



GOVERNMENT OF JAMMU & KASHMIR
SCHOOL EDUCATION DEPARTMENT
CIVIL SECRETARIAT, JAMMU/KASHMIR

Subject: OA No. 673/2022 titled Tanveer Ahmad Wagay & Ors V/s U.T of J&K and Ors.

Government Order No: 389 - JK (Edu) of 2024.

Dated: 25.09.2024.

Whereas, the applicants, namely Mr. Tanveer Ahmad Wagay and others, filed OA No. 673/2022 before the Hon'ble CAT, seeking relief on the grounds that they are serving as Masters/Teachers in the Department and hold PG Degrees in M.Sc. Environmental Science obtained through regular mode; and

Whereas, the applicants have contended that, as per Government Order No. 58-Edu of 2018 dated 12.01.2018, an updated final seniority list of PG Masters/Teachers in the discipline of Environmental Science was issued. According to this list, the applicants, who ranked at positions 1 and 2, were appointed as I/C Lecturers in 2015 under Government Order No. 438-Edu of 2015 dated 27.08.2015. Similarly, other applicants were also appointed as I/C Lecturers through subsequent Government Orders: No. 438-Edu of 2015 dated 27.08.2015, No. 236-Edu of 2019 dated 15.07.2019, and No. 325-Edu of 2019 dated 16.10.2019; and

Whereas, it has been further stated that the applicants have been serving as I/C Lecturers, performing duties in higher posts for the past seven years without being confirmed by the DPC. Accordingly, they have sought the following reliefs:

1. A directive to the respondents to convene the DPC in accordance with SRO-166 and SRO-481, strictly based on the final seniority list dated 12.01.2018, without any modifications to the updated list.
2. A directive to the respondents to consider the applicants' confirmation from the due date as stipulated in Government Order No. 743-GAD of 2007 dated 28.06.2007.
3. A directive to the respondents to provide charge allowance retrospectively to the applicants, except applicants 1 and 2, as owed to them.; and

Whereas, the case was presented before the Hon'ble CAT, which on 19.07.2022, issued the following order:

*"In view of the limited prayer made by the learned counsel for the applicants, the present OA is to be treated as a representation on behalf of the applicants. The respondents are directed to consider the applicants' claims in light of the order dated 14.03.2022, including SRO-166/2005 and the final seniority list of 2018, and to act in accordance with the law within six weeks from the date of this order. A reasoned and speaking order must be issued and communicated to the applicants.";*and

Whereas, the applicants have subsequently submitted a representation to the Department, requesting the inclusion of Environmental Science in the upcoming DPC and implementation of the Hon'ble CAT's order dated 19.07.2022; and

Whereas, Government Order No. 422-JK(Edu) of 2023 dated 08.12.2023 was issued, finalizing the seniority list of PG Masters/Teachers in the Environmental Science discipline; and

Whereas, upon review of the case, it is noted that the applicants are included in the seniority list of Environmental Science and acquired their PG qualifications through the regular mode prior to joining service. Since the conduct of the DPC for promotion and regularization is within the purview of the JKPS, the applicants' claims for regularization

will be examined and considered once the DPC is convened by the JKPSC, following the established DPC procedures;

Now, therefore, the applicants' claims for regularization will be examined and processed in due course. A proposal will be submitted to the JKPSC for consideration in the next DPC meeting, subject to the completion of all required formalities as per the applicable rules.

By Government of the Government of Jammu and Kashmir.

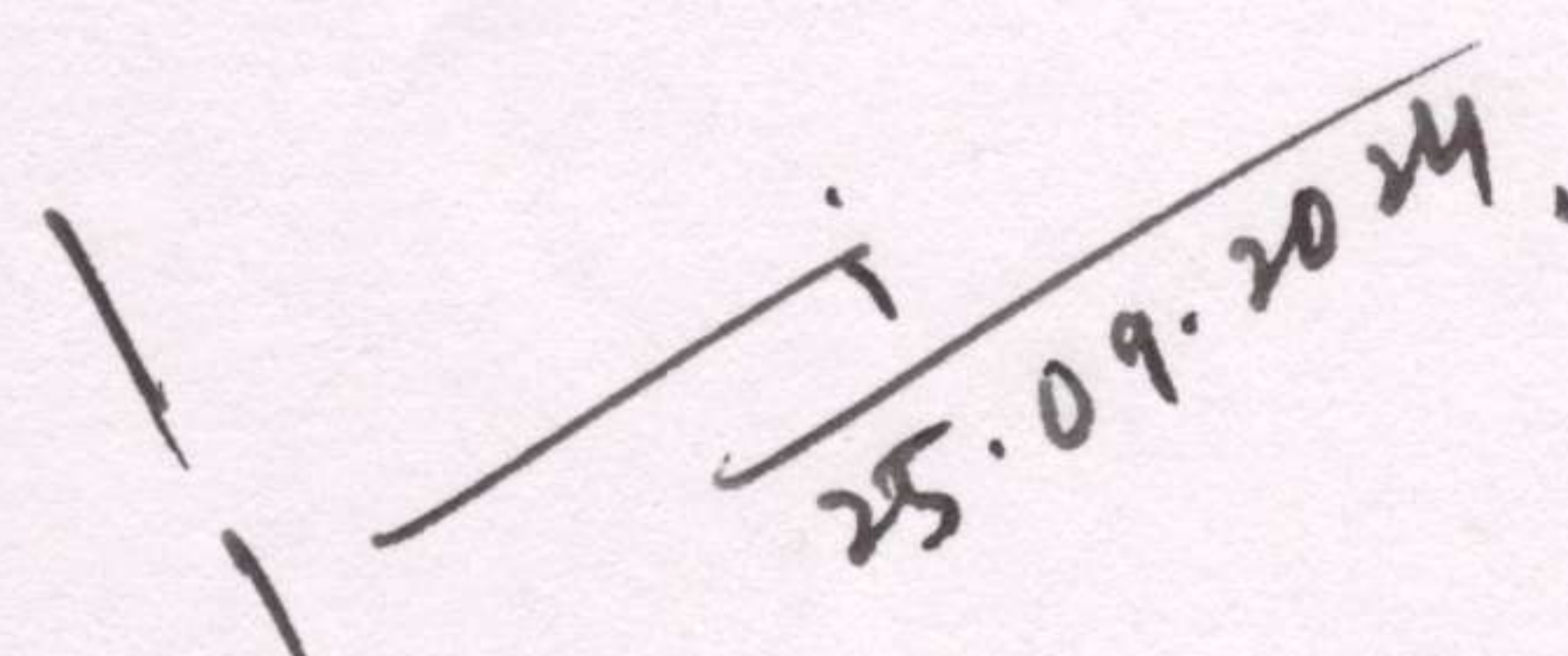
Sd/-
(Alok Kumar) IRS
Principal Secretary to the Government.

No: Edu-LGL0Kmu/10/2023-08(7115055)

Dated: 25-09-2024.

Copy to the:

1. Joint Secretary, (J K & L), 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 official.
6. Private Secretary to Principal Secretary to the Government, School Education Department.
7. I/c Website.
8. Government Order file (w.2.s.c).


(Thannaji Bhat)
Under Secretary to the Government.