

FROM No. 4.  
( See Rule 42 )

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:**

ORDERSHEET

1. Original Application No. 116 / 2006

2. Misc Petition No. \_\_\_\_\_

3- Contempt Petition No. \_\_\_\_\_

Review Application No. 1234567890  
Applicant(s) Sri Mukesh Kumar & Ors.

Applicant(s) 21-C-1- 610PS  
Respondents

Respondants Mr. M. Chands,  
Advocate for the Applicant(S) Mr. S. N. Natti

Advocate for the Respondant(s)..... 225

Contd.

17.5.2006 provisional appointment was for one year, i.e. upto 30.4.2006, which was, vide order dated 27.4.2006, extended upto 30.6.2006 or on conclusion of the enquiry giving its report whichever is earlier.

Mr. M. Chanda, learned counsel for the applicants submits that "in case the enquiry report is submitted forthwith, say tomorrow or within a week, the respondents are at liberty to take action against the applicants". Mr. M. K. Mazumdar, learned Standing counsel for the KVS submits that he would like to get instruction.

Considering the issue involved in this case I am of the view that interim order that has been prayed by the counsel for the applicants as to the continuance of employment upto the extended period i.e. 30.5.2006 should be permitted at any costs. Accordingly, respondents are directed not to terminate the services of the applicants within the extended period i.e. upto 30.6.2006. Standing counsel for the respondents is also directed to get instruction as to whether any report has been submitted by the Enquiry Committee.

Post the matter on 1.7.2006.

Vice-Chairman

Class D/No-543 to 545 bb  
22/5 DT= 30/5/06.

Learned counsel for the respondents wanted time to file reply statement. Interim order that has been granted upto 30.06.2006 will continue until further order.

Post on 04.07.2006.

Notice duly served  
on resp. no-4.  
22/5. 31-5-06  
Service report awaited  
for A.No-1, 2 & 3. mb

Vice-Chairman

O.A.116/06

-3-

Notes of the Registry	Date	Order of the Tribunal
-----------------------	------	-----------------------

order dt. 1/6/06      04.07.2006      Learned counsel for the applicant issuing to learned advocate's for both the parties.

Co/s  
2/6/06.

wanted time to file rejoinder. Let it be done.

Post on 08.08.2006. Interim order will continue till the next date.

  
Vice-Chairman

No. wts has been  
likel.

mb

08.08.2006      When the matter came up for hearing, learned counsel for the applicant submitted that 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.

  
Member

  
Vice-Chairman

Notice duly served,      mb

on resp. nos- 2,3.      30.08.2006 Present: Hon'ble Sri K.V. Sachidanandan  
Co/s  
12/7 (AID card at file  
"C" of OA 102/06.)

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

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

Co/s  
14/8/06

order dt. 30/8/06  
issuing to both  
the parties.

Co/s

/mb/

  
Vice-Chairman

22.8.06

Before deciding W's  
factionary demand  
of facts has been  
submitted. (one copy)

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.

Wb has been filed.

Vice-Chairman

/mb/

29.8.06.

No Wb has been  
filed.

31.11.06.

23.11.06

Copy of the  
Order handed  
over to the  
L/Advocates for  
the parties.

HL

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.

I. O.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., Kallashahar, 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. Bihukanand 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. Smit. 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

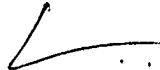
1. Shri Manoj Kumar  
S/o Shri Ramendra Singh,  
Working as Primary Teacher,  
Kendriya Vidyalaya, Lokra  
Dist.: Sonitpur, Assam - 784 102.
2. Sri Bindy Kumar  
S/o - Shri Rama Kant Prasad  
Working as Primary Teacher  
Kendriya Vidyalaya, Lokra  
Dist.: Sonitpur, Assam - 784 102.
3. Shri Anil Amoli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

✓

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. Q.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 -

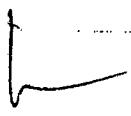
1. The Union of India,  
Represented by the Secretary to the  
Government of India,  
Ministry of Human Resource Development,  
Government of India,  
New Delhi - 110 001.
2. The Commissioner,  
Kendriya Vidyalaya Sangathan,  
18, Institutional Area,  
Saheed Jeet Singh Marg,  
New Delhi - 110 016.
3.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

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



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 8<sup>th</sup> 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 2008 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

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDERSHEET

100/2006

1. Original Application No.

2. Misc Petition No.

3. Contempt Petition No.

4. Review Application No.

Applicant(s) Sri A.K. Srivastava & ors

Respondents C.O.I. & ors

Advocate for the Applicant(s) Adv. M. Chanda

Advocate for the Respondent(s) Adv. S. Nath

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

Notes of the Registry

Date

Order of the Tribunal

02.05.2006 Present: Hon'ble Sri K.V. Sachidanandan  
Vice-Chairman.



There are 10 applicants, who are teachers selected in Kendriya Vidyalaya Sangathan (KVS in 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. It is further made clear that if the Enquiry Committee upholds the selection, the appointments will 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 the selection. The provisional appointment was for one year, which was upto 30th April 2006. By the extension order dated

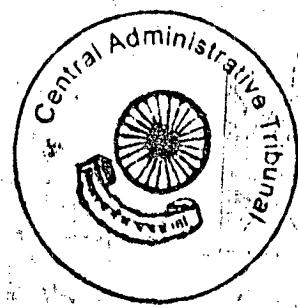
Contd... 2

OA 100/06

Contd/-

02.05.2006 27.04.2006 the period of provisional appointment is extended upto 30.06.2006 or on conclusion of the enquiry giving its report which ever is earlier.

Mr. M. Chanda, learned counsel for the applicant submits that "in case the inquiry report is submitted forthwith, say tomorrow or within a week, the respondents are at liberty to take action against the applicants." Mr. M.K. Majumdar, learned standing counsel for the KVS submits that he would like to get instruction.



Considering the issue involved, I am of the view that the interim order that has been prayed by the counsel for the applicants as to the continuance of employment up to the extended period i.e. 30.06.2006 should be permitted at any costs. Accordingly, the respondents are directed not to terminate the services of the applicants within the extended period, i.e. 30.06.2006. Counsel for the respondents is also directed to get instructions as to whether any report has been submitted by the Enquiry Committee.

Post on 01.06.2006.

Sd/-

Vice-Chairman

No. of Application : 04105/06

Date on which copy is ready : 04/05/06

Date on which copy is delivered : 04/05/06

Certified to be true copy

*N. Sengupta*  
Section Officer (Judl)  
C. A. T. Guwahati Bench

04/05/06  
Guwahati-5  
04/05/06  
04/05/06

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORIGINAL APPELATION NO. 116/2006

Sri Mukesh Kumar M/015.

