

FROM NO. 4.
(See Rule 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

1. original Application No 102/2006
2. Misc Petition No. _____
3. Contempt Petition No. _____
4. Review Application No. _____

Applicant(S) Mary Kumar & Ors.

Respondents U.O. 1208

Advocate for the Applicant(S) Mr. M. Chanda, S. Nath

Advocate for the Respondant(S) KVS

Notes of the Registry	Date	Order of the Tribunal
This application is in form is filed/C. F. for Rs. 50/- deposited <u>BD</u> No. <u>266/324125</u>	<u>04.05.2006</u>	present: The Hon'ble Shri N. V. Sachidanandan, Vice-Chairman
Dated <u>25.4.06</u> <i>N. S. Registrar</i> <u>3.5.06</u>		The applicants herein 3 in numbers, are teachers selected in KVS after due process of selection. According to the applicant, they have been appointed in respective schools but on provisional/contract basis vide order dated 4.2.2005 (Annexure-2(Series)). In the said order it is made clear that "In case, the enquiry Committee upholds his/her selection, the present pro- visional appointment will be deemed as appointment letter on regular basis w.e.f. the date of joining of the appointee".
<i>On enquiry order dated 4.5.06.</i> <i>NS 4.5.06.</i>		The provisional appointments were issued since an enquiry is pending against the said selection. In an identical case in O.A. NO. 91/2006 this Tribunal had occasion to hear such a matter. Learned
		<i>Contd..</i>

Contd.

4.5.2006 counsel for the parties pointed out that the period of provisional/contract appointment of the applicants has been extended upto 30.6.2006 with a rider that the appointments ~~can be~~ are liable to be cancelled at any time if the enquiry report has been submitted. Apprehending that counsel for the applicants submits that ~~exclusion~~ that clause will definitely affect the interest of the applicants.

When the matter came up for admission Mr. M. Chanda, learned counsel for the applicants and Mr. M. K. Mazumdar learned Standing counsel for the KVS are present. Mr. Mazumdar submits that he would like to have some time to get instruction in the matter. Let it be done.

Considering the earlier orders and the facts and circumstances set up in this case I am of the view that by way of an interim order the respondents should be prevented from terminating the services of the applicants without permission of this Tribunal. I order accordingly.

Post the matter on 1.6.2006.

Vice-Chairman

Notice & order sent
to D/section for issuing bb
to resp. nos. 1, 2 & 3 01.06.2006
by regd. A/D post.

Learned counsel for the respondents wanted time to take instruction and to file reply statement.

Post on 04.07.2006.

Vice-Chairman

Service report awaited
on R. No. 1, 2 & 3 mb
04.07.2006

Learned counsel for the applicants wanted time to file rejoinder. Let it be done. Post on 08.08.2006.

Vice-Chairman

No. 102 has been filed.
Notice duly served on resp. nos. 1, 2, 3. 3.7.06 mb

0.A. 102/2006.
O.A. 120 of 2006

Notes of the Registry	Date	Order of the Tribunal
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No. Wbs has been filed.
28.06.

1. 08.08.2006 When the matter came up for hearing, learned counsel for the applicant submitted indentical matters have already been admitted. Considering the issue involved, we are of the view that the O.A. has to be admitted. Admit.
Post on 30.08.2006. Interim order will continue till the next date.

SG
Member

SG
Vice-Chairman

Order dt. 8/8/06
issuing to learned
advocate's for both
the parties.

28.06.

30.08.2006 Present: Hon'ble Sri K.V. Sachidanandan
Vice-Chairman.

Learned Counsel for the

Respondents has filed preliminary
statement prior to file written statement.
No written statement has been filed. The
preliminary statement to be construed as
written statement filed by the
Respondents. The Applicants are at liberty
to file rejoinder, if any.

Post on 17.10.2006. Interim order

will continue till the next date

28
29.8.06.

SG
Vice-Chairman

/mb/

Order dt. 30/8/06
issuing to learned
advocate's for both
the parties.

30.8.06.

(1) Wbs has been filed.
(2) No rejoinder has
been filed.

SG
31.8.06.

/mb/

06.11.2006 Present: Hon'ble Sri K.V. Sachidanandan
Vice-Chairman.

Heard learned Counsel for the
parties. The Application is closed in terms
of the order passed in separate sheets. No
order as to costs.

SG
Vice-Chairman

23.11.06

9

Copy of the
Draft handed
over to the K/Adm.
for the parties.

JK

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application Nos. 91/2006, 93/2006, 94/2006, 100/2006,
102/2006, 116/2006, 117/2006 and 158/2006 (Common Order).

Date of Order: This the 6th Day of November 2006.

The Hon'ble Sri K.V. Sachidanandan, Vice-Chairman.

1. Q.A. No. 91/2006.

1. Shri Gyaneshwar Jha, PGT (History)
KV, No. 2, ONGC, Agartala, Tripura West.
2. Shri Sampuran Das, Sarjal, PGT (Chemistry)
K.V., Kailashahar, North Tripura.
3. Miss Dipti Sharma, PGT (Economics)
KV, No. 2, ONGC, Agartala, Tripura West.
4. Shri Chandra Mauli Tripathi, TGT (Sanskrit)
KV, No. 1 Kunjaban, Agartala, Tripura West.
5. Sri Pushpendra Kumar Pandey, TGT (Sst.)
KV, No. 1, Kunjaban, Agartala, Tripura West.
6. Shri Narpat Chouhan, TGT (Sst)
KV, No. 1, Kunjaban, Agartala, Tripura West.
7. Shri Balwant Kumar, TGT (Maths.)
KV, No. 1, Kunjaban, Agartala, Tripura West.
8. Shri Naresh Kumar, TGT (Maths)
KV, No. 2, ONGC, Agartala, Tripura West.
9. Shri Praveen Bhargava, PRT
KV, No. 1 Kunjaban, Agartala, Tripura West.
10. Smt. Basanti Devi, PRT
KV, No. 1, Kunjaban, Agartala, Tripura West.
11. Shri Sanjay Verma, PRT
KV, No. 2, ONGC, Agartala, Tripura West.
12. Shri Rajendra Kumat Naik, PRT
KV, No. 1, Kunjaban, Agartala, Tripura West.

By Advocate: Dr. J.L. Sarkar, Mr M. Chanda, Mr G.N. Chakraborty,
Mr S. Nath, Advocates. Applicants

Versus -

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resource Development,
Government of India,
New Delhi - 110 001.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
3. The Assistant Commissioner (ADM & FTN)
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
4. Assistant Commissioner,
Kendriya Vidyalaya Sangathan
Silchar Region,
Regional Office,
Hospital Road, Silchar, Assam - 788 011.

... Respondents.

By Advocates : Mr M. K. Majumdar, Standing Counsel , KVS.

II. O.A. No. 93/2006

1. Sushil Kumar
Son of Sri Rambhagat
At present posted as Post Graduate Teacher (Hindi),
Kendriya Vidyalaya, Digaru, Sonapur, Assam
2. Anand. Ballabh
Son of Sri B.D. Pandey
At present posted as Kendriya Vidyalaya, IOC Noonmati,
Assam.
3. Vipin Bihari Singh (PGT Physics)
Son of B.P. Singh
At present posted as Trained Graduate Teacher (Maths)
Kendriya Vidyalaya, Digaru, Sonapur, Assam.
4. Golam Robbhani Ahmed
Son of Abdul Baser
At present posted as Primary Teacher,
Kendriya Vidyalaya, Digaru, Sonapur, Assam.
5. Jagdish Chauhan
Son of Sri Lal Bahadur,
At present posted as Post Graduate Teacher (Hindi),
Kendriya Vidyalaya, Nagaon, Assam.

6. Awadh Narain
Son of Dayaram Singh
At present posted as Trained Graduate Teacher (Maths)
Kendriya Vidyalaya, New Bongaigaon, Assam.
7. Sumit Chakraborty
Son of late G.S. Chakraborty
At present posted as Primary Teacher,
Kendriya Vidyalaya, New Bongaigaon, Assam.
8. Amit Kumar
Son of Salikgram Singh
At present posted as Primary Teacher,
Kendriya Vidyalaya, New Bongaigaon, Assam.
9. Bibekanand Padhiary
Son of Kulamani Padhiary,
At present posted as Primary Teacher,
Kendriya Vidyalaya, New Bongaigaon, Assam.
10. Sarita Yadav
W/o Naresh Yadav
At present posted as Post Graduate Teacher,
Kendriya Vidyalaya, Digaru, Sonapur, Assam.
11. Biswajeet Kumar Pravakar
Son of Laskhman Sah
At present posted as Primary Teacher,
Kendriya Vidyalaya,
Miao, District : Changlang,
Arunachal Pradesh.
12. Vineeta Vidyarthi
Daughter of S.R. Vidyarthi
At present posted as Post Graduate Teacher (Chemistry)
Kendriya Vidyalaya, New Bongaigaon, Assam.

... Applicants.

By Advocate : Mr. G.K. Bhattacharyya, Sr. Advocate, Mr. B. Chakraborty, Mr. B. Choudhury, Mr. Abid Ali, Advocates

- Versus -

1. Union of India
Represented by the Secretary to the
Government of India, Ministry of Human Resource
Development, New Delhi - 1.
2. Kendriya Vidyalaya Sangathan
Represented by its Chairman
18, Institutional Area, Swahid Jeet Singh Marg, New
Delhi - 16.

3. Commissioner,
Kendriya Vidyalaya Sangathan
18, Institutional Area, Swahid Jeet Singh Marg,
New Delhi - 16.
4. Assistant Commissioner, KVS,
Guwahati Region, Khanapara, Guwahati. Respondents

By Advocate: Mr M.K. Majumdar, Standing Counsel, KVS.

III. O.A. No. 94/2006

1. Miss Sandhya Patel
Daughter of Sri L.P. Patel
At present posted as Post graduate Teacher (Chemistry)
Kendriya Vidyalaya, Maligaon, Assam.
2. Kumar Mohan G
Son of Sri K. G. Nair
At present posted as Post Graduate Teacher (Physics)
Kendriya Vidyalaya, Maligaon, Assam.
3. Balwan Singh
Son of Sri Thath Ram
At present posted as Post Graduate Teacher
(Commerce), Kendriya Vidyalaya, Maligaon, Assam.
4. Md. Mohamudin
Son of Md. Naisurulla,
At present posted as Trained Graduate Teacher (Maths)
Kendriya Vidyalaya, Maligaon, Assam. Applicants.

By Advocate: Mr G.K. Bhattacharyya, Sr. Advocate, Mr B. Chakrabarty, Mr B. Choudhury, Mr Abid Ali, Advocates.

- Versus -

1. Union of India
Represented by the Secretary to the
Government of India, Ministry of Human Resource
Development, New Delhi - 1.
2. Kendriya Vidyalaya Sangathan
Represented by its Chairman
18, Institutional Area, Swahid Jeet Singh Marg, New
Delhi - 16.
3. Commissioner,
Kendriya Vidyalaya Sangathan
18, Institutional Area, Swahid Jeet Singh Marg,
New Delhi - 16.



4. Assistant Commissioner, KVS,
Guwahati Region, Khanapara, Guwahati.
.... Respondents

By Advocate : Mr M.K. Majumdar, Standing Counsel, KVS.

IV. Q.A. No. 100/2006

1. Shri Anand Kumar Srivastava, PRT
KV, Missamari, Sonitpur, Assam.
2. Shri Promod Kumar Srivastava, TGT (Maths)
KV, Missamari, Sonitpur, Assam.
3. Shri Parmar Gautham Tejabhai, TGT (English)
KV, Missamari, Sonitpur, Assam.
4. Sri Sujit Kumar Banarjee, PRT
KV, Missamari, Sonitpur, Assam.
5. Shri Nirnai Mani Shilal, PRT
KV, Missamari, Sonitpur, Assam.
6. Shri Vipesh Kumar Singh, PRT
KV, Missamari, Sonitpur, Assam.
7. Shri Bimal Kishor Das, PRT
KV, Missamari, Sonitpur, Assam.
8. Shri Veerendra Kishor Jha, PRT
KV, Missamari, Sonitpur, Assam.
9. Shri Sunil Kumar, PRT
KV, Mongaldoi, Assam.
10. Smt. Bijay Kumar Gupta, PRT
KV, Missamari, Sonitpur, Assam.

.... Applicants

By Advocate: Mr. M. Chanda and Mr S. Nath, Advocates.

- Versus -

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resource Development,
Government of India,
New Delhi - 110 001.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.



3. The Assistant Commissioner (ADM & FIN)
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
4. Assistant Commissioner,
Kendriya Vidyalaya Sangathan
Guwahati Region,
Maligaon Chariali,
Guwahati - 781 011.

... Respondents.

V. O.A. No. 102/2006

1. Shri Manoj Kumar
S/o Shri Ramendra Singh,
Working as Primary Teacher,
Kendriya Vidyalaya, Lokra
Dist.: Sonitpur, Assam - 784 102.
2. Sri Bindy Kumar
S/o - Shri Rama Kant Prasad
Working as Primary Teacher
Kendriya Vidyalaya, Lokra
Dist.: Sonitpur, Assam - 784 102.
3. Shri Anil Amoli
S/o - Shri Manglanand Amoli
Working as Primary Teacher,
Kendriya Vidyalaya, Lokra
Dist.: Sonitpur, Assam - 784 102.

... Applicants.

By Advocate: Mr M. Chanda and Mr S. Nath, Advocates.

- Versus -

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resource Development,
Government of India,
New Delhi - 110 001.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
3. The Assistant Commissioner (ADM & FIN)-
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Saheed Jeet Singh Marg.
New Delhi - 110 016.



4. Assistant Commissioner,
Kendriya Vidyalaya Sangathan
Guwahati Region, Regional Office
Maligaon Chariali,
Guwahati - 781 011.

... Respondents.

By Advocate: Mr M.K. Majumdar, Standing Counsel, KVS.

VI. Q.A. No. 116/2006

1. Sri Mukesh Kumar
S/o - Shri Jai Bhagwan
Working as TGT (Hindi)
Kendriya Vidyalaya, Aizwal.
Project Pushpak
C/o - 99 APO.
2. Shri Jitendra Kumar
S/o - Shri Kashi Naresh
Working as PRT
Kendriya Vidyalaya, Aizwal,
Project Pushpak, C/o - 99 APO.
3. Shri Sitaram Sukariya
S/o - Shri Surgyan Mal
Working as PRT
Kendriya Vidyalaya, Aizwal,
Project Pushpak, C/o - 99 APO.
4. Shri Ravi Bhusan Shukla
Working as TGT (Social Studies)
Kendriya Vidyalaya, Aizwal,
Project Pushpak, C/o - 99 APO.
5. Shri Ajay Sharma
Working as TGT (Maths)
Kendriya Vidyalaya, Aizwal,
Project Pushpak, C/o - 99 APO.
6. Shri Ravi Rajesh
Working as TGT (Science)
Kendriya Vidyalaya, Aizwal,
Project Pushpak, C/o - 99 APO.
7. Shri Yogesh Yadav
Working as PGT (Physics)
Kendriya Vidyalaya, Aizwal,
Project Pushpak, C/o - 99 APO.

... Applicants

By Advocate : Mr M. Chanda and Mr S. Nath, Advocates.

- Versus -

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1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resource Development,
Government of India,
New Delhi - 110 001.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
3. The Assistant Commissioner (ADM & FIN)
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
4. Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Silchar Region, Regional Office,
Hospital Road, Silchar - 788011, Assam.

... Respondents.

By Advocate : Mr M.K. Majumdar, Standing Counsel, KVS.

VII. O.A. No. 117/2006

Shri Gangaram Meena
S/o - Shri Jahari Lal
Working as PGT (History)
Kendriya Vidyalaya, Missamari,
District - Sonitpur, Assam.

