

100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 399/2000.....

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:GUWAHATI.5

ORIGINAL APPLICATION NO. 399/2000

Sri L.N. Yadav

Applicant.

VERSUS

Union of India & Ors Respondents.

For the Applicant(s) *in person*

For the Respondents. *Dr. B.P. Todi, KVS.*

NOTES OF THE REGISTRAR

DATE

ORDER

This application is in form
but not in due Corporation
Petition. (See para 10 of the
Petition)

503852
16-11-2000

By Registrar

22.11.00 Present : The Hon'ble Mr Justice
D.N.Chowdhury, Vice-
Chairman.

Application is admitted. Issue
usual notice. Dr B.P.Todi, learned
counsel for KVS is present.

List on 1.1.2001 for written
statement and order.

Vice-Chairman

The application is
filed in form alongwith pg
requisites & envelope. But
in the body of the
Petition the demands
are not mentioned
in proper ways.

The applicant shall
appear in person.

Laid to the order.

1.1.2001 Sri L.N. Yadav, the appli-
cant appearing in person is
present. The respondents are
yet to submit its written state-
ment. Four weeks further time
is allowed to the respondents to
file written statement.

List on 30.1.2001 for
written statement and further

*Ab. Gang
orders.*

Vice-Chairman

mk

*Pattingaft
Compliance
Copy to/for*

Notice prepared and sent to D/S for
consideration. Reference No. 1 to 4 vide D/No
2752 to 2954 dated 4/12/00

241 100

30.1.01

List on 22.2.01 to enable the respondent to file written statement, if any. Pendency of this application shall not stand on the bar of the respondents to consider the case of the applicant in the meantime.

① Service report are still awaited.

② No written statement has been filed.

lm

En
20.2.01

22.2.01

IC Usha

Member

Vice-Chairman

No written statement has been filed.

20.3.01

lm

En
19.3.01

IC Usha

Member

Vice-Chairman

The respondents has not filed the written statement till now, though time were granted earlier. Three weeks further time is allowed to file written statement on the prayer of Mr. S. Sarma, learned counsel for the respondents. List on 12.4.01 for orders.

IC Usha

Member

Vice-Chairman

lm

12.4.01

Applicant is absent. The counsel for the respondents seeks for some time to file written statement. Prayer allowed. List on 8.5.2001 for written statement and further orders.

11-4-01
No written stat has been filed.

10

Vice-Chairman

trd

9.5.2001

No written statement so far filed. The respondents are ordered to file written statement within three weeks as a last chance. List on 31.5.2001 for written statement and further orders.

IC Usha

Member

Vice-Chairman

trd

NO N/S has been filed.

WS
21/5/01

Notes of the Registry	Date	Order of the Tribunal
	31.5.01 (Kohima)	Present : The Hon'ble Mr Justice K. Agarwal, Chairman. The Hon'ble Mr K.K.Sharma, Administrative Member. On application made on behalf of the respondents the O.A is stood over in order to enable the respondents to put in their written statement. List on 3.7.01 for order. <i>Paro</i> By order
<u>5.6.2001</u> W/S has been submitted to the respondents No. 2, 3 and 4.	03.07.01	Nobody appears on behalf of the applicant. Written statement has been filed. The respondents are directed to serve the copy of the written statement to the applicant by registered post. List for hearing on 17-8-2001. <i>K.K.Sharma</i> Member
	17.8.01 <i>Paro</i>	The case was listed for hearing today. The respondents served a copy of the written statement in the Court today. For that purpose the applicant is given little accommodation to go through it. List again on 21.8.2001. The applicant may file rejoinder, if any, in the meantime. <i>K.K.Sharma</i> Member
<u>28.8.2001</u> copy of the judgement has been sent to the offices for 15 days due to the L/Advocate on the respondents R/T Received copy of judgement O.A 399/2000 <i>N. K. Sharma</i> appd on 5.2.8.2001	21.8.01 pg	Heard counsel for the parties. Hearing concluded. Judgement delivered in open court, kept in separate sheets. The application is disposed of. No order as to costs. crants <i>K.K.Sharma</i> Member

Notes of the Registry	Date	Order of the Tribunal

6

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 399 of 2000.

Date of Decision. 21-08-01...

Shri L.N. Yadav

Petitioner(s)

In person

Advocate for the
Petitioner(s)

Versus-

Union of India & Ors.

Respondent(s)

Sri S. Sarma

Advocate for the
Respondent(s)

THE HON'BLE MR. JUSTICE D.N. CHOWDHURY, VICE CHAIRMAN.

THE HON'BLE MR. K.K. SHARMA, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble : Vice-Chairman.

l

X

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 399 of 2000.

Date of Order : This the 21st Day of August, 2001.

The Hon'ble Mr Justice D.N.Chowdhury, Vice-Chairman.

The Hon'ble Mr K.K.Sharma, Administrative Member.

Shri L.N.Yadav,
Yoga Teacher
Kendriya Vidyalaya,
Dimapur, Nagaland

... Applicant

Applicant appeared in person.

- Versus -

1. Union of India
through the Secretary,
Ministry of Human Resource Development,
New Delhi.

2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi.

3. The Deputy Commissioner (Admn.)
Kendriya Vidyalaya Sangathan,
New Delhi.

4. The Assistant Commissioner,
K.V.S. Regional Office,
Silchar Region,
Silchar.

... Respondents.

By Advocate Sri S.Sarma.

O R D E R

CHOWDHURY J. (V.C)

The applicant is working as Yoga Teacher in Kendriya Vidyalaya since 24.10.81. He was confirmed as a Yoga Teacher with effect from 24.10.83. He was a graduate in Punjab University and passed nine months Diploma in Yoga from Kaivalyadhama Shreeman Madhava Yoga Mandira Samiti Lonavla, Dist. Poona. On the recommendation of the 5th Central Pay Commission the pay structure of the Yoga Teachers was revised. Accordingly the KVS authorities recommended a 3 tier pay scale in the following fashion :

"Entry Scale Rs. 5,500-175-9000
Senior Scale Rs. 6,500-200-10,500
Selection Scale Rs. 7,500-250-12000."

On the recommendation of the DPC senior scale was granted to the teachers of Kendriya Vidyalaya. The DPC also recommended the case of the applicant who was at the relevant revised time drawing ~~pre-v/scale~~ to the senior scale of Rs. 6,500-10,500/- . Accordingly office order dated 26.4.99 was passed.

As a Yoga Teacher the pre-revised scale of the applicant was Rs. 1400-2300/- . Consequent upon the order the scale of the applicant was fixed with effect from 1.1.96 as under :

Date	Pay in ordinary scale as on 1.1.96	Pay in Senior Scale of Rs.6500- 175-9000	Pay in Senior Scale of Rs.6500- 200-10500
1.1.96	(6200)	6500	with the date of next increment 1.5.96 if other- wise admissible".

Necessary entry regarding fixation of pay ~~xx~~ was accordingly made intimating the applicant. While things rested at this stage, the impugned communication dated 8.5.2000 (Annexure-A) was issued issuing certain clarification regarding fixation of pay which is re-produced below :

"..... In this connection it is clarified that the period of residence required to move from one tier ~~xx~~ of the scale to the next tier is with reference to the period the person concerned is borne in that scale. The period of residency does not have any correlation with the length of service the person may have been in service before coming into a scale in the present case since the eligible Yoga Teacher would be taken into this scale with effect from 1.1.96 only all of them would be placed at the lowest tier of the scale and their residency period would start from there. ~~xx~~"

Sequel thereto by order dated 30.3.2001 the office order dated 21.4.99 was cancelled and thereby brought down the applicant to the pay scale of Rs.5500-9000/- from Rs.6500-10500/- The legitimacy of which is under challenge.

A

2. The respondents filed written statement and contended that the applicant could only be fitted in the entry pay scale with effect from 1.1.96 before granting him the senior pay scale. It was also contended that the senior pay scale was wrongly granted which was withdrawn in the order dated 30.3.2001. The letter dated 26.3.2001 granting senior pay scale to the applicant was neither furnished to the applicant by the respondents nor the same was produced before us. Be that as it may, the respondents could not have taken such a step without giving the applicant a proper opportunity. The impugned action on the part of the respondents to bring down the applicant to the lower scale could not have been taken without giving any opportunity. That apart the applicant could not be treated as new entrance and he could not be fitted in the entry scale. The impugned order of cancellation and/or withdrawal of higher scale is visited with civil consequences. Thus the impugned action in violation of the principles of natural justice is unsustainable in law.

3. In course of his submission Sri L.N.Yadav submitted that he is entitled to the senior scale and therefore the Tribunal should issue a direction granting him the senior scale on the basis of the materials on record. It is difficult on our part to issue such direction. We however leave it to Sri Yadav to make appropriate representation before the authority for considering his case for his due entitlement. If such representation is made the respondents shall consider the same and pass necessary order thereon within a period of 2 months from the date of receipt of the representation.

With this observation the application stands disposed of. No order as to costs.

K.K.Sharma
(K.K.SHARMA)
ADMINISTRATIVE MEMBER

D.N.Chowdhury
(D.N.CHOUDHURY)
VICE CHAIRMAN

कानूनी अधिकारी बोर्ड
Central Administrative Tribunal

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NOV 2000

GUWAHATI BENCH:: GUWAHATI.

Guwahati, Bench

Application under section 19 of the Administrative
Tribunal Act, 1985)

Title of the case : O.A. No..... 399.....2000.

Shri L. N. Yadav : Applicant.

-Versus-

Union of India and others : Respondents.

I N D E X

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25.	(N.Delhi)	

File by L. N. Yadav Applicants
Dt. 17-11-2000

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :::: GUWAHATI

(An Application under Section 19 of the Administrative
Tribunal Act, 1985)

Original Application No. 399/2000.

In the matter of :

Shri L. N. Yadav

Yoga Teacher

Kendriya Vidyalaya,

Dimapur, Nagaland,

...Applicant.

- Versus -

1. Union of India and others
through the Secretary,
Ministry of Human Resources,
Government of India,
New Delhi.

2. The Commissioner
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Shadeed Jeet Singh Marg,
New Delhi.

3. The Deputy Commissioner,
(Administration)
Kendriya Vidyalaya Sangathan,
New Delhi.

4. The Assistant Commissioner,
K.V.S. R.O., Hospital Road, Silchar

M. N. M.

...Respondents

1 NOV 2000

गुवाहाटी बायामोह
Guwahati Bench

DETAILS OF APPLICATION.

1. Particulars of the order against which the application is made.

The Applicant is filling the present application seeking quashing of the order No.JF No.18-1/99-KVS (Admn 1) dated 08/05/2000 and Order No.13 Government of National Capital Territory of Delhi Directorate of Education Establishment IV Branch Old Sectt.Delhi-54.

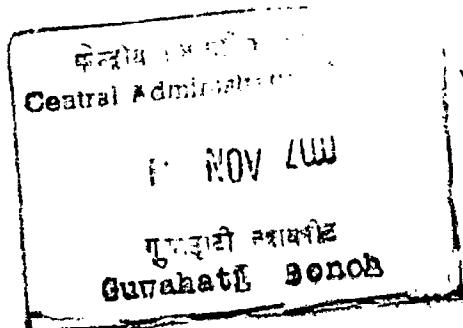
Selection Grade List w.e.f. 1/4/84. (copy enclosed Annex.

No. 1) Revision of Pay Scale of Yoga Techear in KVS classification regarding (Grant of Senior and selection scale to Yoga teacher) has denied the Yoga teachers their due selection scale from 1983 in spite of over 20 years of continuous service since 1981. Unlike the Yoga teacher of N.C.T. of Delhi. Had informed that 457 Yogo Teacher were appointed in 1982-83 . Among of them 91 Yoga teacher were given the selection grade as per Rajya Sabha Unstared question No.163 (To be answered on March 5th , 1999) Copy enclosed as Annexure No.2.

Yoga teachers of Kendriya Vidyalayas having at per with their counter parts in the N.C.T. of Delhi viz. possessing a Bachelor Degree with Three months training in Yoga from recognised institution . On the recommendation of Department Promotion Committee Yoga Teachers are granted ^{Selection grade} Promotion Committee . Yoga Teachers are granted selection grade in the pay scale of Rs.740-880(now revised to Rs.1640-2900) w.e.f. April 1,1984 (already copy enclosed in Annexure No.1) The above order is Violative

ANW

Contd....2/-



: 3 :

of the Policy of the Govt. of India regarding selection and senior scale of employee i.e. that has been denied. The applicant has already felt there is a room enough to believe that applicant has been shown a bit of bias(base). The applicant sent representation to the authorities from time to time for the selection and senior scale.