1. a) Name of the Applicat:-
- b) Respondants:- Union of India & Ors
- c) No. of Applicant(S) :- 7
2. Is the application is 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 varified :- 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 ducuments in the Language : Yes/No.
9. Is the application is 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/- 269.324/26
12. Has the application is maitanable :- Yes/No.
13. Has the Impugned order original duly attested been filed : Yes/No.
14. Has the ligible copies of the annexures duly attested filed:-Yes/No.
15. Has the Index of ducuments been filed all available:- Yes/No.
16. Has the required number of enveloped bearing full address of the respondants 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:-

116/5  
SECTION OFFICER (J)

16/5/06  
DEPUTY REGISTRAR

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH: GUWAHATI

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

O. A. No. 116 /2006

Shri Mukesh 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 Post Graduate Teacher, 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.

May 2004- Applicants were declared selected for appointment as PCT, TGT and 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- 2 Series)

27.04.2006 Joint Commissioner, KVS, New Delhi intimated the applicants that services of all the applicants has been extended upto 30<sup>th</sup> 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 30<sup>th</sup> June, 2006, therefore they are approaching before this Hon'ble Tribunal praying for an 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.

\*\*\*\*\*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
Guwahati Bench  
GUWAHATI BENCH: GUWAHATI

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

Title of the case : O.A. No. 116/2006

Shri Mukesh Kumar & Ors. : Applicants.

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

INDEX

Sl. No.	Annexure	Particulars	Page No.
1.	--	Application	1-17
2.	--	Verification	-18-
3.	1.	Copy of the advertisement published in Employment News dated 13-19 Sep' 03.	19 - 20
4.	2 (Series)	Copies of the appointment letters.	21 - 45
5.	3	Copy of the extract of the Article 58 of the Education code for Kendriya Vidyalayas.	46 - 47
6.	4 (series)	Copies of the memorandum extending the services of the applicants upto 30 <sup>th</sup> April 2006.	48 - 54
7.	5	Copies of the memorandum extending the services of the applicants on or before 30 <sup>th</sup> June 2006.	- 55 -
7.	6	Copy of the advertisement dated 12-18 February, 2006.	56 - 57

Filed by:  
S. Nath  
Advocate

Date:- 16.05.06

Mukesh Kumar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI

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

O.A. No. 116 /2006

BETWEEN:

1. Shri 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.

filed by the applicants  
Date: 16.05.06  
S. Nalini  
A. Bhattacharya

Mukesh Kumar

7. Shri Yogesh Yadav.

Working as PGT (Physics)  
Kendriya Vidyalaya, Aizwal,  
Project Pushpak, C/O 99 APO.

.....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.

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- 788001, Assam.

.....Respondents.

#### DETAILS OF THE APPLICATION

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

Mukesh Kumar

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 Post Graduate Teacher, Trained Graduate Teacher and 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:**

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 Post Graduate Teacher, Trained Graduate Teacher and Primary Teacher in Kendriya Vidyalaya, Aizwal, C/O 99 APO Project, Pushpak, Mizoram under the administrative control of Assistant Commissioner, Silchar Region. All the applicants have been appointed and posted from outside the NE Region.

Mukesh Kumar

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 Post Graduate Teacher (for short PGT), Trained Graduate Teacher (for short TGT) and 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 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 PGT, TGT and PRT. The KVS even after publication of the select list did not take any steps immediately for appointment of the selected candidates.

Mukesh Kumar

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 unexpired 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, C/O 99 APO, Project Pushpak, Aizwal, Mizoram in the cadre of PGT, TGT and PRT in the state of Mizoram.

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

Mukesh Kumar

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

Mukesh Kumar

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, Silchar Region upto 30<sup>th</sup> 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.2-16/TGT/2005-KVS (SR)/31334-36 dated 20.01.2006 addressed to Shri M. Kumar, applicant No. 1 is also enclosed along with other similar memorandum served upon the applicants.

Mukesh Kumar

It is relevant to mention here that another extension order has been issued recently vide letter No. F. 2-16/2005-KVS (SR) dated 28.04.2006 to the applicant No. 1, similar extension order were also issued in favour to the other applicants as well as in favour of the other similarly situated employees, whereby services of the applicants has been extended upto 30<sup>th</sup> 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 30<sup>th</sup> 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 30<sup>th</sup> 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.

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

4.3 That your applicants further beg to say that they are having requisite educational qualification for recruitment to the posts of PGT, TGT and 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

Mukesh Kumar

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 and TGT 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.

Mukesh Kumar

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

Mukesh Kumar

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.

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

Munesh Kumar

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 PGT, TGT and 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.

Mukesh Kumar

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.

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

Mukesh Kumar

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 infirnity in the process/procedure of selection of the teachers but the Government not being satisfied with the findings of the 1<sup>st</sup> 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 30<sup>th</sup> June 2006 in view of the direction contained in the extension order dated 27.04.2006/28.04.06 (Annexure- 5 Series) 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.

Mukesh Kumar

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.
- 8.2 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.
- 8.3 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).
- 8.4 Costs of the application.
- 8.5 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:

Mukesh Kumar

Q

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.

10. ....

11. Particulars of the I.P.O

i) I.P.O No.	: 26 & 324126.
ii) Date of issue	: 25.4.06.
iii) Issued from	: GPO, Guwahati
iv) Payable at	: GPO - Guwahati

12. List of enclosures:

As given in the index.

Mukesh Kumar

VERIFICATION

I, Shri Mukesh Kumar, S/o- Shri Jai Bhagwan, aged about 29 years, presently working as TGT (Hindi) in the Kendriya Vidyalaya, Aizwal, Mizoram, 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 12<sup>th</sup> day of May 2006.

Mukesh Kumar

# 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 at least 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 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/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
- k. B.Ed. or equivalent qualification from recognized University.
- l. 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, or Second Class Bachelor's Degree with at least 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.

Botany, Zoology and Chemistry.

Sanskrit as an elective subject at Degree level.

- d. For TGT(Science) Maths, Physics and Chemistry.
- e. For TGT(Sanskrit) B.Ed. or equivalent qualification from a recognized University.

- f. 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 :

Sixth Secondary (Class-XII) with 50% marks.

i. J.P.T. - after Sixth Secondary (Class-XII) or B.Ed. or equivalent or B.C. Ed.

ii. Proficiency in teaching through Hindi and English media.

#### Desirable

Knowledge of Computer Applications.

#### RESERVATION

The reservation 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. However, number of vacancies for SC/ST candidates is more on account of backlog of vacancies.

### PART-II

#### ELIGIBILITY OF APPLICANTS

Applicants must fulfill the essential requirement of the post applied for and other conditions stipulated in this advertisement as on 01.01.2004. Before applying they must satisfy themselves that they possess the essential qualifications prescribed for various posts. No quid pro quo will be entertained. The prescribed essential qualifications are the minimum and the possession of the same does not entitle candidates to be selected.