... Applicant.

By Advocate : Mr M. Chanda and Mr S. Nath, Advocates.

Versus -

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resource Development,
Government of India,
New Delhi - 110 001.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
3. The Assistant Commissioner (ADM & FIN)
Kendriya Vidyalaya Sangathan

✓

18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.

4. Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Guwahati Region, Regional Office,
Maligaon Chariali, Guwahati - 781 012. Respondents.

By Advocate: Mr M.K. Majumdar, Standing Counsel, KVS.

VIII. O.A. No. 158/2006

Shri Manoj Kumar
S/o- Shri Vijay Kumar Singh
Working as TGT (Mathematics)
Kendriya Vidyalaya, Duliajan (OIL)
Dist.- Dibrugarh,
Assam - 786 602. Applicant

By Advocate : Mr M. Chanda and Mr S. Nath, Advocates.

- Versus -

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resource Development,
Government of India,
New Delhi - 110 001.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
3. The Assistant Commissioner (ADM & FIN)
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
4. Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Silchar Region, Regional Office,
Hospital Road, Silchar, Assam - 788 011. Respondents.

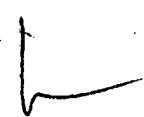
By Advocate: Mr M.K. Majumdar, Standing Counsel, KVS.

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ORDER (ORAL)K.V. SACHIDANANDAN (V.C.)

The Applicants are teachers selected in Kendriya Vidyalaya Sangathan (KVS for short) after due process of selection. Though they have been given appointment in the respective schools, their appointments were on provisional and contract basis which were issued on the ground that there is an inquiry against the entire selection process. The Applicants stated that if the Inquiry Committee upholds the selection, their appointments would be deemed as appointment on regular basis from the date of joining of the appointees. No notice was issued to the Applicants in respect of alleged Inquiry that is being ordered by the Respondents on selection. Being aggrieved by the regularization of the Applicants they have filed the Original Applications seeking the identical reliefs.

2. Heard Mr M. Chanda, learned Counsel for the Applicants in O.A. Nos. 100/2006, 102/2006, 116/2006, 117/2006 and 158/2006, Mr B. Choudhury, learned Counsel for the Applicants in O.A. Nos. 91/2006, 93/2006 and 94/2006 and also Mr M.K. Majumdar, learned Standing Counsel for the KVS for the Respondents in all the cases. The matters were came up for consideration for many times and the engagement of the Applicants were also extended by the Respondents from time to time and finally upto 31.12.2006. When the matter came up for hearing today, Mr M.K. Majumdar, learned Standing Counsel for the KVS produced an order dated 18.09.2006 and submitted that the services of all the Applicants have been regularized and order to that effect has been passed. Therefore, the matters can be disposed



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of by a common order. The order which was produced by the Mr Majumdar, learned Standing Counsel is reproduced below:-

"This is regarding regularization of appointment of teachers (PGT/TGT/PRT) appointed on provisional contract basis in the year 2005, subsequently their period of contract was extended from time to time with the condition that their period of contract would be upto the last of period of extension or conclusion of enquiry by Santhyam Committee whichever is earlier. Now Ministry of HRD, Department of School Education and Literacy, UT-2 Section has informed vide letter No. F.3-2/2005-UT-2 dated 8th September 2006 that on the basis of the recommendations contained in the report submitted by Shri S. Santhyam on the procedure adopted by Kendriya Vidyalaya Sangathan (KVS) for selection and recruitment of various categories of teachers who were appointed on provisional contract basis, following decision is taken by the Ministry with the approval of the competent authority for immediate action :-

"The appointment of teachers of various categories who were appointed on provisional contract basis on the basis of the selection of candidates for the recruitment during 2004-05, be regularized immediately."

In this regard it is pertinent to mention that as per terms & conditions of offer of provisional appointment on contract, which was issued to all such teachers, there is a para which read as :-

"In case, the enquiry Committee upholds his/her selection, the present provisional appointment will be deemed as appointment letter on regular basis w.e.f. the date of joining of the appointee."

In view of the above, you are therefore directed to inform all the teachers (PGT/TGT/PRT) as per the format enclosed who were appointed on provisional contract basis in the year 2005 in the Kendriya Vidyalayas under jurisdiction accordingly.

It is further stated that the aforesaid decision of regularizing appointment would not mean that the service rules of KVS as applicable to employees of KVS from time to time and also other terms and conditions of appointment have been given a go by."

A format was also enclosed with the order to inform all the teachers (PGT/TGT/PRT) who were appointed on provisional/contact basis in the year 2005 to the Principal of the respective schools with the instruction to deliver the letter to the individual by obtaining receipt of the same. Learned Counsel for the Respondents submitted that since the order has been implemented by the Respondents, nothing subsist in the matters. Learned Counsel for the Applicants submitted that they have no instructions as to the regularization of services of the Applicants. However, learned Counsel for the Applicants submitted that the Applications may be closed with liberty to the Applicants to approach the appropriate forum, if they have any further grievances.

3. Recording the said submissions the O.A.s are closed with liberty to the Applicants to approach the appropriate forum, if they have any further grievances. No order as to costs.

sd/ VICE CHAIRMAN

ORDER SHEET

91/2006

1. Original Application No.

2. Misc Petition No.

3. Contempt Petition No.

4. Review Application No.

Applicant(s) Shri G. Jha M opn

Respondents U.O.I. M opn

Advocate for the Applicant(s) ... Adv. Mr. J. L. Sarkar,
Adv. Mr. C. Chandra
Adv. Mr. G. Chakraborty
Adv. Mr. S. Nath
Adv. Mr. K. V. S. ...

Advocate for the Respondent(s) ... Adv. Mr. K. V. S. ...

Order of the Tribunal

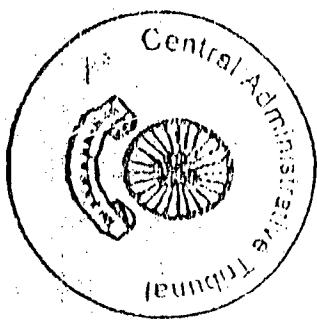
Date: 20.4.2006

The applicants, herein, 12 in numbers, are teachers selected in KVS after due process of selection. According to the applicants they have been given appointment in the respective schools, but, as per Annexures 4 series the appointments were on provisional basis and also on contract basis wherein it is quoted that:

"In case, the enquiry Committee upholds his/her selection, the present provisional appointment will be deemed as appointment letter on regular basis w.e.f. the date of joining of the appointee."

It is made clear that this order has been necessitated to issue provisional appointment, since an enquiry is pending against the said selection.

In an identical case in O.A.91 of 2006 when the matter came up for hearing on the last occasion this court directed the counsel for the respondents to take instructions. Today when the matter came up for hearing the counsel for the respondents has produced a letter dated 27.4.06 wherein the period of provisional appointment on contract basis of the applicants has been extended up to 30.6.2006 or on conclusion of enquiry whichever is earlier.



Considering the issue involved I am of the view that the application has to be admitted. Application is admitted. Issue notice on the respondents. It is made clear that though the respondents have extended the appointment up to 30.6.06 there is a clause that their services can be terminated, if the report comes earlier. Considering the said

statement & direct the respondents that the applicant should not be terminated without the permission of this Court.

Post the matter on 1.6.06.

sd/ VICE CHAIRMAN

Date of Application : 1.5.06.....
Date on which copy is ready : 1.5.06.....

Date on which copy is delivered : 1.5.06

N. G. Datta
1.5.06
Section Officer (Jdly)
C. A. T. Guwahati Bench
Guwahati 781001

19

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORIGINAL APPLICATION NO. 102/06

1. a) Name of the applicant: - M. Venman 203
b) Respondents: - Union of India & Ors
c) No. of Applicant(S) : - 2 (JrD)

2. Is the application in the proper form: - Yes/No.

3. Whether name & description and address of the all papers been furnished in cause title : - Yes/ No.

4. Has the application been duly signed and verified : - Yes/ No.

5. Have the Copies duly signed : - Yes / No.

6. Have sufficient number of copies of the application been filed: - Yes/ No.

7. Whether all the annexure parties are impleaded : - Yes/ No.

8. Whether English translation of documents in the Language : Yes/No.

9. Is the application in time : - Yes/ No.

10. Has the Vakalatnama/Memo of appearance/Authorisation is filed: - Yes/ No.

11. Is the application by IFO/BD/For Rs: 5/- 263 324/25 off 25.4.06

12. Has the application is maintainable : - Yes/ No.

13. Has the Impugned order original duly attested been filed : Yes/ No.

14. Has the legible copies of the annexures duly attested filed: - Yes/ No.

15. Has the Index of documents been filed all available: - Yes/ No.

16. Has the required number of enveloped bearing full address of the respondents been filed: - Yes/ No.

17. Has the declaration as required by item 17 of the form: - Yes/ No.

18. Whether the relief sought for arises out of the single : - Yes/ No.

19. Whether the interim relief is prayed for : - Yes/ No.

20. In case of condonation of delay is filed is it supported : - Yes/ No.

21. Whether this Case can be heard by Single Bench/Division Bench:

22. Any other point:-

23. Result of the Scrutiny with initial of the Scrutiny clerk the application is in order:-
This application is in form.

3.5.06
SECTION OFFICER (J)

DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

(An application under Section 19 of the Administrative Tribunals Act, 1985)

O. A. No. 102 /2006

Shri Manoj Kumar & Ors.

-Vs-

Union of India and Others.

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

13-19 Sep' 2003 - Kendriya Vidyalaya Sangathan (for short KVS) published an advertisement in the Employment News dated 13-19 Sep' 2003 for recruitment of various categories of teachers for recruitment year 2004-2005. The applicants in pursuance to the said advertisement applied for the post of Trained Graduate Teacher and Primary Teacher. (Annexure- 1)

21.12.2003, 14.02.04 and 15.02.04- Applicants were asked to appear in the 2 stages of written examination on 21.02.03, 14.02.04, 15.02.04.

15.04.2004- Applicants were asked to appear interview from 15.04.04 to 08.05.04. (Annexure-2 series)

May 2004- Applicants were declared selected for appointment as PRT in KVS. However, after a lapse of about 8/9 months all the applicants have been issued offer of appointment provisionally on contract basis for a period of 1 year with pre-condition that the services of the applicants shall be regularized with effect from the date of joining of the individual applicants depending on the outcome of a report/conclusion/recommendation/findings of the enquiry committee set up with the approval of the Competent Authority. (Annexure- 3 Series)

27.04.2006 Joint Commissioner, KVS, New Delhi intimated the applicants that services of all the applicants has been extended upto 30th June 2006 or on conclusion of enquiry giving it's report whichever is earlier. (Annexure- 5)

The applicants are apprehending that their services may be terminated without passing any further extension order on or before 30th June, 2006, therefore they are approaching before this Hon'ble Tribunal praying for an

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interim of order of status quo till disposal of this Original Application.

P R A Y E R S

Reliefs sought for:

1. That the Hon'ble Tribunal be pleased to direct the respondents to absorb the applicants as regular teachers in their respective posts with immediate effect at least with effect from the date of joining in service with all consequential service benefits including seniority etc.
2. That the Hon'ble Tribunal be pleased to direct the respondents to allow the applicants to continue in service in same capacity till applicants are absorbed on regular basis in terms of prayer No. 1.
3. That the Hon'ble Tribunal be pleased to set aside and quash the condition laid down in clause No. 7 regarding jurisdiction in the offer of appointment letters of the individual applicants (Annexure- 2 Series).
4. Costs of the application.
5. Any other relief (s) to which the applicants are entitled as the Hon'ble Tribunal may deem fit and proper.

Interim order prayed for:

During pendency of the application, the applicants pray for the following interim relief:-

1. That the Hon'ble Tribunal be pleased to pass an interim order of status quo restraining the respondents not to terminate services of the applicants till disposal of this Original Application.
2. That the Hon'ble Tribunal be pleased to direct the respondents that the pendency of this application shall not be a bar for the respondents for consideration of the case of the applicants for providing relief as prayed for.

Manoj Kumar

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATE

(An application under Section 19 of the Administrative Tribunals Act, 1985)

Title of the case : O.A. No. 102 /2006

Shri Manoj Kumar & Ors. : Applicants.

-Versus-
Union of India & Ors. : Respondents.

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Date:- 03.05.06

Filed by:
Advocate

Manoj Kumar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
गুৱাহাটী বৰ্ষায়পাঠ
GUWAHATI BENCH: GUWAHATI Bench

(An application under Section 19 of the Administrative Tribunals Act, 1985)

1
03. 05. 05.
Filed by the applicants
Loring, S. Nuk
Advocate

O.A. No. 102 /2006

BETWEEN:

1. Shri Manoj Kumar,
S/o- Shri Ramendra Singh,
Working as Primary Teacher,
Kendriya Vidyalaya, Lokra,
Dist- Sonitpur, Assam- 784102.
2. Shri Bindu Kumar
S/o- Shri Rama Kant Prasad,
Working as Primary Teacher,
Kendriya Vidyalaya, Lokra,
Dist- Sonitpur, Assam- 784102.
3. Shri Anil Amoli,
S/o- Shri Manglanand Amoli,
Working as Primary Teacher,
Kendriya Vidyalaya, Lokra,
Dist- Sonitpur, Assam- 784102.

Applicants.

-AND-

1. The Union of India,
Represented by Secretary to the
Government of India,
Ministry of Human Resource Development,
Govt. of India,
New Delhi- 110001.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi- 110 016.

Manoj Kumar

3. The Assistant Commissioner (ADM & FIN)

Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi- 110 016.

4. Assistant Commissioner,

Kendriya Vidyalaya Sangathan,
Guwahati Region,
Regional Office,
Maligaon Chariali,
Guwahati- 781012.

..... Respondents.

DETAILS OF THE APPLICATION

1. Particulars of the order (s) against which this application is made:

This application is made not against any particular order but praying for a direction upon the respondents to treat the applicants as regular teachers at least from the date of their joining in service in the respective posts with all consequential service benefits including seniority and monetary benefits, pursuant to their selection against the existing vacancies for the recruitment year 2004-2005 in the cadre of Primary Teacher in the Kendriya Vidyalaya Sangathan as per the advertisement published in the Employment News dated 13-19 September 2003 and further be pleased to direct the respondents to allow the applicants to continue in service in their respective posts till passing of the necessary order of regularization of their services.

2. Jurisdiction of the Tribunal:

The applicants declare that the subject matter of this application is well within the jurisdiction of this Hon'ble Tribunal.

3. Limitation:

Manoj Kumar

The applicants further declare that this application is filed within the limitation prescribed under Section- 21 of the Administrative Tribunals Act 1985.

4. Facts of the case:

- 4.1 That the applicants are citizen of India and as such they are entitled to all the rights, protections and privileges as guaranteed under the Constitution of India. All the applicants are working as Primary Teachers, in Kendriya Vidyalaya, Lokra in the district of Sonitpur, Assam under the administrative control of Assistant Commissioner, Guwahati Region. All the applicants have been appointed and posted from outside the NE Region.
- 4.2 That the applicants pray permission to move this application jointly in a single application under Sec 4 (5) (a) of the Central Administrative Tribunal (Procedure) Rules 1987 as the relief's sought for in this application by the applicants are common, therefore, they pray for granting leave to approach the Hon'ble Tribunal by a common application.
- 4.3 That the Kendriya Vidyalaya Sangathan (for short KVS) published an advertisement in the Employment News dated 13-19 September 2003 for recruitment to the various categories of posts of Teachers in the KVS, the applicants in pursuance to the said advertisement applied for the posts of Primary Teacher (for short PRT) within the stipulated period. The respondents on scrutiny of the individual applications, found all the applicants eligible for the respective posts for which they have applied and accordingly all the applicants have been asked to appear in the written examination (first stage) on 21.12.2003, written test (second stage) on 14.02.2004 and also on 15.02.2004 and again they have been asked to appear in the interview from 15.04.2004 to 08.05.2004, all the applicants accordingly appeared in the written examination as well as in the interview

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on the scheduled dates fixed by the KVS and they fared well in the written examination as well as in the interview.

