

**Government of Jammu and Kashmir,
Directorate of School Education,
Kashmir.**

Subject:- Grant of Promotion In-Situ Higher Standard Pay Scale in favour of Mr. Raja Anis Ali Khan, Teacher BHS Habak Home Hair, District Srinagar.

ORDER NO:- 615 DSEK OF 2018

DATED:- 12/ 04 / 2018

Whereas, Mr. Raja Anis Ali Khan Teacher was appointed as Teacher in School Education Department through SSB and joined his service on 01.04.1998.

Whereas, said official tendered his resignation before the Headmaster concerned on 31.03.2003, which was accepted by the Department vide order NO. 5507-DSEK of 2004 dated 6.12.2004.

Whereas, the above official approached Hon'ble High Court, the Medium SWP NO. 193/2005 and the Hon'ble High Court vide order dated. 31.07.2012 quashed the order No. 5507-DSEK of 2004 and directed the respondents to allow the petitioner to join and to take a decision in respect of intervening period

Whereas, the matter was referred to the Administrative Department vide letter No. DSEK /Legal/57/05/150/152 dated. 12.03.2015.

Whereas, the Administrative Department vide letter No. Edu/legal/ K/245/2016 dated. 04.04.2016, advised to decide the intervening period of the petitioner w.e.f. 20.06.2003 to 23.09.2013 as leave whatever kinds due.


Whereas, the Chief Education Office, Srinagar vide order No.161 of 2016 dated.28.11.2016, sanctioned Extra Ordinary Leave without pay and allowance in favour of the teacher w.e.f. 20.06.2003 to 23.09.2013.

Whereas, the Chief Education Officer, Srinagar, vide letter NO. CEO/Estt/TBP/OB/1629 dated. 06.03.2018, submitted the In-Situ promotion case of official to this Directorate for consideration.

Whereas, the case was examined and it was found that the incumbent had availed 3828 days of Extra Ordinary Leave without pay and allowance from time to time including the above period (i.e 20.09.2003. to 23.09.2013).

Whereas, the official was found due for In-Situ promotion to the HSPS of Rs. 9300-34800+GP-4200 from 01.07.2017 , i.e next month from the date of completion of 09 years regular service as teacher .

Now, therefore, sanction is hereby accorded to the grant of In-Situ promotion in favour of Mr. Raja Anis Ali Khan Teacher Boys High School Habak Home Hair District Srinagar, to HSPS of Rs. 9300-34800+GP-4200 w.e.f 01.07.2017 in terms of J&K Civil Services (Higher Standard Pay Scale Scheme) Rules 1996.


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The full particulars of the teacher are given as under:-

S. No	District	Name	Desig	Place of positing	Present grade	Date of Apptt/ Reg.	Date of promotion	No of non functional promotion taken	Date from which TBP due	Date from which TBP is due	HSPS due
01	Srinagar	Raja Anis Ali Khan	Teacher	BHS Habak Home Hair	5200-20200+2800	01.04.1998 (WPL/EOL 3828 days)	Nil	Nil	Nil	01.07.2017	9300-34800 +4200

The promotion In-situ to the higher standard pay scale in favour of aforesaid teaching is granted/ released subject to the fulfilment of the following conditions:-

- That the Chief Education Officer / Drawing and disbursing officer concerned will verify the particulars of the official with reference to her original services records before allowing (In-Situ) promotion benefit and he shall be personally responsible for correctness of the particulars of the employee working under him. In case any variation is noticed in the particulars of official, the benefit of the in-situ promotion shall not be released and the case referred to this Directorate for further orders/ clarification.
- The CEO/DDO concerned shall not implement the order in case there is any case /enquiry pending against the official in any investigation agency or department.
- That the official has completed required spell of 09/18/27 years as the case may be satisfactorily and without any interruption as defined in rules 4(K) of SRO-14, Dated.15.01.1996.
- That the benefit of the promotion in-Situ shall not be applicable, until the leave whatever kinds due in favour of the teacher was sanctioned by the competent authority in terms of relevant rules.
- That the official was not under suspension or contemplated in any charge or charge sheeted under classification Control and Appeal Rules 1956 or any other rules and his work and behaviour has remained satisfactory.
- That the present promotion In Situ shall not change/ affect the existing designation/ seniority duties of the employees.
- That the benefit of the promotion in-Situ shall not be applicable, if the official has earlier foregone regular / functional promotion or will forego her functional promotion in future.
- That the work and behaviour of the official has remained satisfactory during the preceding 03 (three) years.
- That before implementing the order, the concerned CEO shall ensure that the employees are holding substantive appointment and her appointment is genuine, before endorsing this order to sub- office for implementation.
- That no time bound promotion has been accorded by the DDO/CEO at his own level in favour of the employee.
- Consequent upon on grant of HSP's as granted shall be regulated strictly in accordance with the provisions laid down in SRO 14 and SRO-94 dated.15-04-2009 and Govt. Order No.07-F and Govt. order No.08-F dated.18/01/2011 read with SRO-42 dated.02/02/2011 and Govt. Order No 238 F of 2011 dated 30.09.2011 in addition rules 2.43 of F.C Vol-I be also implemented while Implementation of the (In Situ) promotion order.
- It shall be personal responsibility of the concerned Chief Education Officers to verify the particulars of the employee and observance of all Codal formalities and conditions mentioned herein above and the DDO's concerned shall give effect/ draw the arrears on account of time bound promotion after getting the entries to this effect recorded in the service book, duly countersigned by the Concerned Chief Education Officer.

Sd/-

Director School Education
Kashmir.

Dated. 12/04/2018

DSEK/Accounts-7BP/90/223-25
Copy to the:-

1. Secretary to Government, Education Department, Civil Secretariat, Jammu for information.
2. Chief Education Officer Srinagar, for information and necessary action.
3. I/C Computer section, DSEK, for information.
4. Order file/stock file.

Chief Accounts Officer

Directorate of School Education,
Kashmir.