#### AGE RELAXATION

Relaxation 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 31.12.89.
- (d) Upto a maximum of Ten years for women candidates.
- (e) Upto a maximum of Five years for Govt. employees and KVS regular 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](http://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. Duly 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 sent through IPO/ Money Order/Crossed Cheque/Currency note or the Treasury Challans etc. will not be accepted by the Sangathan and such applications will be treated as having received without fee. Separate fees is to 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.
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 Certificate 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, Bhubaneswar, Chandigarh, Chennai, Delhi, Dehradun, Guwahati, Hyderabad, Jabalpur, Kolkata, Jaipur, Jammu, 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 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 practice tests, proficiency tests, and personal interviews.
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 this examination will be given. The details of both the examinations are as under:-

Ist Stage - Multiple Objective Examination to be held on 21.12.2003

Post	Difficulty Level	Duration of Examination	No. of Questions
1. Primary Teachers	+2 Level	02 hrs. (8.30 hrs to 10.30 hrs)	120
2. Trained Graduate Teachers	Graduation	02 hrs. (11.30 hrs to 13.30 hrs)	120
3. Post Graduate Teachers	Post Graduation	02 hrs. (14.30 hrs to 16.30 hrs)	120

The place of examination will be intimated to candidates separately.

Stage II - Descriptive Type Examination (to judge the subject competence)  
To be held on 14<sup>th</sup> and 15<sup>th</sup> February 2004.

Post	Difficulty Level	Duration of Examination
1. Primary Teachers	+2 Level	03 hrs.
2. Trained Graduate Teachers	Graduation	03 hrs.
3. Post Graduate Teachers	Post Graduation	03 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

*Alka D. S. Advocate*

screening test etc. at their own risk. Therefore, before submitting the application, the candidate must ensure that he/she fulfills the eligibility criteria as laid down in this advertisement. His/her candidature will be purely provisional subject to eligibility being verified after the test and/or interview. Candidate who has been allowed to appear for the written test and/or interview, should be presumed 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. 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.

#### MENTS TO BE ATTACHED WITH THE APPLICATION

Crossed Bank Draft of Rs. 250/- (Two Hundred and Fifty only) in favour of Kendriya Vidyalaya Sangathan, payable at New Delhi. Self-addressed and self stamped post card by affixing postage stamp of Rs. 6/- other document to be attached.

**DATE FOR RECEIPT OF APPLICATION(S) : 27.10.2003**

#### LINES FOR FILLING UP THE APPLICATION FORM

The candidates must fill in the application form published in Annexure to this advertisement and may utilize it in original or may get this form photocopied or typed fully on foolscap size white 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 this advertisement or may download from the Sangathan website [www.kvsangathan.org](http://www.kvsangathan.org). While filling information in boxes relating to name, address, father's name etc. one box should be left blank between the names / words in block letters only. Application Forms will not be accepted by the Kendriya Vidyalaya Sangathan or Kendriya Vidyalaya (s).

Candidates admitted to the examination will be sent Photo Admit Card permitting him to take the examination. No candidate will be permitted to appear in the examination without the Admit Card.

Receiving the admit cards, candidates should verify that the photographs, signatures appended on the application form and attendance sheet, and printed on the admit card are identical and there is no variation of any kind in the photographs and signatures. If any variation is found in the signatures appended by him/her at different places, his/her candidature will be cancelled.

Application forms are 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 adverse decision on his/her candidature due to illegible or misleading entries. Applications which are illegible or incompletely/ incorrectly filled, not accompanied by the prescribed fee shall be summarily rejected.

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.

In 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 names of more than one post in TGT/PGT or the names of more than one centre, his/her application will be liable to be cancelled.

#### INSTRUCTIONS TO THE CANDIDATES

Candidates should note that in case a communication is received by the Sangathan from his/her present employer, withholding the candidate from appearing in the written interview, his/her application/ candidature will be rejected. Selected candidates will not be informed of the result individually for stage - 1 examination but it will be available on the website [www.kvsangathan.org](http://www.kvsangathan.org) on 20.01.2004. Payment orders to the selected candidates will be issued by the Sangathan. Sangathan may at its discretion recommend higher initial pay to exceptionally qualified and experienced candidates.

Passing in any form will disqualify a candidate.

Candidates must read the 'Guidelines' before filling up the Application Form and must note 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 applicants for being called for written examination/interview. Applications filled correctly and not as per the 'Guidelines' are liable to be rejected and the reason of such rejection would be on the applicant(s). The Sangathan will not entertain any claim for such rejection.

Sangathan may take up the verification of eligibility of the candidate at any point of time prior to or after the completion of the formalities. If found not eligible, the candidature shall be summarily rejected.

Sangathan may at its discretion hold re-examination as and when necessary. Applications received in time will be acknowledged by returning the self-addressed post card attached.

Candidates serving in any recognized institution/ organization/ autonomous body of Govt./ State Govt. must apply under intimation to his/her Employer. DA will be paid for appearing in the written tests and interview. Selected candidates are liable to be posted anywhere in India based upon the vacancies available in specific region. For teachers of Kendriya Vidyalaya(s), services are however transferable to any establishment of KVS in India or abroad. Selected candidates will be entitled to various allowances as admissible under the Govt./ KVS Rules.

Selected candidates will initially be on probation for two years which is extendable by one year, if necessary.

The number of vacancies for initial posting are available in the Vidyalayas of Eastern Region, J&K and remote areas of the country. Request for change of place of posting will be entertained. Application should ONLY be submitted for the post to:-

**KENDRIYA VIDYALAYA SANGATHAN  
P.O.BOX 4624,  
NEW DELHI -110 016**

Candidates acquired by the candidates should be strictly in accordance with the laid qualifications and candidate should not seek claim of equivalence of their qualifications with that of a qualifications as asked for. Candidate should not fill in the qualification in the application form for which they have appeared in any of the examination or whose result are awaited/ withheld/ not declared.

xx) Applications have been invited only for the post of Post Graduate Teachers, Trained Graduate Teachers and Primary Teachers. Applications for other posts may not be submitted.

xxi) Since Stage - I, Examination for all subjects of Trained Graduate Teachers and all subjects of Post Graduate Teachers will be held simultaneously on 21.12.2003 at two different times, therefore, at the most the candidate can apply only for one subject in TGT and one subject in PGT category. However, in such cases candidate will have to fill up two separate forms one for TGT subject and one for PGT subject.

xxii) The candidates who do not receive their Admit Card for 1st stage examination may get in touch with the Assistant Commissioner of the Regional Office of Kendriya Vidyalaya Sangathan at the aforesaid stations for which the candidates have opted in the application forms alongwith proof of their having applied for the post on 20th December, 2003 between 11.00 AM to 3.00 PM. Provisional Admit Cards would be issued to such candidates. The candidates may also inform KVS by e-mail [kvs@kvsangathan.org](mailto:kvs@kvsangathan.org) along with their name, father's name, date of birth and post applied and subsequently may collect their duplicate admit card on 20.12.2003 between 11.00 AM to 3.00 PM from concerned Regional Office KVS. However it may be made clear that without admit card no candidate will be permitted to enter the examination hall.