(Copy of the advertisement is enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 1).

4.4 That it is stated that the advertisement and the selection process has been carried out during the tenure of NDA (National Democratic Alliance) Government, however, the results of the said selection was declared in the Website of the KVS in the month of May 2004. All the applicants have been declared selected for the posts of PRT. The KVS even after publication of the select list did not take any steps immediately for appointment of the selected candidates.

4.5 That most surprisingly after a lapse of about 8/9 months all the applicants have been issued offer of appointment provisional on contract basis in their respective categories for a period of 1 year with pre-condition that the services of the applicants shall be regularized with effect from the date of joining of the individual applicants depending on the outcome of a report/conclusion/recommendation/findings of the inquiry committee set up with the approval of the Competent Authority to conduct detailed enquiry into the procedure adopted by Kendriya Vidyalaya Sangathan for selection of candidates for teachers by employing private agency and give, inter-alia report/conclusion/recommendation/findings to ascertain as to whether any candidate has received any undue advantage by virtue of procedure adopted by Kendriya Vidyalaya Sangathan for the selection and recruitment of teachers for the year 2004-05. It is further stated in the said provisional appointment order that this provisional appointment is for a period of 1 year or on conclusion of enquiry giving it's report whichever is earlier. It is further clarified that this provisional appointment is purely temporary and will not confer any right for regularization, seniority etc. except in accordance with the terms and conditions laid down therein. It is

further stated that in case before completion of the said enquiry if the period of 1 year expires then this provisional appointment may be renewed by the offeree and the discretion purely vests with the offeree. It is also clarified that in case the enquiry committee upholds their selection the present provisional appointment will be deemed as appointment letter on regular basis with effect from the date of joining of the appointee but if the enquiry committee gives a report/conclusion/recommendation/findings to the effect that their selection has not been carried out in accordance with the selection procedure then the present offer will be withdrawn. However, all the selectees will be given age relaxation to the extent of 1 year and will be deemed to be eligible to participate in the next selection process thereafter. It is also made clear in case the enquiry committee uphold their selection in that event they will be treated on probation with effect from the date of joining for a period of 2 years which may be extended, however on successful completion of probation period they will be confirmed in service as per their turn in terms of Kendriya Vidyalaya Sangathan Rules on the availability of permanent vacancies.

In paragraph 4 of the offer of appointment letter it has been stated that during the provisional appointment and thereafter until their services are confirmed their appointment may be terminated by 1 month notice on either side without assigning any reason and the appointing authority has made it clear that they reserve the right to terminate the services of the appointee before expiry of the stipulated period of notice by making payment of sum equivalent to the pay and allowance for the period of notice or the un expired portion thereof. In clause 7 of the offer of appointment letter it has been stated that in case of any dispute or claim against the Kendriya Vidyalaya Sangathan in respect of service or any contract arising out of or flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.

All the above conditions laid down in the offer of appointment letter are highly arbitrary, unfair and illegal but since the applicants are in

need of better government jobs they had no other alternative but to accept the said terms and conditions and accordingly they reported for duties in different Schools as per direction contained in the offer of appointment letter. All the applicants have joined their services within the stipulated period and till date they are serving in Kendriya Vidyalaya, Lokra in the cadre of PRT in the state of Assam.

(Copies of offer of appointment letter are enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 2 Series).

4.6 That it is stated that so far condition laid down in clause 7 of the offer of appointment letter regarding jurisdiction of filing of Court cases arising out of provisional appointment letter is highly arbitrary in view of the fact that the Kendriya Vidyalaya Sangathan has invoked the jurisdiction of the Central Administrative Tribunal by issuing necessary notification as required under the provision laid down in the Administrative Tribunal Act 1985 and as such in violation of the provision of the relevant Act 1985 the Sangathan cannot restrict the jurisdiction for filing Court cases in Delhi alone, such action of the Sangathan is in contravention of the provision of Section 14 of the Administrative Tribunal Act 1985. Moreover, the Principal Bench of the Central Administrative Tribunal is functioning from Delhi itself with Benches in different places, however, Central Administrative Tribunal is treated as one unit and as such filing of any application before any other Bench other than Delhi shall also liable to be treated that the same has also been filed before the CAT Principal Bench. Moreover, the Benches of CAT are functioning in different places other than Delhi to enable the employees to file cases within their own region and also in view of the intention to reduce the burden of cost of the litigation, as such Sangathan cannot compel the employees to file Court cases within the jurisdiction of Delhi, such action of the Sangathan in fact curtailing the fundamental rights of the employees to approach the competent court of law and as such Clause 7 of the offer of appointment letter is liable to be

struck down and accordingly the Hon'ble Court be pleased to set aside and quash Clause 7 of the offer of appointment letter and further be pleased to admit the instant Original Application for adjudication of the grievances of the applicants. Moreover, in terms of the provision laid down in Article 58 of the Education Code for Kendriya Vidyalayas (Published in 2004), it has been specifically stated that in case of any dispute or claim arising as a result of employment under the Sangathan the Central Administrative Tribunal alone shall have the jurisdiction. Therefore, respondent Sangathan cannot violate the provision laid down in their Education Code in order to restrain a particular section of the employees from approaching the different Benches situated in other places than Delhi. Therefore, the Hon'ble Tribunal be pleased to set aside and quash clause No. 7 of the offer of appointment letters (Annexure- 2 Series).

(A copy of the extract of the Article 58 of the Education code for Kendriya Vidyalayas is enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 3).

4.7 That it is stated that the applicants came to learn that the enquiry committee which was set up by the Government to conduct enquiry into the procedure adopted by the KVS for selection of candidates for teachers by employing private agency to ascertain as to whether any candidate has received any undue advantage by virtue of procedure adopted by the KVS during the recruitment year 2004-2005 in fact submitted it's report to the Government long back by the first enquiry committee so far the applicants came to learn that in the said report no procedural infirmity as regard selection of teachers is found but the Government was not happy with the report of the First Enquiry committee and therefore the Government again set up another committee for conducting the enquiry afresh and for submission of a report as per liking of the Government but at this stage it may be noted that it is almost about 2 years have elapsed from the date of

declaration of the result but the subsequent enquiry committee could not submit it's report to the Government and as a result the employees are always working under the threat of termination of their services. It is relevant to mention here that the services of all the applicants has been extended by the Assistant Commissioner, Guwahati Region upto 30th April 2006 or on conclusion of enquiry giving it's report whichever is earlier and the said decision is communicated through separate memorandum individually to the applicants, one such memorandum bearing No. F.8-7/PRT/2005-KVS (GR)/18695-97 dated 20.01.2006 addressed to Shri M. Kumar, applicant No. 1 is also enclosed along with other similar memorandum served upon the applicants.

It is relevant to mention here that another extension order has been issued recently vide letter No. F.11-1/2005-06-KVS/Estt-II dated 27.04.2006 in favour of the present applicants as well as in favour of the other similarly situated employees, whereby services of the applicants has been extended upto 30th June 2006 with exactly similar terms and conditions as imposed in earlier extension order. Moreover, from the contents of the extension order it is not clear as to when the Government is likely to receive the enquiry report, it may so happen that enquiry report might have been submitted by the enquiry committee even before 30th June 2006 without any knowledge of the applicants and if any adverse report is submitted by the enquiry committee in that event the services of the applicants will be terminated without passing any further extension order on or before 30th June 2006, apprehending such threat of termination of their services applicants are approaching before this Hon'ble Court for protection of their valuable and legal right by passing an appropriate interim order restraining the respondents from ousting the applicants from service or in other words an appropriate order of status quo ante may be passed in favour of the applicants till disposal of this Original Application.

Mary Kumar

(Copies of the memorandum extending the services of the applicants upto 30th April 2006 and 30 the June 2006 are enclosed herewith for perusal of the Hon'ble Tribunal as Annexure- 4 (series) and 5 respectively).

4.8 That your applicants further beg to say that they are having requisite educational qualification for recruitment to the posts of PRT in KVS on regular basis, being satisfied with their eligibility and on receipt of the advertisement duly published in the Employment News dated 13-19 September 2003 submitted their candidature to the appropriate authority for consideration of their appointment for the post of teachers in KVS. All the applicants have gone through the rigorous process of selection which includes 2 stages of written test as well as interview and they have successfully came out through the process of selection and finally selection list has been published by the KVS recommending the names of the applicants for appointment to the respective categories. The applicants are not at all concerned with the selection procedure adopted by the Government of India, however it is at the instance of the Government the applicants appeared in the rigorous system of selection and ultimately came out successfully in the said selection process. The advertisement was published for regular recruitment of the teachers in the cadre of PRT for the recruitment year 2004-2005 as such they are entitled to be absorbed on regular basis in view of the fact that they have been duly selected after observing all formalities required under the law, therefore selection of the applicants cannot be questioned at this belated stage.

4.9 That it is stated that the selection has been conducted in a very fair manner and there was no favouritism or no undue advantage granted to any candidates in the process of selection as such the allegation of undue advantage and decision of respondents Union of India to conduct an enquiry to ascertain as to whether there is any procedural violation in the

process of selection, which has been conducted by engaging a private agency are after thought and same has been done with an ulterior motive to deny regular appointment to the applicants against the vacancies of 2004-2005. In this connection it may be stated that similar selection process has been adopted by the Government/KVS during the period from 2000-2003 and all the selected teachers have been regularly appointed as teachers as such denial of regular appointment to the similarly situated applicants on the alleged ground as indicated above is highly arbitrary, illegal and unfair and such action of the respondents is in violation of Article 14 of the Constitution of India.

4.10 That it is stated that the advertisement and selection of the applicants for appointment to the different categories of teachers has been conducted at the instance of the Government and the applicants have gone the rigorous process of selection with the legitimate expectation that they will be considered for appointment against the vacancies of 2004-2005 in different Kendriya Vidyalayas, therefore, after declaration of the select lists the Government is not entitled to question the validity of the procedure of selection and also not entitled to raise the question at this stage to ascertain whether any undue advantage was given to any of the candidates while carried out the selection process. The question which is now raised by the Government after completion of the selection process regarding conduct of selection process by a private agency is nothing but done at the instance of a vested circle in order to deny the regular absorption of the applicants. The applicants are victims of a well-planned conspiracy at the highest level of the Government. It appears that a well-planned attempt is made to terminate the services of the applicants by managing a report from the enquiry committee as per liking of the Government and therefore a vested section of the Government who have constituted the enquiry committee are waiting for a report/recommendations/findings/conclusions as per their desire in order to terminate the services of the applicants. All the applicants

are eligible for appointment to the respective cadre of teachers having brilliant academic career. Advertisement was published on all India basis for regular recruitment of the teachers in the KVS against the vacancies for the recruitment year 2004-2005 and all the applicants faced the competition on all India basis and thereafter declared selected and as such applicants are apprehending that the very enquiry committee which was constituted at the instance of the Government, there is every possibility of manipulating of the report as per desire of the vested circle who have instituted the enquiry alleging engagement of private agency. If the Government is so serious regarding any allegation of unfair means or malpractice they could have engaged a judicial enquiry commission to ascertain the allegation of undue advantage. Government also did not disclose anywhere in the offer of appointment letter that there are specific allegation of favouritism made from any corner regarding the selection process as such offer of appointment of the applicants on provisional basis cannot be sustained in the eye of law and the applicants are liable to be treated as regular teachers duly selected through established procedure of law and as such Hon'ble Court be pleased to declare that the applicants be treated as regular teachers from the date of joining their services and further they are entitled to all consequential service benefits including seniority in their respective cadre.

4.11 That it is stated that although order has been passed by the competent authority extending the services of the applicants but still they are convinced and reasonably apprehending that their services will be terminated on or before 30.06.2006 in terms of the extension order issued by the Joint Commissioner KVS.

In the circumstances stated above applicants finding no other alternative approaching before this Hon'ble Tribunal to protect the right and interest of the applicants by passing an appropriate order directing the

respondents to regularize the services of the applicants and till such time the applicants be allowed to continue in their respective capacities. 34

4.12 That it is stated that the KVS, New Delhi again issued another advertisement in the Employment News dated 12-18 February 2005, for recruitment of teachers in the cadre of PGT, TGT and PRT for filling up the vacancies of 2005-2006, where applications have been invited latest by 25.03.2005 without regularizing the services of the present applicants who have been duly selected against the vacancies of the recruitment years 2004-2005. Therefore it appears that respondents deliberately delaying the regularization of the applicants on the pretext of enquiry report and therefore it smacks malafide as such applicants have no alternative but to approach this Hon'ble Tribunal for protection of their rights and interest.

It is relevant to mention here that many of the applicants either cross the upper age limit and some of them may cross the upper age limit shortly for any other Government job, after acceptance of the offer of appointment in KVS with the anticipation that since they have fared well in the interview and declared selected on the basis of their performances in the interview as such they are likely get absorption on regular basis, but surprisingly till date their services has not been regularised on the pretext of pendency of the enquiry report, therefore Hon'ble Court be pleased to direct the respondents to treat the applicants as regular teacher at least from the date of their joining in KVS.

(A copy of the advertisement published in Employment News dated 12-18 February 2005 is enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 6).

4.13 That this application is made bonafide and for the cause of justice.

5. Grounds for relief (s) with legal provisions:

- 5.1 For that, all the applicants pursuant to the advertisement issued in the Employment News dated 13-19 September 2003 against the vacancies of the recruitment year 2004-2005 have applied and have undergone rigorous selection process and thereafter declared selected for the posts of PRT in the KVS as such they have acquired a valuable and legal right for appointment on regular basis at least from the date of joining in their respective posts.
- 5.2 For that, the vacancies against which the applicants have been selected are regular vacancies as such applicants are entitled to be appointed on regular basis from the date of joining in their respective posts.
- 5.3 For that, the rigorous selection procedure have been adopted at the instance of the Government for appointment of teachers on regular basis in the KVS as such the same Government cannot question the validity of the selection procedure on the alleged ground that private agency has been engaged for selection of the teachers as such respondents Union of India are barred by law of estoppel, acquiescence and waiver to conduct any enquiry in this regard.
- 5.4 For that, during the year 2000-2003 similar process of selection has been adopted by the Government/KVS and all the selectees during the year 2000-2003 have been appointed on regular basis, therefore Government cannot raise the question of validity of similar selection process while adopted during the recruitment year 2004-2005 more so when the applicants have been declared selected and already appointed on provisional basis otherwise such action of the Government will led to differential treatments towards the applicants which will be in violation of Article 14 of the Constitution of India.

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5.5 For that, all the applicants are qualified to hold the respective posts of teachers having brilliant academic career and came out successful in the rigorous selection process without any undue favour or undue advantage.

5.6 For that, the selection has been conducted on all India basis and only the talented candidates have been selected/recommended for appointment to the posts of teachers.

5.7 For that, the applicants have applied for the respective posts of teachers pursuant to the advertisement dated 13-19 September 2003 and after a long waiting for almost a year, the applicants have been appointed provisionally subject to outcome of the alleged enquiry report which is not sustainable in the eye of law rather applicants are entitled to be appointed on regular basis.

5.8 For that it is learnt that the enquiry committee set up by the Government initially did not find any infirmity in the process/procedure of selection of the teachers but the Government not being satisfied with the findings of the 1st enquiry committee, again set up another enquiry committee so that findings and reports of the subsequent committee may come as per choice of the vested circle working in the Government and as such the enquiry has been delayed deliberately which smacks malafide.