2. Jurisdiction of the Tribunal.

The application declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.

3. Limitation.

The applicant further declares that the applicant is within the limitation period prescribed in Section 21 of the Administrative Tribunals Act, 1985.

4. Facts of the Case.

4.1 The applicant is working as a Yoga Teacher in the Kendriya Vidyalaya Sangathan since 24/10/81 and confirmed w.e.f. 24/10/83. and Graduate from Panjab University (copy enclosed) Annex. No.3) and has passed nine months Diploma in Yoga Education from Kaivalyadhama (Shreeman Madhava Yoga Mandira Samiti Lonavla , Dist. Poona) (from August, 1980 to Annex 4 copy enclosed) April, 1981). Kaivalyadhama has been accepted as the NATIONAL INSTITUTION IN THE FIELD OF YOGA EDUCATION. The applicant has attended in service course June, 91 to June 21, 1991 in technical collaboration with Lakshmi bai National College of Physical Education Guwahati (copy enclosed as Annex. NO.5).

Contd...4/-

: 4 :

§. 4.4 The applicant has passed certificate course in Gymastics under the Mass sports participant programme from Netaji Subhas National Institute of Sports in 1977.

Copy enclosed as Annexure No.6.

4.5 The applicants has also Experience in Physical Training Instructor at Mangen Hr.Sec.School directorate of Education Dept. of Education Govt.of Sikkim. (copy enclosed as Annexure No.7)

4.6 The applicant is specialist in the field of Yoga apreciation letter by Dr.J.S. Makhani Prop. & Head of Department of Orthopaedic Sursery Goa Medical College on 3/7/81. (copy enclosed as Anne. No.8)

4.7 The Applicant is specialist in Chronic diseases and having very rich knowlege on disease and prevention and cure. The applicants character and conduct are exemplary. Applicants of Yoga Teaching has a nice effect and impact on students vide Appreciation certificates issued by the them Principal of Kendraiya Vidyalaya Madurai (Tamil Nadu) vide MDU No.6-4/82-83/LNY/273 dated July,31, 1983. (copy encoosed as Annexure No.9)

4.8 ^{below} The applicant has also appreciate by Dr.Venkata-pia Prop .& Head of the Dept. of POHARMA nology in its certificate says that the Applicant is a specialist in the field of Yoga and its various applications. (copy enclosed as Anex. No.10).

Contd...5/-

4.9 The applicant was also appreciated by Dr. K.R. Jacop. M.S. (Dean) Govt. Medical College of Maduri (Tamil Nadu) as per his certificate he wants to inform the public that the applicant is an expert in Yoga . The Applicant is skilled in art (Yoga). The Applicant developed more concentration and kept him more physically and mentally Fit and left an indelible impression in his mind. (Copy enclosed as Annex. No.11)

4.10 The applicant was also appreciated by Dr. S. Bhatnagar, Director of Punjab University. as per his letter dt. 7th Feb, 1985. The applicant is specialist in Yoga. He is one of those learned person who have a developed special exercise for various type of Chronic diseases such as spndlylitis, Diabetes, High Blood Pressure, Digestive ailments and the live Appedix (copy enclosed as Annex. No.12)

4.11 The applicant was confirmation on 24-10-1983
by the office order No.F-24-1/99/DVS (AR)
Kendriya Vidyalaya Sangathan , Ahmedabad
Region. (copy enclosed as Annex. No.13)

4.12 The applicant was fixed of pay in Senior Scale granted w.e.f. 1-1-1996 in the senior scale 6500-200-10500. vide letter no.F-4-1/99-2000/KVS(AR) Accts. dated 26 April, 1999. (copy enclosed as Annex. No.14)

Contd...6/-

10
2 NOV 2000

गुवाहाटी आदानपान
Guwahati Bench

: 6 :

4.13 The applicant send a representation to the Commissioner (KVS) (HQ.) New Delhi on the stamp paper of Rs.2/- each five sheets dated 17/2/98 regarding pay scale of Yoga Teacher at per with per and Yoga Teacher NCTO Govt.of Delhi. In this connection then the Deputy Commissioner (ACAD) informed that as soon as the decision is conveyed by the Ministry of HRD, the same will be communicated. Vide letter No. F.18-3/98-KVS(ADMN-I) dtd. 24-2-98. (copy enclosed as Annex.No.15.)

4.14 In spite of ~~getting~~ ^{granting} the senior or selection grade the authority send the applicant in 3 months training Yoga alongwith unqualified (Yoga Teachers who have only one month training in Yoga). The applicant has already has passed nine months training in Yoga from Kaivalyadhama , G.S.College of Yoga in session 1980-81). How injustice was done with the applicant (copy enclosed as Annex:No.16).

4.15. The Yoga teaching scheme was entroduce in Kendriya Vidyalaya, purely on an experimental basis initially for a period of one year. Since the scheme was ~~envised~~ as temporary and experimental the essential qualifications prescribed were Matriculation /Higher Secondary with a practical knowledge and experience of Yoga training. The scheme was extended on yearly basis. As per LOK SABHA UNSTARRED QUESTION NO.5950 to be answered on 3rd May, 1994 as per answer Deputy MInister for education & culture in the Ministry of Human Resource Development (KUM.SELJA).

Chawla

Contd...7/-

प्राप्ति विभाग
Gurukul, Sonch

: 7 :

4xx (copy enclosed as an Annex.No.17) (LOK SABHA
UNSTARRED QUESTION NO5959).

4.16 On dt. 27/12/88 The Board of Governors OKVS
was decided in 52 ^{o/s} second meeting that the
essential qualifications prescribed Graduation plus
minimum 9 months to 1 year training in Yoga in a recogni-
sed institution be confirm. ^{ed} The Yoga teacher who do
not posses ~~the~~ requisite qualification will continue
in the pay scale of Rs.1400-2300 untill and unless they
acquire the required qualification.

4.17. The service of Yoga Teacher who failed to
acquire the qualification (Graduation plus
nine month training in Yoga Education) with
the prescribed period (4 years) for graduation
plus two year for nine month training in yoga
Education will be liable to be terminated.

4.18. From 27/12/88 plus 6 year means 1994 to till
date no action has been taken by the authorities ~~for~~
~~are~~ the termination of service who have not acquired
the requisite qualification as prescribed period has
~~been~~
already over.

4.19. The competent authority accorded permission
to Yoga Teacher for appearing in higher exami-
nation even beyond the limit of 10% prescribed in
education code of Kendriya Vidyalaya Sangathan sstrictly
for the purpose of enabling them to acquire higher qual-
ifications by them.

संगीत विभाग

गुवाहाटी बोर्ड
Guwahati Board

: 8 :

4.2b In its 58th meeting held on 20/4/95 the Boards of Governer decided that Yoga Teacher Prossessing a Bachelor's Degree with 3 monhts training in Yoga from a recognised institution may be confirmed. Because unqulified Yoga Teacher became incurable headache for KVS Authorities. (copy enclosed as per Annex.No.18).

4.2c ^{Decut} Not only this like VIRAPPAN the Dakait of Summugul Chandan & Murders who kidnaps Dr.Rajkumar ^{star} Filmstar to save VIRAPPAN ther Government of Tamil Nadu and Karnataka wants to TADA Case culprits. KVS have issued order for grant of T.A. and D.A. for participate for such Yoga Teacher who have completed training programme conducted from 2/5/97 to 1/8/97 ata Lonawala and from 5/5/98 to 4/8/98 at New Delhi.(Copy enclosed with the RAJYA SABHA unstarad Question No.1483 to be answered on 11 Dec, 1998). The answer given by Ministry of Human Resource Development (Dr.Murli Manohar Jushi) (copy enclosed as Annex.No.19).

4.2d ^{ammuxre No} ^{that} In the above question was informed the applicant has not been confirmed since a disciplinary case is pending against him. As per order NO. 6-9/98/KVS/(AR) dt. 23/2/99. The Assistant Commissioner and Disciplinary Authority writes in that letter in para No.6 , has come to the conclusion the charges of misconduct/misbehave levelled against Sri L.N.Yadav are not maintainable and required no further inquiry into the case. and order to dropo all the charges levellel against Sri L.N.Yadav vide charge no.F6-9/98/KVS(AR) dated 20/3/1998). (copy enclosed as Anex.No.20).

4.243. As per Letter No.F-12-17/97-KVS(Admn.-I dt. 3/2/99 as per Yoga Teacher Possessing a Bachelor's Degree with 3 months training in Yoga from a recognised Institution. working in Kendriaya Vidyalaya w.e.f. 1/1/96.

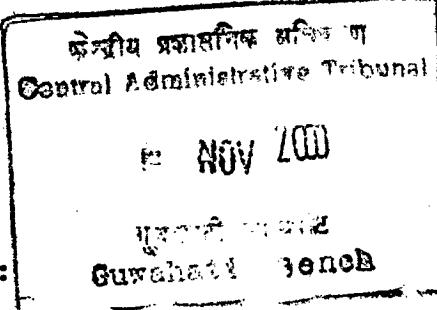
Entry Scale	Senior Scale	Selection scale
5500-175-	6500-200-	7500-250-
9000	10500	12000

Yoga Teacher not possessing qualifications mentioned at (A) above. will be entitled RS.4500-125-7000 no senior & selection scale be given untill they acquire the said qualification. (copy enclosed as Annex.No.21).

4.244. Since 1981 to 3/3/99 the unqualified Yoga Teacher ^{weather} was taking the same scale equal to qualified trained teacher as Letter No.F-1/2000-KVS(O&M) dt.d.11/9/2000 the joint commissioner (Acad) writes to All Assistant Commissioner as you are aware that K.V.S. has taken the exercise to stablize the sections in K.V.S. because of budget constraint and to use the available infracture created by K.V.S. The Staff sanction also taken out from those K.V. who have more than three i.e. totally unjustice. (copy enclosed as Annex.No.22).

4.25 As per Rajya Sabha unstarred question No.405 to be answered on 3/12/99. In that question Hon'ble Minister of state in the Ministry of H.R.D. replied the Govt. is not going to make certain modification ~~Hindi~~ ^{Yoga} Policy pertaining to Yoga Teacher being imparted in K.v.s.. (copy enclosed as Annex.No.23).

Md



5. Ground for relief with legal provision:

5.1 The applicant has passed the Graduation from Punjab University and 1 year diploma in Yoga Education from Kevalyadham. The Applicant has also passed certificate in sports from National Institute of force. The applicant has been appreciated by many doctors, professors and Head of the Departments . The principal of Madarai the Dean Govt. Medical college ,Madurai and Registrar of Punjab Yuniversity has appreciated him with their certificates that can be seen from Annexure No.3 to 16.

5.2 As per Order No.13 dt.3/3/94 like and C.T. to the applicant the selection grade also be given to me since 1982-83 as Yoga Teacher were appointed in 83 in N.C.T. of Delhi Govt. had given to 91 Yoga Teacher granated selection grade from 1/4/1984. Their qualification was Graduation plus 3 months.

5.3 In K.V.S. the scheme was entruduce in 1981 on and experimental basis the essencial qualification was Matriculations plus knowlege of yoga. The scheme of Yoga Teacher in Govt.of Delhi (N.C.T.) was start from 1983 with the qualification graduation plus three month training the Board of Governor were apprised of this decision in their 63rd meeting held on 21 July,1998.

Wd

6. DETAIL OF REMEDY EXHAUSTED:

The applicant beg to state that there is no other alternative remedy under any rule available before the applicant than to approach the Hon'ble Tribunal way of filing this original application.

7. MATTER NOT PENDING BEFORE ANY OTHER COURT/TRIBUNAL

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made before any Court of Law or any other authority or any other Bench of Thee Tribunal and/or any such application writ petition or suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts circumstances of the case the applicant prays for the ~~fax~~ following reliefs.

8.1. Quashing and setting aside selection and senior scales order No. of Yoga teachers in K.V.S. Letter F No. 18-1/99-KVS/2000 (Adm 1) dated May 8th 2000. The applicant from selection and senior scale from 1983. As per Ntc Yoga teacher were given.

