal Assistant (District Cadre) in the pay scale of Rs. 9300-34800 with Grade Pay of Rs. 4280/- (pre-revised), one in each in the Districts of Ramban, Udampur, Kishtwar and Doda vide Government Order No. 3561-LD(Estt) of 2016 dated 21-12-2016. The order, inter-alia stipulated that the inter-se-seniority of the appointees shall be as per the merit as it existed in the select list;

- v. communication No. SSB/Secy/Sel/2017/208-214 dated 06-01-2017, No. SSB/Secy/ Sel/2017/1130-32 dated 24-01-2017 and No. SSB/H-4y/ 2016/17/9171-72 dated 18-09-2017, one candidate each was appointed as Legal Assistant (District Cadre) in the pay scale of Rs. 9300-34800 with Grade Pay of Rs. 4280/- (pre-revised) in the Districts of Ganderbal, Rajouri and Kulgam vide Government Order Nos. 182-LD(Estt) of 2017 dated 11-01-2017, No. 400-LD(Estt) of 2017 dated 06-02-2017 and No. 5270-LD(Estt) of 2017 dated 20-10-2017 respectively. The orders, inter-alia stipulated that the inter-se-seniority of the appointees shall be as per the merit as it existed in the select list; and

Whereas, in terms of the Jammu and Kashmir Legal (Gazetted) Service Recruitment Rules, 1980, promotion to the posts of Assistant Legal Remembrancer in the Jammu and Kashmir Legal (Gazetted) Service has to be made from Legal Assistants. This has necessitated drawing up of a combined seniority list of the Legal Assistant (District Cadre) to enable filling up of the available posts of Assistant Legal Remembrancer from eligible Legal Assistants; and

Whereas, the seniority of the appointees to a service has to be determined in terms of Rule 24 of the Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956. For better appreciation, the said rule is reproduced below:-

"24. Seniority:-

- (1) The seniority of a person who is subject to these rules has reference to the service, class, category or grade with reference to which the question has arisen. Such seniority shall be determined by the date of his first appointment to such service, class, category or grade as the case may be.

Note 1.-The rule in this clause will not effect the seniority on the date on which these rules come into force of a member of any service, class, category or grade as fixed in accordance with the rules and orders in force before the date on which these rules come into force.

Interpretation.-The words "date of first appointment" occurring in the above rule will mean the date of first substantive appointment, meaning thereby the date of permanent appointment or the date of first appointment on probation on a clear vacancy, confirmation in the latter case being subject to good work and conduct and/or passing of any examination or examinations and/or tests:

Provided that the inter se seniority of two or more persons appointed to the same service, class, category or grade simultaneously will, notwithstanding the fact that they may assume the duties of their appointments on different dates by reason of being, posted to different stations, be determined:

- (a) in the case of those promoted by their relative seniority in the lower service, class, category or grade;

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- (b) in the case of those recruited direct except those who do not join their duties when vacancies are offered to them according to the positions attained by and assigned to them in order of merit at the time of competitive examination or on the basis of merit, ability and physical fitness etc., in case no such examination is held for the purpose of making selections; and
- (c) as between those promoted and recruited direct by the order in which appointments have to be allocated for promotion and direct recruitment as prescribed by the rules”.

Whereas, the merit position and date of appointment of the 19 Legal Assistants is tabulated as under:-

S.No.	Name of the candidate	District allocated	Date of appointment/ reference to Government Order	Merit position
1.	Zahoor Ahmad Wani	Budgam	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	70.82
2.	Mir Mudasir	Bandipora	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	69.59
3.	Farooq Ahmad Bhat	Kupwara	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	69.34
4.	Mtr. Nuzhat Wani	Srinagar	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	67.67
5.	Anwar Ali Sofi	Poonch	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	66.59
6.	Ehsan Mahajan	Kathua	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	64.69
7.	Aijaz Ahmad Monga	Baramulla	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	59.89
8.	Muddasar Hassan Choudhary	Jammu	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	57.22
9.	Rajinder Singh Wazir	Reasi	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	51.83
10.	Smt. Neha Singh	Samba	Government Order No. 2553-LD(Estt) of 2016 dated 23-09-2016	51.83
11.	Shabir Ahmad Dar	Pulwama	Government Order No. 2772-LD(Estt) of 2016 dated 17-10-2016	61.36
12.	Sheikh Zulfkar Sheeraz	Shopian	Government Order No. 3017-LD(Estt) of 2016 dated 23-11-2016	59.72
13.	Nadir Ali	Doda	Government Order No. 3561-LD(Estt) of 2016 dated 21-12-2016	70.25
14.	Abdul Majeed Keelam	Kishtwar	Government Order No. 3561-LD(Estt) of 2016 dated 21-12-2016	64.29