#### SPECIFIC INSTRUCTIONS FOR FILLING THE APPLICATION FORM

##### POST GRADUATE TEACHERS

###### Post Subject Codes

PGT (English)	0 1	PGT(Hindi)	0 2
PGT(Physics)	0 3	PGT (Chemistry)	0 4
PGT(Economics)	0 5	PGT(Commerce)	0 6
PGT (Maths)	0 7	PGT(Biology)	0 8
PGT (History)	0 9	PGT (Geography)	1 0

##### TRAINED GRADUATE TEACHERS

###### Post Subject Codes

TGT (English)	1 1	TGT (Hindi)	1 2
TGT(S.S.I)	1 3	TGT (Science)	1 4
TGT(Sanskrit)	1 5	TGT(Maths)	1 6

##### PRIMARY TEACHERS

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

(1) Plus two/ Higher Secondary/ PUC/ Intermediate / Class XII )  
 01. Physics, Chemistry, Mathematics /02. Physics, Chemistry, Botany/Zoology  
 03. Chemistry, Botany and Zoology /04. Physics, Botany and Zoology  
 08. Social Sciences (having at least two subjects out of History, Geography, Economics and Pol. Science).  
 18. Commerce/Accountancy/Business Studies  
 99. Others

(2) Graduate degree  
 01. English Literature as one of the main subjects. 02. Hindi Literature as one of the main subjects.

03. Chemistry, Botany and Zoology 04. Physics, Botany and Zoology  
 05. Physics, Chemistry, Mathematics 06. Physics, Chemistry, Botany/Zoology  
 07. Sanskrit literature as one of the main subjects.  
 08. Social Studies (having at least two subjects out of History, Geography, Economics and Pol. Science). Of which one must be either History or Geography.  
 09. B.A. (Hons.) in History/ Geography/ Economics/ Pol. Science as a major subject.  
 18. B.Com/ B.Com(Hons.)

99. Others

(3) Post Graduate degree

10. English	11. Hindi	12. Physics
13. Electronics	14. Applied Physics	15. Nuclear Physics
16. Chemistry	17. Bio Chemistry	18. Economics
19. Applied Economics	20. Business Economics	21. Commerce
22. Mathematics	23. Applied Mathematics	24. Botany
25. Zoology	26. Life Sciences	27. Bio Sciences
28. Genetics	29. Micro Biology	30. Bio Technology
31. Molecular Biology	32. Plant Physiology	33. History
34. Geography		

#### EXAMINATION CENTRE CODE - FOR STAGE - I EXAMINATION

Bangalore	0 1	Bhopal	0 2
Chennai	0 3	Delhi	0 4
Guwahati	0 5	Kolkata	0 6
Lucknow	0 7	Mumbai	0 8
Ahmedabad	0 9	Bhubaneswar	1 0
Chandigarh	1 1	Dehradun	1 2
Hyderabad	1 3	Jabalpur	1 4
Jaipur	1 5	Jammu	1 6
Patna	1 7		

#### EXAMINATION CENTRE CODE - FOR STAGE - II EXAMINATION

Bangalore	2 1	Bhopal	2 2
Chennai	2 3	Delhi	2 4
Guwahati	2 5	Kolkata	2 6
Lucknow	2 7	Mumbai	2 8

*Continued*

**KENDRIYA VIDYALAYA SANGATHAN**  
**SILCHAR REGION**

Hospital Road, Silchar 788 001. District Cachar, Assam.  
Phone No. : 03842 - 234154 / 234009 (Fax)

Annexure-2 (Foras)

F.2-16/ ( **TGT(Hindi)** )/KVS(SR)/2004-05/

19/2/1.23

Dated :....04.02.2005.....

**SUBJECT** : **OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO THE POST OF**  
**T. G. T. (Hindi)**

With reference to his/her application for the above post Smt./Kum./Shri Mukesh Kumar

is

hereby informed that he/she has been selected for appointment on provisional basis against the post of TGT(Hindi) in the Kendriya Vidyalaya Sangathan in the pay scale of Rs. 5500-175-9000 and posted at Kendriya Vidyalaya

Aizawl (Mizoram). 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 TGT(Hindi) by a Civil Surgeon. This provisional appointment of

Shri./Smt./Kum. Mukesh Kumar in the post of TGT(Hindi) 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 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.

Contd. Page. 2

11

Attest  
For  
Administrator

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 TGT(His/Her).

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 and 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/OBC Certificate being verified through the proper channel and if the

verification reveals that the claim to belong to SC or ST or OBC 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 in 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 15-3-2005. 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 25-2-2005, 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. F. 2-17/2003-04/KVS(Budget) dated 08/12.03.2004 and F.2-17/2003-04/KVS(Budget) dated 24.12.2004.

(DR. E. PRABHAKAR)  
ASSISTANT COMMISSIONER.

Encl: As above

Mukesh Kumar,  
M-84, Dheram Pura,  
Najafgarh, New Delhi -110043

Copy forwarded to :-

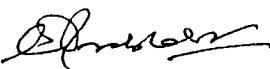
1. The Principal, Kendriya Vidyalaya \_\_\_\_\_ In case Sh./Smt. Km. \_\_\_\_\_ accepts the offer of a

pointment 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.

✓ 2. The Principal, Kendriya Vidyalaya K.V. Aizwal (Mizoram)

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 or OBC 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/In-charge 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.

  
ASSISTANT COMMISSIONER

**KENDRIYA VIDYALAYA SANGATHAN**  
**SILCHAR REGION**

*Hospital Road, Silchar 788 001. District Cachar, Assam.*  
Phone No. : 03842 - 234154 / 234009 (Fax)

E.2-16/( PRT )/KVS(SR)/2004-05/

19757-59

Dated : 04.2.2005.

**SUBJECT** : *OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO THE POST OF Primary Teacher.*

With reference to his/her application for the above post Shri./Kum./Shri. Jitendra 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 Aizwal ( Mizoram ). 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./Kum. Jitendra 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 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.

Contd. Page. 2

11

*Alfester  
Sat. Advocate*

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 PRT.

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 and 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/OBC Certificate being verified through the proper channel and if the

Verification reveals that the claim to belong to SC or ST or OBC 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 in 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 15.2.2005. 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 25.2.2005, 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. F. 2-17/2003-04/KVS(Budget) dated 08/12.03.2004 and F.2-17/2003-04/KVS(Budget) dated 24.12.2004.

  
 (DR. E. PRABHAKAR)  
 ASSISTANT COMMISSIONER.

Encl: As above

Sh. Jitendra Kumar,  
 Vill- Bahorikpur, Post- Gauriganj,  
 (Gauriganj)  
 Dist. Sultanpur

Pin - 227 409.

U.P.

Copy forwarded to :-

1. The Principal, Kendriya Vidyalaya \_\_\_\_\_ In case Sh./Smt. Km. \_\_\_\_\_ accepts the offer of a pointment 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.

2. The Principal, Kendriya Vidyalaya Aizwal ( Mizoram )

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 or OBC 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/In-charge 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.

