



Government of Jammu & Kashmir

Directorate of School Education Kashmir

Samanderbagh - S.P. College Road Srinagar -190001

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Subject: O.A. 727/2022 titled Latief Ahmad Jehra and Ors V/s Union Territory of J&K & Others.

Reference: Administrative Department's communication No. Edu-HRM/27/2023-01 (7131652) dated 04-07-2023

ORDER NO. 328 DSEK OF 2023

DATED 18-12-2023

Whereas, Directorate of School Education, Kashmir through various orders (w.e.f. 2014 onwards) placed 1255 No. of trained graduate/trained Post-graduate teachers as I/C Masters in various Districts against available vacancies; and

Whereas, this Directorate vide Order No. 22 DSEK of 2018 dated 04-01-2018 issued a consolidated list of these **1255 No. of officials** who were placed as I/C Masters; and

Whereas, the confirmation of some of these I/C Masters could not materialize due to the reasons that the post of Head teachers of erstwhile SSA Scheme were abolished and their salaries were drawn against the available vacant post of Masters; and

Whereas, the issue of confirmation of these officials was placed before the Divisional Departmental Promotion Committee in its various meetings held from time to time and accordingly all the eligible trained graduate/post-graduate officials among the list, were considered for their confirmation strictly in accordance with their seniority/eligibility and date of availability of vacancies; and

Whereas, **199 Officials** amongst the reserved category enlisted in this office Order No. 22 DSEK of 2018 dated 04-01-2018, could not be confirmed in the Divisional Departmental Promotion Committee meetings due to the reasons that as the matter is sub-judice before the Hon'ble Supreme Court and the General Administration Department vide OM No. GAD/MTG/RB-IV/04/2016 dated 21-06-2016 conveyed that **"to keep the slots meant for reserved category employees vacant/ unfilled till the matter is finally heard and disposed of by the Hon'ble Supreme Court."**; and

Whereas, **156 No. of officials** amongst the list of reserved category filed a case bearing No. **O.A.727/2022** titled **Latief Ahmad Jehra and Ors V/s Union Territory of J&K & Others** and prayed the following relief:

- a) Respondents may be directed to release the Charge Allowances in favour of the applicants.
- b) Respondents may further be directed to put on hold the process initiating for promotion of eligible teachers as masters till the applicants are regularized; and

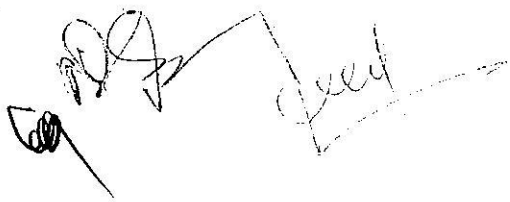
Whereas, the Hon'ble Central Administrative Tribunal, Srinagar bench passed an interim directions on 28.07.2022 to the Respondent Department which is reproduced as under:-

"the respondents are directed to make payment of incharge allowance as Masters in favour of the applicants against which the applicants are working. Further directed to consider the case of the applicants for confirmation to the post of Masters as on the analogy of similarly situated persons within six weeks from today " ; and

Whereas, post receipt of the Order supra the matter with regard to relief regarding the confirmation of the applicants as Masters who were earlier promoted as I/c Masters on stop gap arrangement in their own pay and grade against available vacancies of Masters/ Head Teachers (including erstwhile SSA/RMSA) in various district of Kashmir division during the year 2014 was taken up with the Administrative Department by this office vide communication dated 15.02.2022 for seeking instructions, and instructions in this regarding are still awaited with regard to the confirmation of applicants as Masters; and

Whereas, as regarding releasing of Charge Allowance to the applicants communication No. Edu-HRM/27/2023-01(7131652) dated 04-07-2023 was received from the Administrative Department wherein instructions were conveyed to release charge allowance in favour of all eligible I/c Masters on prospective basis under rules in order to implement the Hon'ble CAT orders; and

