

FROM NO. 4.
(See Rule 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDERSHEET

1. original Application No. 117/2006

2. Misc Petition No. _____

3. Contempt Petition No. _____

4. Review Application No. _____

Applicant(S) Sri Ganga Ram Meena

Respondents U.O.I. & others Mr. M. Chanda

Advocate for the Applicant(S) Adv. S. Nath

Advocate for the Respondant(S) K. K. S.

Notes of the Registry	Date	Order of the Tribunal
This application is in form is filed in this office deposit No. <u>269.324/27</u>	<u>17.5.2006</u>	Present: The Hon'ble Shri K.V. Sachidanandan Vice-Chairman. The applicant, who is PGT (History) selected in Kendriya Vidyalaya Sangathan (KVS in short), according to him, after due process of selection. Though he has been given appointment in KVS, Missamari his appointment was made on provisional and contract basis for a reason that an enquiry is being held against the entire selection itself. In the said appointment order dated 2.2.2005 it is made clear that in case, the enquiry committee finds that there is nothing illegal in the selection, the appointment will be deemed as appointment on regular basis from the date of his joining. No notice whatsoever was issued to the applicant in respect of the alleged inquiry that is being ordered by the respondents on the selection. The
Dated <u>25.4.06</u>		
<u>Dy. Registrar</u> <u>16/5</u>		
<u>filed/comply order date</u> <u>17.5.06</u> <u>N/3</u> <u>18.5.06</u>		
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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 applicant 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 applicant as to the continuance of employment upto the extended period i.e. 30.6.2006 should be permitted at any costs. Accordingly, respondents are directed not to terminate the services of the applicant 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

01.06.2006 Learned counsel for the respondents wanted time to file written statement. Interim order that has been granted upto 30.06.2006 will continue until further order.

Post on 04.07.2006.

Vice-Chairman

fir/4
M.K.Mazumdar
Ansar

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

(Cas) 22/5 D/A/No - 546 to 548
Dt = 30/5/06.

Notice duly

Served on resp.

no - 4.

(Cas) 22/5/06.

Service report awaited
from R.No - 1,2 & 3.

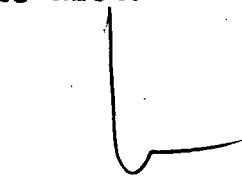
(Cas) 22/6. 31/5/06
order dt. 1/6/06 issuing to both the parties.

Notes of the Registry	Date	Order of the Tribunal
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3 - 7 - 06
 No W/Ls has been filed.

04.07.2006 Learned counsel for the applicant wanted time to file rejoinder. Let it be done.

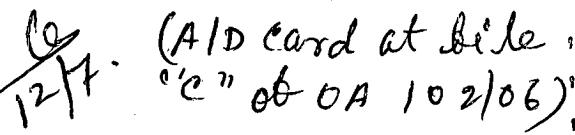
Post on 08.08.2006. Interim order will continue till the next date.


 Vice-Chairman

order dt. 4/7/06
 issuing to learned mb
 advocate's for both the parties.


 6/7/06

Notice duly served on resp. no - 2, 3.


 (A/D card at file, "C" of OA 102/06)

08.08.2006 When the matter came up for hearing learned counsel for the applicant ~~xxx~~ submitted that identical 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

7 - 8 - 06

No W/Ls has been filed.



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

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

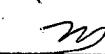
Post on 17.10.2006. Interim order will continue till the next date


 h

Vice-Chairman

/mb/

W/Ls has been filed.



29.8.06.

4-
06.11.2006 Present: Hon'ble Sri K.V. Sachidanandan
Vice-Chairman.

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

30/8/06:

Writs has been
filed.

/mb/

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

Vice-Chairman

23
3.11.06

23.11.06
Copy of the
Order has been
handed over to
the L/Advocates
for the parties

A.
Subash
Kelvare

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

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

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

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

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

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

Versus -



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

... Respondents.

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

II. Q.A. No. 93/2006

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

6. Awadh Narain
 Son of Dayaram Singh
 At present posted as Trained Graduate Teacher (Maths)
 Kendriya Vidyalaya, New Bongaigaon, Assam.

7. Sumit Chakraborty
 Son of late G.S. Chakraborty
 At present posted as Primary Teacher,
 Kendriya Vidyalaya, New Bongaigaon, Assam.

8. Amit Kumar
 Son of Salikgram Singh
 At present posted as Primary Teacher,
 Kendriya Vidyalaya, New Bongaigaon, Assam.

9. Bibekanand Padhiary
 Son of Kulamani Padhiary,
 At present posted as Primary Teacher,
 Kendriya Vidyalaya, New Bongaigaon, Assam.

10. Sarita Yadav
 W/o Naresh Yadav
 At present posted as Post Graduate Teacher,
 Kendriya Vidyalaya, Digaru, Sonapur, Assam.

11. Biswajeet Kumar Pravakar
 Son of Laskhman Sah
 At present posted as Primary Teacher,
 Kendriya Vidyalaya,
 Miao, District : Changlang,
 Arunachal Pradesh.