*ASSISTANT COMMISSIONER*

**KENDRIYA VIDYALAYA SANGATHAN**  
**SILCHAR REGION**

*Hospital Road, Silchar 788 001. District Cachar, Assam.*  
Phone No. : 03842 - 234154 / 234009 (Fax)

F.2-16/ ( **PRT** )/KVS(SR)/2004-05/ 19530-32

Dated : 04-02-05

**SUBJECT** : *OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO THE POST OF*  
**PRT**

With reference to his/her application for the above post Smt./Km./Shri \_\_\_\_\_

**SITARAM SUKARIYA**

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 **AIZWAL (MIZORAM)**. 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./Kum. **SITARAM SUKARIYA**

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 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.

Contd. Page. 2

*Alfonso  
Law Advocate*

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 PRT

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 and 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/OBC Certificate being verified through the proper channel and if the

verification reveals that the claim to belong to SC or ST or OBC 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".

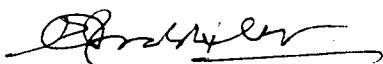
7. In case of any dispute or claim against the Kendriya Vidyalaya Sangathan, in respect of service or any contract arising out of or flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.

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 in 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 15-02-2005. 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 25-02-2005, 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. F. 2-17/2003-04/KVS(Budget) dated 08/12.03.2004 and F.2-17/2003-04/KVS(Budget) dated 24.12.2004.

  
(DR. E. PRABHAKAR)  
ASSISTANT COMMISSIONER.

Encl: As above

SITARAM SUKARIYA

C/o. NOBLE SENIOR SECONDARY SCHOOL

KUCHAMAN CITY, SHAJIKA BAGICHA K.CITY

DISTT. NAGAUR (RAJ) - 341508



**KENDRIYA VIDYALAYA SANGATHAN  
SILCHAR REGION**

*Hospital Road, Silchar 788 001. District Cachar, Assam.  
Phone No. : 03842 - 234154 / 234009 (Fax)*

F.2-16/ ( **TGT** )/KVS(SR)/2004-05/ 1951820

Dated : ..... 04-02-2005.

**SUBJECT :** *OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO THE POST OF  
T.G.T. (S.St.).*

With reference to his/her application for the above post Smt./Km./Shri **Ravi Bhushan**

**Shukla**

hereby informed that he/she has been selected for appointment on provisional basis against the post of **TGT (S.St)** in the Kendriya Vidyalaya Sangathan in the pay scale of

Rs. **5500 -175 - 9000/-** and posted at Kendriya Vidyalaya **Aizawl (Mizoram)**. 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 **TGT (S.St)** by a Civil Surgeon. This provisional appointment of

Shri./Smt./Kum. **Ravi Bhushan Shukla** in the post of

**TGT (S.St)** 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 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.

Contd. Page 1

*After  
fair  
inquest*

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 TGT (S.St).

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 and 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/OBC Certificate being verified through the proper channel and if the

verification reveals that the claim to belong to SC or ST or OBC 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.

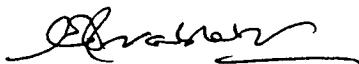
8. If he/she accepts the offer on the terms and conditions stipulated he/she would send his/her acceptance immediately to this office on receipt of this memorandum and join the Kendriya Vidyalaya mentioned overleaf. Necessary proforma for the purpose in forms are enclosed herewith which should be submitted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

15-02-2005. 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 25-02-2005, 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. F. 2-17/2003-04/KVS(Budget) dated 08/12.03.2004 and F.2-17/2003-04/KVS(Budget) dated 24.12.2004.

  
(DR. E. PRABHAKAR)  
ASSISTANT COMMISSIONER.

Encl: As above

✓ Shri Ravi Bhushan Shukla,  
H.No. - WB/106,  
Shakarpur, Delhi,  
East Delhi, Pin - 110092.

py forwarded to :-

1. The Principal, Kendriya Vidyalaya \_\_\_\_\_ In case Sh./Smt. Km. \_\_\_\_\_ accepts the offer of a pointment 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.

2. The Principal, Kendriya Vidyalaya **Aizawl (Mizoram)**

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 or OBC 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/In-charge 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.

*ASSISTANT COMMISSIONER*

**KENDRIYA VIDYALAYA SANGATHAN**  
**SILCHAR REGION**

*Hospital Road, Silchar 788 001, District Cachar, Assam.*

*Phone No. : 03842 - 234154 / 234009 (Fax)*

F.2-16. (TGT(M)) KVS(SR)/2004-05/

19/4/2005

Dated : **04.2.2005**

**SUBJECT**      **OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO THE POST OF**  
**TGT(Maths)**

With reference to his/her application for the above post Smt./Km./Shri Ajay Sharma

is hereby informed that he/she has been selected for appointment on provisional basis against the post of TGT(Maths) in the Kendriya Vidyalaya Sangathan in the pay scale of Rs. 5500-175-9000/- and posted at Kendriya Vidyalaya

Alizawl (Mizoram). 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 TGT(Maths) by a Civil Surgeon. This provisional appointment of Shri./Smt./Km./ Ajay Sharma in the post of

TGT(Maths) 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 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.

Contd. Page. 2

*Attested  
Sankar  
Advocate*

{2}

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 TOT(Maths)

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 and 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/OBC Certificate being verified through the proper channel and if the

Contd. Page. 3

[3]

verification reveals that the claim to belong to SC or ST or OBC 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 in 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 15.2.2005. 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 25.2.2005, 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. F. 2-17/2003-04/KVS(Budget) dated 08.12.03.2004 and F.2-17/2003-04/KVS(Budget) dated 24.12.2004.

/

(DR. E. PRABHAKAR)  
ASSISTANT COMMISSIONER.

Encl: As above

Sh. Ajay Sharma  
D-196, Chastri Nagar.  
Morut- 250 005.

Copy forwarded to :-

1. The Principal, Kendriya Vidyalaya \_\_\_\_\_ In case Sh./Smt. Km. \_\_\_\_\_ accepts the offer of a 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.
2. The Principal, Kendriya Vidyalaya Alzwal (Mizoram)  
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 or OBC 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/In-charge 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.

  
ASSISTANT COMMISSIONER

- 41 -

## KENDRIYA VIDYALAYA SANGATHAN SILCHAR REGION

*Hospital Road, Silchar 788 001. District Cachar, Assam.*

*Phone No. : 03842 - 234154 / 234009 (Fax)*

4.2-16/ ( **TGT** )/KVS(SR)/2004-05/

*1960608*

Dated : 04.02.2005

**SUBJECT :** OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO THE POST OF  
**TGT (Science )**

With reference to his/her application for the above post Smt./Km./Shri Ravi Rakesh

is hereby informed that he/she has been selected for appointment on provisional basis against the post of **TGT (Science )** in the Kendriya Vidyalaya Sangathan in the pay scale of

Rs. 5500-175-9000 and posted at Kendriya Vidyalaya

Itzwal (Nizoram ). 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 **TGT (Science )** by a Civil Surgeon. This provisional appointment of

Shri./Smt./Km. Ravi Rakesh in the post of **TGT (Science )** 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 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.