Whereas, in order to comply the instructions received from the Administrative Department, this office forwarded the list of **156** petitioners to



all the Chief Education Officers, for providing the detailed service bio-data alongwith present place of posting for taking further action in the matter; and

Whereas, in response to this office letter No. DSEK/Estt-III/A/3499 dated 11-09-2023, the Chief Education Officers have submitted the detailed service particulars in favour of 131 petitioners who have not been confirmed yet; and


Whereas, as per the records available 11 petitioners figuring at S.No. 62, 65, 73, 74, 103, 109, 116, 118, 119, 127, 128 in the said petition have already been confirmed by this office vide Order No. 83 DSEK of 2023 dated 11-03-2023 and 196 DSEK of 2023 dated 09-08-2023; and

Whereas, the posting details in respect of remaining 14 petitioners is still awaited, as such the charge allowance in favour of these petitioners can be considered after receiving the service particulars from the concerned Chief Education Officers, on its merits; and

Whereas, as regards the prayer regarding the confirmation of applicants as Masters the issue has been settled by the General Administrative Department vide O.M. No. GAD/MTG/RB-IV/04/2016, dated 21.06.2016, whereunder the Administrative Secretaries were directed to keep the vacancies/ roster points allocate to the employees belonging to the reserved categories, vacant/unfilled, till disposal of the cases by the Hon'ble Supreme Court. These instructions were issued in view of the interim orders passed by the Hon'ble Supreme Court in SLPs titled Mohammad Haneef Lone and others vs. Ashok Kumar Sharma and Others, Gagan Jyoti and Anr. Vs. State of J&K and others, Vinod Kumar Bhagat and others vs State of J&K and others relating to the reservation in promotions.

Now, therefore, in compliance to the Hon'ble Central Administrative Tribunal orders supra, and the instructions conveyed by the Administrative Department vide above referred communication, sanction is hereby accorded to the release of Charge Allowance in favour of **131 In-charge Masters** appearing in the Annexure "A" to this order in terms of Article 87(b) of J&K CSR Volume-I prospectively.

However, the Chief Education Officer/Drawing and Disbursing Officer concerned shall implement the order after ensuring that the conditions as laid down in their placement order have been fulfilled in letter and spirit.



Further, the claim of the petitioners for confirmation as Masters cannot be considered at this juncture in view of the pendency of the case before the Hon'ble Supreme court in different SLPs and Circular instructions issued by the General Administrative Department vide O.M. No. GAD/MTG/RB-IV/04/2016, dated 21.06.2016.


Sd/-
Director
School Education Kashmir

No: DSEK/Estt-III/A/ 3853

Dated: 18/12/2023

Copy to:

1. *Principal Secretary to the Government, School Education Department Civil Secretariat Jammu/Srinagar for favour of information.*
2. *Director School Education, Jammu for information and necessary action.*
3. *Joint Director _____ (All) for information.*
4. *Chief Accounts Officer, DSEK for information and necessary action.*
5. *Deputy Legal Remembrancer, DSEK for information and with the request to file the action taken report before the Hon'ble Tribunal on time.*
6. *Chief Education Officer _____ (All), for information and necessary action. They are directed to ensure that the service particulars of the petitioners submitted to this Directorate have been verified and found correct and no official among the petitioners has been confirmed yet.*
7. *In-charge website.*
8. *Order file/stock file.*