Contd.....12.

INTERIM RELIEF PRAYED FOR

Pray for Interim Relief	in the case of	before the Hon'ble
High Court of Assam	and the Hon'ble	Tribunal
Date of filing the application		
14.11.2000		
Place where the application is filed		
G.P.O. Guwahati		

9. The applicant does not pray for any interim relief in the case, However, the Hon'ble Tribunal may be pleased to direct the respondents that pendency of this application shall not be a bar for considering his case.

10. This application is filled by person (by the applicant self)

11. PARTICULARS OF POSTAL ORDER:

1. I.P.O. NO. 2G503852
2. Date of issue : 14/11/2000.
3. Issued from : G.P.O.Guwahati.
4. payable at : G.P.O. Guwahati

12. List of ~~xi~~ enclosures:

As stated in the index.

W D

128

प्राचीन विधान
Archaeological Tribunal

VERIFICATION

1. Shri L.N.Yadav, Yoga teacher working in Kendriya
Vidyalaya, Dimapur, 46 yr.old do hereby the statement in
paragraph 1 to 12 are true to my knowledge and have no
suppressed any material of fact. And I sign this verification
on this the day of 16th Nov.2000, at Guwahati.

Signature
20/11/2000

SIGNATURE

KENDRIYA VIDYALAYA SANGATHAN
F.No.18-1/99-KVS (Admn 1)

Dated : 08-05-2000

The Assistant Commissioner
K.V.S., All Regional Offices

Subject : Revision of Pay Scale of Yoga Teachers in Kendriya Vidyalayas clarification regarding.

Sir/Madam,

In continuation of this office letter of even number dated 3/1-2-1999 on the subject cited above, I am to say that references have been received from various quarters seeking clarification regarding the manner in which the three tier pay scales circulated vide letter referred to above will be given effect. In this connection it is clarified that the period of residency required to move from one tier of the scale to the next ~~is~~ tier is with reference to the period the person concerned is borne in that scale. The period of residency does not have any correlation with the length of service the person may have been in service before coming into a scale in the present case since he eligible Yoga Teacher would be taken into this scale with effect from 01-01-1996 only all of them would be placed at the lowest tier of the scale and their residency period would start from there. Copies of this letter may be sent to all the Kendriya Vidyalaya under your jurisdiction for information and compliance. This issues with the approval of the Competent Authority.

Attested by the Applicant

M. Chaturvedi

Yours faithfully,

sd/-

(S B Chaturvedi)

Dy. Commissioner (Acad)

Copy to:

1. All Officers/Sections at KVS (Hqrs)
2. All recognised Teachers Associations
3. F.No. 18-3/96-KVS(Adm-1)
4. Kendriya Vidyalaya, Moscow/Kathmandu
5. Guard File.

February 10

SELECTION GRADE LIST W.E.F. 1.4.84
YOGA TEACHERS

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DIRECTORATE OF EDUCATION: ESTABLISHMENT IV BRANCH:
OLD SECTT: DELHI-54

Office Order No. 13

Dated : 03-03-1994

ORDER

On the recommendations of the Departmental Promotion Committee, the following Yoga Teachers (Male and Female) are hereby granted Selection Grade in the Pay Scale of Rs. 740-880 (now revised to Rs. 1640-2900) w.e.f. 01-04-1984 subject to completion of their promotion period in accordance with the instructions issued by Government of India, Ministry of Education and Social Welfare vide their letter No. 42/27/71-UT-1 dated 26th November 1971. They are entitled to draw the arrear to this effect from the above date. They are allowed Selection Grade subject to condition that the benefit of selection grade will be withdrawn and amount drawn by them on this account will be refunded to the Government account if they are not found eligible for grant of Selection grade at a subsequent stage due to any change in the seniority for any reasons.

S. No.	Name of the teacher	Distt. where	D.O.B.	D.O.A.
1.		Working		as Yoga Tr.

Yoga Teachers (Male)

1. 1. Praveen Kumar Bhardwaj	North	30.7.59	7.1.83
2. 2. Nityanand Singh Thakur	West	30.11.53	10.1.83
3. 4. Vasudev Sharma	South	5.2.58	12.1.83
8. Ish Kumar Ranora	North		

11.13. Viran Devi (Dhingra)	South	8.2.52	11.1.83
12.14. Harish Arora	North	6.6.53	05.1.83
13. 16. Neelam	Central	1.7.56	07.1.83
14. 18. Sunita Rao (Sharma)	South	12.5.59	13.1.83
15. 21. Amita Sethi	West	18.7.60	18.1.83
16. 22. Neelam	North	30.7.61	05.1.83
17. 24. Mini Sachdeva (Verma)	South	29.6.61	15.1.83
18. 293. Tulsa Rani (SC)	South	10.5.54	05.1.83

(N.C. Ray)

Joint Director of Education (Admin.)

Dated: 3.3.94

No. DE - 14 (06)/89/Estt. IV/Pl.I/9288-9368

Copy forwarded to the following for information and necessary action:-

1. Dy. Director of Education, District East/West/North/South/Central, Delhi/New Delhi with the directions that the above orders in respect of Female Yoga Teachers at Seniority No. 10 & 12 above are subject to Vigilance Clearance at the District level.
2. The Education Officers of concerned districts.
3. All the Principals concerned.
4. All the PAOs, Delhi Administration, Delhi.
5. Controller of Accounts, Mori Gate, Delhi.
6. D.E.O. (Co-ordination) Directorate of Education, Delhi.
7. President GSTA, Delhi.
8. Teachers concerned through Principal /D.D.Es.
9. PA to Secy. (Edn.)/D.E./Addl.D.E. (A)/J.D.E. (A), Dte. of Edn., Delhi.
10. Guard File/Office Order File.

Attested by

N. C. Ray

(N.C. Ray)

JOINT DIRECTOR OF EDUCATION

राज्य सभा

तारांकित प्रश्न संख्या: 153

उत्तर देने की तारीख 5 मार्च, 1999

14 फाल्गुन, 1920 ॥ शक ॥

'योग' प्रशिक्षकों के सेलेक्शन ग्रेड पद

+ 153. श्री जलाहुदीन अंसारी :

श्री गोविन्दराम मिरी :

क्या मानव संसाधन विकास मंत्री यह बताने की कृपा करेंगे कि :

॥१॥ क्या तीसरे केन्द्रीय वेतन आयोग की त्रिपारिशों के कार्यान्वयन के अनुराग में भिन्न-भिन्न संघाँ के कुल पदों के 20 प्रतिशत पद सेलेक्शन ग्रेड पदों में परिवर्तित कर दिए गए थे ;

॥२॥ यदि हाँ, तो क्या 'योग' प्रशिक्षकों के पदों को भी इस प्रकार के अन्तर्गत परिवर्तित कर दिया गया था ; और

॥३॥ यदि नहीं, तो उसके क्या कारण है और इसका तर्काधार क्या है ?

उत्तर

मानव संसाधन विकास मंत्री ॥ डा० मुरली मनोहर जोशी ॥

॥१॥, ॥२॥ और ॥३॥: एक विवरण सभा पटल पर रख दिया गया है ।

योगा प्रशिक्षकों के सेलेक्शन ग्रेड पद के संबंध में श्री ज्ञानानन्दराम तारा और श्री गोविन्दराम मिरी द्वारा 5.3.1999 लो प्रूषे गये राज्य सभा तारांकित प्रश्न सं 153 के भाग ४क०, ४ए० और ४ग० के उत्तर में उल्लिखित विवरण ।

४क० तीसरे केन्द्रीय धेतन आयोग की सिफारेखां के आधार पर 'ग' और 'घ' संवर्ग में चयन ग्रेड की योजना 10% से लेकर 20% तक सरकार द्वारा कठिनय शर्तों के आधार पर 1.8.1976 से लागू की गई थी ।

४ह० और ४ग०: राष्ट्रीय राजधानी देश दिल्ली सरकार ने सूचित किया है कि 1982-83 में पहले से भर्ती किये गये योग शिक्षकों के 457 पदों में से 91 पदों को चयन ग्रेड पदों में परिवर्तित किया गया है। इसके अतिरिक्त योग शिक्षकों की कोई भर्ती 1982-83 के बाद नहीं की गई है। पाणिक्यरी, लक्ष्मीप, गण्डमान व निको बार हीपलमूड संघ राज्य क्षमां ने सूचित किया है कि उनके स्कूलों में योग शिक्षकों के पद नहीं हैं। चण्डीगढ़ संघ राज्य क्षमा में केन्द्रीय देश आयोग के धेतनमान लागू नहीं हैं ।

इसी प्रकार, नयोदय विद्यालयों और केन्द्रीय तिब्बती स्कूलों की स्वायत्त स्कूल पद्धतियों से रिपोर्ट मिली है कि उनके स्कूलों में योग शिक्षकों कोई पद नहीं हैं। केन्द्रीय विद्यालय संघन ने सूचित किया है कि योग शिक्षकों की योजना 1981 में प्रायोगिक आधार पर पूर्ण की गई थी और उसकी अवधि वर्षानुर्ध आधार पर 1986 में शासी बोर्ड द्वारा पुनरीक्षा करने तक बढ़ाई रखी थी जब यह निर्णय लिया गया था कि योग को केन्द्रीय विद्यालय के शारीरिक शिक्षा कार्यक्रम के साथ गिलासियों और योग शिक्षकों को निवेदा किया जाए कि वे शारीरिक शिक्षा शिक्षकों के लिए निर्धारित व्यावसायिक रूपों को तीन वर्ष की अवधि में प्राप्त कर लें। केन्द्रीय विद्यालयों में पात्र दंग शिक्षकों को 1.1.1995 से तीन स्तरीय धेतनमान हांचा प्रदान किया गया है।

Punjab University

Bachelor of Arts

Certified that Laxmi Narain, son/daughter of
Shri Budh Ram, and of
the Rajasthan State, has
obtained the degree in Bachelor of Arts of this University, having
passed the examination for the said degree held in Sept., 1989,
in the Third Division.

Additional subject passed : Hindi

Given under the seal of the University

Malik

Controller of Examinations

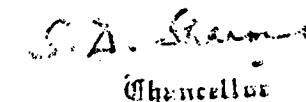
Chandigarh, Jan. 17



, 1990.


R.P. Ranbir

Vice-Chancellor


S.A. Sharma
Chancellor

Kaivalyadhama,
Shreeman Madhava Yoga Mandira Samiti
Lonavla (Dist. Poona).

This is to certify that

Shri Laxmi Narayan Yadav

(Session 1980-81)

of G. S. College of Yoga and Cultural Synthesis, Lonavla
has completed the course of studies, instituted
for the Diploma, to the satisfaction of the
authorities of the Samiti and so the

DIPLOMA IN YOGA EDUCATION

is conferred on him / her

In testimony whereof is set the seal of the Samiti.

Subjects for the course of studies were :

I) Theory :

1. Yoga and Mysticism
2. Yoga and Cultural Synthesis
3. Anatomy and Physiology of Yogic Practices
4. Yoga and Mental Health
5. Yogic Texts

II) Practical Training in Yoga

III) Practice Teaching

He / She was placed in Grade Second in theory,
Grade Second in Practicals and Grade Third in Teaching.

Overall Grade Obtained Second.

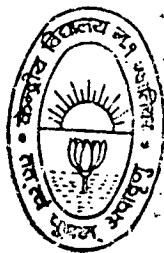
17
Secretary
Kaivalyadhama
S. M. Y. M. Samiti

Malleshwaranand
Chairman
Kaivalyadhama
S. M. Y. M. Samiti

Lonavla 13th AUGUST 1998

N. S. dr
Signature of the Diploma-holder

Kendriya Vidyalaya Sangathan



IN - SERVICE COURSE IN PHYSICAL EDUCATION

शारीरिक शिक्षा सेवा कालीन प्रशिक्षण

CERTIFICATE

प्रमाण - पत्र

This is to Certify that Shri/Smt./Km. L. H. Yadav.....
 E.T./Yoga Tr. Kendriya Vidyalaya..... M. I. Khetri Nagar.....
 of..... AYODHYA..... Region has attended the In-Service Course in
 Physical Education organised by Kendriya Vidyalaya No. 1 Gwalior
 from 01-6-91 to 21-6-91 in technical Collaboration with Lakshmi Bai
 National College of Physical Education, Gwalior.