Contd. Page. 2

*After 6th full payment*

[2]

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 TGT (Science)

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 and 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/OBC Certificate being verified through the proper channel and if the

verification reveals that the claim to belong to SC or ST or OBC 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.

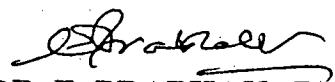
8. If he/she accepts the offer on the terms and conditions stipulated he/she would send his/her acceptance immediately to this office on receipt of this memorandum and join the Kendriya Vidyalaya mentioned overleaf. Necessary proforma for the purpose in forms are enclosed herewith which should be submitted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

15.02.2005. 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 25.02.2005, 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. F. 2-17/2003-04/KVS(Budget) dated 08/12.03.2004 and F.2-17/2003-04/KVS(Budget) dated 24.12.2004.

  
**(DR. E. PRABHAKAR)**  
 ASSISTANT COMMISSIONER.

Encl: As above

*Ravi Rakesh*

Vasumathy Vilasan, Veliyandu West P.O.

(Via ) Changannasserry

Dist. Alappuzha District

State Kerala , Pin- 689590

[4]

Copy forwarded to :-

1. The Principal, Kendriya Vidyalaya \_\_\_\_\_ In case Sh./Smt.

Km. \_\_\_\_\_ accepts the offer of a  
pointment 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.

2. The Principal, Kendriya Vidyalaya Itzwal (Mizoram)

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 or OBC 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/In-charge 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.

ASSISTANT COMMISSIONER

- 45 -

# KENDRIYA VIDYALAYA SANGATHAN

## SILCHAR REGION

Hospital Road, Silchar 788 001. District Cachar, Assam.  
Phone No. : 03842 - 234154 / 234009 (Fax)

2-16/ ( **PAT** )/KVS(SR)/2004-05/

2075761

Dated : 15-02-05

**SUBJECT :** OFFER OF PROVISIONAL APPOINTMENT ON CONTRACT TO THE POST OF  
**PGT (PHYSICS)**

With reference to his/her application for the above post Smt./Km./Shri

**YOGESH YADAV**

is

hereby informed that he/she has been selected for appointment on provisional basis against the post  
of **PGT (Physics)** in the Kendriya Vidyalaya Sangathan in the pay scale of  
Rs. **6500-200-10500** and posted at Kendriya Vidyalaya

**Aiswal**. 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  
**PGT (Physics)** by a Civil Surgeon. This provisional appointment of

Shri./Smt./Kum. **YOGESH YADAV** in the post of

**PGT (Physics)** 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 un-  
due advantage by virtue of procedure adopted by Kendriya 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.

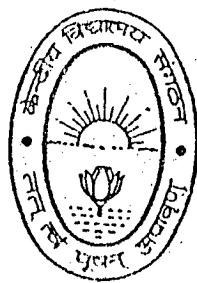
Contd. Page. 2

11

*Alleged  
Signature  
Advocate*

Annexure-3

# EDUCATION CODE FOR KENDRIYA VIDYALAYAS



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

After  
Jail  
Innocent

*Article 57*

*Article 58*

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-Silchar  
Hospital Road, Silchar-1,  
Assam-788001  
03842- 234009(A.C), 246886 (Fax)  
261784(AO), 246887(E.Os), 245737(AAO)

N.F.2-16/TGT/2005-KVS(SR)/ 31334 36

Date: 30.01.2006

### 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 **TGT(Hindi)** as per terms and conditions mentioned therein. Accordingly you have joined your duties on **21.02.2005** at Kendriya Vidyalaya **Aizawl**. The period of said provisional appointment is extended up to 30<sup>th</sup> 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.

*Shri Mukesh Kumar*  
(Somit Shrivastava), E.O.  
Offg. Assistant Commissioner

✓ Shri/Mrs/Ms. **Mukesh Kumar**  
Kendriya Vidyalaya  
Aizawl.

#### Distribution:

1. Principal, Aizawl, with the instruction to deliver the letter to the individual by obtaining receipt of the same
2. Deputy Commissioner(Admn).KVS(HQ), New Delhi.
3. Guard file.

*Receiving copy  
Mukesh Kumar  
Affected  
for promotion*



## Kendriya Vidyalaya Sangathan

Regional Office-Silchar

Hospital Road, Silchar-1,

Assam-788001

03842- 234009(A.C), 246886 (Fax)

234154(AO), 246887(E.Os), 245737(AAO)

N.F.2-16/**PRT**/2005-KVS(SR)/ *31.01.2006*

Date: 23.01.2006

*1.2.*

**Registered Post**

### 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 **PRT** as per terms and conditions mentioned therein. Accordingly you have joined your duties on **16.3.2005** at Kendriya Vidyalaya **Aizwal**. The period of said provisional appointment is extended up to 30<sup>th</sup> 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.

*Revised*

(Somit Shrivastava), E.O.  
Offg. Assistant Commissioner

✓ Shri/Mrs/Ms. **Jitendra Kumar**  
Kendriya Vidyalaya  
Aizwal.

#### Distribution:

1. Principal, KV,Aizwal, with the instruction to deliver the letter to the individual by obtaining receipt of the same
2. Deputy Commissioner(Admn).KVS(HQ), New Delhi.
3. Guard file.

*6/2/06*

*Attested  
for Advocate*



- 50 -  
**Kendriya Vidyalaya Sangathan**

Regional Office-Silchar

Hospital Road

Silchar-788001, Assam

03842-234009 (Fax/Tel)

234154(AC&AO), 245737(EO&AAO)

N.F.2-16/**PRT**/2005-KVS(SR)/

31215/12

Date: 23.01.2006

12  
Registered Post

**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 **PRT** as per terms and conditions mentioned therein. Accordingly you have joined your duties on **19.02.2005** at Kendriya Vidyalaya **Aizwal**. The period of said provisional appointment is extended up to 30<sup>th</sup> 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.

*Sumit Shrivastava*  
(Somit Shrivastava), E.O.  
Offg. Assistant Commissioner

Shri/Mrs/Ms. **Sita Ram Sukariya**.  
Kendriya Vidyalaya  
Aizwal.

**Distribution:**

- 1. Principal, KV,Aizwal. with the instruction to deliver the letter to the individual by obtaining receipt of the same.
- 2. Deputy Commissioner(Admin).KVS(HQ), New Delhi
- 3. Guard file.

*Attest  
Sita Ram Sukariya  
Advocate*



- 51 -

## Kendriya Vidyalaya Sangathan

Regional Office-Silchar  
Hospital Road, Silchar-1,  
Assam-788001  
03842- 234009(A.C), 246886 (Fax)  
261784(AO), 246887(E.Os), 245737(AAO)

N.F.2-16/**TGT**/2005-KVS(SR)/ 31391-93

Date: 30.01.2006

2-2

### 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 **TGT(S.St.)** as per terms and conditions mentioned therein. Accordingly you have joined your duties on **22.2.2005** at Kendriya Vidyalaya **Aizawl**. The period of said provisional appointment is extended up to 30<sup>th</sup> 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.