Personnel Officer
Directorate of School Education
Kashmir

Government of Jammu & Kashmir
Directorate of School Education Kashmir

Annexure A to this Office Order No. 328-DSEK of 2023

Dated 18 /12/2023

| S.No | District | Name of the Official | Present Place of Posting |
|-------------|-----------------|-----------------------------|---------------------------------|
| 1 | Budgam | Latief Ahmad Jehra | MS Darwan Nowgam |
| 2 | Srinagar | Natasha Yasin | BHS Barthana |
| 3 | Srinagar | Mushtaq Ahmad Hajam | BHSS Sangam |
| 4 | Srinagar | Ajay Kumar | BHS Sonwar |
| 5 | Srinagar | Lalit Kumar | BMS Rajbagh |
| 6 | Srinagar | Nazia Habib | GMS Namchabal Zone Rainawari |
| 7 | Srinagar | Vikram Kumar | GMS Batwara |
| 8 | Srinagar | Imtiyaz Ahmad Khan | GHSS Nishat |
| 9 | Srinagar | Sahila | BMS Dodg Mohalla |
| 10 | Srinagar | Nahid Nazir | GHSS Kothibagh |
| 11 | Ganderbal | Brij Bhushan | BHS Dhobipora Ganderbal |
| 12 | Bandipora | Anil Singh | BHS Malangam |
| 13 | Bandipora | Saleem Shafi Wani | GMS Sheikhmuqam |
| 14 | Bandipora | Nissar Ahmad Chacket | HS Bothu |
| 15 | Ganderbal | Mohd Sarwar Lone | HS Kandabal |
| 16 | Bandipora | Mohd Munawar Lone | Govt. HSS Arim |
| 17 | Pulwama | Tahir Ahmad Khan | BHSS Pulwama |
| 18 | Bandipora | Mohmad Hussain Mir | BHS Kudara |
| 19 | Bandipora | Mohd Maqbool Lone | HS Gujran |
| 20 | Bandipora | Mohd Rafiq Lone | GHS Jurniyal Tulail Gurez |
| 21 | Bandipora | Abid Hussain Samoon | GHS Jurniyal Tulail Gurez |
| 22 | Bandipora | Showket Hussain Lone | HSS Purana Tulail |
| 23 | Bandipora | Farooq Ahmad Lone | HS Mallangam Gurez |
| 24 | Budgam | Zahroor Ahmed Mir | MS Bajipathiri |
| 25 | Budgam | Aziz-ul-Rehman Khan | MS Kralgam |
| 26 | Shopian | Akhter Rasool | GHSS Shopian |
| 27 | Budgam | Khursheed Bano | BHSS Nagam |
| 28 | Bandipora | Farooz Ahmad Khan | BHS Malangam |

Government of Jammu & Kashmir
Directorate of School Education Kashmir

Annexure A to this Office Order No. 328 - DSEK of 2023

Dated 18 /12/2023

| S.No | District | Name of the Official | Present Place of Posting |
|-------------|-----------------|-----------------------------|----------------------------------|
| 29 | Srinagar | Abida Bano | GHS Balhama |
| 30 | Bandipora | Rashid Ahmad Lone | GHS Ajas |
| 31 | Budgam | Vishay Kumar | HS Gojithaji |
| 32 | Budgam | Subash Chander | HS Gojithaji |
| 33 | Anantnag | Ajay Kumar | MS Goihard |
| 34 | Anantnag | Sudershan Kumar | MS Kralwani |
| 35 | Anantnag | Rajesh Kumar | MS Checki Bakerwal |
| 36 | Anantnag | Shahid Ali | Middle School Gorankha I |
| 37 | Anantnag | Rohit Kumar | GH (PM Shri) School |
| 38 | Srinagar | Ajay Kumar | GHS Pandrathan |
| 39 | Jammu | Punam Rani | GBMS Talhar (RS Pura) |
| 40 | Jammu | Lalit Kumari | GGHS Kaloyen (RS Pura) |
| 41 | Anantnag | Iftkhar Ahmad Khan | HSS Pahalgam |
| 42 | Srinagar | Surinder Mohan | GHS Pandrathan |
| 43 | Anantnag | Kuldeep Chand | MS Guchin |
| 44 | Anantnag | Poonam Devi | MS Kulibagh |
| 45 | Anantnag | Mohd youqub Malik | MS Drien |
| 46 | Anantnag | Ranjeet Kumar | Govt. HS Cheerpora |
| 47 | Anantnag | Raj Kumar | MS Gulab Bagh B |
| 48 | Jammu | Rekha Devi | GHS Kular Zone Nagseni |
| 49 | Srinagar | Amar Nath | BHS Badamibagh |
| 50 | Anantnag | Kiran Kumarie | MS Taraam Qazigund |
| 51 | Kupwara | Mushtaq Ahmad Ganie | HS Sarkoli |
| 52 | Kupwara | Gh. Mohd Mir | BHSS Kalaroos |
| 53 | Kupwara | Ishrat Mohi-ud-din | Transferred to District Srinagar |
| 54 | Kupwara | Khursheed Ahmad Bajad | HS hafthrada |
| 55 | Kupwara | Gh. Nabi Khan | UPS Nunulani |
| 56 | Kupwara | Shabir Ahmad Mareed | HSS Khumeriyal |