यह प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारा लाला सुनील पाठ्यपुस्तकालय/योग शिक्षक केन्द्रीय विद्यालय..... लुठपुर रुद्रपुर सभागार..... जृष्णपुर
 में शारीरिक शिक्षा सेवा कालीन प्रशिक्षण में मोग लिया जो कि केन्द्रीय विद्यालय द्वारा शारीरिक विद्यालय द्वारा आयोजित किया गया था।

(Dr. Ajmer Singh)
 Prof. & Dean

L. N. C. P. E., Gwalior
 &
 CHAIRMAN, VMC

(Dr. Rajendra Singh)
 Lecturer

L. N. C. P. E., Gwalior
 &
 CO-ORDINATOR

(R. P. Mishra)
 Principal

K. V. No. 1 Gwalior
 &
 DIRECTOR

नेत्रजी मुमाष
राष्ट्रीय कौड़ा संस्थान
मेती बाग, पटियाला 147001 (भारत)

टूरलाय : 74472
सार : नेटिन्स्पोर्ट्स
टेलेक्स : 0394-204

निदेशक :
रोशन लाल प्रानन्द



National Institute of Sports
Moti Bagh, PATTIALA-147001, (INDIA)

Phone : 74472
Grams : NATINSPORTS
Telex : 0394-204

DIRECTOR
R. L. ANAND

NO:SRU/CC/38-19/86/NIS
May: 30, 1986

TO WHOM IT MAY CONERN

This is to certify that Sh. Laxmi Narain S/o Sh. Budhram attended a Six Week Certificate Course in Gymnastics held at Gangtok (Sikkim) from 30.12.1976 to 9.2.1977 under the Mass Sports Participation Programme. He was deputed to undergo the course by the Education Department, Government of Sikkim. Sh. Laxmi Narain was placed under category B securing 63% aggregate marks in theoretical and practical examinations held towards the conclusion of the course.

Jasbir Singh
(JASBIR SINGH)
ASSISTANT DIRECTOR
FOR DIRECTOR GENERAL

मुमाष
राष्ट्रीय कौड़ा संस्थान
मो. एन. ए. ए. एस.
पटियाला (पंजाब).

GOVERNMENT OF SIKKIM
Department of Education
Director of Education.



Annexure No. 7 Page No. 19

GANGTOK

Dated. 6 H. 3.....1978.

Ref. No. 15859.....Edn.

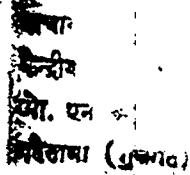
This is to certify that Mr. Laxmi Narayan ~~Xxx~~ Yadav work with this
Directorate of Education in the capacity of P.T. Instructor at Mangan
Hr. Sec. School for one year from April, 7 to May 77.

(N.C. Luckson).

Officer on special Duty.
Education Department.

Attest

19/03/99



1. STATION NAME:
2. GROUP:
3. HOMELAND ATURE:
4. VOLTAGES & NO OF CIRCUITS:
5. MAKE:
6. CAPACITY (AHS):

7. BILATERAL TEND MODE
8. NUMBER OF PHASES
9. CIRCUITS OF TENDENCY
10. CIRCUITS OF TENDENCY
11. CHARGED
12. DECHARGED, DISCHARGED DATE
13. CHARGED

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----



Dr. J. S. Makhani

Professor & Head

Department of Orthopaedic Surgery

Govt. Medical College,

PATNA 403 001

3.7.81

C O R T I F I C A T E

This is to certify that Shri. Laxmi Narayan Yadav, a Yoga Expert is well known to us.

Shri. Yadav is a specialist in the field of Yoga and its various application.

He is a young man with good mannerism and is good in teaching the art of Yoga to those who are interested in the discipline.

I have myself supervised his techniques and am fully satisfied with his methods of teaching. I have no hesitation in recommending Shri. Yadav as a teacher to those who wish to avail his services.

I wish him success in his mission.

(Dr. J. S. MAKHANI)

39

V. VENKATAPIAH

PROFESSOR & HEAD
DEPARTMENT OF PHARMACOLOGY
MADURAI MEDICAL COLLEGE
Member:
Tamil Nadu Pharmacy Council
Pharmacy Council of India.

NO. 5, VII FLOOR, 63, STREET
MANNA NAIDU
MADURAI - 625 02

Date 21 APR 82

CERTIFICATE

This is to certify that Sri LAXMI KARAIN YADAV
working as Yoga Teacher in the Kendriya Vidyaleya, Madurai
is known to me for the last one year.

Sri Yadav is a specialist in the field of Yoga and
its various application. He has a good knowledge of Yoga and

he has given a good demonstration of the same. I myself
supervised his techniques and am fully satisfied with his
methods of teaching. He has been guiding many people suffering
from Asthma, Diabetes etc. They have shown some improvements

with some simple yoga exercises. People have been coming to
know about YOGA and I.B.O. and other Organisations have taken

up the work of propagating this to bring down cases of Asthma,
Diabetes and other chronic ailments including constipation,
Arthritis, High Blood Pressure, obesity, gastric problem and
sex dis-order.

He deserves all encouragement.
I wish him success in all his endeavours.

V. Venkataiah

V. VENKATAPIAH 21/4/82

Professor of Pharmacology

Madurai Medical College

MADURAI - 625 02

Annexure 13

KENDRIYA VIDYALAYA SANGATHAN
AHMEDABAD REGION, REGIONAL OFFICE
KENDRIYA VIDYALAYA CAMPUS
SECTOR-30, GANDHINAGAR (GUJARAT)

Office memo
F:21-1/98-KVS(AR)

Dated : 21-4-99

OFFICE ORDER

On the recommendation of DPC, Sr. Scale is granted to the following teachers with effect from the date in the scale of pay as mentioned below against each individual:-

Sr. No. of the Teacher	Name and Designation	K.V. Where working	Date of apptt. in the present scale	Date of apptt. in the Sr. Scale
	<u>PGT's</u> : Ordinary Scale		6500-200-10500	
	Sr. Scale		7500-250-12000	
1.	Smt. Raj Rani PGT(Eng.)	Rajkot	30-08-86	30-08-98
2.	Sh. U.S. Singh PET	No.1 Surat	26-08-86	26-08-98

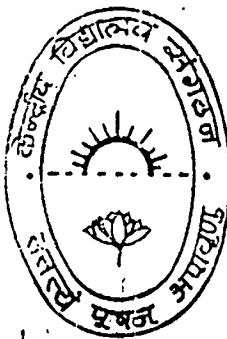
MISC. CATEGORIES : Ordinary Scale : 5500-125-9000
Sr. Scale : 6500-200-10500

1.	Sh. C.N. Chauhan PET	EME Baroda	19-09-86	19-09-98
2.	Sh. H.M. Shah PET	AFS Baroda	27-01-86	27-01-98
3.	Smt. B.B. Patel WET(G)	EME Baroda	18-09-86	18-09-98
4.	Sh. D.R. Solanki Drawing Tr.	Chandkheda	29-09-86	29-09-98
5.	Sh. K.D. Patel Drawing Tr.	SAC Ahmedabad	01-10-86	01-10-98
6.	Sh. N.K. Bohra Librarian	ONGC Baroda	30-09-86	30-09-98
7.	Smt. N.M. Bhatt Librarian	CRPF G' nagar	18-09-86	18-09-98
8.	Sh. Bharat Mehta Librarian	Rajkot	23-09-86	23-09-98
9.	Smt. V.S. Christian Librarian	SAC A'bad	19-03-85	19-03-97
10.	Smt. Asha Joshi Librarian	Dantiwada	28-02-85	28-02-97
11.	Sh. K.L. Awasthi Librarian	AFS Baroda	22-10-85	22-10-97
12.	Sh. S.S. Sinha Librarian (1640-200-10500)	AFS II Jamnagar	01-04-81	01-04-93

Yoga Teacher : Effective from 1-1-96 : Ord. Scale : 5500-175-90
Sr. Scale : 6500-200-10500

1. Sh. L.N. Yadav
ONGC Mehsana 24-10-81 01-01-96

A. Cs Tele/FAX No. 02712 21361
 Gram : 'KEVISANG'
 Tele Phone : 20711 } Admn. / E.
 21350 } Accounts



केन्द्रीय विद्यालय संगठन

(क्षेत्रीय कार्यालय-अहमदाबाद-संभाग)

KENDRIYA VIDYALAYA SANGATHAN

(Regional Office : AHMEDABAD REGION)

क्वार्टर नं. १६१/४, सेक्टर नं. ३०, गांधीनगर-३८२०३० (गुजरात)
 Quarter No. 161/4, Sector No. 30, GANDHINAGAR-382030
 (Gujarat)

NO. F-4-1/99-2000/KVS(AR)Accts.

दिनांक : 26 April 1999
 Date :

To

The Principal
 Kendriya Vidyalaya
 ONGC, Mahsana

56
 5-5-99

Sub:- Fixation of pay in Senior Scale
 granted to Sh. L.N. Yadav, Yoga
Teacher w.e.f. 1-1-1996/

Sir,

Consequent upon the grant of Senior Scale w.e.f.
 1-1-1996 to Sh. L.N. Yadav, Yoga Teacher vide this
 Office letter No. F.21-1/98-KVS(AR) Dated 21-4-1999,
 the pay of Sh. Yadav may be fixed as under:-

Date	Pay in ordinary scale as on 1-1-1996	Pay in Senior Scale of Rs.
55-175-9000	55-175-9000	6500-200-10500

1-1-96 (6200) ✓

6500
 with the date
 of Next incre-
 ment 1-5-96.
 if otherwise ✓
 admissible

Necessary entry regarding the fixation of pay
 may be made in the Service Book of Sh. L.N. Yadav,
 under proper attestation.

Yours faithfully,

S. N. Makwana
 (S. N. MAKWANA)
 Sup't. of Account.

SPEED POST

Annexe No 15 Page No 27

KANDRIYA VIDYALAYA SANGATHAN

18 - Institutional Area
Shaheed Jeet Singh Marg
New Delhi - 110 016

No. F.18-3/98-KVS (ADMM-I)

Dated : 24-02-1998

The Assistant Commissioner
Kandriya Vidyalaya Sangathan
ALL REGIONAL OFFICES.

Sub. : Revision of Pay Scale of Yoga Teachers - Grant
of three tier pay scale.

Sir,

I am to refer to the subject cited above and to
say that a proposal for grant of Pay Scale to Yoga Teachers
at par with IOTs/other Misc. Categories Teachers has already
been sent to the Ministry of HRD for necessary approval. As
soon as the decision is conveyed by the Ministry of HRD, the
same will be communicated. KVs in your Region may be
informed accordingly.

Yours faithfully,


(P.K. TIWARI)
DY. COMMISSIONER (ACAD.)

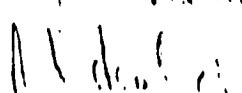
Copy to :-

1. All Recognised Teachers Associations.

Sh. Laxmi Narain Yadav, Yoga Teacher, KV ONOC
Mehsana with reference to his representation on
the stamp papers of Rs.2/- each (five sheets)
dated 17-2-98.

2. IV Section together with representation on the
stamp papers of Rs.2/- each (five sheets) dated
17-2-98 for taking action on other issues.

3. The Principal, KV ONOC Mehsana with a request to
inform Shri LN Yadav, Yoga Teacher of his vidyalaya
accordingly.


DY. COMMISSIONER (ACAD.)

1 KENDRIYA VIDYALAYA, INA COLONY, NEW DELHI-48

4.8.1998

RELIEVING ORDER

Shri/Smt L.N. YADAV, Yoga Teacher,
Kendriya Vidyalaya No. Malkana reported this
Vidyalaya on 6/7/98 FN/AN in connection with attending 3 months
Yoga Training Course (5th May 98 to 4th Aug 98) organised by KVS (HQ)
New Delhi vide letter No. F4-1/96-KVS(Asa) Yoga Trng. dated 28.1.98
He/She was relieved on 4.8.1998 (AN) after completion of the training
period.

He/She was not provided free boarding & lodging.