*(Somit Srivastava)*  
(Somit Srivastava), E.O.  
Offg. Assistant Commissioner

✓ Shri/Mrs/Ms. **Ravi Bhushan Shukla**  
Kendriya Vidyalaya  
**Aizawl**

Distribution:

1. Principal, **Aizawl**, with the instruction to deliver the letter to the individual by obtaining receipt of the same
2. Deputy Commissioner(Admin).KVS(HQ), New Delhi.
3. Guard file.

*Attest  
Jub.  
Advocate*



## Kendriya Vidyalaya Sangathan

Regional Office-Silchar  
Hospital Road, Silchar-1,  
Assam-788001

03842- 234009(A.C), 246886 (Fax)  
261784(AO), 246887(E.Os), 245737(AAO)

N.F.2-16/TGT/2005-KVS(SR)/

31361-63

Date: 30.01.2006

### 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 **TGT(Maths)** as per terms and conditions mentioned therein. Accordingly you have joined your duties on **21.3.2005** at Kendriya Vidyalaya **Aizawl**. The period of said provisional appointment is extended up to 30<sup>th</sup> 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.

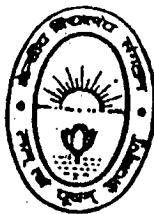
*Shrivastava*  
(Somit Shrivastava), E.O.  
Offg. Assistant Commissioner

Shri/Mrs/Ms. **Ajay sharma**  
Kendriya Vidyalaya  
**Aizawl**

#### Distribution:

1. Principal, **Aizawl**, with the instruction to deliver the letter to the individual by obtaining receipt of the same
2. Deputy Commissioner(Admn).KVS(HQ), New Delhi.
3. Guard file.

*Att. for  
Jab.  
Advocate*



**Kendriya Vidyalaya Sangathan**  
Regional Office-Silchar  
Hospital Road  
Silchar-788001, Assam  
03842-234009 (Fax/Tel)  
234154(AC&AO), 245737(EO&AAO)

N.F.2-16/TGT/2005-KVS(SR)/ 31289-91

Date: 24.01.2006

22  
Registered Post

**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 **TGT (Science)** as per terms and conditions mentioned therein. Accordingly you have joined your duties on **25.02.2005** at Kendriya Vidyalaya Aizwal. The period of said provisional appointment is extended up to 30<sup>th</sup> 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.

*Shrivastava*  
(Somit Shrivastava), E.O.  
Offg. Assistant Commissioner

Shri/Mrs/Ms. Ravi Rajesh  
Kendriya Vidyalaya Aizwal (Mizoram )

**Distribution:**

✓ 1. Principal, KV, Aizwal , with the instruction to deliver the letter to the individual by obtaining receipt of the same  
2. Deputy Commissioner (Admn).KVS (HQ), New Delhi.  
3. Guard file.

*After  
Final  
Advocate*



54

## Kendriya Vidyalaya Sangathan

Regional Office-Silchar  
Hospital Road  
Silchar-788001, Assam  
03842-234009 (Fax/Tel)  
234154(AC&AO), 245737(EO&AAO)

N.F.2-16/PGT/2005-KVS(SR)/

31585-87

Date: 23.01.2006

22  
Registered Post

### MEMORANDUM

With reference to this office letter of even number dated **15.02.2005** Vide which you have been offered provisional appointment on contract to the post of **PGT(Phy)** as per terms and conditions mentioned therein. Accordingly you have joined your duties on **05.3.2005** at Kendriya Vidyalaya **Aizwal**. The period of said provisional appointment is extended up to 30<sup>th</sup> 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.

*Shrivastava*

(Somit Shrivastava), E.O.  
Offg. Assistant Commissioner

Shri/Mrs/Ms. **Yogesh Yadav**,  
Kendriya Vidyalaya  
Aizwal.

Distribution:

1. Principal, KV, Aizwal. with the instruction to deliver the letter to the individual by obtaining receipt of the same.
2. Deputy Commissioner(Admin), KVS(HQ), New Delhi.
3. Guard file.

*Attest  
S. S. Advocate*

Annexure - 5

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 13-1-2006 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 30<sup>th</sup> 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 (Admin.)

Encit: As above:

Attn: Advoente

## KENDRIYA VIDYALAYA SANGATHAN

Plot No. 18 - Institutional Area, Shahid Jeet Singh Marg, New Delhi - 110016

The 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 01.01.2005)

## ESSENTIAL QUALIFICATIONS:

i) Two years integrated Post Graduate M.Sc Course of Regional Institute of Education of NCERT in the concerned subject with atleast 50% marks in aggregate or Master's Degree from a recognized University with at least 50% 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/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 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/Bio Sciences/ Genetics/ Microbiology/Bio-Technology/Molecular Bio/Plant Physiology provided they have studied Botany and Zoology at Graduation level
i.	PGT(History)	History
j.	PGT(Geography)	Geography

j) 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.

## 3. TRAINED GRADUATE TEACHERS

PAY SCALE: Rs. 5500-175-9000

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 elective and languages in the combination of Subjects as under:

S.No.	Name of Post	Subject(s)
a.	TGT(English)	English as an elective subject at Degree level
b.	TGT(Hindi)	Hindi as an elective 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(Science)	Chemistry, Botany and Zoology
e.	TGT(Sanskrit)	Sanskrit as an elective 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.

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.

## PRIMARY TEACHERS

PAY SCALE: Rs. 4500-125-7000

UPPER AGE LIMIT: 30 Years (as on 01.01.2005)

## ESSENTIAL QUALIFICATIONS

i) Senior Secondary (Class XII) with 50% marks.  
ii) JBT - after Senior Secondary (Class - XII) or B.Ed or equivalent or B.Ed.Ed.  
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

## RESERVATION

The reservation 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 fulfill the essential requirements of the post applied for and other conditions stipulated in this advertisement as on 01.01.2005. Before applying they must satisfy themselves if they possess the essential qualifications prescribed for various posts. The applications of those candidates not fulfilling the essential qualifications and other requirement will be summarily rejected and no correspondence will be made in this regard.

## AGE RELAXATION

Relaxation in upper age limit will be as under:

i) Upto a maximum of Five years in the case of SC/ST candidates

ii) Upto a maximum of Three years in the case of OBC candidates

iii) Upto a maximum of Five years for persons who had ordinarily been domiciled in the State of Jammu and Kashmir during 1.1.80 to 31.12.89

iv) Upto a maximum of Ten years for women candidates.

v) Upto a maximum of Five Years for Govt. servants/KVS regular employees.