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Annexure A to this Office Order No. 328-DSEK of 2023
Dated 18 /12/2023

| S.No | District | Name of the Official | Present Place of Posting |
|-------------|-----------------|-----------------------------|---------------------------------|
| 57 | Kupwara | Peerzada Mudasir Mohmad | BHSS Maidanpora |
| 58 | Kupwara | Gh. Rasool Bhat | HS Narizab |
| 59 | Kupwara | Younus Ahmad Deeded | HS Payerpora |
| 60 | Kupwara | Mohammad Ayoub Lone | HS Nagbari Kalaroos |
| 61 | Kupwara | Zahoor Illahi | HS Vohlutra |
| 62 | Kulgam | Mohd Ashraf Lone | GHSS Pahaloo |
| 63 | Kulgam | Imtiyaz Ahmad Khan | HSS Devsar |
| 64 | Kulgam | Mohd Tuieb Roon | HS Dardagund |
| 65 | Bandipora | Virender Mohan | ZEO Quil |
| 66 | Bandipora | Ashok Kumar | ZEO Quil |
| 67 | Ganderbal | Shabir Ahmad Najar | GMS hariganiwan |
| 68 | Ganderbal | Abdul Rashid Sheikh | MS Rezwan |
| 69 | Ganderbal | Muneer Ahmad Awan | MS Yachihama |
| 70 | Ganderbal | Manzoor Ahmad Rather | GHS Preng |
| 71 | Ganderbal | Khaleel Ahmad Kasana | BHSS Gund |
| 72 | Ganderbal | Javeed Ahmad Mir | BHS Anderwan |
| 73 | Ganderbal | Aisha Shah | BHS Kachnambal |
| 74 | Ganderbal | Showkat Ahmad Khan | GHS Lar |
| 75 | Ganderbal | Shabir Ahmad Barwal | GHS Manigam |
| 76 | Ganderbal | Noor Hussain Chichi | BHS Gultibagh |
| 77 | Ganderbal | Jamsheed Aarif Shah | BHS Dhobipora Ganderbal |
| 78 | Ganderbal | Showkat Ali | GHS Urpash |
| 79 | Ganderbal | Yogesh Kumar | GHS Urpash |
| 80 | Ganderbal | Kewal Kumar | MS Bonibagh |
| 81 | Ganderbal | Ajit Kumar | BHSS Wangath |
| 82 | Ganderbal | Bimla Devi | GHSS Tullamulla |
| 83 | Ganderbal | Sunita Devi | GHS Urpash |
| 84 | Ganderbal | Firdos Ahmad Shah | BHS Dhobipora Ganderbal |