Sh/Smt L.N. YADAV

Yoga Teacher

K.V.No. MALKANA

copy to:-

1. Principal, K.V., MALKANA

(T.C. PARMAR)

2. 27/11/98

(D.P. PARMAR)

3. 27/11/98

(D.P. PARMAR)

4. 27/11/98

(D.P. PARMAR)

5. 27/11/98

(D.P. PARMAR)

6. 27/11/98

(D.P. PARMAR)

7. 27/11/98

(D.P. PARMAR)

8. 27/11/98

(D.P. PARMAR)

9. 27/11/98

LOK SABHA

(554)

40

UNSTARRED QUESTION NO. 5950TO BE ANSWERED ON 3RD JULY, 1994VASANT PANCHAMI, 13, 1994 (S.I.C.)APPOINTMENT OF YOGA TEACHERS IN KENDRIYA VIDYALAYAS5950. SHRI MURILAL SRIKIA,

Will the Minister of HUMAN RESOURCE DEVELOPMENT

मानव संसाधन प्रधान मंत्री be pleased to refer to the
reply given to Unstarred Question No. 4022 on April 19, 1994
and state;

(a) the details of academic and professional qualifications which were considered sufficient at the time of initial recruitment of Yoga Teachers in Kendriya Vidyalayas in 1981-82;

(b) when did the Board of Governors of KVS decided to change these qualifications;

(c) whether these are applicable retrospectively;

(d) if so, the reasons therefor;

(e) whether the Kendriya Vidyalayas extended any facilities to these Yoga Teachers for enabling them to acquire the desired qualifications;

(f) if so, the details thereof; and

(g) if not, reasons therefor?

A N S W E RDEPUTY MINISTER FOR EDUCATION AND CULTURE IN THE
MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(KUM. SELJA)

मानव संसाधन प्रधान मंत्री द्वारा योग शिक्षण में विभिन्न और विभिन्न उप भूमि का नियमित त्रैया किया गया है।

(b), (c) and (d): According to information furnished by Kendriya Vidyalaya Sangathan, the Yoga teaching scheme was introduced in Kendriya Vidyalayas purely on an experimental

...2/...

basis initially for a period of one year. Since the scheme was envisaged as temporary and experimental the essential qualifications prescribed were Matriculation/Higher Secondary with a practical knowledge and experience of Yoga training. The scheme was extended on yearly basis. The Board of Governors of Kendriya Vidyalayas Sangathan in its 52nd meeting held on 27.12.88, decided to make the scheme a regular one. Considering Pay-scale prescribed for the post and duties assigned to the Yoga Teachers in the regular scheme and the classes for which the Yoga teaching was extended, the following qualifications were prescribed:-

- 1) Graduation in any subject
- 2) Minimum 9 months to 1 year training in Yoga in a recognised institution

(a) Yes, Sir,

(f) and (g) The competent authority accorded permission to Yoga Teachers for appearing in higher examinations even beyond the limit of 10% prescribed in Education Code of Kendriya Vidyalaya Sangathan strictly for the purpose of enabling them to acquire higher qualifications by them.

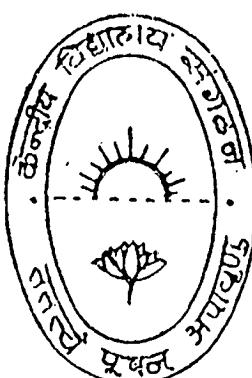
Annexe No 20 Page No 23

2) Date No 33

A. C. Tele/FAX No. 02712 21361

Gram : 'KEVISANG'

Tele Phone : 20711 } Admin./Eo
21360 } Accounts



केन्द्रीय विद्यालय संगठन ✓

(क्षेत्रीय विद्यालय अदमशब्द संसाधन)

KENDRIYA VIDYALAYA SANGATHAN

(Regional Office : AHMEDABAD REGION)

क्रांति नगर १६१/४, मेहसना, गांधीनगर-३८२०३० (गुजरात)

Quarter No. 161/4, Sector No. 30, GANDHINAGAR 382030

(Gujarat)

NO. F 6-9/98/KVS(AR)

दिनांक : 23 FEB 1999
Date :

ORDER

1. WHEREAS, disciplinary proceedings under CCS(CCA) Rule, 1965 was contemplated against Sh LN Yadav, Yoga Teacher, Kendriya Vidyalaya, ONGC Mehsana as per the instructions contained in KVS(HL) letter No. F 8-4/97-KVS(Vig) dated 07-01-1998.

2. WHEREAS, a preliminary inquiry against the said Sh LN Yadav, Yoga Teacher was ordered to inquire into the alleged charges of misconduct and unbecoming behaviour of Sh Yadav, appointing Dr SN Pandey, Principal, KV No. 1, MR Campus, Ahmedabad by the undersigned in the capacity of Disciplinary Authority vide office order No. F 6-9/98/KVS(AR) dated 23-01-1998.

3. WHEREAS, Dr SN Pandey, IO submitted Inquiry Report together with his observations and findings into the charges levelled against Sh Yadav, CO after conduct of inquiry vide his letter No. KVA/Conf/97-98/778 dated 04-03-1998.

4. WHEREAS, the undersigned, after careful examination and verification of documents on records of the case as well as Inquiry Report and findings of IO, issued charge sheet vide letter No. F 6-9/98-KVS(AR) dated 20-03-1998 to the said Sh LN Yadav, CO together with copies of preliminary inquiry and related documents informing the CO to submit his written statement of defence within 10 days of the receipt of the aforesaid memorandum dated 20-03-1998.

5. WHEREAS, Sh LN Yadav, CO submitted his written statement dated 04-01-1999 in defence against the articles of charge framed vide memo dated 20-03-1998 vide which he refuted all the charges and offered unqualified apology for the inconvenience and embarrassment caused to concerned persons.

: 02 :

06 WHEREAS, the undersigned, being the prescribed Disciplinary Authority, after considering the aforesaid statement/representation dated 04-01-1999 of Sh LN Yadav, CO in the light of articles of charge and supporting documents on record, and has come to the conclusion that the charges of misconduct/misbehaviour levelled against Sh LN Yadav, Yoga Teacher are not maintainable and require no further inquiry into the case.

07 NOW, therefore, the undersigned hereby orders to drop all the charges levelled against Sh LN Yadav, Yoga Teacher, vide charge memo No. F 6-9/98/KVS(AR) dated 20-03-1998.


(Dr UN Singh)
Asstt Commissioner &
Disciplinary Authority

Reqd AD

To,

✓ Sh LN Yadav
Yoga Teacher
Kendriya Vidyalaya
ONGC Mehsana

Copy forwarded to :-

Reqd AD

01 The Principal, KV ONGC Mehsana alongwith a spare copy of above order for keeping in the personal file of Sh LN Yadav, Yoga Teacher. He is also requested to make necessary entry in the Service Book of Sh Yadav.

02 The Asstt Commissioner(Admn), KVS New Delhi.

03 The Sr Administrative Officer(Vig), KVS New Delhi with reference to his letter No. F 8-4/97-KVS(Vig) dated 07-01-1998.

Asstt Commissioner

S 3339

ITEM NO. 8: TO REPORT REVISION AND GRANT OF 3 - TIER PAY SCALE TO YOGA TEACHERS IN KENDRIYA VIDYALAYAS.

With the concurrence and approval of the Financial Advisor of the MHRD and Chairman, Kendriya Vidyalaya Sangathan, the revised pay scales as per the recommendations of the Vth Central Pay Commission were implemented for Group 'A', 'B', 'C' & 'D' categories of teaching and non-teaching staff of Kendriya Vidyalaya Sangathan. The Board of Governors were apprised of this decision in their 63rd meeting held on 21st July, 1998.

2. The proposal for the revision and grant of 3 tier pay scale to Yoga teachers at par with their counterparts in the NCT of Delhi viz. then under consideration of the Ministry of HRD whose recommendations were subsequently concurred in by the Ministry of Finance (Dept. of Expenditure) and after the approval of the Chairman, KVS, the following decision was taken:

3. Yoga Teachers of Kendriya Vidyalayas, having qualifications at par with their counterparts in the NCT of Delhi viz. possessing a Bachelor's Degree with three months' training in Yoga from a recognised institution, will be placed in the three tier pay structure indicated below w.e.f. 01-01-1996:

Entry Scale : Rs. 5,500 - 175 - 9,000 ..

Senior Scale : Rs. 6,500 - 200 - 10,500 ..

Selection Scale : Rs. 7,500 - 250 - 12,000

4. Yoga Teachers, who do not fulfil the prescribed qualifications, will be entitled to the above pay scales only from the actual date they acquire the qualifications. Till such time they will continue in the scale of pay of Rs. 4,500 - 7000 which is a replacement scale of Rs. 1,400 - 2300 w.e.f 01-01-1996.

5. The decision taken by the Chairman, KVS, has been implemented vide letter No. F.12-17/97-KVS(Admn-I) dated the 3rd February, 1999.

6. Submitted for favour of kind information of the Board of Governors.

तारांकित प्रान संघ्या: 153

उत्तर देने की तारीख 5 मार्च, 1999

14 फाल्गुन, 1920 ॥ शक ॥

योगा प्रशिक्षकों के सेलेक्शन ग्रेड पद

153. श्री जलाहुददीन अंसारी :

श्री गोविन्दराम मिरी :

क्या मानव संसाधन विकास मंत्री यह बता ने की कृपा लेंगे कि :

क्यूँ क्या तीसरे केन्द्रीय वेतन आयोग की विस्फारियों के कार्यान्वयन के गुनरण में विभन्न-विभन्न संघर्षों के कुल पदों के 20 प्रतिशत पद सेलेक्शन ग्रेड पदों में परिवर्तित कर दिए गए थे ;

अग्र यदि हाँ, तो वहा 'योगा' प्रशिक्षकों के पदों को भी इस प्रक्षया के अन्तर्गत परिवर्तित कर दिया गया था ; और

अग्र यदि नहीं, तो उसके क्या कारण है और इसका तर्काधार क्या है ?

उत्तर

मानव संसाधन विकास मंत्री ॥ डा० मुरली मनोहर जोशी ॥

क्यूँ, अग्र और अग्र : एक विवरण सभा पटल पर रख दिया गया है ।

योगा प्रशिक्षकों के सेलेक्शन ग्रेड पद के संबंध में श्री जेना लूट्टर्सन शतार्हो
और श्री गोविन्दराम मिरी द्वारा 5.3.1999 लो पूछे गये राज्य
सभा तारांकित प्रश्न सं 153 के भाग ३कृ, ३सृ और ३गृ के उत्तर
में उल्लिखित विवरण ।

३कृ तीसरे केन्द्रीय धेतन भायोग की सिफारेखों के आधार पर 'ग'
और 'घ' संर्वां में चयन ग्रेड की योजना 10% से लेकर 20% तक सरकार द्वारा
कठितप्रय शर्तों के आधार पर 1.8.1976 से लागू की गई थी ।

३हृ और ३गृ: राष्ट्रीय राजधानी बैत्र दिल्ली सरकार ने सूचित किया
है कि 1982-83 में पहले से भर्ती किये गये योग शिक्षकों के 457 पदों में से 91
पदों को चयन ग्रेड पदों में परिवर्तित किया गया है। इसके अतिरिक्त योग शिक्षकों
की कोई भर्ती 1982-83 के बाद नहीं की गई है। पाइडेंसरी, लक्ष्मीप, गण्डमान
व निलोहार द्वीपसमूह संघ राज्य बैत्रों ने सूचित किया है कि उनके स्कूलों में योग
शिक्षकों के पद नहीं हैं। पाइडेंसरी राज्य संघ बैत्रों में केन्द्रीय धेतन भायोग के
धेतनमान लागू नहीं हैं ।

इसी प्रकार, नवोदय विद्यालयों और केन्द्रीय तिडबती स्कूलों की
स्वायत्त स्कूल पड़ीत्यों से रिपोर्ट मिली है कि उनके स्कूलों में योग शिक्षकों के
कोई पद नहीं हैं। केन्द्रीय विद्यालय संघन ने सूचित किया है कि योग शिक्षकों
को योजना 1981 में प्रायोगिक आधार पर शुरू की गई थी और उसकी अवधि
वर्षानुर्ध आधार पर 1986 में शासी बोर्ड द्वारा पुनरीक्षा करने तक बढ़ाई गई
थी जब यह निर्णय दिया गया था कि योग को केन्द्रीय विद्यालय के शारीरिक
शिक्षा कार्यक्रम के साथ मिला विद्या ज्ञान और योग शिक्षकों को निवेदा किया
जाए कि वे शारीरिक शिक्षा शिक्षकों के लिए निर्धारित व्यावसायिक उद्दीप्तियों
को तीन वर्ष की अवधि में प्राप्त करते हैं। केन्द्रीय विद्यालयों में पात्र दल शिक्षकों
को 1.1.1996 से तीन स्तरीय धेतनमान द्वांचा प्रदान किया गया है।

37

RAJYA SABHA

Unstarred question No.1198
To be answered on Date March 5,1999
14 Phalgun, 1920(Sake)

Policy of Promotion to Kendriya Vidyalaya Teachers.