5.9 For that as per provision laid down in Article 58 of the Education Code for Kendriya Vidyalayas, the jurisdiction lies with the Central Administrative Tribunal as such Clause 7 of the offer of appointment letter cannot over ride the provision laid down in the Education Code and moreover, provisions of Education Code shall prevail over the Clause 7 of offer of appointment letter as such the clause 7 of the offer of appointment is void ab initio.

5.10 For that applicants are apprehending their services may be terminated or they will be ousted on or before 30th June 2006 in view of the direction contained in the extension order dated 27.04.2006 (Annexure- 5) in spite of the fact that applicants have been duly selected pursuant to an advertisement for recruitment against the vacancies of the recruitment year 2004-2005 as such they have acquired a valuable and legal right for regularization of their services.

6. Details of remedies exhausted.

That the applicants declare that they have exhausted all the remedies available to and there is no other alternative remedy than to file this application.

7. Matters not previously filed or pending with any other Court.

The applicants further declare that they had not previously filed any application, Writ Petition or Suit before any Court or any other Authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief (s) sought for:

Under the facts and circumstances stated above, the applicants humbly pray that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief (s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

8.1 That the Hon'ble Tribunal be pleased to direct the respondents to absorb the applicants as regular teachers in their respective posts with immediate effect at least with effect from the date of joining in service with all consequential service benefits including seniority etc.

3.2 That the Hon'ble Tribunal be pleased to direct the respondents to allow the applicants to continue in service in same capacity till applicants are absorbed on regular basis in terms of prayer No. 1.

3.3 That the Hon'ble Tribunal be pleased to set aside and quash the condition laid down in clause No. 7 regarding jurisdiction in the offer of appointment letters of the individual applicants (Annexure- 2 Series).

3.4 Costs of the application.

3.5 Any other relief (s) to which the applicants are entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for:

During pendency of the application, the applicants pray for the following interim relief: -

9.1 That the Hon'ble Tribunal be pleased to pass an interim order of status quo restraining the respondents not to terminate services of the applicants till disposal of this Original Application.

9.2 That the Hon'ble Tribunal be pleased to direct the respondents that the pendency of this application shall not be a bar for the respondents for consideration of the case of the applicants for providing relief as prayed for.

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11. Particulars of the I.P.O

i) I.P.O No. : 266324125
 ii) Date of issue : 25-04-2008.
 iii) Issued from : G.P.O, Bhy.
 iv) Payable at : G.P.O, Bhy.

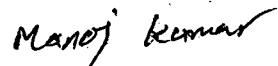
12. List of enclosures:

As given in the index.

VERIFICATION

I, Shri Manoj Kumar, S/o- Shri Ramendra Singh, aged about 26 years, presently working as Primary Teacher in the Kendriya Vidyalaya, Lokra, Dist- Sonitpur, Assam- 784102, applicant No. 1 in the instant Original Application duly authorized by the others to verify the statements made in the Original Application, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 2nd day of May 2006.



KENDRIYA VIDYALAYA-SANGATHAN

RECRUITMENT FOR THE POSTS OF TEACHERS

The Kendriya Vidyalaya Sangathan (K.V.S.) an autonomous organization under the Ministry of Human Resource Development, Department of Higher Education and Secondary Education, Govt. of India invites applications in the prescribed format for recruitment of teachers for the year 2004-2005 from Indian Nationals for filling up of vacancies and drawing a panel of candidates for the period upto 30th June, 2005. The following posts as per details given below are proposed to be filled up in the Kendriya Vidyalayas spread all over India.

PART-I

1. POST GRADUATE TEACHERS IN

(i) English	(ii) Hindi	(iii) Physics	(iv) Chemistry
(v) Economics	(vi) Commerce	(vii) Mathematics	(viii) Biology
(ix) History	(x) Geography		

PAY SCALE : Rs. 6500-200-10500

UPPER AGE LIMIT : 40 YEARS (as on 01.01.2004)

ESSENTIAL QUALIFICATIONS

Essential :

i) Two years integrated Post Graduate M.Sc. Course of Regional College of Education of NCERT in the concerned subject with atleast 50% marks in aggregate or Masters Degree from a recognized University with atleast 50% marks in aggregate in the following subjects :-

a. PGT (English)	English
b. PGT (Hindi)	Hindi
c. PGT (Physics)	Physics/Electronics/Applied Physics/Nuclear Physics
d. PGT (Chemistry)	Chemistry/Bio Chemistry
e. PGT (Economics)	Economics/Applied Economics/ Business Economics
f. PGT (Commerce)	Commerce with Accounting / Cost Accounting / Financial Accounting as a Major subject of study. Holder of degree of M.Com in Applied / Business Economics shall not be eligible.
g. PGT(Maths)	Mathematics/Applied Mathematics
h. PGT(Biology)	Botany/Zoology/Life Sciences/Bio Sciences/Genetics/ Micro Biology/Bio-Technology/Molecular Bio/Plant Physiology provided they have studied Botany and Zoology at Graduation level.

i. PGT(History)	History
j. PGT(Geography)	Geography

ii) B.Ed. or equivalent qualification from recognized University.

iii) Proficiency in teaching through Hindi and English media.

Desirable

Knowledge of Computer Applications.

2. TRAINED GRADUATE TEACHERS IN

(i) English	(ii) Hindi	(iii) Social Studies
(iv) Science	(v) Sanskrit	(vi) Mathematics

PAY SCALE : Rs. 5500-175-9000

UPPER AGE LIMIT : 35 Years (as on 01.01.2004)

ESSENTIAL QUALIFICATIONS

i) Four Year integrated degree course of Regional Colleges of Education of NCERT in the concerned subject with atleast 50% marks in aggregate of Second Class Bachelor's Degree with atleast 50% marks in the concerned subject(s) and in aggregate including elective and Languages in the combination of Subjects as under :

- a. For TGT(English) : English as an elective subject at Degree level.
- b. For TGT(Hindi) : Hindi as an elective subject at Degree level.
- c. For TGT(Social Studies) : Any two of the following : History, Geography, Economics and Pol. Science of which one must be either History or Geography.

- d. For TGT(Science) : One must be either History or Geography.
- e. For TGT(Sanskrit) : Sanskrit as an elective subject at Degree level.

- f. For TGT(Maths) : Maths, Physics and Chemistry

ii) B.Ed. or equivalent qualification from a recognized University.

iii) Proficiency in teaching through Hindi and English media.

Desirable

Knowledge of Computer Applications.

3. PRIMARY TEACHER

PAY SCALE : Rs. 4500-125-7000

UPPER AGE LIMIT : 30 Years (as on 01.01.2004)

ESSENTIAL QUALIFICATIONS

Essential :

i) Secondary (12th XII) with 50% marks.

ii) B.Ed. or equivalent degree and any relevant Xylem/Ed. or equivalent certificate.

iii) Proficiency in teaching through Hindi and English media.

Desirable

Knowledge of Computer Applications.

4. TEACHER

the renomination vacancies for SC, ST, OBC, Ex-servicemen and Physically handicapped candidates will be on per ratio of the Government of India. A person who has served in the rank (whether as combatant or as non-combatant) in the Armed Forces (Army, Navy and Air Force) will only be eligible for reservation for Ex-servicemen. However, number of vacancies for SC/ST candidates is subject to backlog of vacancies.

PART-II

ELIGIBILITY OF APPLICANTS

Applicants must fulfil the essential requirement of the post applied for and other conditions indicated in the advertisement as on 01.01.2004. Before applying they must satisfy themselves that they possess all the essential qualifications prescribed for various posts. No proxy will be entertained. The prescribed essential qualifications are the minimum and the possession of these only does not entitle candidates to be considered.

RESERVATION

Applicants in upper age limit will be as under :

- (a) Upto a maximum of Five years in the case of SC/ST candidates.
- (b) Upto a maximum of Three years in the case of OBC candidates.
- (c) Upto a maximum of Five years for persons who had ordinarily been domiciled in the State of Jammu & Kashmir during 1.1.80 to 31.12.80.
- (d) Upto a maximum of Ten years for women.
- (e) Upto a maximum of Five years for Govt. employees.

(f) An ex-serviceman who has put in not less than 06 months continuous service in the Armed Forces (Army, Navy and Air Force) shall be allowed to deduct the period of such service from his / her actual age and if the resultant age does not exceed the maximum age limit prescribed for the post by more than 3 years he/she shall be deemed to satisfy the condition regarding age limit. This is applicable for the posts of Trained Graduate Teachers and Primary Teachers only.

(g) Upto a maximum of 10 years in the case of SC/ST candidates and 8 years in the case of OBC candidates serving as Govt. employees in accordance with the Govt. Of India Instructions. An applicant claiming age relaxation under this para should produce a certificate from his/her employer to the effect that he/she is a Govt. servant as on the date of advertisement.

(h) Upto a maximum of 10 years in the case of Physically Handicapped. EXCEPT PHYSICALLY HANDICAPPED CANDIDATES, ALL THE CONCESSIONS MENTIONED ABOVE WILL BE CONCURRENT, THAT IS, IF A PERSON IS ELIGIBLE FOR MORE THAN ONE CONCESSION ONLY ONE OF THE CONCESSIONS OF THE HIGHEST PERMISSIBLE LIMIT WILL BE GRANTED. FOR PHYSICALLY HANDICAPPED, IF A PERSON BELONGS TO SC/ST, HE/SHE WILL BE ALLOWED 15 YEARS I.e. 10 YEARS FOR P.H. AND 05 YEARS FOR SC/ST.

PART - III

- i. Application must be submitted in the prescribed format published in Annexure of this advertisement. The application format can also be downloaded from the website of the Sangathan www.kvsangathan.org.
- ii. Candidates desirous to apply for more than one post should submit applications for each post accompanied by the prescribed fee and necessary enclosures for each post in separate envelopes.
- iii. Applicants cannot apply for more than one subject in each category of post i.e. one subject in PGT and/or one in TGT.
- iv. Envelope containing the application must be superscribed in bold letters as "APPLICATION FOR THE POST OF
- v. Only filled in application must only be submitted latest by 27.10.2003 to:

KENDRIYA VIDYALAYA SANGATHAN

POST BOX NO.4624

NEW DELHI-110 016.

EXAMINATION FEES / APPLICATION FEE

1. Candidates will have to pay a NON-REFUNDABLE FEE OF Rs. 250/- (Two Hundred and Fifty only) by demand draft only in favour of 'KENDRIYA VIDYALAYA SANGATHAN' payable at New Delhi along with his/her application. The fee paid through IPO/Money Order/Crossed Cheque/Currency note or in Treasury Challans etc. will not be accepted by the Sangathan and such applications will be treated as having received without fee. Separate fee is to be paid through separate bank draft for each post applied.
2. The tenfold of the fee will not be allowed in any case.
3. The bank draft should be valid for at least 6 months from the date of publication of this advertisement.
4. No fee is required to be paid by SC/ST/Ex-servicemen categories. Physically handicapped persons are also exempted from payment of fee subject to the submission of prescribed Medical Certificates issued by a Govt. Hospital duly signed by Chief Medical Officer.

PART - IV

MODE OF SELECTION

1. The Sangathan will hold written examinations for the recruitment to the above mentioned posts at Ahmedabad, Bangalore, Bhopal, Hyderabad, Chandigarh, Chennai, Delhi, Dehradoon, Guwahati, Hyderabad, Jabalpur, Kolkata, Jaipur, Lucknow, Mumbai, Patna.
2. The centres for the examinations as mentioned above are subject to change at the discretion of the Sangathan. Every effort will be made to allot the candidates to the centre of his/her choice for examination. However, the Sangathan may, at its discretion, allot a different centre to the candidate when the circumstances so warrant.
3. The mode of selection shall include a written test, examination, professional practical tests, proficiency tests, and personal interview.
4. The written examination will be conducted in two parts i.e. one of Multiple Objective Type and another of Descriptive Type. In the Descriptive type examination only those candidates will be allowed to appear who qualify in the multiple objective type examination and no weightage of their examination will be given. The date of both the examinations are as under :

1st Stage : Multiple Objective Examination to be held on 21.11.2003

Post	Difficulty Level	Duration of Examination	No. of Questions
1. Primary Teachers	2 Level	0.2 hrs.	120
2. Trained Graduate Teachers	Graduation	(0.30 hrs to 1.30 hrs)	120
3. Post Graduate Teachers	Post Graduation	0.2 hrs.	120

The place of examination will be indicated to candidates separately.

Step II : Descriptive Type Examination to judge the subject competence to be held on 14th and 15th February 2004.

Post	Difficulty Level	Duration of Examination
1. Primary Teachers	2 Level	0.1 hrs.
2. Trained Graduate Teachers	Graduation	0.1 hrs.
3. Post Graduate Teachers	Post Graduation	0.1 hrs.

A written test of 02 hrs. duration will also be held of all candidates who qualify the 1st stage examination to judge their bilingual competence. The difficulty level of this test will be of 2 Level.

5. The Sangathan may/may not take any scrutiny of applications for eligibility before the examination, and the same will be done at the time of examination.

Affidavit
I declare

1

KSENDRIYA VIDYALAYA SANGATHAN

Regional Office,

Chayaram Bhawan, Maligaon Chariali,
Guwahati-781012

Phone : 2571798/2571799/2571797(FAX)

REGISTERED POST

No. F. 8-7/PRT/2005-KVS(GR) / 15911-13

Dated: 04.02.2005

SUBJECT: OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO
THE POST OF PRIMARY TEACHER.

With reference to his/her application for the above post Smt./Km./Shri Manoj Kumar is hereby informed that he/she has been selected for appointment on provisional basis against the post of PRT in the Kendriya Vidyalaya Sangathan in the pay scale of Rs. 4500-125-7000/- and posted at Kendriya Vidyalaya, Lokra, Assam. He/ She will draw allowances and other benefits in addition to his/her pay at rates as admissible to the Kendriya Vidyalaya Sangathan employees. This offer of appointment is subject to the candidate being declared fit for the post of PRT by a Civil Surgeon. This provisional appointment of Shri/Smt/Kumari Manoj Kumar in the post of PRT is subject to the outcome of a report/ conclusion/ recommendations/findings of the enquiry committee set up with the approval of Competent Authority to conduct detailed enquiry into the procedure adopted by Kendriya Vidyalaya Sangathan for selection of candidates for teachers by employing private agency and give, inter-alia report/conclusion/recommendation/findings to ascertain as to whether any candidate has received any undue advantage by virtue of procedure adopted by Kendriya

Attestd
Sar. Advocate

Vidyalaya Sangathan for the selection and recruitment of teachers for the year 2004-05.

This provisional appointment is for a period of one year or conclusion of enquiry giving its report whichever is earlier. It is clarified that this provisional appointment is purely temporary and will not confer any right for regularization, seniority etc. except in accordance with the terms and conditions herein.

In case before completion of the said enquiry, the period of one year expires this provisional appointment may be renewed by the offeree and the discretion to continue purely vests with the offeree.

In case, the enquiry Committee upholds his/her selection, the present provisional appointment will be deemed as appointment letter on regular basis w.e.f. the date of joining of the appointee.

In case the enquiry committee gives a report/conclusion/recommendations/findings that his/her selection has not been carried out in accordance with the selection procedure, then the present offer will be withdrawn. However, he/she will be given relaxation of one year's age and will be deemed eligible to participate in the next selection process thereafter.

In case the enquiry committee upholds his/her selection, he/she will be on probation w.e.f. the date of joining for a period of two years which may be extended. Upon successful completion of probation he/she will be confirmed in his/her turn as per Kendriya Vidyalaya Sangathan rules on the availability of permanent vacancies.

