



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

Subject: O.A No.634/2022 titled Ghulam Nabi Thoker V/S UT of J&K & Ors.

Government Order No. 472 -JK(Edu) of 2024
D a t e d: 11 -11-2024

WHEREAS, the applicant/petitioner namely Mr. Ghulam Nabi Thoker filed an O.A No.634 of 2022, before the Hon'ble Central Administrative Tribunal, Srinagar Bench contending therein that in pursuance of Government Order No.262-Edu of 2019 dated 01.08.2019, he was placed as I/c Lecturer in the discipline of Chemistry, however, he is yet to be adjusted as such;

AND WHEREAS, the Hon'ble CAT disposed of the said O.A at the admission stage vide order dated 06.07.2022, the operative part of which is reproduced as under:-

**"In view of the limited prayer made by the learned counsel for the applicant, O.A is disposed of at the admission stage with direction to the respondents / competent authority to consider the case of the applicant treating the averments made in the present O.A as representation of the applicants and dispose of the same by passing a reasoned and speaking order, within a span of four weeks from today and decision so taken shall be communicated to the applicant forthwith.
Till that time the speaking order is passed, his joining as headmaster will not prejudice his right of promotion as Lecturer."**

AND WHEREAS, after examining the records/seniority list, it has come to fore that Mr. Ghulam Nabi Thoker, among others was placed as I/c Lecturer in the discipline of Chemistry vide Government Order No.262-Edu of 2019, dated 01.08.2019. Subsequently, the applicant was cleared by the Departmental Promotion Committee in its meeting held on 15.07.2019 for regularization. But his regularization/ adjustment order was kept withheld for want of verification of his PG Degree obtained through Distance Mode during service and for ascertaining whether permission/ leave from competent authority has been obtained at the relevant point of time;

AND WHEREAS, the School Education Department issued Government Order No.188-JK(Edu) of 2024 dated 15.03.2024, wherein one time post-facto exemption was granted to the incumbents who have acquired PG degree through distance/online mode, and constituted two Committees at Directorate level for examining all such cases and recommending the genuine cases accordingly till date;

AND WHEREAS, besides, the petitioner has also been regularized as Headmaster notionally w.e.f. 01.01.2021 and regular w.e.f. 27.06.2022 vide Government Order No. 205-JK (Edu) of 2023, dated 08.07.2023 (figuring at S.No. 2411 & Sty No. 4150);

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AND WHEREAS, the case was further examined in the Department and vide this Department letter dated 28.06.2024, Director School Education, Kashmir was requested to intimate the present status of the applicant with date of joining along with period spent by the petitioner and status of drawal of salary, as Headmaster in the Department;

AND WHEREAS, Director School Education Kashmir vide communication No. DSEK/Legal/E-240729/778, dated 10.07.2024 has intimated that as per the records available, the applicant was promoted as look-after Headmaster by virtue of Government Order No. 1746-Edu of 2022 dated 27.06.2022, subsequently the applicant joined as look after Headmaster in HS Kalampora Pulwama on 16.07.2022 and is drawing his salary as Headmaster since then. Presently, the applicant is rendering his duties as Headmaster High School Kalampora and his services stand confirmed/ regularized as Headmaster w.e.f. 01.01.2021 on notional basis and on regular basis w.e.f 27.06.2022 vide Government Order No. 205-Edu of 2023, dated 08.07.2023;

NOW, THEREFORE, after examining the records available in the Department, claim of the applicant/petitioner, for adjustment as Lecturer is not maintainable under rules and is hereby rejected.

By order of the Government of Jammu and Kashmir.

Sd/-

(Suresh Kumar Gupta) IFS

Principal Secretary to the Government

Dated:- 11.11.2024

No: Edu-LGL0Kmr/290/2022-01(235973)

Copy for information:

1. Joint Secretary (J K &L), Ministry of Home Affairs, GoI.
2. Principal Secretary to Hon'ble Lieutenant Governor.
3. Director Archives, Archaeology & Museums, J&K.
4. Director School Education, Kashmir.
5. Additional Secretary (Legal) School Education Department.
6. Concerned Chief Education Officer.
7. Private Secretary to the Chief Secretary.
8. Private Secretary to Principal Secretary to the Government, School Education Department.
9. Concerned officer.
10. I/c Website, School Education Department for uploading this order on the official website of the Department.
11. Government Order file (w.3.s.c).

(Thannaji Bhat),

Under Secretary to the Government
School Education Department