1198 Shri Gaya Singh,

Will the Hon'ble Minister of HRD please tell that:-

- a) Is it a fact that Kendriya Vidyalaya teachers called as 'Miscellenous' are not For promotion under internal promotion Quota whereas trained graduate teachers of some su grade are entitled? And
- b) If yes, its reasons and basis?

ANSWER

Minister of HRD (Dr. M. M. Joshi)

(a)&(b) Accounting to Kendriya Vidyalaya Sangathan (Appointment, promotion and seniority) rules 1971, amended from time to time, 50% post as of PGTs & TGTs filled by promoting TGTs and PRTs Beside this on completion of 12 years service they are entitled for senior scale and further own complication of twelve years service they are entitle for selection grade .

The 'so called miscellaneous' category of teacher namely music teacher, Drawing Teacher, Physical education Teacher, Yoga Teacher, SUPW teacher and Librarians. The teacher of this category is entitled for senior scale and selection grade .

From these MISC. category, Drawing Teacher, Physical education Teacher are entitled to PGT . Music Teacher are not entitled for promotion to TGT.

Other teacher of MISC. category are not promoted to PGT as there are no such post available to them.

राज्य सभा

अतारांचित प्रश्न नं. ४४०

उत्तर देने की तारीख ५ मार्च, १९२२

१४ फाल्गुन, १९२० ईश्वर

केन्द्रीय विद्यालय के शिक्षकों के लिए पदोन्नति का मानदंड

1198. श्री गया सिंह :

Page No 132

क्या मानव संसाधन विकास मंत्री यह बताने की क्षमा करेगे कि :
 क्यूँ क्या यह सच है कि केन्द्रीय विद्यालय के शिक्षक जिन्हें तामूर्छिक स्वरूप से "विविध" मिसलेनियस कहा जाता है, "आन्तरिक पदोन्नति को ठा" के अन्तर्गत पदोन्नति के पात्र नहीं हैं जबकि सदृश ग्रेड के प्रशिक्षित ग्रेडुएट शिक्षक इसके पात्र हैं ; और

क्यूँ यदि हाँ, तो इसके क्षमा कारण हैं और इसका मूलाधार क्या है ?

उत्तर

मानव संसाधन विकास मंत्री IITO मुरली मनोहर जोशी

क्यूँ और क्यूँ समय-समय पर यथासंशोधित केन्द्रीय विद्यालय संगठन नियुक्ति, पदोन्नति, वरिष्ठता आदि नियमावली, 1971 के अनुसरण में, स्नातकोत्तर शिक्षकों और प्रशिक्षित स्नातक शिक्षकों के 50% पद क्रमाः प्रशिक्षित स्नातक शिक्षकों और पी आर टीज में से पदोन्नति द्वारा भरे जाते हैं । इसके अतिरिक्त, प्राथमिक शिक्षक, प्रशिक्षित स्नातक शिक्षक और स्नातकोत्तर शिक्षक 12 वर्ष की सेवा पूरी करने पर वरिष्ठ वेतनमान के लिए और अन्य 12 वर्ष की सेवा पूरी करने पर प्रवरण वेतनमान के लिए पात्र हैं बशर्ते वे उसके लिए निर्धारित शर्तें पूरी करते हों ।

शिक्षकों की कृतियों विविध श्रेणियों, नामतः संगीत शिक्षकों, कला शिक्षकों, शारीरिक शिक्षा शिक्षकों, कार्यानुभव शिक्षकों, पुस्तकालयाध्यक्षों, योग शिक्षकों को तामूर्छिक स्वरूप से "विविध" श्रेणियां कहा जाता है । इन श्रेणियों के शिक्षक निर्धारित शर्तें पूरी करने पर वरिष्ठ वेतनमान और प्रवरण वेतनमान के लिए पात्र हैं । पूर्वोक्ता

विविध शिक्षक श्रेणियों में से शारीरिक शिक्षा शिक्षक तथा कला शिक्षा प्रशिक्षित स्नातकोत्तर शिक्षक शारीरिक शिक्षा और स्नातकोत्तर शिक्षक शूलालित कलारंगे के रूप में पदोन्नति के लिए पात्र हैं।

संगीत शिक्षक प्रशिक्षित स्नातक शिक्षक शूलालित के रूप में पदोन्नति के लिए पात्र नहीं हैं क्योंकि प्रशिक्षित स्नातक शिक्षकों के पद केन्द्रीय क्यालय लंगठन में नहीं हैं। तदनुसार, स्नातकोत्तर शिक्षक शूलालित के पद तीधी भर्ती द्वारा शत-प्रतिशत भरे जाते हैं।

इस विविध श्रेणियों के शिक्षक स्नातकोत्तर शिक्षक के रूप में पदोन्नति के लिए पात्र नहीं हैं क्योंकि ऐसे पद लंबंधित विषयों में उपलब्ध नहीं हैं।

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :GUWAHATI BENCH

AT GUWAHATI

ORIGINAL APPLICATION NO.399/2000

Sri L N YadavApplicant

-vs-

Union of India & ors..Respondents

The respondent No.2 and 3 and
4 above named beg to file their
written statement as follows -

1. That all the averments and submissions made by the applicant in the original application (hereinafter referred to in short as the application) are denied by the answering respondents save and except what has been specifically admitted herein and what appears from the records of the case.
2. That with regards to statements made in paragraph 4.1 to 4.10 of the application the answering respondents have no comments.
3. That with regard to statements made in paragraph 4.11 of the application the answering respondents have no comments as they are matters of record.

contd...

12
Rough
P. Barua
Advocate
5.6.01
Filed

4. That with regard to statements made in paragraph 4.12 of the application the answering respondents beg to state that the applicant Sri L N Yadav was wrongly granted senior scale with effect from 1.1.96 by the AC concerned. The three tier pay scale has been adopted for this category of post with effect from 1.1.96 and the applicant is required to work in the entry pay scale of Rs.5500 -9000 w.e.f. 1.1.96 to 31.12.2001 that is for 12 years to be eligible for grant of senior scale . The senior scale has been wrongly granted to sri L N Yadav. Therefore it has been withdrawn by the Assistant Commissioner,Kendriya vidyalaya sangathan(hereinafter referred to inshort as(KVS) concerned vide office order No.F.21-1/98 -KVS(AR) dated 30.3.2001 .

Copy of the office order No.F 21-1/98 -KVS(AR) dtd.30.3.2001 is annexed herewith and marked as annexure-1.

5. That with regard to statements made in paragraph 4.13 of the application the answering respondents have no comments as they are matters of records.

6. That with regard to statements made in paragraph 4.14 of the application the answering respondents beg to state that the applicant does not

contd...

fulfill thee eligibility criteria for grant of senior scale.on the other hand he is entitled to get the entry scale only as on date that is Rs.5500-9000.

7. That with regard to statements made in paragraph 4.15 of the application the answering respondents beg to state that the pay scales of Yoga teachers of KVS cannot be compared with other posts of KVS or posts with identical nomenclature in other offices.

8. That with regard to statements made in paragzaph 4.17 of the application the answering respondents beg to state that the qualification for the post of Yoga teacher was revised in the 52nd meeting of the Board of Governors held on 17.12.1988 and it was fixed as "Graduate with 9 months training in Yoga"

9. That with regard to statements made in paragraph 4.18 and 4.19 of the application the answering respondents beg to state that the submissions made by the applicant that services of yoga teachers, who do not attain prescribed qualification are going to be terminated is not correct.

10. That with regard to statements made in paragzaph 4.20 of the application the answering respondents have no comments.

11. That with regard to statements made in paragraph 4.21 of the application the answering respondents beg to state that the Board of Governor

of KVS in the meeting held on 20.4.95 further revised the qualification for yoga teachers as "Graduation and 3 months Yoga training from a recognised Institutions."

12. That with regard to statements made in paragraph 4.22 of the application the answering respondents beg to state that the submissions are indicative of wild imagination on the part of the applicant with no substance whatsoever.

13. That with regard to statements made in paragraphs 4.23 of the application the answering respondent beg to state that the submission made in this paragraph are not related to the case.

14. That with regard to statements made in paragraph 4.23 to 4.24 of the application the answering respondents have no comment as they are matters of record.

15. That under the facts and circumstances of the case it is respectfully prayed that the Hon'ble ~~High~~ Tribunal may be pleased to dismiss the application with costs.

VERIFICATION -

I, Shri D K Saini, son of Shri C L Saini, aged about 51 years, presently working as the Assistant Commissioner, Kendriya vidyalaya Sangathan, Maligaon chariali, Guwahati Regiona do hereby verify that the statements made in paragraphs 7, 9 are true to my knowledge and those made in paragraphs 4, 6, 8, 11 are based on records and nothing material has been concealed therefrom.

Place : Guwahati

Date : 5/6/2001

Arulanan
DEPONENT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :GUWAHATI BENCH
AT GUWAHATI

ORIGINAL APPLICATION NO.399/2000

SRI. L.N. YADAV APPLICANT

- VS -

UNION OF INDIA & ORS.. RESPONDENTS

Filed by
EJ
L.N.YADAV
18/8/2001
21/8/2001

The applicant begs to file a rejoinder
as follows :-

1. That with regards to statements made in paragraph 4 to 15 of the written statement of the respondents the answering the applicant begs to state are denied.
2. That with regards to statements made in paragraph 4 of the respondents the answering applicant beg to state that Shri. G.R. Khurana Sr. Admn. Officer, KVS (H.Q.) New Delhi with reference to his letter NO.18-I/99 KVS (Admn. -I) dt. 26-3-2001 as per this letter senior Scale of the applicant has been withdraw. That letter has not given by the respondents to the applicant. The respondents give only Office order NO.F21-I/98 - KVS (AR) dt. 30-3-2001. In paragraph 4 The respondents answering the applicant is required to work in entry pay scale of Rs.5,500 - 9,000/- w.e.f. 1-1-96 to 31-12-2001. But as per Office order above said senior scale to yage Teacher cannot be granted before 01-01-2008. As per Hon'ble Chairman of KVS and Hon'ble Minister of HRD Govt.of India in RAJYA SABHA unstarred question NO. 1198 to be answered on March 5th, 1999. As per answer Misc. Categories teacher like Physical Education Teacher , Music Teacher, Yoga Teacher, SUPW Teacher etc. should be taken into senior scale after 12 years of service as per KVS (Appointment, Promotion & seniority ect.) Rules - 1971

Copy of the Rajyasabha unstarred question No.1198 is annexed herewith and marked as Annexure -1

3. That with regards to state ~~ments~~ made in Office holder NO.F21-I/98 - KVS (AR) 30-3-2001 of the written statement of Paragraph No.4 Annexure - 1 of the written statement of the respondents the applicant answering beg to state that as per JODHPUR BENCH, Central Admn. Tribunal O.A. 284 and as also of the Hon'ble Supreme Court. "NO RECOVERY CAN BE MADE FROM AN EMPLOYEE, IF THE OVER PAYMENT WAS DUE TO WRONG CONSTRUCTION OF THE PART OF ADMINISTRATION."

Copy of 297 SWAMY'S CASE -LAW DIGEST -1996/ IP.No. 444 is annexed here with and marked as annexure - 2 .