2. If the candidate is a woman, she should certify that she is not in the family way at the time of acceptance of the appointment. If however, she is pregnant of twelve weeks standing or more at the time of acceptance of appointment as a result of medical test, she will be declared temporarily unfit and the offer of appointment would be treated as withdrawn for the present. However, her appointment would be kept in abeyance until her confinement is over or conclusion of enquiry whichever is earlier. She would get herself medically re-examined six weeks after the date of delivery and her appointment would be subject to production of medical fitness certificate from a Civil Surgeon. She would indicate when her delivery is expected and also should indicate the date of delivery soon after it has taken place. In case, the candidate fails to comply with these instructions her candidature would not be considered and no further correspondence will be entertained in this regard from her. On production of medical fitness certificate, she will be appointed to the same post.

3. No TA will be admissible for first joining the Sangathan as P.R.T.

4. During the provisional appointment and thereafter, until he/ she is confirmed the services of the appointee are terminable by one month's notice on either side without any reason being assigned, therefor. The appointing authority, however, reserves the right to terminate the services of the appointee before expiry of the stipulated period of notice by making payment of sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.

5. Other terms & conditions of service governing the appointment are same as laid down in the Education Code for Kendriya Vidyalayas as amended from time to time. Since for Kendriya Vidyalaya Sangathan Employees, Welfare Scheme has been introduced with effect from 1.4.2002 joining the above scheme is compulsory.

6. "The appointment is provisional as stipulated in Para-1 and is subject to the Schedule Caste/ Tribe certificate being verified through the proper channel and if the verification reveals that the claim to belong to SC or ST as the case may be, is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false certificate".

7. In case of any dispute or claim against the Kendriya Vidyalaya Sangathan, in respect of service or any contract arising out of or flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.

8. If he/ she accepts the offer on the terms and conditions stipulated he/ she would send his/ her acceptance immediately to this office on receipt of this memorandum and join the Kendriya Vidyalaya mentioned overleaf. Necessary proforma for the purpose of forms are enclosed herewith which should be submitted to the concerned Principal, after getting the same duly completed in all respects. This acceptance should reach the undersigned in any case by 16-02-2005. If the offer is not accepted by the said date or after acceptance if the appointee does not report for duty at the above named Kendriya Vidyalaya by 23-02-2005, this offer of appointment will automatically

stand cancelled and no further correspondence will be entertained from him/ her

9. Suppression of any information will be considered a major offence for which the punishment may extend to dismissal from the services.

10. He/she will not request for transfer within 03 years of initial appointment, if this offer of provisional appointment is deemed as regular appointment. He/she is liable to be transferred anywhere in India.

11. He/she will be eligible for the New Restructured Defined contribution pension system only as circulated by KVS (HQRS) vide circular No. 2-17/2003-04/KVS (Budget) dated 08/12/03/2004 and F. 2-17/2003-04/KVS(Budget) dated 24/12/2004.

(U. N. -KHAWAREY)

ASSISTANT COMMISSIONER

Encl: As above.

✓ Manoj Kumar, V.P.O. Goria
Distt. Jhajjar(H.R)
Haryana, Pin. 124 142

Copy forwarded to:

1. The Principal, Kendriya Vidyalaya _____. In case Sh./Smt./Km. _____ accepts the offer of appointment he/ she should be relieved immediately with the instructions to join his/her new post under intimation to the Sangathan. If the appointee is not working at present in his Vidyalaya, this memorandum may be sent to the concerned Vidyalaya forthwith under intimation to the Sangathan.

REGISTERED POST

6

Lokra

Assam

2. The Principal, Kendriya Vidyalaya Lokra Assam The date of joining of the candidate may be intimated to this office immediately after the candidate reports for duty. In case he/ she does not join by the stipulated date, this office should be informed telegraphically. This appointment is further subject to production of certificates etc. as per Article 49(1) of Education Code for Kendriya Vidyalayas. The candidate be allowed to join his/ her duties only after verification of original certificates, and on submission of requisite forms/ statements duly completed in all respects. Those appointed under SC/ST quota may be allowed to join duties only on production of original certificate mentioned in para 6 of the order. They are also requested to check the original certificates in respect of the qualifications of the appointee employee and satisfy themselves that the appointee possess requisite qualification for the post he/ she is appointed to. The Principal/ Incharge Principal will certify on the joining report itself regarding his/ her satisfaction about the certificate produced.

The Dy. Commissioner (Admn.), KVS (HQ), New Delhi
for information please.

ASSISTANT COMMISSIONER

1

KSENDRIYA VIDYALAYA SANGATHAN

Regional Office,
 Chayaram Bhawan, Maligaon Chariali,
 Guwahati-781012

Phone : 2571798/2571799/2571797(FAX)

REGISTERED POST

No.P.6-7/PRT/2005-KVS(GA)/ 15789-31

Dated: 04.02.2005

**SUBJECT : OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO
 THE POST OF PRIMARY TEACHER.**

With reference to his/her application for the above post Smt./Km./Shri B. Indu Kumar is hereby informed that he/she has been selected for appointment on provisional basis against the post of PRT in the Kendriya Vidyalaya Sangathan in the pay scale of Rs. 1500-125-7000/- and posted at Kendriya Vidyalaya, Lokra, Assam. He/ She will draw allowances and other benefits in addition to his/her pay at rates as admissible to the Kendriya Vidyalaya Sangathan employees. This offer of appointment is subject to the candidate being declared fit for the post of PRT by a Civil Surgeon. This provisional appointment of Shri/Smt/Kumari B. Indu Kumar in the post of PRT is subject to the outcome of a report/ conclusion/ recommendations/findings of the enquiry committee set up with the approval of Competent Authority to conduct detailed enquiry into the procedure adopted by Kendriya Vidyalaya Sangathan for selection of candidates for teachers by employing private agency and give, inter-alia report/conclusion/recommendation/findings to ascertain as to whether any candidate has received any undue advantage by virtue of procedure adopted by Kendriya

*Afzal
 Jaf. Advocate*

Vidyalaya Sangathan for the selection and recruitment of teachers for the year 2004-05.

This provisional appointment is for a period of one year or conclusion of enquiry giving its report whichever is earlier. It is clarified that this provisional appointment is purely temporary and will not confer any right for regularization, seniority, etc. except in accordance with the terms and conditions herein.

In case before completion of the said enquiry, the period of one year expires this provisional appointment may be renewed by the offeree and the discretion to continue purely vests with the offeree.

In case the enquiry Committee upholds his/her selection, the present provisional appointment will be deemed as appointment letter on regular basis w.e.f. the date of joining of the appointee.

In case the enquiry committee gives a report/conclusion/recommendations/findings that his/her selection has not been carried out in accordance with the selection procedure, then the present offer will be withdrawn. However, he/she will be given relaxation of one year's age and will be deemed eligible to participate in the next selection process thereafter.

In case the enquiry committee upholds his/her selection, he/she will be on probation w.e.f. the date of joining for a period of two years which may be extended. Upon successful completion of probation he/she will be confirmed in his/her turn as per Kendriya Vidyalaya Sangathan rules on the availability of permanent vacancies.

2. If the candidate is a woman, she should certify that she is not in the family way at the time of acceptance of the appointment. If however, she is pregnant of twelve weeks standing or more at the time of acceptance of appointment as a result of medical test, she will be declared temporarily unfit and the offer of appointment would be treated as withdrawn for the present. However, her appointment would be kept in abeyance until her candidature is over or conclusion of enquiry whichever is earlier. She would get herself medically re-examined six weeks after the date of delivery and her appointment would be subject to production of medical fitness certificate from a Civil Surgeon. She would indicate when her delivery is expected and also should indicate the date of delivery soon after it has taken place. In case, the candidate fails to comply with these instructions her candidature would not be considered and no further correspondence will be entertained in this regard from her. On production of medical fitness certificate, she will be appointed to the same post.

3. No TA will be admissible for first joining the Sangathan as P.R.T.

4. During the provisional appointment and thereafter, until he/ she is confirmed the services of the appointee are terminable by one month's notice on either side without any reason being assigned, therefor. The appointing authority, however, reserves the right to terminate the services of the appointee before expiry of the stipulated period of notice by making payment of sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.

5. Other terms & conditions of service governing the appointment are same as laid down in the Education Code for Kendriya Vidyalayas as amended from time to time. Since for Kendriya Vidyalaya Sangathan Employees, Welfare Scheme has been introduced with effect from 1.4.2002 joining the above scheme is compulsory.

6. "The appointment is provisional as stipulated in Para-1 and is subject to the Schedule Caste/ Tribe certificate being verified through the proper channel and if the verification reveals that the claim to belong to SC or ST as the case may be, is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false certificate".

7. In case of any dispute or claim against the Kendriya Vidyalaya Sangathan, in respect of service or any contract arising out of or flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.

8. If he/ she accepts the offer on the terms and conditions stipulated he/ she would send his/ her acceptance immediately to this office on receipt of this memorandum and join the Kendriya Vidyalaya mentioned overleaf. Necessary proforma for the purpose of forms are enclosed herewith which should be submitted to the concerned Principal, after getting the same duly completed in all respects. This acceptance should reach the undersigned in any case by 16-02-2005. If the offer is not accepted by the said date or after acceptance if the appointee does not report for duty at the above named Kendriya Vidyalaya by 23-02-2005, this offer of appointment will automatically

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stand cancelled and no further correspondence will be entertained from him/ her

9. Suppression of any information will be considered a major offence for which the punishment may extend to dismissal from the services.

10. He/she will not request for transfer within 03 years of initial appointment, if this offer of provisional appointment is deemed as regular appointment. He/she is liable to be transferred anywhere in India.

11. He/she will be eligible for the New Restructured Defined contribution pension system only as circulated by KVS (HQRS) vide circular No.2-17/2003-04/KVS (Budget) dated 08/12/03,2004 and F. 2-17/2003-04/KVS(Budget) dated 24.12.2004.

(U. N. KHWAREY)

ASSISTANT COMMISSIONER

Encl: As above.

Bindu Kumar, C/o Shree Raza Kant Prasad
At. Srinagar, PO. Memukhi, Dist. Patna, Bihar
Pin. 804 452

Copy forwarded to:-

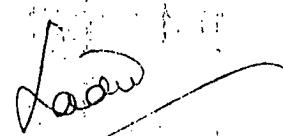
1. The Principal, Kendriya Vidyalaya _____: In case Sh./Smt./Km. _____ accepts the offer of appointment he/ she should be relieved immediately with the instructions to join his/her new post under intimation to the Sangathan. If the appointee is not working at present in his Vidyalaya, this memorandum may be sent to the concerned Vidyalaya forthwith under intimation to the Sangathan.

REGISTERED POST

6

2. The Principal, Kendriya Vidyalaya Lokra, Assam The date of joining of the candidate may be intimated to this office immediately after the candidate reports for duty. In case he/ she does not join by the stipulated date, this office should be informed telegraphically. This appointment is further subject to production of certificates etc. as per Article 49(1) of Education Code for Kendriya Vidyalayas. The candidate be allowed to join his/ her duties only after verification of original certificates, and on submission of requisite forms/ statements duly completed in all respects. Those appointed under SC/ST quota may be allowed to join duties only on production of original certificate mentioned in para 6 of the order. They are also requested to check the original certificates in respect of the qualifications of the appointee employee and satisfy themselves that the appointed possess requisite qualification for the post he/ she is appointed to. The Principal/ Incharge Principal will certify on the joining report itself regarding his/ her satisfaction about the certificate produced.

3. The Dy. Commissioner (Admin.), KVS (HQ), New Delhi, for information please.



ASSISTANT COMMISSIONER

1

KSENDRiya VIDYAl AYA SANGATHAN

Regional Office,
Chayaram Bhawan, Maligaon Chariali,
Guwahati-781012

Phone : 2571798/2571799/2571797(FAX)

REGISTERED POST

No.F.8-7/PRT/2005-KVS(GR)/ 15648 - 50

Dated: 04.02.2005

SUBJECT: OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO THE POST OF PRIMARY TEACHER.

With reference to his/her application for the above post Smt./Km./Shri Anil Amoli is hereby informed that he/she has been selected for appointment on provisional basis against the post of PRT in the Kendriya Vidyalaya Sangathan in the pay scale of Rs. 4500-125-7000/- and posted at Kendriya Vidyalaya, LOKRA (ASSAM). His/ She will draw allowances and other benefits in addition to his/her pay at rates admissible to the Kendriya Vidyalaya Sangathan employees. The offer of appointment is subject to the candidate being declared fit for the post of PRT by a Civil Surgeon. This provisional appointment of Shri/Smt/Kumari Anil Amoli in the post of PRT is subject to the outcome of a report/ conclusion/ recommendations/findings of the enquiry committee set up with the approval of Competent Authority to conduct detailed enquiry into the procedure adopted by Kendriya Vidyalaya Sangathan for selection of candidates for teachers by employing private agency and give, inter-alia report/conclusion/recommendation/findings to ascertain as to whether any candidate has received any undue advantage by virtue of procedure adopted by Kendriya

Affected
Law
Advocate

Vidyalaya Sangathan for the selection and recruitment of teachers for the year 2004-05.

This provisional appointment is for a period of one year or conclusion of enquiry giving its report whichever is earlier. It is clarified that this provisional appointment is purely temporary and will not confer any right for regularization, seniority etc. except in accordance with the terms and conditions herein.

In case before completion of the said enquiry, the period of one year expires this provisional appointment may be renewed by the offeree and the discretion to continue purely vests with the offeree.

In case, the enquiry Committee upholds his/her selection, the present provisional appointment will be deemed as appointment letter on regular basis w.e.f. the date of joining of the appointee.

In case the enquiry committee gives a report/conclusion/recommendations/findings that his/her selection has not been carried out in accordance with the selection procedure, then the present offer will be withdrawn. However, he/she will be given relaxation of one year's age and will be deemed eligible to participate in the next selection process thereafter.

In case the enquiry committee upholds his/her selection, he/she will be on probation w.e.f. the date of joining for a period of two years which may be extended. Upon successful completion of probation he/she will be confirmed in his/her turn as per Kendriya Vidyalaya Sangathan rules on the availability of permanent vacancies.

2. If the candidate is a woman, she should certify that she is not in the family way at the time of acceptance of the appointment. If however, she is pregnant of twelve weeks standing or more at the time of acceptance of appointment as a result of medical test, she will be declared temporarily unfit and the offer of appointment would be treated as withdrawn for the present. However, her appointment would be kept in abeyance until her confinement is over or conclusion of enquiry whichever is earlier. She would get herself medically re-examined six weeks after the date of delivery and her appointment would be subject to production of medical fitness certificate from a Civil Surgeon. She would indicate when her delivery is expected and also should indicate the date of delivery soon after it has taken place. In case, the candidate fails to comply with these instructions her candidature would not be considered and no further correspondence will be entertained in this regard from her. On production of medical fitness certificate, she will be appointed to the same post.

3. No TA will be admissible for first joining the Sangathan as P.R.T.

4. During the provisional appointment and thereafter, until he/ she is confirmed the services of the appointee are terminable by one month's notice on either side without any reason being assigned, therefor. The appointing authority, however, reserves the right to terminate the services of the appointee before expiry of the stipulated period of notice by making payment of sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.

5. Other terms & conditions of service governing the appointment are same as laid down in the Education Cet. for Kendriya Vidyalayas as amended from time to time. Since for Kendriya Vidyalaya Sangathan Employees, Welfare Scheme has been introduced with effect from 1.4.2002 joining the above scheme is compulsory.

6. "The appointment is provisional as stipulated in Para-1 and is subject to the Schedule Caste/ Tribe certificate being verified through the proper channel and if the verification reveals that the claim to belong to SC or ST as the case may be, is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false certificate".

7. In case of any dispute or claim against the Kendriya Vidyalaya Sangathan, in respect of service or any contract arising out of or flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.

