

SCHOOL EDUCATION DEPARTMENT
CIVIL SECRETARIAT, SRINAGAR

Subject:- OA NO.1005/2021 Titled Kishan Singh & Others Vs UT & Others .

Government Order No. 1319-Edu of 2021
Dated: 12 -08-2021

Whereas, Vide Govt.Order No. 1054-Edu of 2021 dated 25-06-2021, 72 I/c Headmasters were assigned Look after charge of ZEOs and;

Whereas, the list of 72 I/c Headmasters for the aforementioned assignment has been prepared on the basis of Seniority of Masters who are working/Worked as I/c Headmasters and;

Whereas, in the list of 72 I/c Headmasters seniority has been prepared on the basis of seniority of Masters and not on the basis of date of placement as I/c Headmasters and;

Whereas, all the 72 I/c Head Masters and the petitioners are still Masters and just working in charge capacity as I/c Headmasters and;

Whereas, the promotion to the level of Headmasters entirely depends on date of promotion/appointment as master not as date of placement as I/c Headmaster, while promotion to the level of ZEO is done on the basis of seniority of Regular Headmasters and not on the date of placement as I/c Headmaster and;

Whereas, the last incumbent assigned the Look After charge of ZEO is namely Prabh Dayal Bali figuring at Seniority No.2191 and;

Whereas, the following I/c Headmasters preferred to file application before CAT whose particulars are detailed as.

S.No	Seniority No.	Name	Date Of Birth	Date of Appointment as Teacher	Date of Promotion as Masters .
1.	1961	Kishan singh	02-02-1962	09-06-1982	04-01-03
2.	1966	Ab. Gani Mir	12-12-1962	12-06-1982	04-01-03
3.	2212	Chain Singh	10-03-1963	12-03-1987	24-06-03
4	3252	Ali Khan	10-12-1965	17-07-1987	15-04-2005

L ✓

Whereas, the details of service particulars in respect of private respondents 3 to 6 are given as.

S.No	Seniority No.	Name	Date Of Birth	Date of Appointment as Teacher	Date of Promotion as Masters .
1.	2181	Jatinder Dev	04-06-1963	24-05-84	24-06-03
2.	2191	Prabh Dayal Bali	04-10-1961	26-05-84	24-06-03
3.	2177	Kanchan Bala	05-07-1963	23-05-84	24-06-03
4	2189	Kanchan Bala	13-01-1963	25-05-84	24-06-03

Whereas, the above petitioners have prayed as under:-
 "The Hon'ble Court may in the facts and circumstances of the case be please to show indulgence in the matter and set aside/quash the Government order No. 1054-Edu of 2021 dated 25.06.2021 qua respondents No. 03 to 6".

Whereas, The Hon'ble Central Administrative Tribunal vide order dated 09.07.2021 has passed the following directions:-

"Looking to the Argument of the learned counsel for the applicants we are of the opinion that he has been able to make out a prima facie case for grant of interim relief. Accordingly the operation of impugned order dated 25.06.2021 is stayed to the extent it pertains to respondent No. 3 to 6 provided they are juniors to the applicants and the applicants are eligible to be promoted /placed as In charge ZEO.

Whereas, the plea of the petitioners have been examined thoroughly in the Department and it has been found that two petitioners have inadvertently been dropped from consideration Zone for assigning them Look After charge of ZEO.

S.No	Seniority No.	Name	Date Of Birth	Date of Appointment as Teacher	Date of Promotion as Masters .
1.	1961	Kishan singh	02-02-1962	09-06-1982	04-01-03
2.	1966	Ab. Gani Mir	12-12-1962	12-06-1982	04-01-03

However, the claim of following two petitioners does not hold any merit as they are far juniors to the respondents and none of the juniors has been assigned the Look after charge of ZEO till date.

S.No	Seniority No.	Name	Date Of Birth	Date of Appointment as Teacher	Date of Promotion as Masters .
3.	2212	Chain Singh	10-03-1963	12-03-1987	24-06-2003
4	3252	Ali Khan	10-12-1965	17-07-1987	15-04-2005

Now, therefore, in compliance of directions of CAT dated 09-07-2021 passed in OA No. 1005/2021 Titled Kishan singh Others Vs UT and Others after due consideration, it is hereby ordered that:-

- (I) Following 02 petitioners are hereby assigned look after charge of ZEO as shown against each for a period of 06 months or till these posts are filled on regular basis, whichever is earlier. The posting of the officers as Look after ZEOs shall be issued separately.

S.No	Name	Place of posting
1.	Kishan Singh	Hs Chinkah
2.	Ab. Gani Mir	HS Thuroo

The officers are assigned DDO Powers in addition to administrative powers. The other terms and conditions shall remain same as in the Govt. Order No.1054-Edu of 2021 dated 25-06-2021

- (II) The claim of the following two petitioners is rejected as it does not hold any merit at this stage ,how over they shall be considered in future as and when Look after assignment as ZEO is given or placement is made at their turn, strictly as per seniority.

S.No	Seniority No.	Name	Date Of Birth	Date of Appointment as Teacher	Date of Promotion as Masters .
3.	2212	Chain Singh	10-03-1963	12-03-1987	24-06-2003
4	3252	Ali Khan	10-12-1965	17-07-1987	15-04-2005

By order of the Government of Jammu and Kashmir.

**Sd/
(B.K.Singh)**

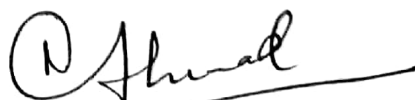
Principal Secretary to Government
School Education Department

No:- Edu/Gaz-A/89/2016

Dated:- .08.2021

Copy to the:-

8. Joint Secretary, J&K, Ministry of Home Affairs, Government of India.
9. Director School Education, Jammu/Kashmir.
10. OSD to Advisor (B) to the Hon'ble Lieutenant Governor, J&K UT.
11. Private Secretary to Principal Secretary to Government, School Education Department.
12. Concerned.
13. Government Order file (w.2.s.c).
14. I/c website.


(Naseer Ahmad Wani), KAS
Additional Secretary to Government
School Education Department