N. das

4. That with regards to statement made in paragraph No.6 of the written statement of the respondents the answering applicant beg to state that the applicant fulfill the eligibility criteria for grant of senior scale and selection grade scale. From 1983 - '84 as follows :-

1. The applicant is working in KVS since 24-10-1981 as a yoga Tr.
2. The applicant was confirmed w.e.f. 24-10-83
3. Applicant is Graduate from Panjab University.
4. Applicant has passed One year Diploma in Yoga Education ~~XXXX~~ in session 1980 - '81 from KAIVALYADHAM - LONAVALLA (Maharashtra) Kaivalyadham has been accepted as National Institution in the Field of Yoga education by the Ministry of HRD Govt. of India.
5. Applicant has passed Certificate Course in Sports from N.I.S.
6. The applicant has also Experience as a Physical Edn. Teacher at Government Higher Secondary School Mangan (Govt. of Sikkim).
7. The applicant has attended in service course Lakshmibai National College of Physical education Guwalior and Jubbalpur.
8. The applicant is specialist in the field of Yoga appreciation letter by Dr. J.S. Makhani Prop. & Head of Dept. of Orthopaedic (Surgery) Goa Medical College on 3-07-81.
9. Appreciation letter issued by the Principal of KV Madurai (Tamil nadu) vide letter No. MDU No.6-4/LNY/273 dt. july 31, 1983 as per this letter (Certificate) the applicant is specialist in chronic diseases and having very rich knowledge on disease, prevention and cure. Yoga teaching has a nice effect and impact on students.
10. The applicant was also been appreciated by Dr. Venkatapai Prop. & head of Dept. POHARMANOLOGY . and Dr. K.R.JAKOB M.S. Deam Govt. Medical College of Madurai (T.N.) ~~made~~ all ~~above~~ said are made in para graph 4.1 to 4.11 of O.A. 399 / 2000.

The answering respondents have no comments as per written statement of the respondents para no. 2 & 3 .

5. That with regards to statement made in paragraph no.7 of the written statement of the respondents the answering applicant beg to state that the pay scale of yoga teacher of KVS can be compared with NCT(National Capital Territory) of Delhi. In NCT of Delhi yoga teacher of KVS having qualification at par with their counter parts in the NCT of Delhi yoga teacher, VIZ possessing a Bachelor's Degree + three months training in yoga from recognised Institution, will be place in the three tier pay structure.

Copy of the item No.8: to report Revision and grant of 3 Tier pay scale to yoga teacher is annexed herewith and marked as annexed -3.

6. That with regards to statements made in paragraph 8 to 11 of the respondents in written statement the answering applicant beg to state that the scheme of yoga teaching in KVS was approved by the (BOG) Board of Governors ~~in ix~~ of KVS in its 39th Meeting held on 12-02-1981, Yoga teaching scheme in KVS was introduced on an experimental basis in 1981 and extended on year to year. 620 posts of yoga teacher were sanctioned and 354 yoga teacher joined in the grade of 425 - 640. The essential qualification percribed were Matric/Higher Secondary with a practical knowledge and experience of yoga training. EVALUATION OF YOGA SCHEME AS FOLLOWS :-

1. The evaluation of the yoga scheme in KVS. was entrusted to the Administrative Staff College of India, Hyderabad in Sept. 1982 . The Institution in its report said that the scheme was too recent to be evaluated and recommended.

2. Another evaluation was conducted in August, 1984 under the Chairmanship of Dr. P.D. Shukla, former Vice-Chairman KVS. The recommendations of this Committee were considered by BOG of KVS in its 47th Meeting held on 26-9-1986. ~~and~~

3. Further reviewed in the Ministry of HRD in the light of National Policy of Education 1986 which promoter intergrated development of Body and mind in BOG 47 meeting held on 26-9-86 decided to made the scheme regular one and prscribed Educational qualification Graduation plus professional qualification one year training in yoga for the post of a yoga Teacher in KVS, 6 years over given to accure educational professional qualification Yoga teacher who don't posses the requistite qualification with the prescribed period will be automatically stand terminated. and compotant authority permission to yoga teacher for appering in higher examination behind the limit of 10% .

4. The BOG in its 52nd meeting held on 27-12-88 it was fixed Graduate with 9 months training in Yoga.

5. In BOG 58th meeting held on 20-4-95 maintain graduation + three months training in Yoga. for conformation Yoga Teacher.

6. Yoga Teacher who do not possess graduation + 3 months training in Yoga will be in the scale of RS 4,500 - 200 - 7,000 till they accure the Graduation + 3 months training Yoga they will be placed in entry pay scale RS 5500-9,000.

7. The proposal for the revision and grant of 3 tier pay scale to Yoga teachers at par with their counterparts in the NCT of Delhi was then under consideration of the Ministry of HRD whose recommendations were subsequently concurred in by the Ministry of ~~Contd~~ - 4 - Finance (Deptt. of Expenditure) and after the approval of the Chairman KVS, the following decision was taken :

7. That with regards to statements made in para graphs No.5 and 12 to 14 of the written statements of the respondents the answering applicant beg to state as follows :-

1. The applicant representation regarding pay scale of senior scale and selection scale on stamp papers on dated 17-2-98 to the respondents at per with NCT of Delhi the respondents informed the applicant a proposal ~~mark~~ for grant of pay scale to Yoga teachers at per with other Misc. categories teachers has already been sent to the Ministry of HRD for necessary approval. E-IV section together with representation dated 17-2-98 for taking action on other issues. The respondents send the applicant 3 months training along with un qualified Yoga teacher. The applicant has already passed one year training in Yoga Education in 1980 - '81 from KVALIYADHAM

2. The applicant threatened to self immolating if his conformation senior scale and selection scale grievances not be settled then Commissioner told the applicant you are get then the applicant withdraw is self immolation. But a base less disciplinary Case start against the applicant but after some time the respondent drop all the charges levelled against the applicant vide charge memo No. F6-9/98/KVS(AR) dated 20-3-1999 and granted the senior ~~scheme~~ and scale and conformation on dated 26-3-1999 and senior scale from 1-1-1996 .

3. The applicant save Govt. of Indias at least morethan 20 Crores that unqualified Yoga teacher (Matric + one month training) were getting the same seale along with quilified (like the applicant from 1981 to 31st. December 1995 .

4. The respondent withdraw the applicants senior scale when he went to get Guwahati OA 399/2000 above regarding selaction Grade

5. Unqualified teachers are gatting TA & DA and earn leave in complaction of Yoga 3 months training like VIRAPPAN because unqualified Goa teacher became unquarable headace to the respondents .

8. That with regards to statement made in paragraph 15 of the written statements of the respondents the answering applicant that to state the strength of any educational Institution lies essentially in its teaching facility. Unless the teacher are dedicated well trained and well equipped the objective of ^{providing} ple vinding quality education is difficult to achive. This is true all more in an Institution ~~like~~ KVS which seeks to be a pace setter in school education teacher is the King pin of Any educational institytion . Updating of his knowledge which is so very necessary. Yoga teaching scheme introduce in KVS 1981 with Matric + knowledge of Yoga may be one month ^{or} more on the other hand in the NCT of Delhi starts Yoga education in 1983. The NCT of Delhi Yoga teacher viz possesing a bachelor's Degree with three months training in Yoga.

457 Yoga teacher were appointed in 1982 - '83 among 91 Yoga

Teacher (20%) got senior scheme Selection scale from 1983-84 as per 'RAJYASABHA' unstarred question No. 153 to be unanswered on 5th March 1999. Was answered Hon'ble Minister Resource Development and Hon'ble Chairman KVS. Selection Grade, Scale to yoga Teacher.

9. The applicant beg to state that the proposal for the revision and grant of 3 tier pay scale to Yoga teachers at par with their counterparts in the NCT of Delhi. Yoga teacher of KVS. having qualifications at par with their counterparts in the NCT of Delhi viz. possessing a Bachelor's Degree with three months training in Yoga. The Yoga teacher of NCT of Delhi grant selection Grade scale on the basis of III CPC recommendations, Govt. has implement the planning W.e.f. 1-8-1976 regarding 10% to 20% for category 'C' & 'D' Subject to fulfill specific condition.

10. The applicant beg to state that duties and responsibility of Yoga Teachers of KVS and Yoga teacher of NCT of Delhi are same. Both's Yoga teachers (KVS & NCT of Delhi) qualifications are same. Both are based on recommendations, made by the Central pay Commission set up from time to time the Principal adopted and the factor taken into accounts need invariably are same. Consumers price index to which pay scale and related also ~~been~~ being same. The equation of pay under Central pattern of Scale are ~~the equations of pay under Central pattern of~~ same. The applicant as per rejoinder of the applicants in para No.4 fulfill the illigibility criteria for grant of senior scale and selection grade scale. Should be given to the applicant from 1983 - '84 .

Copy of the RAJYASABHA

Unstarred question No. ~~XXX~~ 153

is annexed herewith and marked as annexure No.-4

11. That under the facts and circumstances of the Case it is respectfully prayed that the Hon'ble Tribunal may be pleased to grant the applicant selection Grade Scale, ~~and senior Scale and~~ ~~residency period~~ would start from 24-10-1981 with costs.

That the applicant begs to state that the orders dt. 26/3/2001 and 8/5/2000 are not sustainable in the eye of law and same are yet to be communicated to the present applicant. Thus the applicant prays for an appropriate direction from the Hon'ble Tribunal for setting aside the Annexure-1 order dt. 30(3) 2001 (to the W.S.) along with the orders dt. 26/3/2001 and 8/5/2000 and any other order depriving him the benefit of senior Scale of pay. *AI*

60

- VERIFICATION -

6

I,L.N. YADAV S/O. Shri. B.R.YADAV aged about 47 years presently working as Yoga Teacher in Kendriya Vidyalaya Dimapur do hereby that all the statements made in paragraph from 1 to 11 are true to my knowledge and nothing material has been concealed therefrom.

Place : Dimapur.


DEPONENT.

Date : 20-08-2001.

RAJYA SABHA

✓

Unstarred question No.1198

To be answered on Date March 5,1999
14 Phalgun, 1920(Sake)

Policy of Promotion to Kendriya Vidyalaya Teachers.

1198 Shri Gaya Singh,

Will the Hon'ble Minister of HRD please tell that:-

- a) Is it a fact that Kendriya Vidyalaya teachers called as 'Miscellaneous' are not For promotion under internal promotion Quota whereas trained graduate teachers of some su grade are entitled? And
- b) If yes, its reasons and basis?

ANSWER

Minister of HRD (Dr.M.M.Joshi)

(a)&(b) Accounting to Kendriya Vidyalaya Sangathan (Appointment, promotion and seniority) rules 1971, amended from time to time, 50% post as of PGTs & TGTs filled by promoting TGTs and PRTs Beside this on completion of 12 years service they are entitled for senior scale and further own complication of twelve years service they are entitle for selection grade.

The so called 'miscellaneous' category of teacher namely music teacher, Drawing Teacher, Physical education Teacher, Yoga Teacher, SUPW teacher and Librarians . The teacher of this category is entitled for senior scale and selection grade .

From these MISC. category, Drawing Teacher, Physical education Teacher are entitled to PGT . Music Teacher are not entitled for promotion to TGT.

Other teacher of MISC. category are not promoted to PGT as there are no such post available to them.

राज्य सभा

अतारांचल इसनं संघोः 1130

उत्तर देने वारीख 5 मार्च, 1972

14 फालुन, 1920 ईश्वर

केन्द्रीय विद्यालय के शिक्षकों के लिए पदोन्नति का मानवं

1198. श्री गया सिंह :

Page 11 of 13

क्या मानव संताधन विकास मंत्री यह बताने की कृपा करेंगे कि :
 इक्षु क्या यह सच है कि केन्द्रीय विद्यालय के शिक्षक जिन्हें तामूर्छिक
 स्थ से "विविध" इमिसलेनियत छु कहा जाता है, "आन्तरिक पदोन्नति छोटा"
 के अन्तर्गत पदोन्नति के पात्र नहीं है जबकि सदृश ग्रेड के प्रशिक्षित शिक्षक
 इसके पात्र हैं, और
 इखु यदि हाँ, तो इसके क्या कारण हैं और इसका मूलाधार क्या है ?

