

CENTRAL ADMINISTRATIVE TRIBUNAL JAMMU

Order Sheet

Item no.: 1
O.A./975/2025 (JAMMU)
[SELECTION]
With
M.A./1009/2025
Joint together
Court No.: 2

No of Adjournment:

Order Dated: 14/07/2025

RAJESH SINGH
Vs
GENERAL ADMINISTRATIVE DEPARTMENT

For Applicant(s) Advocate : Mr. Abhinav Sharma, Sr. Adv. assisted by Mr. Abhirash Sharma

For Respondent(s) Advocate : Mr. Rajesh Thapa, Id. A.A.G., Mr. Sudesh Magotra, Id. A.A.G.,
Mr. Hunar Gupta, Id. D.A.G.

Order of The Tribunal

Miscellaneous Application No. 1009/2025

The present Miscellaneous Application has been filed by the applicants under Rule 4(5) of the Central Administrative Tribunal (Procedure) Rules, 1987, seeking permission to join and pursue the Original Application (O.A.) collectively.

Having carefully considered the application, the Tribunal notes that the relief sought by all the applicants is substantively identical in nature.

Accordingly, the Miscellaneous Application is allowed. The applicants are hereby granted permission to join and proceed with the Original Application collectively.

Original Application No. 975/2025

1. The applicants, in the present petition, have sought a declaration that the Jammu and Kashmir Revenue (Subordinate) Service Recruitment Rules of 2009, to the extent it stipulates that a candidate must possess Graduation with knowledge of Urdu as the minimum qualification for the post of Naib Tehsildar, is ultra vires the Constitution of India. The petitioners contend that this requirement discriminates against those who possess knowledge of other official languages recognized under the Jammu and Kashmir Official Languages Act, 2020, such as Hindi, Kashmiri, English, and Dogri, thereby violating the principles of equality and non-discrimination enshrined in the Constitution.

2. The applicants have further expressed their grievance with regard to the impugned advertisement notification No. 05 of 2025, dated 09.06.2025, wherein the minimum qualification for the post of Naib Tehsildar is once again restricted to Graduation with knowledge of Urdu. The petitioners have submitted that this restriction unfairly excludes individuals who possess proficiency in any of the other official languages, including Hindi, Kashmiri, English, and Dogri, and thereby impedes their eligibility to apply for the said post in the Union Territory of Jammu and Kashmir.

3. The applicants have also sought appropriate directions from this Court restraining the respondents from cancelling the candidature of individuals, including the petitioners, for the post of Naib Tehsildar solely on the ground that

they do not possess knowledge of Urdu, despite their proficiency in Hindi, Kashmiri, English, and Dogri, all of which are recognized under the Jammu and Kashmir Official Languages Act, 2020. It is the petitioners' contention that such a restriction is arbitrary and discriminatory, as the Act recognizes multiple languages as official languages of the Union Territory.

4. Upon hearing the learned counsel for the applicants, this Court is of the considered view that the provisions of the Jammu and Kashmir Revenue (Subordinate) Service Recruitment Rules of 2009, to the extent it mandates Urdu as the exclusive language qualification, prima facie appears to be discriminatory, especially in light of the provisions of the Jammu and Kashmir Official Languages Act, 2020.

5. In light of the above, this Court hereby stays the operation of the relevant provisions of the Jammu and Kashmir Revenue (Subordinate) Service Recruitment Rules of 2009, insofar as they mandate Graduation with knowledge of Urdu as the minimum qualification for the post of Naib Tehsildar.

6. Further, the Jammu and Kashmir Services Selection Recruitment Board (SSRB) is directed to accept applications for the post of Naib Tehsildar from candidates who possess Graduation with knowledge of any of the five official languages enumerated in the Jammu and Kashmir Official Languages Act, 2020, which includes Hindi, Kashmiri, English, Dogri, and Urdu.

7. Notices are hereby issued to the respondents, who are directed to file their reply within four weeks from the date of this order.

8. The matter is listed on 13.08.2025.

9. The learned counsels, Mr. Rajesh Thapa, learned Additional Advocate General (AAG), Mr. Sudesh Magotra, learned AAG, and Mr. Hunar Gupta, learned Deputy Advocate General, have appeared on behalf of the respective respondents and have accepted notices.

10. Ordered accordingly.

Ram Mohan Johri
Member (A)

Rajinder Singh Dogra
Member (J)

/rp/