8. If he/ she accepts the offer on the terms and conditions stipulated he/ she would send his/ her acceptance immediately to this office & receipt of this memorandum and join the Kendriya Vidyalaya mentioned overleaf. Necessary proforma for the purpose of forms are enclosed herewith which should be submitted to the concerned Principal, after getting the same duly completed in all respects. This acceptance should reach the undersigned in any case by

16-02-2005. If the offer is not accepted by the said date or after acceptance if the appointee does not report for duty at the above named Kendriya Vidyalaya by 23-02-2005, this offer of appointment will automatically

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stand cancelled and no further correspondence will be entertained from him/her.

9. Suppression of any information will be considered a major offence for which the punishment may extend to dismissal from the services.

10. He/she will not request for transfer within 03 years of initial appointment, if this offer of provisional appointment is deemed as regular appointment. He/she is liable to be transferred anywhere in India.

11. He/she will be eligible for the New Restructured Defined contribution pension system only as circulated by KVS (HQRS) vide circular No. 2-17/2003-04/KVS (Budget) dated 08/12/03/2004 and F. 2-17/2003-04/KVS(Budget) dated 24.12.2004.

Loan
(U. N. KHAWAREY)

ASSISTANT COMMISSIONER

Encl: As above

✓ Mr. Anil Amoli
34, Shiv Nagar,
P.O.: Defence Colony
DEHRADUN - 248001 (UTTARANCHAL)

Copy forwarded to:

1. The Principal, Kendriya Vidyalaya . In case Sh./Smt./Km. accepts the offer of appointment he/ she should be relieved immediately with the instructions to join his/her new post under intimation to the Sangathan. If the appointee is not working at present in his Vidyalaya, this memorandum may be sent to the concerned Vidyalaya forthwith under intimation to the Sangathan.

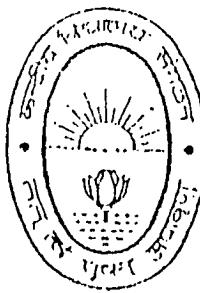
REGISTERED POST

2. The Principal, Kendriya Vidyalaya LOKRA (ASSAM). The date of joining of the candidate may be intimated to this office immediately after the candidate reports for duty. In case he/ she does not join by the stipulated date, this office should be informed telegraphically. This appointment is further subject to production of certificates etc. as per Article 49(1) of Education Code for Kendriya Vidyalayas. The candidate be allowed to join his/ her duties only after verification of original certificates, and on submission of requisite forms/ statements duly completed in all respects. Those appointed under SC/ST quota may be allowed to join duties only on production of original certificate mentioned in para 6 of the order. They are also requested to check the original certificates in respect of the qualifications of the appointee employee and satisfy themselves that the appointee possess requisite qualification for the post he/ she is appointed to. The Principal/ Incharge Principal will certify on the joining report itself regarding his/ her satisfaction about the certificate produced.

3. The Dy. Commissioner (Admn.), KVS (HQ), New Delhi, for information please.

ASSISTANT COMMISSIONER

EDUCATION CODE FOR KENDRIYA VIDYALAYAS



KENDRIYA VIDYALAYA SANGATHAN
18, INSTITUTIONAL AREA
SHAHEED JEEET SINGH MARG
NEW DELHI - 110 016

*Attested
by
Advocate*

Promotions effected on the basis of the consolidated select list will have only prospective effect, even in cases where the vacancies relate to earlier years.

Article 57. Foreign Service Terms

The Central Government employees or State Govt. employees, appointed on deputation on foreign service, to posts in the Sangathan, will be governed by the terms and conditions of deputation as agreed to by the parent Department and Sangathan.

Article 58. Jurisdiction

In case of any dispute or claim arising as a result of employment under the Sangathan, the Central Administrative Tribunal alone shall have the jurisdiction.

**KENDRIYA VIDYALAYA SANGATHAN
REGIONAL OFFICE : GUWAHATI**



No. F. 8-7/PRT/2005-KVS/GR/ 18,695-57

Dated: 20.01.2006

MEMORANDUM

With reference to this office letter of even number dated 04.02.2005 vide which you have been offered provisional appointment on contract to the post of Primary Teacher as per terms and condition mentioned therein. Accordingly you have joined your duties on 23.02.2005 at Kendriya Vidyalaya Lokra.

The period of said provisional appointment is extended upto 30th April 2006 or conclusion of enquiry giving its report which ever is earlier. Other terms and conditions of the provisional appointment will remain the same as mentioned in the letter referred above. This extension should be understood in the context in which it is made and by this extension the provisional contract employee does not get any vested right to claim for regularization in KVS. This is subject to further modification with regard to extension of time, if any.

[Signature]
(U.N. KHawarey)
ASSISTANT COMMISSIONER

To:

Shri. /Smt/Ms. M.Kumar - PRT
Kendriya Vidyalaya Lokra.

Distribution: -

1. Principal, Kendriya Vidyalaya Lokra with the instruction to deliver the letter to the individual by obtaining receipt of the same.
2. Deputy Commissioner (Admin.) KVS (HQ), New Delhi.

*Affected
for
Advocate*

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KENDRIYA VIDYALAYA SANGATHAN
REGIONAL OFFICE : GUWAHATI



No. F. 8-7/PRT/2005-KVS/GR/ 14659-61

Dated: 20.01.2006

MEMORANDUM

With reference to this office letter of even number dated 04.02.2005 vide which you have been offered provisional appointment on contract to the post of Primary Teacher as per terms and condition mentioned therein. Accordingly you have joined your duties on 23.02.2005 at Kendriya Vidyalaya Lokra.

The period of said provisional appointment is extended upto 30th April 2006 or conclusion of enquiry giving its report which ever is earlier. Other terms and conditions of the provisional appointment will remain the same as mentioned in the letter referred above. This extension should be understood in the context in which it is made and by this extension the provisional contract employee does not get any vested right to claim for regularization in KVS. This is subject to further modification with regard to extension of time, if any.



(U.N.KHawarey)
ASSISTANT COMMISSIONER

To:

✓ Shri./Smt/Ms. B.Kumar - PRT
Kendriya Vidyalaya Lokra.

Distribution:-

1. Principal, Kendriya Vidyalaya Lokra with the instruction to deliver the letter to the individual by obtaining receipt of the same.
2. Deputy Commissioner (Admn.) KVS (HQ), New Delhi.

*Abesha
Advocate*



KENDRIYA VIDYALAYA SANGATHAN
REGIONAL OFFICE : GUWAHATI :22.

No.F.8-7/PRT/2005-KVS(GR) / 18587 - 89

Dated : 20-01-2006

MEMORANDUM

With reference to this office letter of even number dated 04-02-2005 vide which you have been offered provisional appointment on contract to the post of Primary teacher as per terms and conditions mentioned therein. Accordingly you have joined your duties on 22-02-2005 at Kendriya Vidyalaya Lokra.

The period of said provisional appointment is extended upto 30th April,2006 or conclusion of enquiry giving its report whichever is earlier. Other terms and conditions of the provisional appointment will remain the same as mentioned in the letter referred above. This extension should be understood in the context in which it is made and by this extension the provisional contract employee does not get any vested right to claim for regularization in KVS. This is subject to further modification with regard to extension of time, if any.


(U. N. Khawarey)
Assistant Commissioner

To

✓ Shri A. Amoli, PRT
Kendriya Vidyalaya,
Lokra

Distribution :-

1. Principal, K.V ,Lokra with the instruction to deliver the letter to the individual by obtaining receipt of the same.
2. Deputy Commissioner (Admn.), KVS (HQ) New Delhi.

*Attested
Law Advocate*

Mr. B. K. Singh
KVS SAO
Plot No. 110016
Phone: 26857936
E-mail: kvsao.nic.in
kvsao.kvs@vishwanath.nic.in

F.11.1/2005-06-KVS/Estt-II

Dated: 27-4-2006

The Assistant Commissioner
Kendriya Vidyalaya Sangathan
All Region Offices.

Sub: Offer of provisional appointment on contract to the post of
PGT/TGT/PRT.

Sir/Madam,

In continuation to this office letter of even number dated 13-4-2006 it is to inform you that it has been decided by the competent authority that the period of provisional appointment on contract to the post of PGT/TGT/PRT appointed in the year 2005 on direct recruitment basis be extended up to 30th June 2006 or conclusion of enquiry giving its report whichever is earlier. Other terms and conditions of the offer issued to the candidates will remain the same. You are therefore requested to take necessary action in the matter accordingly. The text of the memorandum to be issued to the candidates is enclosed herewith.

Yours faithfully,

(Pragya Richa Srivastava)
Joint Commissioner(Admn.)

Enccl: As above.

*Atul
Sub
Advocate*

KENDRIYA VIDYALAYA SANGATHAN

10, Institutional Area, Shahid Jot Singh Marg, New Delhi - 110016

Kendriya Vidyalaya Sangathan (K.V.S.) is an autonomous organization under the Ministry of Human Resource Development, Govt. of India. K.V.S. intends to recruit Post Graduate, Trained Graduate and Primary Teachers for its schools spread all over India. Applications are invited in the prescribed format (as per annexure enclosed) from Indian Nationals for recruitment of teachers in KVS for the year 2005-2006 for filling up of vacancies (estimated to be more than one thousand) and for drawing a panel of candidates. The details of the post and eligibility criteria etc. are given below:

PART - I : DETAILS FOR VARIOUS POSTS

A. POST GRADUATE TEACHERS

PAY SCALE: Rs. 6500-200-10500

UPPER AGE LIMIT: 40 YEARS (as on 01.01.2006)

ESSENTIAL QUALIFICATIONS:

i) Two years Integrated Post Graduate M.Sc Course of Regional Institute of Education or NCERT in the concerned subject with atleast 50% marks in aggregate or Masters Degree from a recognized University with at least 60% marks in aggregate in the following subjects:

S.No.	Name of Post	Subject(s)
a.	PGT (English)	English
b.	PGT (Hindi)	Hindi
c.	PGT (Physics)	Physics/Electronics/Applied Physics/Nuclear Physics
d.	PGT (Chemistry)	Chemistry/Inorganic Chemistry
e.	PGT (Economics)	Commerce/ Applied Economics/ Business Economics
f.	PGT (Commerce)	Commerce with Accounting / Cost Accounting / Financial Accounting as a Major subject of study. Holders of degrees of M.Com in Applied / Business Economics shall not be eligible.
g.	PGT(Maths)	Mathematics/Applied Mathematics
h.	PGT(Biology)	Botany/Zoology /Life Sciences/Cell Science/ Genetics/ Micro Biology/Bio-Technology/Molecular Bio/Plant Physiology provided they have studied Botany and Zoology at Graduation level
i.	PGT(History)	History
j.	PGT(Geography)	Geography

i) B.Ed. or equivalent qualification from a recognized University.

ii) Proficiency in teaching through Hindi and English media (will be judged by way of descriptive type written examination of +2 standard).

Desirable: Knowledge of Computer Applications.

1. TRAINED GRADUATE TEACHERS

PAY SCALE: Rs. 6500-176-9000

UPPER AGE LIMIT: 35 Years (as on 01.01.2005)

ESSENTIAL QUALIFICATIONS:

i) Four Years Integrated degree course of Regional Institute of Education of NCERT in the concerned subject with at least 50% marks in aggregate; or Second Class Bachelor's degree with at least 50% marks in the concerned subject(s) and in aggregate including objective and languages in the combination of Subjects as under:

S.No.	Name of Post	Subject(s)
a.	TGT(English)	English as an objective subject at Degree level
b.	TGT(Hindi)	Hindi as an objective subject at Degree level
c.	TGT(Social Studies)	Any two of the following : History, Geography, Economics and Pol. Science of which one must be either History or Geography
d.	TGT(Biology)	Chemistry, Botany and Zoology
e.	TGT(Sanskrit)	Sanskrit as an objective subject at Degree level
f.	TGT(Maths)	Maths with any two of the following subjects : Physics/Chemistry/ Electronics/ Computer Science/ Statistics

B.Ed. or equivalent qualification from a recognized University.

i) Proficiency in teaching through Hindi and English media (will be judged by way of descriptive type written examination of +2 standard).

Desirable: Knowledge of Computer Applications.

2. PRIMARY TEACHERS

PAY SCALE: Rs. 4500-125-7000

UPPER AGE LIMIT: 30 Years (as on 01.01.2006)

ESSENTIAL QUALIFICATIONS

i) Senior Secondary (Class XII) with 50% marks.

ii) JEE - after Senior Secondary (Class - XII) or B.Ed or equivalent or B.EED.

iii) Proficiency in teaching through Hindi and English media (will be judged by way of descriptive type written examination of 10th standard).

Desirable: Knowledge of Computer Applications

3. SELECTION

In case of vacancies for SC, ST, OBC, Ex-servicemen and Physically Handicapped candidates will be as per rules of the Government of India. A person who has served in any rank whether as combatant or as a non-combatant in the Armed Forces (Army, Navy and Air Force) will only be eligible for reservation for Ex-servicemen.

PART - II : ELIGIBILITY/AGE RELAXATION

ELIGIBILITY OF APPLICANTS

Applicants must fulfil the essential requirements of the post applied for and other conditions indicated in this advertisement as on 01.01.2005. Before applying they must satisfy themselves as they possess the essential qualifications prescribed for various posts. The applications of non-candidates not fulfilling the essential qualifications and other requirements will be summarily rejected and no correspondence will be made in this regard.

4. AGE RELAXATION

Relaxation in upper age limit will be as under:

- Upto a maximum of Two years in the case of SC/ST candidates
- Upto a maximum of Three years in the case of OBC candidates
- Upto a maximum of Five years for persons who had ordinarily been domiciled in the State of Jammu and Kashmir during 1.1.00 to 31.12.09
- Upto a maximum of Ten years for women candidates
- Upto a maximum of Five Years for Govt. recruited/KVS regular employees.
- An ex-serviceman who has put in not less than 00 months continuous service in the Armed Forces (Army, Navy and Air force) shall be allowed to deduct the period of such service from his actual age and if the resultant age does not exceed the maximum age limit prescribed for the post by more than 3 years he shall be deemed to satisfy the condition regarding age limit. This is applicable for the posts of Trained Graduate Teachers and Primary Teachers. For the post of Post Graduate Teachers, the above will not be applicable.
- Upto a maximum of 10 years in the case of SC/ST candidates and 8 years in the case of OBC candidates serving as Govt. employees in accordance with the Govt. of India instructions. An applicant claiming age relaxation under this para should produce a certificate from

his/her employer to the effect that he/she is a Govt. servant as on the date of advertisement.

(ii) Upto a maximum of 10 years in the case of Physically Handicapped EXCEPT PHYSICALLY HANDICAPPED CANDIDATES, ALL THE CONCESSIONS MENTIONED ABOVE WILL BE CONCURRENT, THAT IS, IF A PERSON IS ELIGIBLE FOR MORE THAN ONE CONCESSION, ONLY ONE OF THE CONCESSIONS OF THE HIGHEST PRIORITY RANK WILL BE GRANTED.

FOR PHYSICALLY HANDICAPPED, IF A PERSON BELONGS TO SC/ST, HE/SHE WILL BE ALLOWED 15 YEARS i.e. 10 YEARS FOR P.G. AND 05 YEARS FOR SC/ST.

PART - III : HOW TO APPLY AND EXAMINATION FEE/ APPLICATION FEE

i. Application must be submitted in the prescribed format published in Annexure of this advertisement. The application format can also be downloaded from the website of the Sangathan www.kvsangathan.nic.in

ii. Candidates desirous to apply for more than one post should submit applications for each post accompanied by the prescribed fee and necessary enclosures for each post in separate envelopes.

iii. Applicants cannot apply for more than one subject in each category of Post (P.G./T.G./T.O.)

iv. Envelope containing the application must be super-scripted in bold letters as "APPLICATION FOR THE POST OF (PGT / TGT / PRT) In (name of Subject)

v. duly filled in application must reach at the following address latest by 25.03.2005.