Government of Jammu & Kashmir
Directorate of School Education Kashmir

Annexure A to this Office Order No. 328-DS&K of 2023

Dated 18/12/2023

| S.No | District | Name of the Official | Present Place of Posting |
|-------------|-----------------|-----------------------------|---------------------------------|
| 85 | Ganderbal | Kulwant Raj | BHS Arch |
| 86 | Srinagar | Altaf Hussain | BHS Shallakhud |
| 87 | Bandipora | Muneer Ahmad Pintu | HS Sumlar |
| 88 | Srinagar | Riffat Nabi Lone | GHSS Nishat |
| 89 | Anantnag | Shameem Ahmad Shameem | GHS Dehwatoo |
| 90 | Bandipora | Abdul Majeed Lone | HS Bonakoot |
| 91 | Pulwama | Arun Kumar | UPS Gadikhal Zone Awantipora |
| 92 | Baramulla | Gh. Ahmad Najar | MS Shanjarguad |
| 93 | Anantnag | Parvaz Ahmad Khan | MS Reshikulbal |
| 94 | Kulgam | Ganesh Dass | HS Chadder |
| 95 | Bandipora | Anil Kumar | ZEO Quil |
| 96 | Baramulla | Ab Gani Sheikh | HSS Bijhama |
| 97 | Baramulla | Zahoor Ahmad | GMS Garkote |
| 98 | Baramulla | Mehbooba Bano | HS Heewan |
| 99 | Baramulla | Rayis Ahmad | BMS Dachi |
| 100 | Baramulla | Shaheena Majid | GMS Gantmulla |
| 101 | Baramulla | Bashir Ahmad Dar | BMS Nalla Mayen |
| 102 | Baramulla | Manzoor Ahmad Bakshi | HS Salamabad |
| 103 | Baramulla | Mohammad Ashraf Sheikh | HS Iachipora |
| 104 | Baramulla | Mohd Shafi Najar | HS Pehlipora |
| 105 | Baramulla | Khalid Amin Mir | BHS Dardkote |
| 106 | Baramulla | Mehjabeen | MS Kharkhal |
| 107 | Baramulla | Bashir Ahmad Mir | GMS Mayan |
| 108 | Baramulla | Mohammad Sareer Khan | GHS Norkah |
| 109 | Baramulla | Gh Mohd Lone | BMS Kathal |
| 110 | Baramulla | Vinod Kumar | GHS Bandi Kamalkote |
| 111 | Baramulla | Aasif Ali Khan | HS Salamabad |
| 112 | Baramulla | Abdul Rashid Hajam | HS Kralweth |

Government of Jammu & Kashmir
Directorate of School Education Kashmir

Annexure A to this Office Order No. 328-DSUK of 2023

Dated 18 /12/2023

| S.No | District | Name of the Official | Present Place of Posting |
|-------------|-----------------|-----------------------------|---------------------------------|
| 113 | Baramulla | Parveen Akhtar | HSS Ginjal |
| 114 | Bandipora | Subodh Raj | ZEO Quil |
| 115 | Kulgam | Sunil Kumar | MS Herpora Kilam |
| 116 | Kulgam | Kuldeep Raj | MS Thatoo |
| 117 | Kulgam | Sunil Langeh | MS Batingoo |
| 118 | Kulgam | Ashok Kumar | HS Bhan |
| 119 | Kulgam | Sahil Magotra | GMS Bhan |
| 120 | Kulgam | Rakesh Kumar | MS Zadiran |
| 121 | Kulgam | Sudesh Kumar | MS Mirasinallah |
| 122 | Kulgam | Dinesh Kumar | MS Sopal |
| 123 | Kulgam | Gupat Raj | MS Sochan |
| 124 | Kulgam | Rakesh Kumar | MS Chadder |
| 125 | Kulgam | Kuldeep Raj | MS Thatoo |
| 126 | Kulgam | Sunil Kumar | HS Akhall |
| 127 | Ganderbal | Bawa Ditta | MS Check Kachnambal |
| 128 | Anantnag | Janak Raj | MS Shislergam |
| 129 | Kupwara | Firdous Ahmad Khan | HS Narizab |
| 130 | Srinagar | Anita Rai | BHS Badambagh |
| 131 | Jammu | Asha Rani | GHS Nichla (Ghagwal) |

Sd/-

Director

School Education Kashmir

Personnel Officer

Directorate of School Education
Kashmir.