उत्तर

मानव संताधन विकास मंत्री इक्षु मुरली मनोहर जोशी

इक्षु और इखु : समय-समय पर यथासंशोधित केन्द्रीय विद्यालय संगठन इनियुलित,
 पदोन्नति, वरिष्ठता आदि नियमावली, 1971 के अनुसरण में, स्नातकोत्तर
 शिक्षकों और प्रशिक्षित स्नातक शिक्षकों के 50% पद क्रमशः प्रशिक्षित स्नातक शिक्षकों
 और पी आर टीज में से पदोन्नति द्वारा भरे जाते हैं। इसके अतिरिक्त,
 प्राथमिक शिक्षक, प्रशिक्षित स्नातक शिक्षक और स्नातकोत्तर शिक्षक 12 वर्ष की सेवा
 पूरी करने पर वरिष्ठ वेतनमान के लिए और अन्य 12 वर्ष की सेवा पूरी करने
 पर प्रवरण वेतनमान के लिए पात्र हैं बशर्ते वे उसके लिए निर्धारित शर्तें पूरी करते हों।

शिक्षकों की कतियय ब्रेणियों, नामतः संगीत शिक्षकों, कला शिक्षजों,
 शारीरिक शिक्षा शिक्षकों, कार्यानुभव शिक्षकों, पुस्तकालयाध्यक्षों, योग शिक्षजों को
 तामूर्छिक स्थ से "विविध" ब्रेणियों कहा जाता है। इन ब्रेणियों के शिक्षक निर्धारित
 शर्तें पूरी करने पर वरिष्ठ वेतनमान और प्रवरण वेतनमान के लिए पात्र हैं। पूर्वोक्त

विविध शिक्षक श्रेणियों में से शास्त्रीरिक शिक्षा शिक्षक तथा छला शिक्ष्य प्रगतिः स्नातकोत्तर शिक्षक शास्त्रीरिक शिक्षा और स्नातकोत्तर शिक्षक शूलालित छलारंडे रूप में पदोन्नति के लिए पात्र हैं।

तंगीत शिक्षक प्रशिक्षित स्नातक शिक्षक शूलंगीतृ के ह्य में पदोन्नति के लिए पात्र नहीं हैं क्योंकि प्रशिक्षित स्नातक शिक्षकों के पद केन्द्रीय विद्यालय तंगठन में नहीं हैं। तदनुसार, स्नातकोत्तर शिक्षक शूलंगीतृ के पद तीधी भर्ती द्वारा शत-प्रतिशत भरे जाते हैं।

अब विविध श्रेणियों के शिक्षक स्नातकोत्तर शिक्षक के ह्य में पदोन्नति के लिए पात्र नहीं हैं क्योंकि ऐसे पद तंबंधित विषयों में उपलब्ध नहीं हैं।

— — — — —

DCRG. This is not so in the present case. In the instant case, the applicant is very much in service and overpayment after detection of error has sought to be enforced after due notice, by instalments, to be recovered from his regular salary. We must also note that the aspect of public interest involved in overpayment of money to a Government servant, which aspect has been codified in the code for the Accounts Department has been successfully brought to the notice of the Tribunal, which was not the case in the case-law cited. Considering all these facts and circumstances, we are of the view that the OA has no merit and we dismiss the same accordingly.

Ammured No 2

297. Swamy's CL Digest 1996/1
CENTRAL ADMINISTRATIVE TRIBUNAL

JODHPUR BENCH

R.B. Saxene v. Union of India and others

O.A. No. 284 of 1994 Date of Judgment 23-11-1995

No recovery can be made from an employee, if the overpayment was due to wrong construction on the part of the administration

Facts: The respondents after having fixed the seniority and pay of the applicant from 1-8-1989 passed an order on 12-8-1993, and subsequently by the impugned order, dated 8-2-1994 the respondents themselves examined and found wrong stating that fixation was due to mis-interpretation of rules and started recoveries of excess payment made, at Rs. 1,000 per month. Against the said impugned order, the applicant challenges that such recovery which has a crippling effect cannot be passed and relied upon the order of this Tribunal in O.A. No. 477 of 1994, *Mahaveer Singh v. Union of India and others*, decided on 20-9-1995 and the Supreme Court judgment in *Sahib Ram v. State of Haryana* [1995 SCC (L & S) 248] in which the Supreme Court held that no recovery can be made from an employee, if the overpayment was due to wrong construction on the part of the administration and not because of any mis-representation on the part of the employee concerned.

Held: In view of the fact that the judgments of this very Bench of the Tribunal as also of the Hon'ble Supreme Court, we feel that there is no case for the respondents to order any recovery from the pay of the applicant, now having allowed him ante-dated seniority from 1-8-1989. The OA, therefore, succeeds and the impugned, order, dated 28-2-1994 is hereby quashed.

298. Swamy's CL Digest 1996/1
CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

A.R. Alli and another v. Union of India and another

O.A. No. 460 of 1990 Date of Judgment 8-12-1995

ITEM NO. 8: TO REPORT REVISION AND GRANT OF 3 - TIER PAY SCALE TO YOGA TEACHERS IN KENDRIYA VIDYALAYAS.

With the concurrence and approval of the Financial Advisor of the MHRD and Chairman, Kendriya Vidyalaya Sangathan, the revised pay scales as per the recommendations of the Vth Central Pay Commission were implemented for Group 'A', 'B', 'C' & 'D' categories of teaching and non-teaching staff of Kendriya Vidyalaya Sangathan. The Board of Governors were apprised of this decision in their 63rd meeting held on 21st July, 1998.

The proposal for the revision and grant of 3 tier pay scale to SSA teachers at par with their counterparts in the NCT of Delhi was then under consideration of the Ministry of HRD whose recommendations were subsequently concurred in by the Ministry of Finance (Dept. of Expenditure) and after the approval of the Chairman, RVS, the following decision was taken:

- Yoga Teachers of Kendriya Vidyalayas, having qualifications at par with their counterparts in the NCT of Delhi viz. possessing a Bachelor's Degree with three months' training in Yoga from a recognised institution will be placed in the three tier pay structure indicated below w.e.f. 01-01-1996:

Henry Scale Rs. 5,500 - 175 - 9,000

Senior Scale Rs. 6,500 - 200 -10,500

Selection Scale Rs. 7,500 - 250-12,000

5. Yoga Teachers, who do not fulfil the prescribed qualifications, will be entitled to the above pay scales only from the actual date they acquire the qualifications. Till such time they will continue in the scale of pay of Rs. 4,500 - 7000 which is a replacement scale of Rs. 1,400 - 2300 w.e.f 01-01-1996.

The decision taken by the Chairman, KVS has been implemented in letter no. F.D.P. 7797-KVS(Admn-1) dated the 3rd February, 1997.

Submitted for favour of kind information of the Board of
Examiners.

A line graph showing a signal with a sharp peak and a smaller peak. The signal starts with a small bump, followed by a large, sharp peak, and then a smaller, broader peak. The baseline is relatively flat between the peaks.

Ammyur No IV

RAJYA SABHA

STARRED Question No - 153
To be answered on 5th March, 1999
14, Phalgun, 1920(Saka)

Selection Grade Scale to Yoga teachers

153 Shree Jalauddin ansari
Shree Govind Ram Miri.

Will the Hon'ble Minister of Human Resource development be please to State -

- (a.) Whether at the time of implementation of III CPC recommendations, the 20% post of total post of different categories were changed to selection grade?
- (b) If Yes (So). Whether the post of Yoga teachers were changed under the position?
- (c) If not, the reasons and justifications thereof?

ANSWER

The Minister of human Resource Development
(Dr. Murli Manohar Joshi)

(a), (b), (c): A copy of information has been kept on the Sabha Patal.
Information given in answer report in ref, to stared question No 153, Part (a), (b)
\\$ (c) raised by Shree Jalauddin Ansari & Shree Govind Ram Miri on 5.3.1999
regarding Selection Grade post to Yoga teachers.

- (a) on the basis of III CPC recommendations, Govt. has implement the planning
W.e. f. 1.8.1976 regarding 10% to 20% selection grade for cat 'C' & 'D',
Subject to fulfill specific condition
- (b) & (c) NCT, Govt. of Delhi, has informed that out of 457 posts, 91 posts had
been changed into selection grade in 1982-1983 who had been appointed
earlier. In addition, No yoga teacher has been appointed after 1982-1983.
Union Territory Pondicherry, Lakshadweep, Andaman & Nicobor Island has
reported that there is no post of yoga teacher in their state schools. Ibn the
Union Territory of Chandigarh, pay 7 scale of Central Pay commission is not
existence.

In same way there is no post of Yoga teacher Novadoya Vidyalaya and
Autonomous school system of Central Tibetan Schools. Kendriya
Vidyalaya Sngathana has informed that the planning of Yoga teachers had
been started in 1981 on experimental basis and their period were extened
upto 1986 by Governing Board (BOG) and was decided that Yoga teacers



राज्य तथा

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तारीख पृष्ठ संख्या: 153

उत्तर देने की तारीख ५ मार्च, 1929
१५ फाल्गुन, 1929 १८ शक १

'योग' प्रशिक्षकों के सेलेक्शन ग्रेड पद

+ 153. श्री जलाहुदीन अंसारी :

श्री गोविन्दराम मिरी :

क्या मानव संसाधन विकास मंत्री यह बताने की कृपा करेंगे कि :

क्या तीतरे केन्द्रीय बेतन आयोग की तिफारियाँ के कार्यान्वयन के अनुसरण में भिन्न-भिन्न संवर्गों के द्वाल पदों के २० प्रतिशत पद तेलेक्षन ग्रेड पदों में परिवर्तित कर दिए गए थे ;

यदि हाँ, तो क्या 'योग' प्रशिक्षकों के पदों को भी इत्यर्थता के अन्तर्गत परिवर्तित कर दिया गया था ; और

यदि नहीं, तो उसके क्या कारण हैं और इसका तर्कधार क्या है ?

उत्तर

मानव संसाधन विकास मंत्री १३ मुरली मनोहर जोशी

क्यों, क्यों और क्यों: सक विवरण सभा पट्ट पर रख दिया गया है ।

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योगा प्रशिक्षकों के सेलेक्शन ग्रेड पद के संबंध में श्री ज्ञानुदीन गंतारा
और श्री गोविन्दराम मिरी द्वारा ५.३.१९९९ जो पूछे गये राज्य
सभा तारांकित प्रश्न संख्या १५३ के आगे ४कृ, ४यृ और ३गृ के उत्तर
में उल्लिखित विवरण ।

४कृ तीसरे केन्द्रीय धेतान आयोग की विभागों के आधार पर 'ग'
और 'घ' संवर्ग में ध्यन ग्रेड की योजना १०१ से लेकर २०१ तक सरकार द्वारा
की तिप्पणी शर्तों के आधार पर १.४.१९७६ से लागू की गई थी ।

४यृ और ३गृ: राष्ट्रीय राजधानी धेत्र दिल्ली सरकार ने सूचित किया
है कि १९८२-८३ में पहले से भर्ती किये गये योग शिक्षकों के ४५७ पदों में से ७।
पदों को ध्यन ग्रेड पदों में परिवर्तित किया गया है। इसके अतिरिक्त योग शिक्षकों
को कोई भर्ती १९८२-८३ के बाद नहीं की गई है। पारिंडेयरी, लक्ष्मीप, भृंडामा-
व निक्षों द्वारा हीपरम्परां संघ राज्य धेत्रों ने सूचित किया है कि उनके स्कूलों में योग
शिक्षकों के पद नहीं हैं। धृण्डीग्रंथ-संघ राज्य धेत्र में केन्द्रीय-केतन-आयोग के
वेतनमान लागू नहीं हैं ।

इसी प्रकार, नवांदय विद्यालयों और केन्द्रीय तिब्बती स्कूलों की
स्वायत्त स्कूल पड़ीत्यों से रिपोर्ट मिली है कि उनके स्कूलों में योग शिक्षकों के
कोई पद नहीं हैं। केन्द्रीय विद्यालय संगठन ने सूचित किया है कि योग शिक्षकों
को योजना १९८। में प्रायोगिक आधार सार शुरू की गई थी और उरावी गवर्नर
वर्ग नुर्धर्ष आधार पर १९८६ में शारीर धृण्डी द्वारा पुनरीक्षा करने तक बढ़ाई गई
थी जब एह निर्णय लिया गया था कि योग शिक्षकों को केन्द्रीय विद्यालय के शारीरिक
शिक्षा कार्यक्रम के साथ नियमित दिनों जारी रखा गया और योग शिक्षकों को नियमित
जार कि थे शारीरिक शिक्षा शिक्षकों के लिए निर्धारित व्यावहारिक रूहिताभावों
को तीन वर्ष की अवधि में प्राप्त कर लें। केन्द्रीय विद्यालयों में पात्र दंग शिक्षकों
को १.१.१९७६ से तीन स्तरीय धेतनमान दायरा प्रदान किया गया है।