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15.	Mohd Shafeeq	Ramban	Government Order No. 3561-LD(Estt) of 2016 dated 21-12-2016	62.54
16.	Smt. Roopali Sharma	Udhampur	Government Order No. 3561-LD(Estt) of 2016 dated 21-12-2016	58.86
17.	Mtr. Saima Khursheed	Ganderbal	Government Order No. 182-LD(Estt) of 2017 dated 11-01-2017	48.28
18.	Balvinder Singh	Rajouri	Government Order No. 400-LD(Estt) of 2017 dated 06-02-2017	63.51
19.	Aeraz Mushtaq Laway	Kulgam	Government Order No. 5270-LD(Estt) of 2017 dated 20-10-2017	63.30

Whereas, for drawing up of a common seniority list of Legal Assistants (District Cadre) upon consideration of all principles attendant to the maintenances of seniority, the following principles will have to be adopted:-

- i. Date of first appointment as Legal Assistant.
- ii. Where date of appointment is same, merit position as communicated by the Service Selection Board based on the common selection process.
- iii. Where the merit position and date of appointment are same, age of the candidate will take precedence.

Accordingly, on the terms of the principles enunciated above and with a view to filling up of the posts of Assistant Legal Remembrancer, a tentative seniority list of Legal Assistant (District Cadre) forming **Annexure – A** to this circular is hereby notified for inviting objections. Any official aggrieved with his/her position in the seniority may represent to this Department within a period of 21 days from the date of issuance of this circular.

Sd/-

*(Achal Sethi)**Secretary to Government.*

Associate Law Officer,
_____ Department.

No:- LAW-Estt/89/2023-10.

Dated:- 09 - 05 - 2023.

Copy to the:-

1. Financial Commissioner/ Principal Secretary/ Secretary/ Commissioner/ Department.
2. Principal Secretary to the Hon'ble Lieutenant Governor.
3. Director, Litigation Jammu/Srinagar.
4. Private Secretary to the Chief Secretary for information of the Chief Secretary.
5. Private Secretary to the Secretary to Government, Department of Law, Justice and Parliamentary Affairs for information of the Secretary.

*(Ashish Gupta)**Additional Secretary to Government.*

**Annexure A to Circular No. 06-JK(LD) of 2023
dated 09-05-2023**

S.No.	Name of the candidate	Date of Birth	Category	Date of appointment to the substantive
1.	Zahoor Ahmad Wani	04-04-1984	OM	23-09-2016
2.	Mir Mudasir	15-12-1983	OM	23-09-2016
3.	Farooq Ahmad Bhat	01-01-1978	OM	23-09-2016
4.	Mtr. Nuzhat Wani	01-03-1980	OM	23-09-2016
5.	Anwar Ali Sofi	31-05-1987	OM	23-09-2016
6.	Ehsan Mahajan	17-10-1988	OM	23-09-2016
7.	Aijaz Ahmad Monga	29-09-1984	OM	23-09-2016
8.	Muddasar Hassan Choudhary	18-09-1985	OM	23-09-2016
9.	Rajinder Singh Wazir	25-03-1980	OM	23-09-2016
10.	Smt. Neha Singh	27-01-1985	OM	23-09-2016
11.	Shabir Ahmad Dar	21-03-1979	OM	17-10-2016
12.	Sheikh Zulfkar Sheeraz	07-04-1982	OM	23-11-2016
13.	Nadir Ali	10-02-1983	OM	21-12-2016
14.	Abdul Majeed Keelam	01-04-1980	OM	21-12-2016
15.	Mohd Shafeeq	01-06-1981	OM	21-12-2016
16.	Smt. Roopali Sharma	30-09-1989	OM	21-12-2016
17.	Mtr. Saima Khursheed	15-03-1986	OM	11-01-2017
18.	Balvinder Singh	26-04-1984	OM	06-02-2017
19.	Aeraz Mushtaq Laway	25-03-1987	OM	20-10-2017

Ashish Gupta
09.05.23

(Ashish Gupta)
Additional Secretary to Government.