Central Administrative Tribunal Jammu Bench, Jammu



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

This the 23rd day of March, 2021

(Through Video Conferencing)

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

- 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

- 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)

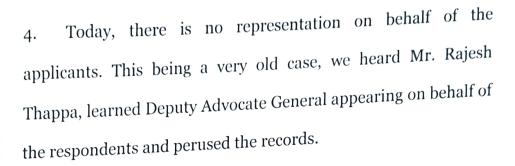
Mohd. Jamshed, Member (A):

The Zonal Education Officer, Devsar, the 4th 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



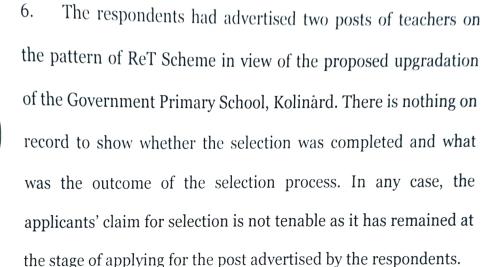
directions to the respondents to finalise the panel and issue orders of appointment in favour of selected candidates.

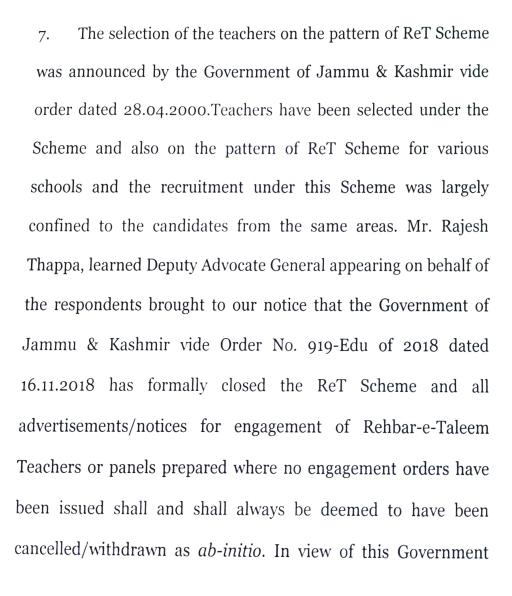




The respondent No. 4 i.e. the Zonal Education Officer, 5. issued an advertisement on 12.03.2011 inviting having minimum eligible candidates, applications from qualification of 10+2, for engagement as teachers on the pattern of ReT Scheme. This was decided in view of the proposed upgradation of Government 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. 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.







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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