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 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.

vi) 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 : HOW TO APPLY AND EXAMINATION FEE/ APPLICATION FEE

- 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
- 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.
- Applicants cannot apply for more than one subject in each category of Post (P.G.T./T.G.T.)
- Envelope containing the application must be superscribed in bold letters as " APPLICATION FOR THE POST OF ( PGT / TGT / PRT ) in ( name of Subject )
- 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

- Candidates will have to pay a NON-REFUNDABLE APPLICATION FEE OF Rs.300/- (Three Hundred, only) by Demand Draft only in favour of 'KENDRIYA VIDYALAYA SANGATHAN' payable at New Delhi along with his/ her application. The fee sent through IPO/ Money Order/ Crossed Cheque/ Currency note or the Treasury Challan etc. will not be accepted by the Sangathan and such applications will be treated as having been received without fee. Separate fee is to be paid through separate bank draft for each post applied.
- The refund of the fee will not be allowed in any case.
- 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.
- 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 enclose 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 "fee not paid". No correspondence or proof sent later will be entertained.

## PART - IV : MODE OF SELECTION AND SCHEME OF EXAMINATION

- 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, Bhubaneswar, Chandigarh, Chennai, Delhi, Dehradun, Guwahati, Hyderabad, Jabaipur, Kolkata, Jaipur, Jammu, Lucknow, Mumbai and Patna.
- The centres 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 candidates, 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 expenses.
- The mode of selection shall include a written test/ examination, proficiency test and personal interview.
- 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 languages 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/Post for which a candidate has applied. The candidate will be required to answer these questions in descriptive manner. It is essential 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 purposes, 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	Timings	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	Post Graduation	1400 - 1700 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	Graduation	1400-1700 hrs	III	Subject Paper	120
3.	PRT	23/05/2005	Objective	+2 Level	0900-1100 hrs	I	General Paper	120
			Descriptive	10th Std.	1100 - 1200 hrs	II	Language Proficiency	40
			Descriptive	+ 2 Level	1400 - 1700 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 dates mentioned above for each category, there is a possibility that the order of dates of conduct of examination for PGT, TGT and PRT may change due to administrative reasons. The exact date/s of holding the examination for these posts will be indicated in the Admin. Circular to be sent to eligible candidates.

- 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 these shortlisted candidates in Paper I will not be included for the final merit ranking. While processing the final results, only those candidates will be included who have obtained a predetermined cut off percentage of marks in Paper II and Paper III. Only those candidates will be

Continued

After 1st phase  
After 2nd phase



IN THE SUPREME COURT OF INDIA  
IN THE HIGH COURT OF DELHI : AT NEW DELHI  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : Gurukul

CIVIL/CRIMINAL/ORIGINAL/APPELLATE/JURISDICTION

SPECIAL LEAVE PETITION (CIVIL/CRIMINAL) NO. OF '19

SUIT/WRIT PETITION (CIVIL/CRIMINAL) NO. OF 19

O.A. / M.P. No. /2006. OF

Shri Mukesh Kumar & Ors. Petitioner(s)/Appellant(s)/Plaintiff(s)

Versus

T.O.G. Sons Respondent(s)/Defendant(s)

VAKALAT NAMA

I/We RAVI RAJESH.....

The petitioner(s)/Plaintiff(s) appellant(s)/ Respondent(s)/Defendant(s) in the above Petition/Appeal/Writ suit do hereby retain and appoint Shri ADVOCATE, SUPREME COURT to act and appear for me/us in the above petition/suit appeal/Review/Writ and on my/our behalf to conduct and prosecute the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review, to file and obtain return of documents and to deposit and receive money on my/our behalf in the above petition/Appeal and in application for review and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid Advocate in pursuance of this authority.

Dated this the 16<sup>th</sup> day of May 2006

ACCEPTED

Manu K Chanda  
Advocate

Subrata Nath  
Advocate

Petitioner(s) Subrata Nath  
 Respondent(s)  
 Appellant(s)  
 Plaintiff(s)  
 Defendant(s)

MEMO OF PARTIES

The Registrar,  
Supreme Court/High Court/Central Administrative Tribunal

Kindly enter my appearance on behalf of the.....  
in the above mentioned matter.

Subrata Nath  
Advocate for the Petitioner(s)  
Appellant(s)/Respondent(s)

Dated:

IN THE SUPREME COURT OF INDIA  
IN THE HIGH COURT OF DELHI : AT NEW DELHI  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ; *Guru Nanak Dev*

CIVIL/CRIMINAL/ORIGINAL/APPELLATE/JURISDICTION

SPECIAL LEAVE PETITION (CIVIL/CRIMINAL) NO. OF '19

SUIT/WRIT PETITION (CIVIL/CRIMINAL) NO. OF 19

O.A. / M.P. No. *2006* OF

*Mukesh Kumar Saras*

*Ajay Sharma* Petitioner(s)/Appellant(s)/Plaintiff(s)

Versus

*C. O. S. Law* Respondent(s)/Defendant(s)

VAKALAT NAMA

I/We..... *Ajay Sharma* .....

The petitioner(s)/Plaintiff(s) appellant(s)/ Respondent(s)/Defendant(s) in the above Petition/Appeal/Writ suit do hereby retain and appoint Shri *Advocate*, SUPREME COURT to act and appear for me/us in the above petition/suit appeal/Review/Writ And on my/our behalf to conduct and prosecute the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review, to file and obtain return of documents and to deposit and receive money on my/our behalf in the above petition/Appeal and in application for review and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid Advocate in pursuance of this authority.

Dated this the *16<sup>th</sup>* day of *May* *2006*

ACCEPTED

*Manish Chandra*  
Advocate

*Subroto Debnath*  
Advocate

Petitioner(s) *Ajay Sharma*  
Respondent(s)  
Appellant(s)  
Plaintiff(s)  
Defendant(s)

MEMO OF PARTIES

The Registrar,  
Supreme Court/High Court/Central Administrative Tribunal

Kindly enter my appearance on behalf of the *Applicant* in the above mentioned matter.

Dated:

*✓ Advocate for the Petitioner(s)*  
*Applicant*  
Appellant(s)/Respondent(s)

गुवाहाटी न्यायालय  
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A.No. 116/2006

Sri Mukesh 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, Silchar Region

Silchar.

..... Petitioner.

Filed by the Respondents  
Through Mr. M. G. Gogoi  
K. V. Sangathan Counsel

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.

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.

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.116/2006 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 45 years, presently working as Assistant Commissioner in the Regional Office of Kendriya Vidyalaya Sangathan, Jawaharnagar, Khanapara, 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, 2005 at Guwahati

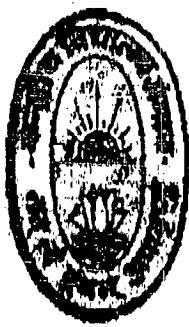
Uday Narayan Khawarey

DEPONENT

Place : 47. 06

Date :

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



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

Dated: 22-06-2006

AO  
M  
S.B.W

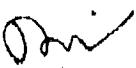
The Assistant Commissioner  
Kendriya Vidyalaya Sangathan  
All Region Offices.

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.)