KENDRIYA VIDYALAYA SANGATHAN

POST BOX NO.4624

NEW DELHI-110016

EXAMINATION FEES / APPLICATION FEE

1. Candidates will have to pay a NON-REFUNDABLE APPLICATION FEE OF Rs.100/- (One Hundred/- only) by Demand Draft only in favour of KENDRIYA VIDYALAYA SANGATHAN (Bank Branch: No. 021) along with his/her application. The fee paid through IPO/ Money Order/ Crossed Cheque/ Currency note or the Treasury Challan etc. will not be accepted by the Sangathan and such application will be treated as being been submitted without fee. Separate fee will be paid through separate bank draft for each post applied.

2. The refund of the fee will not be allowed in any case.

3. The bank draft should be valid for at least 6 months from the date of publication of this advertisement. In the case of local pay orders issued in lieu of Demand Draft, the validity should be six months or three months as applicable.

4. No fee is required to be paid by SC/ST/Ex-servicemen categories. Physically Handicapped persons are also exempted from payment of fee subject to the submission of photocopy of the prescribed Medical certificate issued by a Govt. Hospital, duly signed by Chief Medical Officer. Similarly, the candidates from SC/ST/Ex-Servicemen categories should also produce a photocopy of certificate issued by competent authority. In the absence of such proof and if no fee has been paid, the application will be rejected on the ground of "No payment". No correspondence or proof sent later will be entertained.

PART - IV : MODE OF SELECTION AND SCHEME OF EXAMINATION

1. The Sangathan will hold written examinations as per scheme of examination given below, for the recruitment to the above mentioned posts at Ahmedabad, Bangalore, Bhopal, Hyderabad, Chandigarh, Chennai, Delhi, Dibrugarh, Guwahati, Hyderabad, Jabalpur, Kolkata, Jalandhar, Jammu, Lucknow, Mumbai and Patna.

2. The centre for the examinations as mentioned above are subject to change at the discretion of the Sangathan. While every effort will be made to allot the candidate, the centre of his/her choice for the examination, the Sangathan may at its discretion allot a different centre to the candidate in case circumstances so warrant. No request for change of examination centre once allotted will be entertained and the candidate will have to appear at the allocated centre at his/her convenience.

3. The mode of selection shall include a written test/ examination, proficiency test and personal interview.

4. The written examination will be of two types i.e. Objective type and Descriptive type. Paper - I (General Paper) will be containing 120 Objective type questions with four multiple choice answers in the subjects like General English (30), General Knowledge/General Awareness (30), General Intelligence/ Reasoning (20), Numerical ability (20) and Teaching Aptitude (20). The duration of the paper will be 2 hours. This examination will be immediately followed by a Descriptive Test of 1 (one) hour duration i.e. Paper - II containing questions in English and Hindi language to test the bilingual competence of candidate. The total duration of Paper-I and II will be three hours.

There will be another Descriptive Type Test of three hours duration i.e. Paper - III, which will be held in the second shift containing long and short questions pertaining to Subject/Unit for which a candidate has applied. The candidate will be required to answer three questions in descriptive manner.

It is mandatory for all candidates to appear at all the examinations as per above details. In case a candidate is found absent in any of the tests, his/her answer sheets will not be evaluated. For the evaluation purpose, no negative marking will be given. The Scheme of written examination is as under:

SCHEME OF WRITTEN EXAMINATION FOR THE POST OF PGT, TGT AND PRT

SL No.	Name of Post	Date of Exam.	Type of Paper	Difficulty Level	Timing	Paper	Subject(s)	Total Marks
1.	PGT	21/05/2005	Objective	Post-Graduation	0900-1100 hrs	I	General Paper	120
			Descriptive	+2 Level	1100-1200 hrs	II	Language Proficiency	40
			Descriptive	12th Std.	1100-1200 hrs	III	Subject Paper	120
2.	TGT	22/05/2005	Objective	Graduation	0900-1100 hrs	I	General Paper	120
			Descriptive	+2 Level	1100-1200 hrs	II	Language Proficiency	40
			Descriptive	12th Std.	1100-1200 hrs	III	Subject Paper	120
3.	PRT	23/05/2005	Objective	10th Std.	0900-1100 hrs	I	General Paper	120
			Descriptive	+2 Level	1100-1200 hrs	II	Language Proficiency	40
			Descriptive	12th Std.	1100-1200 hrs	III	Subject Paper	120

The above scheme of examination will remain unchanged except change in the order of date(s) for PGT, TGT or PRT which may be changed depending upon number of candidates. While effort will be made to conduct the Examination in order of date(s) mentioned above for each category, there is possibility that the date(s) of examination of examination for PGT, TGT and PRT may change due to administrative reasons. The exact date of holding the examination for those posts will be indicated in the Admit Card which will be issued.

5. The candidate's performance in Paper-I will be evaluated first and based on the marks secured and merit ranking secured by candidate, upto a cut off percentage as decided by KVS, the descriptive answer sheets of Paper-II and Paper-III will be evaluated further in respect of only those candidates who are shortlisted on the basis of Paper - I. However the marks secured by those shortlisted candidates in Paper-II will not be included for the final merit ranking. While processing the final results, only those candidates will be included who have obtained a pre-determined cut off percentage of marks in Paper-II and Paper-III. Only those candidates will be

Combined

After
Final
Admit
Card

called for the interview who have posted mail along himself on the performance (above cut off percentage) in both the discipline/streams i.e. Paper II and Paper III.

6. The Sangathan will make preliminary scrutiny of all the applications to determine eligibility of candidate before the Written Tests. For this purpose a candidate has to attach attested copies of identification certificates, mark-sheets, caste, ad. category etc. for determining eligibility. However, in case even at the time of preliminary scrutiny, a candidate is allowed to appear at the written examination or even if called for the interview and such candidate does not fulfill any of the laid down selection criteria, his/her candidate will automatically be treated as cancelled even after giving letter of appointment. Therefore, before submitting the application, the candidate must ensure that he/she fulfills all the eligibility criteria as laid down in this advertisement. His/her candidature will be purely provisional subject to eligibility being verified again after the test and interview.

Candidate who has been allowed to appear at the written test and/or interview, should not presume that he/she is eligible for appointment to the post.

The Sangathan reserves the right to cancel his/her candidature at any stage of the selection, if it is not as per the provisions laid down in this advertisement.

7. The decision of the Sangathan about the mode of selection to the post and eligibility conditions of the applicant shall be final and binding. No correspondence will be entertained in this regard.

NOTIFICATION TO THE ATTACHED WITH THE APPLICATION

1. A Bank Draft of Rs. 100/- (three hundred only) in favour of Kondhali Vidyalaya Sangathan, payable at New Delhi.
2. Attested photocopies of all the educational qualifications, mark-sheets, date of birth, caste/ category, sub-category, experience etc. duly signed with application together.
3. One self addressed and self stamped Post Card by affixing postage stamp of Rs. 6/-.

LAST DATE FOR RECEIPT OF APPLICATIONS : 15.02.2005

Candidates must send application by ordinary post since applications sent by Regd. Post/ Courier are not accepted at Post Box address. KVS will not be responsible for applications sent at any other address (including KVS office) or sent by hand/generally. Candidates are advised to send the application well in advance to avoid any postal delay; in such a manner that the same reaches before the stipulated date for receipt of application. Similarly, those sending application through private firm should also ensure that the application from the employer is sent well in time so that the same is received by the last date. Sangathan will not accept any application received after the last date and will automatically reject the same. Post office has been given instructions not to accept any application after the last date. Such applications will be redirected by Post Office at the cost and risk of applicant. KVS will not entertain any correspondence from such applicants and their applications will not be accepted under any circumstances even if proof of despatch is shown by a candidate. KVS will not be responsible for any delay in the post of candidate/post office.

Reasons of Rejection: The following are the broad parameters of rejection of application of a candidate:

- (i) Non receipt of fee with application in the manner required (except exempted category).
- (ii) Non receipt of any of the documentary proof in the form of attested photocopies of qualification, mark-sheets, caste certificate etc.
- (iii) Non receipt of caste certificate/sub-category certificate, wherever applicable.
- (iv) Non possessing the degree/qualifications with cut off date.
- (v) Not fulfilling any of the laid down eligibility criteria by cut off date.
- (vi) Incomplete application or application not received in proper format.

GUIDELINES FOR FILLING UP THE APPLICATION FORM

- (i) Applicants must read the 'Guidelines' before filling up the Application Form and must ensure that no column applicable to them is left blank or wrongly filled as the information furnished therein would be used for deciding the eligibility and suitability of the applicants for being called for written examination/interview. Correct name of the course/degree must be written with proper nomenclature. Applications not filled correctly and not as per the 'Guidelines' are liable to be rejected and the cause of such rejection would be on the applicant(s).
- (ii) The candidates must fill in the application form published in Annexure to this advertisement and may return it in original or may get the form photocopied or typed neatly in blockcap style while paper (21 cms x 30 cms) in double space on one side of the paper or on printed application form ensuring that its format is exactly the same as published by the Sangathan in the advertisement or may download from the Sangathan website www.kvsangathan.nic.in. While filling information in block letters in boxes relating to name, address, father's name etc., one box should be left blank between the names/words. Application Forms will not be supplied by the Kondhali Vidyalaya Sangathan or Kondhali Vidyalaya (a).
- (iii) The application form has to be processed in computerized system. Candidates should take special care that entries made in the application form are clear, legible and complete. The candidate will be solely responsible for any advise/decision on his/her candidature due to illegible or misleading entries. Applications which are illegible or not incompletely/ incompletely filled or not accompanied by the prescribed fee shall be summarily rejected.
- (iv) The candidates should note that no request for change of subject or Post or centre as indicated originally by them in the application form shall be entertained by the Sangathan under any circumstances.
- (v) While filling his/her application form, the candidate should carefully decide about his/her choice of the subject or post or preference of the centre of the examination. If a candidate indicates the name of more than one post in TGT/GT, his/her application is liable to be cancelled.
- (vi) The candidate should fill up the appropriate codes for the post/subject/centre of examination in the application form. The codes for various post/subject/centre of examination are given below:

POST GRADUATE TEACHERS

Post Subject Codes

PGT (English)	<table border="1"> <tr><td>1</td><td>1</td></tr> <tr><td>1</td><td>2</td></tr> </table>	1	1	1	2	PGT (Hindi)	<table border="1"> <tr><td>1</td><td>2</td></tr> <tr><td>1</td><td>3</td></tr> </table>	1	2	1	3
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TRAINED GRADUATE TEACHERS

Post Subject Codes

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PRIMARY TEACHERS

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Subject offered Code (refer column no.12 of the application form) for various subject combinations:

- (1) Plus two/ Higher Secondary/ PUC/Intermediate (Class XII)
- (2) Physics, Chemistry, Mathematics
- (3) Chemistry, Botany and Zoology
- (4) Physics, Botany and Zoology
- (5) Social Sciences (having at least two subjects out of History, Geography, Economics and Political Science).
- (6) Commerce/Accountancy/Business Studies
- (7) Others
- (8) Graduate degree
- (9) English Literature as one of the main subjects
- (10) Chemistry, Botany and Zoology
- (11) Physics, Chemistry, Mathematics
- (12) Hindi literature as one of the subjects
- (13) Physics, Chemistry, Botany/Zoology
- (14) Physics, Botany and Zoology
- (15) Physics, Chemistry, Mathematics
- (16) Physics, Chemistry, Botany/Zoology
- (17) Hindi literature as one of the main subjects.

08. Social Studies (having at least two subjects out of History, Geography, Political Science, of which one could be either History or Geography).

09. (A, B, C) (A) In History/Geography/Economics

(B, C) In Chemistry/Physics/Botany/Zoology

10. Others

11. Post Graduate Teacher

12. English

13. Electronics

14. Chemistry

15. Applied Economics

16. Mathematics

17. Zoology

18. Geography

19. Molecular Biology

20. Plant Physiology

21. Earth

22. Applied Physics

23. Bio Chemistry

24. Business Economics

25. Botany

26. Bio Sciences

27. Bio Technology

28. History

EXAMINATION CENTRE CODE

Bengaluru 31 Bhopal 32 Bangalore 33 Kolkata 35

Delhi 34 Guwahati 35 Mumbai 39 Ahmedabad 39

Lucknow 37 Chandigarh 41 Hyderabad 43 Jaipur 47

Dharamsala 40 Patna 47

SPECIAL INSTRUCTIONS TO THE CANDIDATES

- (i) Applications have been invited only for the post of Post Graduate Teacher, Trained Graduate Teacher and Primary Teacher. Applications for other posts should not be submitted.
- (ii) Qualifications required by the candidate should be strictly in accordance with the prescribed qualification and candidate should not seek claim of equivalence of their qualifications with that of qualifications as asked for. Minimum grades have been given, unqualifed marks of graduation should be attached.
- (iii) The Candidate should not fill in those qualifications in the application form for which they have appeared in any of the examination where to fill in is not mandatory/unnecessary/not disclosed.

- (iv) Candidate applying for the posts of TGT in Mathematics, Science and P.T. must do that they should have studied the combination of given subjects in all the years of degree course and in each year they have secured 50% marks in the subject and aggregate. TGT-G has to make sure that they have studied the two subjects out of given 4 subjects out of which one must be History or Geography. The applicants for these posts should attach mark sheet of each year to determine their eligibility in the absence of which their candidature will be cancelled. Similarly, candidature of those candidates who have not studied the required subjects, will be cancelled.

- (v) Each examination for all the posts of PG/17/ TGT will be held simultaneously for all the subjects on the same day, a candidate cannot appear for other subjects in the same category of post. Therefore, at the most a candidate can apply only for one post in PG/17, one in TGT and P.T. Candidates are advised to apply only for one post, in each category. However, a candidate must apply separately for a post more clearly with mark the column of Hindi and P.T. to determine their eligibility etc. Such candidate will not be allowed to mix the subjects of their qualifications. The guide/scribe will be provided at the centre who will assist such candidate in writing their answer on their behalf, in case the visibility level is such that they cannot write on their own. However, such candidates can keep with them their own guide who should not be more than 10th Standard for PGT, 12th Standard for TGT and a Graduate in the case of P.T. whose services may be utilized. However, such candidate should also bring with them their guide with above mentioned qualifications whose services may be utilized. In case the centre is not in a position to provide the guide to the examinee, to whom scribe for them could not be made available, the examination will be conducted under the overall supervision of the invigilator. A total of one hour for Paper I and II (if concerned) will be given and similarly for each category for paper III will be given to each candidate.

- (vi) The O.P.C candidate must produce a certificate on the prescribed format, to be issued by employment in centre Govt. offices and they should use a blue ink pen only.
- (vii) Application should be submitted by ordinary post only to:

KENDRIYA VIDYALAYA SANGATHAN

P.O.BOX 4624, NEW DELHI-110 016

- (viii) Candidates serving in any recognized institution/organization/autonomous body of Central Govt./State Govt. must apply under invitation to their Employer. They will not be required to provide the 'Non Objection Certificate', if called for interview.

- (ix) Applicants should note that in case a communication is received by the Sangathan from his/her present employer, withholding the candidate from appearing at the written test/interview, his/her application/candidature will be rejected.

- (x) Candidates admitted to the examination will be sent Photo Admit Card preceding them to take the examination. No candidate will be permitted to appear at the examination without the Admit Card.

- (xi) On receiving the admit card, candidate should verify that the scanned photograph, photo taken (from the application form) printed on the admit card are identical and there is no objection of any kind in the photograph and signatures. If any objection is found, please inform Regional Office of KVS located at the city of the centre allocated for examination one day before the scheduled date of exam so that remedial action is taken.

- (xii) A candidate who does not receive Admit card for the examination may get in touch with the Assistant Commissioner, Regional Office of the KVS at the city of examination (list of KVS Regional Office is available at the website of KVS) along with proof of their having applied for the post one day before the scheduled date of exam, between 10 AM to 4 PM along with 2 passport size photographs for issuance of provisional admit card. In respect of those candidates whose applications were not received by Sangathan due to postal delay or otherwise, no reject will be taken and no fresh request will be entertained.

