



**Central Administrative Tribunal
Jammu Bench, Jammu**

T.A. No.6444/2020
(SWP No. 51/2009)

This the 7th day of September, 2021

Through Video Conferencing

Hon'ble Ms. Manjula Das, Chairman

1. Mohd. Arshed, Age – 35 years,
S/o Mohd. Younis,
R/o Village Mastandara, Tehsil Surankote,
District Poonch.
2. Waqar Ahmed, Age – 29 years,
S/o Mukhtar Ahmed,
R/o Village Surankote, Post Office – Surankote,
Tehsil Surankote,
District Poonch.
3. Surinder Singh, Age – 39 years,
S/o Shri Kunj Lal,
R/o Village Poneja, Tehsil Thathri,
District Doda.

...Applicants

(*Nemo* for applicants)

Versus

1. State of Jammu and Kashmir,
Through its Commissioner/Secretary,
School Education Department,
J&K Government,
Civil Secretariat, Jammu.
2. Additional Secretary,
School Education Department,
Civil Secretariat, Jammu.
3. Director School Education,
Muthi, Jammu.



4. Chief Education Officer,
Poonch.
5. Chief Education Officer,
Doda.

...Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

ORDER (ORAL)

The Government of Jammu & Kashmir issued different advertisements, inviting applications for appointment of *Rehbar-e-Taleem* (ReT) Teachers in respect of certain institutions. The applicants responded to the advertisements. However, when their cases were not considered, they filed SWP No. 51/2019 before the Hon'ble High Court of Jammu and Kashmir, challenging the Government Order No.919 dated 16.11.2018.

2. The respondents have not filed any counter affidavit.
3. The SWP has since been transferred to the Tribunal in view of re-organization of the State of Jammu and Kashmir and re-numbered as TA No. 6444/2020.



4. Today, there is no representation on behalf of the applicants. I heard Mr. Sudesh Magotra, learned Deputy Advocate General and perused the records.

5. At the outset, Mr. Sudesh Magotra, learned Deputy Advocate General referred to Government Order No.919 dated 16.11.2018. It reads:-

“i) Formal closure of the ReT Scheme and the ReT recruitment/engagement process notified vide Government order No.396-Edu of 2000 dated 28.04.2000 alongwith subsequent modifications/amendments. However, the existing ReTs already appointed under the scheme or on ReT pattern shall continue to be governed under the erstwhile scheme till their regularization or otherwise;

ii) All advertisement notices for engagement of Rehbar-e-Taleem Teachers or panels prepared where no engagement orders have been issued shall and shall always be deemed to have been cancelled/withdrawn as ab-initio;

iii) No fresh advertisement for recruitment / engagement under any ReT Scheme(s) shall henceforth be issued.”

6. From the above order, it is evidently clear that in cases where no engagement orders have been issued to the ReTs, all the advertisement notices shall be deemed to have been cancelled/withdrawn *ab initio*. It is seen that the SWP was filed even before any appointment was made to the post of ReT. The applicants can be said to have suffered any



grievance, if only the appointment had taken place; and any candidate, who was less meritorious to them, was selected. The challenge cannot be made to mere selection. Secondly, the very system of appointment to the post of ReT has been disbanded by the Government of Jammu and Kashmir.

7. I do not find any merit in this T.A. It is accordingly dismissed. There shall be no order as to costs.

(Manjula Das)
Chairman

September 7, 2021
/sunil/rk/dd/