



GOVERNMENT OF JAMMU AND KASHMIR
SCHOOL EDUCATION DEPARTMENT,
CIVIL SECRETARIAT JAMMU/KASHMIR
(Legal Section)

Subject: CP No. 50/2021 in OA No. 61/123/2020 titled Randhir Singh Chib V/s UT of J&K & Ors.

**Government Order No: 133 - JK (Edu) of 2023.
Dated: 29 - 05 - 2023.**

Whereas, the applicant Randhir Singh Chib has filed original application before the Hon'ble Central Administrative Tribunal Jammu. The applicant has prayed for the following reliefs:-

- i. Setting aside of Government Order No. 301-Edu of 2019 dated 19.09.2019 issued by the respondent No. 1 whereby illegally, arbitrarily, malafidely and by pick and choose method respondent No. 04 to 22 who are post graduate Masters/Teachers figuring at S.No. 172 to 191 were promoted as 1/C Lecturer in the discipline of Zoology ignoring the superior claims of the applicants, who are admittedly seniors to respondent No. 4 to 22.
- ii. Setting aside of Order No. 865-DSEK of 2019 dated 09.12.2019 issued by respondent No. 3 whereby in consequence of aforementioned Government Order No. 301-Edu of 2019 dated 19.09.2019 issued by respondent No. 1 the respondent No. 15 to 22 were placed as 1/C Lecturer in the discipline of Zoology without referring the posts to the Departmental Promotion Committee.
- iii. Setting aside of Order No. 115-DSEJ of 2020 dated 03.02.2020 issued by respondent No. whereby in consequence of aforementioned Government Order No. 301-Edu of 2019 dated 19.09.2019 issued respondent No.1, the respondent No.4 to 14 were placed as 1/C Lecturer in the discipline of Zoology.
- iv. Directing the respondent No. 1 and 2 to promote the applicants to the post of 1/C Lecturers in the discipline of Zoology w.e.f 19.09.2019 over and above the private respondent No. 4 to 22 with all consequential benefits arising out of the said promotion after setting aside the Incharge promotion of the respondent No. 4 to 22 which is in violation of the settled law.

Whereas, the Hon'ble Central Administrative Tribunal vide order dated 30.06.2020 has disposed of the OA with the following directions:-

"However, considering submissions of the applicants counsel, the OA is disposed of at admission stage with a direction to the respondent No.1 to consider and decide the pending representations of the applicants within three months from today, with a speaking and well-reasoned order under intimation to the applicants".

Whereas, the applicant has also filed contempt petition bearing No. CP No. 50/2021 before the Hon'ble Central Administrative Tribunal Jammu.

Whereas, pursuant to the directions of the Hon'ble Central Administrative Tribunal Jammu, the case of the applicant was examined in the department and found that the School Education Department has issued a final seniority list of PG Masters/Teachers in the discipline of Zoology vide Government Order No. 90-Edu of 2022 dated 02.03.2022 wherein the names of all the petitioners (Masters) have been included at an appropriate place (appeared at S. No. 334, 338, 343, 344, 345, 347, 350, 351 and 352) on the strength of their service particulars and from the perusal of the aforementioned seniority list, it has been found that the incumbents who are already elevated as I/C Lecturer (Zoology) vide Government Order No. 301-Edu of 2019 dated 19.09.2019, are juniors to all the applicants. That a good number of posts of Lecturers Zoology have been kept reserved as cushion for considering eligible petitioners/representees as I/C Lecturers (Zoology). That as the final seniority in the discipline of Zoology has been issued and the applicants case shall be considered for promotion in the discipline of Zoology by placing before the next Departmental Promotion Committee (DPC) as and when held strictly on the basis of seniority, eligibility, and availability of vacancy and any of the junior who is not found eligible shall be demoted to the post of Master/Teacher.

Keeping in view, the facts and circumstance of the case and in compliance to the directions of the Hon'ble Central Administrative Tribunal passed in CP No. 50/2021 in O.A No.61/123/2020 titled Randhir Singh Chib V/s UT of J&K & Ors, the claim of the applicant is considered and is directed to be placed for promotion in the next DPC strictly as per their eligibility and seniority.

By Order of the Government of Jammu and Kashmir.

Sd/-

Alok Kumar (IRS)

Principal Secretary to the Government,
School Education Department.

No: Edu-LGL0Jmu(CAT)/19/2021-01

Dated: 29-05-2023.