



THE J&K BOARD OF PROFESSIONAL ENTRANCE EXAMINATIONS(BOPEE)

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- Subject:- Provisional State Merit List of MD/MS/PG Diploma & MDS Courses – consideration of reserved category candidates thereof.
- Reference:- Notification No.008-BOPEE of 2017 dated 25-02-2017 read with Notification No. 10-BOPEE of 2017 dated 03-03-2017.

Notification No. 21-BOPEE of 2017 Dated 23-02-2017

Whereas, vide Notification No. 008-BOPEE of 2017 dated 25-02-2017 Provisional State Merit List of candidates who had appeared in the NEET PG 2017 was notified, inter alia, indicating the updated category status of the candidates as required; and

Whereas, subsequently vide Notification No. 10-BOPEE of 2017 dated 03-03-2017 various representations received against Provisional State Merit List were disposed off ; and

Whereas, some candidates, whose category status was not updated in view of the certificates having been issued after the last date of submission of forms, had made representations to the Board and a writ petition titled Pardeep Singh V/s State & Ors. was also filed before the Hon'ble High Court at Jammu and the Hon'ble High Court vide interim direction dated 08-03-2017 had directed as under:-

“Meanwhile, subject to objections from the respondents, respondents 2 and 3 are directed to consider the petitioner under RBA category in the process of counselling. Mere participating in the counselling shall not create any right or equity in favour of the petitioner.”

Whereas, the Eligibility Committee of the Board which met on 22-03-2017 to discuss various issues pertaining to NEET PG 2017 admissions also considered the matter of such candidates in detail. It also considered the representations made by the five candidates as under against non updation of their category status, inter alia, made on following grounds:-

- 1) The NBE Notification did not give any guidance with regard to category certificates and their validity and the candidates were confused in the process as no information was available;
- 2) BOPEE was also not taken on board by NBE as it was also not aware about such situation which came up only after the result was declared;
- 3) Since they were in possession of valid certificates on last date of submission of documents/certificates viz 16-02-2017, therefore, any action in not entertaining their certificates would put them to hardships for none of their faults.

The Committee after considering all the facts relating to the case recommended as under:-

“Notwithstanding the fact that the reply to the writ petition has been filed, the Committee deliberated upon the issues arising by the NEET examination and was of the considered view on that some out of problems had cropped up with the conduct of NEET examination for the first time which obviously may be addressed for future and candidates cannot be put to any disadvantage because of prevailing confusion due to NEET examination and lack of clarity on such issues particularly with regard to reservation status etc. The Committee, therefore, felt that the actual date of receipt of documents in such cases was 2nd to 16th Feb. 2017 and, therefore, the certificates produced by the candidates in respect of different reserved categories issued within this prescribed period may be considered and for future the BOPEE should immediately notify the conditions of eligibility when NBE issues advertisement for NEET PG Examination for 2018 so that candidates prepare themselves well and they do not have any subsequent claim at a later stage. Therefore, the Committee decided to entertain the claim of the candidates and consider their category certificates as valid documents and update their category status as on 16-02-2017.”

Before, issuance of above Notification an interim direction dated 22-03-2017 in the case titled Mukhtar Ahmad Lone Vs. State of JK (OWP No. 326/2017) and others was also received by the Board which reads as under:-



“As ad interim, subject to objections, respondents 3 and 4 shall accord consideration to the petitioner’s case under RBA category. His admission under this category shall, however, be subject to outcome of the writ petition.

List immediately after service is complete.”

Whereas, the case of Mukhtar Ahmad Lone has also been decided alongwith other similar cases;

Now, therefore, recommendations of the Eligibility Committee have been accepted and the status of the following candidates indicated as “OM” in the Provisional State Merit List as notified vide Notification No. 008-BOPEE of 2017 dated 25-02-2017 shall be treated as under:-

S.No.	Testing ID	Candidate Name	State Category	State Rank
01.	CD1758477	Sumeena Mushtaq	OSC	203
02.	CD1749779	Mukhtar Ahmad Lone	RBA	218
03.	CD1692601	Imran Qayoom	RBA	256
04.	CD1693924	Pardeep Singh	RBA	301
05.	CD1716160	Farooq Ahmad Guroo	RBA	670

This issues without prejudice to the outcome of writ petition, if any, pending in the competent court of law.



Deputy Secretary,
J&K BOPEE.

No. BOPEE/Exam-14/2017

Dated: 23-03-2017

Copy to the:-

1. Principal Secretary to the Hon’ble Chief Minister.
2. Commissioner/Secretary to Government, Health & Medical Education Department.
3. Commissioner/Secretary to Government, ARI & Trainings Department.
4. Commissioner/Secretary to Government, General Administration Department.
5. Principal/Dean, Government Medical College, Srinagar/Jammu.
6. Director, SKIMS, Srinagar.
7. Principal/Dean, Government Dental College, Srinagar.
8. Director Information, J&K, Jammu for publication of the Notification in leading English newspapers of Srinagar, Jammu & Leh/Kargil each having large circulation (preferably Greater Kashmir, State Times, Kashmir Times and Rangyel Leh).
9. Director Doordarshan Kendra, Srinagar/Jammu/Leh/Kargil for favour of wide publicity through daily news bulletin.

10. Director, Radio Kashmir, Srinagar/Jammu/Leh for favour of wide publicity through daily news bulletin.
11. General Manager, Government Press, Jammu for publication in extra-ordinary Gazette.
12. PS to Chairman, J&K BOPEE for information of the Chairman.
13. Private Secretary to Chief Secretary for information of the Chief Secretary.
14. PS to Chairman, Constitutional Statutory Committee, BOPEE for information of the Hon'ble Chairman.
15. Incharge Camp Office, BOPEE, Srinagar.
16. Incharge I.T. Section, BOPEE.

