

**Central Administrative Tribunal  
Jammu Bench, Jammu**

**T.A. No. 62/471/2021  
(S.W.P. No. 1857/2011)**

**This the 23<sup>rd</sup> day of March, 2021**

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Syeed Anees Ahmad, age 25 years,  
S/o Syed Ghulam Nabi,  
R/o Lammer, District Kulgam.
2. Talib Hussain Reshi, age 23 yrs.,  
S/o Ghulam Nabi Reshi,  
R/o Brinal District Kulgam.

... Applicants

(None for the applicants)

**Versus**

1. State of J&K through,  
Commissioner/Secretary to Government,  
Education Department,  
Civil Secretariat, Srinagar/Jammu.
2. Director School Education,  
Kashmir, Srinagar.
3. Chief Education Officer,  
Kulgam.
4. Zonal Education Officer,  
Devsar.
5. State Project Director,  
Sarva Shiksha Abhiyan,  
Srinagar.

... Respondents

(Mr. Rajesh Thappa, Deputy Advocate General)



**ORDER (Oral)****Mohd. Jamshed, Member (A):**

The Zonal Education Officer, Devsar, the 4<sup>th</sup> respondent herein, issued an advertisement on 12.03.2011 inviting applications from eligible candidates for two posts of teachers on the pattern of Rehbar-e-Taleem (ReT) Scheme in Government Primary School, Kolinard. Both the applicants who possess the required qualification applied for the same. However, the respondent No. 4 did not forward any panel of shortlisted candidates in this regard to respondent No. 3. It is stated that the applicants came to know that the respondents may not upgrade the status of the school and fill up the vacancies so advertised. Aggrieved by the inaction on the part of the respondents, the applicants filed S.W.P. No. 1857/2011 before the Hon'ble High Court of Jammu & Kashmir.

2. The S.W.P. has since been transferred to the Tribunal in view of the reorganisation of the State of Jammu & Kashmir and renumbered as T.A. No. 62/471/2021.

3. The applicants are seeking directions to the respondents not to withdraw the order dated 14.01.2011, whereby sanction has been accorded for upgradation of Government Primary School, Kolinard and for engagement of two candidates as teachers on the pattern of ReT Scheme. They are also seeking

directions to the respondents to finalise the panel and issue orders of appointment in favour of selected candidates.

4. Today, there is no representation on behalf of the applicants. This being a very old case, we heard Mr. Rajesh Thappa, learned Deputy Advocate General appearing on behalf of the respondents and perused the records.



5. The respondent No. 4 i.e. the Zonal Education Officer, Devsar, issued an advertisement on 12.03.2011 inviting applications from eligible candidates, having minimum qualification of 10+2, for engagement as teachers on the pattern of ReT Scheme. This was decided in view of the proposed upgradation of Government Primary School, Kolinard to the status of Government Middle School. The applicants possessed the required educational qualifications of 10+2 and applied in response to the said advertisement well within the stipulated timeline. However, no communication was made by the respondents regarding further process of selection and its result. The applicants claim that they possess the required qualifications and are also the residents of Brinal and Lammer village and are, therefore, eligible to be selected as teachers. It is evident that no further action has been taken by the respondent Nos. 3 and 4 with regard to this selection for the post of teachers. The applicants were apprehensive that the proposed upgradation of the Government Primary School, Kolinard may not take place

and the respondents may not proceed with the selection of two teachers for the same.



6. The respondents had advertised two posts of teachers on the pattern of ReT Scheme in view of the proposed upgradation of the Government Primary School, Kolinãrd. There is nothing on record to show whether the selection was completed and what was the outcome of the selection process. In any case, the applicants' claim for selection is not tenable as it has remained at the stage of applying for the post advertised by the respondents.

7. The selection of the teachers on the pattern of ReT Scheme was announced by the Government of Jammu & Kashmir vide order dated 28.04.2000. Teachers have been selected under the Scheme and also on the pattern of ReT Scheme for various schools and the recruitment under this Scheme was largely confined to the candidates from the same areas. Mr. Rajesh Thappa, learned Deputy Advocate General appearing on behalf of the respondents brought to our notice that the Government of Jammu & Kashmir vide Order No. 919-Edu of 2018 dated 16.11.2018 has formally closed the ReT Scheme and all advertisements/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*. In view of this Government



Order, the process of engagement of teachers on the pattern of ReT, which was not finalised, has been cancelled.

8. With the scheme under which the recruitment process was initiated having been cancelled, the claim of the applicants with regard to their selection is not tenable. The TA is devoid of merit and the same is, accordingly, dismissed. There shall be no order as to costs.



**(Mohd. Jamshed)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

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