- (xiii) Important information relating to conduct of KVS-PGT, TGT, P.T-2005 Examination will be available at KVS website www.kvsangathan.nic.in. Applicants must remain in touch with KVS through its website for the important information which KVS will display on its website from time to time.

- (xiv) Candidates in any form will disqualify a candidate.
- (xv) There will not be any separate marking for evolutional purposes. The question paper will be provided bilingually i.e. In Hindi and English.

- (xvi) A candidate appearing for the examination must bring with him a Pen, Pencil, Rubber and other stationary for examination purposes.
- (xvii) No Calculator, G.I.I Tools, Digital Diary, Watch etc. will be allowed to the examinee in the examination hall.

- (xviii) The candidate might be disallowed to go to examination. The candidate will be required to appear for each re-examination of his/her own cost.
- (xix) No TA/DA will be paid for appearing of the written tests and interview.

- (xx) The results of the shortlisted candidate for interview will be available on the website around mid July, 2005. The shortlisted candidates will be sent interview letters for appearing at the interview to be held at Delhi around 2nd/3rd week of August, 2005.
- (xxi) Based on the overall performance, in the written examination and interview, appointment letters will be issued by Sangathan.

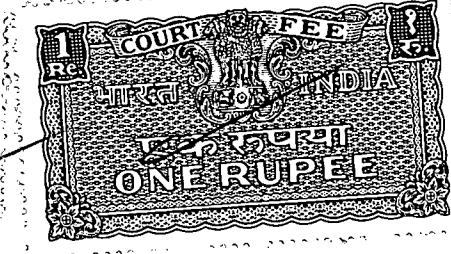
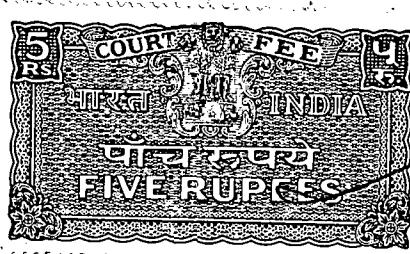
- (xxii) Selected candidates are asked to post anywhere in India ahead of the year end available in specific region. For instance of Kondhali Vidyalaya (a), Kondhali and surrounding transferable to any establishment of KVS in India or abroad. No request for change of place of posting will be entertained.
- (xxiii) Selected candidates will be entitled to various allowances as admissible under the Central Govt./KVS rules.

- (xxiv) Selected candidates will initially be on probation for two years which is extendable by two more years for year to year basis, if necessary.
- (xxv) The Sangathan may at his discretion recommend higher initial pay to exceptionally qualified and experienced candidates.

- (xxvi) For all practical purposes or in case of any discrepancy in the content of text of the advertisement in English language, the English version of the advertisement will prevail.

- (xxvii) The jurisdiction for all legal matters for this recruitment will be New Delhi and legal cases filed (if any) in other courts will not be maintained.

(Continued on page 32)



VAKALATNAMA

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWALIATI BENCH: GUWALIATI

O. A. No. 102 /2006

...Applicant(s)

Sri Manoj Kumar & ors.

-Vs-

...Respondent(s)

Know all men by these presents that the above named Applicant do hereby appoint, nominate and constitute Sri Manik Chanda, Sri Nath,

and Sri _____, Advocate(s)

and such of below mentioned Advocate(s) as shall accept this VAKALATNAMA to be my/our true and lawful Advocate(s) to appear and act for me/us in the above noted case and for that purpose to do all acts whatsoever in that connection including depositing or drawing money, filing in or taking out papers, deeds of composition etc. for me/us and on my/our behalf and I/We agree to ratify and confirm all such acts to be mine/our for all intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate(s) shall be bound to appear and/or act on my/our behalf.

In witness whereof, I/We hereunto set my/our hand on this the 3rd day of May, 2006.

Received from the Executant, Mr. _____ And accepted
satisfied and accepted. Senior Advocate will lead me/us in the case.

Advocate

Advocate

Advocate

Subrata Nath

Manik Chanda

Manoj Kumar
Bindu Kumar
Anil Amol

NOTICE

From:

Subrata Nath
Advocate.

To,

Shri M.K. Mazumdar,
Advocate.
Counsel for KVS.

Sub:- O.A. No. _____/2006 (Shri Manoj Kumar & Ors -Vs- U.O.I & Ors.)

Sir,

Find please enclosed herewith a copy of the above-mentioned Original Application, which is being filed today. This is for your information and necessary action.

Please acknowledge receipt of the same.

Yours sincerely

Received

(M.K. Mazumdar)
Advocate, KVS.

Subrata Nath
3/5
(Subrata Nath)

Advocate.

I undertake to serve a copy
of this O.A. to Shri M.K. Mazumdar,
Counsel, KVS.

Subrata Nath
Advocate
3/5

22 AUG

गुवाहाटी बाबापुरिठ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 102/2006

Sri Manoj Kumar & Others

.....Applicants

Versus -

Kendriya Vidyalaya Sangathan & Ors.

.....Respondents

IN THE MATTER OF :

Preliminary submission of facts prior to
filing of Written Statement by the
Respondents.

- AND -

IN THE MATTER OF :

The order dated 22-06-2006 under
Memo No. F.11-1/2005-06-KVS/Estd-II
issued by the Joint Commissioner
(Administration).

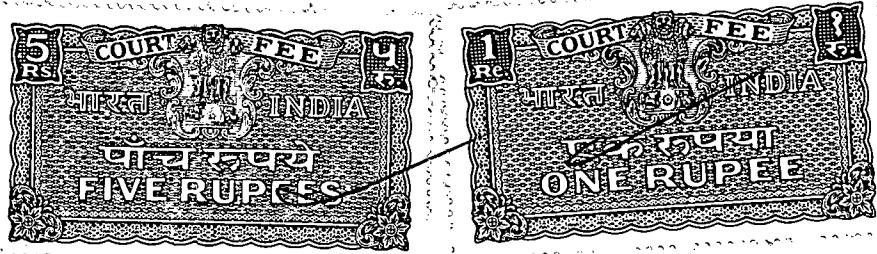
- AND -

IN THE MATTER OF :

The Assistant Commissioner

K.V.Sangathan, Guwahati Region
Guwahati.

.....Petitioner.



VAKALATNAMA

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWALIATI BENCH: GUWALIATI

O. A. No. 102 /2006

...Applicant(s)

Sri Manoj Kumar & ors.

-Vs-

...Respondent(s)

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and Sri _____, Advocate(s) and such of below mentioned Advocate(s) as shall accept this VAKALATNAMA to be my/our true and lawful Advocate(s) to appear and act for me/us in the above noted case and for that purpose to do all acts whatsoever in that connection including depositing or drawing money, filing in or taking out papers, deeds of composition etc. for me/us and on my/our behalf and I/We agree to ratify and confirm all such acts to be mine/our for all intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate(s) shall be bound to appear and/or act on my/our behalf.

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Advocate

Advocate

Advocate

Bindu Kumar

Arif Amoli

Manoj Kumar

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Subrata Nath
Advocate.

To,

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Counsel for KVS.

Sub:- O.A. No. _____/2006 (Shri Manoj Kumar & Ors -Vs- U.O.I & Ors.)

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Please acknowledge receipt of the same.

Yours sincerely

Received

(M.K. Mazumdar)
Advocate, KVS.

Subrata Nath
3/5
(Subrata Nath)

Advocate.

I undertake to serve a copy
of this O.A. to Shri M.K. Mazumdar,
Counsel, KVS.

Subrata Nath
Advocate
3/5

22 AUG

गुवाहाटी बाबापुरिठ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 102/2006

Sri Manoj Kumar & Others

.....Applicants

Versus -

Kendriya Vidyalaya Sangathan & Ors.

.....Respondents

IN THE MATTER OF :

Preliminary submission of facts prior to
filing of Written Statement by the
Respondents.

- AND -

IN THE MATTER OF :

The order dated 22-06-2006 under
Memo No. F.11-1/2005-06-KVS/Estd-II
issued by the Joint Commissioner
(Administration).

- AND -

IN THE MATTER OF :

The Assistant Commissioner

K.V.Sangathan, Guwahati Region
Guwahati.

.....Petitioner.

1. That the applicants by filing joint application have raised the question for their absorbing in the post they are holding on regular basis and or to allow them to continue till applicants are absorbed.
2. That the facts remain that after regular selection they were offered contractual appointment on provisional basis which is subject to outcome of report of enquiry committee set up by the competent authority.
3. That the contractual provisional appointment was for a period of one year and the enquiry committee was supposed to submit their report within one year for finality of the matter of selection and appointment.
4. That the petitioner states that on completion of one year pending receipt of report, an extension was made in the month of January 2006. The copies of the order have been annexed in Annexure-5 Series of the O.A.
5. That the petitioner states that the contractual appointments are made when regular teachers are not available. The said contractual appointments were made during February/March 2005 in which the applicants along with others were offered for the post of Post Graduate Teacher in their respective subjects by the concerned regional offices where they have joined and receiving salaries.

1. That the applicants by filing joint application have raised the question for their absorbing in the post they are holding on regular basis and or to allow them to continue till applicants are absorbed.
2. That the facts remain that after regular selection they were offered contractual appointment on provisional basis which is subject to outcome of report of enquiry committee set up by the competent authority.
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5. That the petitioner states that the contractual appointments are made when regular teachers are not available. The said contractual appointments were made during February/March 2005 in which the applicants along with others were offered for the post of Post Graduate Teacher in their respective subjects by the concerned regional offices where they have joined and receiving salaries.

6. This provisional appointments of post of Post Graduate Teacher is subject to the outcome of a report/conclusion/recommendations/findings of the enquiry committee set up with the approval of competent authority to conduct detailed enquiry into the procedure adopted by Kendriya Vidyalaya Sangathan for selection of candidates for teachers by employing private agency and give, inter-alia report/conclusion/recommendation/findings to ascertain as to whether any candidate has received any undue advantage by virtue of procedure adopted by Kendriya Vidyalaya Sangathan for the selection and recruitment of teachers for the year 2004-05.

This provisional appointments are for a period of one year or conclusion of enquiry giving its report whichever is earlier. It is clarified that this provisional appointment are purely temporary and will not confer any right for regularisation, seniority etc. except in accordance with the terms and conditions herein.

In case before completion of the said enquiry, the period of one year expires this provisional appointment may be renewed by the offeree and the discretion to continue purely vests with the offeree.

In case, the enquiry committee upholds his/her selection, the present provisional appointments will be

deemed as appointment letters on regular basis w.e.f. the date of joining of the appointees.

In case the enquiry committee gives a report/conclusion/recommendations/findings that applicant's selection have not been carried out in accordance with the selection procedure, then the present offers will be withdrawn. However, they will be given relaxation of one year's age and will be deemed eligible to participate in the next selection process thereafter.

In case the enquiry committee upholds their selection, they will be on probation w.e.f. the date of joining for a period of two years which may be extended. Upon successful completion of probation applicant's will be confirmed in their turn as per Kendriya Vidyalaya Sangathan rules on the availability of permanent vacancies.

However, their appointments would be kept in abeyance until their confinements are over or Post Graduate Teacher.

No TA/DA will be admissible for first joining the Sangathan as PGT.

During the provisional appointment and thereafter, until they are confirmed the services of the appointees are terminable by one month's notice on either side without any reason being assigned, therefore. The

appointing authority, however, reserves the right to terminate the services of the appointees before expiry of the stipulated period of notice by making payment of sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.

Other terms and conditions of service governing the appointments are same as laid down in the Education Code for Kendriya Vidyalayas as amended from time to time. Since for Kendriya Vidyalaya Sangathan Employees, Welfare Scheme has been introduced with effect from 01.04.2002 joining the above scheme is compulsory.

"The appointment is provisional as stipulated in Para-1 and is subject to the Schedule Caste/Tribe certificate being verified through the proper and if the verification reveals that the claim to belong to SC or ST as the case may be, is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Panel Code for production of false certificate."

In case of any dispute or claim against the Kendriya Vidyalaya Sangathan, in respect of service or any contract arising out of the flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.

25

If he/she accepts the offer on the terms and conditions stipulated he/she would send his/her acceptance immediately to this office or receipt of this memorandum and join the Kendriya Vidyalaya mentioned overleaf. Necessary proforma for the purpose of forms are enclosed herewith which should be submitted to the concerned Principal, after getting the same duly completed in all respects. This acceptance should reach the undersigned in any case by 14.02.2005. If the offer is not accepted by the said date or after acceptance if the appointee does not report for duty at the above named Kendriya Vidyalaya by 23.02.2005 this offer of appointment will automatically stand cancelled and no further correspondence will be entertained from him/her.

Suppression of any information will be considered a major offence for which the punishment may extend to dismissal from the service.

He/she will not request for transfer within 03 years of initial appointment, if this offer of provisional appointment is deemed as regular appointment. He/she is liable to be transferred anywhere in India.

He/she will be eligible for the New Restructured Defined contribution pension system only as circulated by KVS (HQRS.) vide circular No. 2-17/2003-04/KVS(Budget)

dated 08/12.03.2004 and F.2-17/2003-04/KVS(Budget)

dated 24.12.2004.

7. That the petitioner states that while entertaining the application this Hon'ble Tribunal was pleased to observe that since the enquiry is on hence the first extension was only upto 30th April, the applicants are apprehending termination of their service at any point of time as per Annexure-5 series however, pending enquiry report the respondents have communicated extension of service upto 30th June 2006 vide order dated 27.04.2006.

That in view of the facts and circumstances of the case present O.A. No.102/2006 is devoid of merit and deserves to be dismissed. It cannot be stated that any illegality have been committed by the respondents as such the grounds set forth in the O.A. claiming relief is not sustainable, as the appointment of the applicants were provisional contractual and temporary in nature for a period of one year which has been extended upto 30.4.2006 and thereafter extended upto 30.6.2006 and recently vide office order dated 22.6.2006 upto 31st December 2006 with the terms and conditions.

VERIFICATION

I Shri Uday Narayan Khawarey, Son of Shri Jagat Narayan Khawarey, aged about 46 years, presently working as Assistant Commissioner in the Regional Office of Kendriya Vidyalaya Sangathan, Jawaharnagar, Khanapara, being authorized by the Respondent do hereby verified that the statement made in paragraphs 1, 2, 3, 4 & 5 are true to my knowledge and those made in paragraphs - 6 - are based on records.

And I sign this verification on this the day of 4th July, 2006 at Guwahati

Uday Narayan Khawarey

DEPONENT

Place : 4.7.06

Date :

X

Kendriya Vidyalaya Sangathan
18 Institutional Area,
Shahid Jit Singh Marg
New Delhi - 110016
Tel fax: 26857036
Email: kvssao.nic.in
Website: www.kvsangathan.nic.in



A.O
M
23/6/06

F.11-1/2005-06-KVS/Estd-II

Dated: 22-06-2006

The Assistant Commissioner
Kendriya Vidyalaya Sangathan
All Region Offices.

Sub: Offer of provisional appointment on contract to the post
of PGT/TGT/PRT.

Sir/Madam,

I am to invite your attention on the subject cited above and to inform you that it has been decided by the competent authority that the period of provisional appointment on contract to the post of PGT/TGT/PRT appointed in the year 2005 on direct recruitment basis may be extended up to December, 2006 or conclusion of enquiry giving its report whichever is earlier. Other terms and conditions of the offer issued to the candidates will remain the same. You are therefore requested to take necessary action in the matter accordingly. The text of the memorandum to be issued to the candidates is enclosed herewith.

Yours faithfully,

(Pragya Richa Srivastava)
Joint Commissioner(Admn.)