



GOVERNMENT OF JAMMU & KASHMIR  
SCHOOL EDUCATION DEPARTMENT  
CIVIL SECRETARIAT, J&K

Subject: OA. No.183 of 2024 titled Vilayat Hussain War & others V/S UT of J&K & ors.

Government Order No: **388** - JK(Edu) of 2024.  
Dated: **25** .09.2024.

**Whereas**, the petitioners have filed OA No. 152 of 2024 before the Hon'ble Central Administrative Tribunal (CAT) alleging non-consideration of their claim for confirmation/regularization against the posts of Lecturers in the discipline of Commerce; and

**Whereas**, the petitioners have submitted that they were serving as Masters in the School Education Department and were placed as In-charge Lecturers in Commerce vide Government Order No. 662-Edu of 2014 dated 13.10.2014; and

**Whereas**, the Hon'ble CAT, vide its order dated 15.04.2024, issued the following directions:

*"This petition is disposed of with directions to the respondents to consider the case of the petitioners for regularization/confirmation to the posts of Lecturers in Commerce, on the same analogy as those in OA No. 152 of 2024, subject to availability of vacancies, and if the petitioners are similarly placed and eligible for the same relief.*

*Disposed of. No orders as to costs. Any interim order shall stand vacated."*

**Whereas**, the Department conducted a DPC meeting on 11.08.2021 to consider the regularization of In-charge Lecturers in Commerce, and eligible incumbents were considered based on seniority, eligibility and the availability of vacancies; and

**Whereas**, the final seniority list of PG Masters/Teachers in the Commerce discipline was issued vide Government Order No.105-Edu of 2020 dated 22.04.2020, wherein the last incumbent considered for regularization was Mr. Ravi Kumar Singh at Seniority No. 130; and

**Whereas**, the petitioners are included in the final seniority list issued vide Government Order No. 105-Edu of 2020, and their service details are as follows:-

SNTY. No	NAME	DESIG	PLACE OF POSTING	DATE OF BIRTH	DATE OF 1st APPOINTMENT	DATE OF PROMOTION AS MASTER	DATE / YEAR OF PASSING PG	MODE OF ACQUIRING PG	NAME OF UNIVERSITY	GOVT. ORDER NO. & DATE OF PLACEMENT AS I/C LECTURER	REMARKS
132	AFROZA JAN	MASTER	BHSS HAZRATBAL	06.05.68	06.08.96	27.03.10	1994			662-EDU OF 2014 DATED 13-10-14	
133	MOHD AMIN BHAT	MASTER	HSS BATINGOO	10.09.66	04.09.95	24.06.10	1989			662-EDU OF 2014 DATED 13-10-14	
134	ASMATA BANO	MASTER	GHS RATNI PORA PULWAMA	05.10.65	01.03.95	29.07.10	16/06/05	DISTANCE	KASHMIR UNIVERSITY	232-edu of 2019 dated 15-07-2019	The inclusion in seniority / promotion is subject to the condition that permission for pursuing PG degree during service is granted by the Competent Authority.
136	MUSHTAQ AHMAD WANI	MASTER	BHSS BEHRAMPORA	15.01.71	06.08.96	26.08.10	5/8/04			662-EDU OF 2014 DATED 13-10-14	The inclusion in seniority / promotion is subject to the condition that permission for pursuing PG degree during service is granted by the Competent Authority.
138	MOHD SHAFI WAGAY	MASTER	GHSS ASHMUQAM	15.04.63	07.08.97	26.08.10	1992			662-EDU OF 2014 DATED 13-10-14	
139	MOHD AMIN SHEIKH	MASTER	GHSS ASHMUQAM	20.03.64	07.08.97	26.08.10	1988	REGULAR	KASHMIR UNIVERSITY	662-EDU OF 2014 DATED 13-10-14	

14



140	MOHD ASHRAF DAR	MASTER	HSS WANPOH	01.03.65	07.08.97	26.08.10	18/06/97	PRIVATE	KASHMIR UNIVERSITY	662-EDU OF 2014 DATED 13-10-14	
142	BASHIR AHMED ITOO	MASTER	HSS D K MARG	01.04.66	07.08.97	26.08.10	17.06.92	DISTANCE	KASHMIR UNIVERSITY	662-EDU OF 2014 DATED 13-10-14	
143	MANZOOR AHMAD MIR (RBA)	MASTER	HSS QAZIGUND	09.01.67	07.08.97	26.08.10	1995	REGULAR	KASHMIR UNIVERSITY	662-EDU OF 2014 DATED 13-10-14	
137	VILAYAT HUSSAIN WAR	MASTER	BHSS SALLAR	08.04.62	07.08.97	26.08.10	02.04.08	PRIVATE	KASHMIR UNIVERSITY	662-EDU OF 2014 DATED 13-10-14	The inclusion in seniority / promotion is subject to the condition that permission for pursuing PG degree during service is granted by the Competent Authority.

**Whereas,** these petitioners were not regularized as Lecturers in the aforementioned DPC due to the non-availability of substantive vacancies; and

**Whereas,** it has been observed that some petitioners acquired their PG degrees through distance education during service without obtaining prior permission from the competent authority; and

**Whereas,** vide Government Order No.188-JK(Edu) of 2024 dated 15.03.2024, one-time exemption was granted to teaching and other staff of the School Education Department who obtained higher qualifications through distance or online modes during service without prior permission from the Administrative Department. Committees have been constituted at the Directorate level to verify the genuineness and equivalence of such PG degrees, and eligible incumbents will be considered for regularization after the final outcome of the Empowered Committees' reports.

**Now,** therefore, in light of the above facts and circumstances, it is hereby ordered that the promotion/regularization of the petitioners, along with other eligible incumbents, will be considered in the next DPC meeting for the discipline of Commerce, subject to the genuineness and validity of their PG degrees fulfilling all the conditions outlined in Government Order No. 940- JK(Edu) of 2017 dated 17.11.2017 and as determined by the designated committees constituted for this purpose.

**By Order of the Government of Jammu and Kashmir.**

Sd/-

(Alok Kumar) IRS

Principal Secretary to the Government.

Dated: 25.09.2024.

No:Edu-LGL0Kmr/156/2024-08(7456115)

Copy to the:-

1. Joint Secretary, (J&k), Ministry of Home Affairs, GoI.
2. Director, School Education Kashmir/ Jammu.
3. OSD to Advisor (B) to the Hon'ble Lieutenant Governor, J&K UT.
4. Concerned Chief Education Officer.
5. Concerned officials.
6. Private Secretary to Principal Secretary to the Government, School Education Department.
7. I/c Website for uploading the Order.
8. Government Order file (w.2.s.c).

(Thannaji Bhat)

Under Secretary to the Government.

25.09.2024