12. Vineeta Vidyarthi
 Daughter of S.R. Vidyarthi
 At present posted as Post Graduate Teacher (Chemistry)
 Kendriya Vidyalaya, New Bongaigaon, Assam

... Applicants.

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

- Versus -

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

3. Commissioner,
 Kendriya Vidyalaya Sangathan
 18, Institutional Area, Swahid Jeet Singh Marg,
 New Delhi - 16.

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

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

III. Q.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. O.A. No. 100/2006

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

.... Applicants

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

- Versus -

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

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

... Respondents.

V. O.A. No. 102/2006

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

... Applicants.

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

- Versus -

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



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

... Respondents.

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

VI. 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 Bhusan Shukla
 Working as TGT (Social Studies)
 Kendriya Vidyalaya, Aizwal,
 Project Pushpak, C/o - 99 APO.
5. Shri Ajay Sharma
 Working as TGT (Maths)
 Kendriya Vidyalaya, Aizwal,
 Project Pushpak, C/o - 99 APO.
6. Shri Ravi Rajesh
 Working as TGT (Science)
 Kendriya Vidyalaya, Aizwal.
 Project Pushpak, C/o - 99 APO.
7. Shri Yogesh Yadav
 Working as PGT (Physics)
 Kendriya Vidyalaya, Aizwal.
 Project Pushpak, C/o - 99 APO.

... Applicants

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

- Versus -

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 - 783011, Assam.

... Respondents.

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

VII. O.A. No. 117/2006

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

... Applicant.

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

- Versus -

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

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

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

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

VIII. O.A. No. 158/2006

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

.... Applicant

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

- Versus -

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resource Development,
Government of India,
New Delhi - 110 001.

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

3. The Assistant Commissioner (ADM & FIN)
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.

4. Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Silchar Region, Regional Office,
Hospital Road, Silchar, Assam - 788 011. Respondents.

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

ORDER (ORAL)K.V. SACT (DANANDAN (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 8th September 2006 that on the basis of the recommendations contained in the report submitted by Shri S. Santhyam on the procedure adopted by Kendriya Vidyalaya Sangathan (KVS) for selection and recruitment of various categories of teachers who were appointed on provisional contract basis, following decision is taken by the Ministry with the approval of the competent authority for immediate action :-

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

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

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

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

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

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

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

sd/ VICE CHAIRMAN

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORIGINAL APPEALATION NO. 118/2006

Sri Ganga Ram Mehta

1. a) Name of the Applicat:-
b) Respondents:- Union of India & Ors
c) No. of Applicant(S) :- One

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

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

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

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

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

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

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

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

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

11. Is the application by IFO/BD/For Rs: 5/- 269,324/27 25.4.06

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

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

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

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

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

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

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

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

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

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

22. Any other point:-

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

16/6/06
SECTION OFFICER (J)

16/6/06
DEPUTY REGISTRAR

#

केन्द्रीय प्रशासनिक न्यायपीठ
Central Administrative Tribunal
गुवाहाटी न्यायपीठ
GUWAHATI BENCH: GUWAHATI

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

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

O. A. No. 112 /2006

Shri Ganga Ram Meena.
-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 applicant in pursuance to the said advertisement applied for the post of Post Graduate Teacher. (Annexure- 1)

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

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

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

The applicant is apprehending that his service may be terminated without passing any further extension order on or before 30th June, 2006, therefore he is approaching before this Hon'ble Tribunal praying for an interim order of status quo till disposal of this Original Application.

G.R Meena

PRAYERS

Reliefs sought for:

1. That the Hon'ble Tribunal be pleased to direct the respondents to absorb the applicant as regular Post Graduate Teacher (History) with immediate effect at least with effect from the date of his 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 applicant to continue in service as PGT (History) till applicant is 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 applicant (Annexure- 2).
4. Costs of the application.
5. Any other relief (s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

Interim order prayed for:

During pendency of the application, the applicant prays 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 service of the applicant 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 applicant for providing relief as prayed for.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
गुवाहाटी न्यायपाठ
GUWAHATI BENCH, GUWAHATI

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

Title of the case : O.A. No. 11E /2006

Shri Gangaram Meena. : Applicant.

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

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Sl. No.	Annexure	Particulars	Page No.
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3.	1.	Copy of the advertisement published in Employment News dated 13-19 Sep' 03.	17-18
4.	2	Copy of the appointment letters.	19-24
5.	3	Copy of the extract of the Article 58 of the Education code for Kendriya Vidyalayas.	25-26
6.	4	Copy of the memorandum extending the services of the applicant upto 30 th April 2006.	-27-
7	5	Copy of the memorandum extending the services of the applicant on or before 30 th June 2006.	-28-
7.	6	Copy of the advertisement dated 12-18 February, 2006.	29-30

Filed by:

S. Nada
Advocate

Date:-

G. R. Meena

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

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

O.A. No. 117/2006

BETWEEN:

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

...Applicant.

-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,
Guwahati Region,
Regional Office,
Maligaon Chariali,
Guwahati- 781012.

.....Respondents.

Filed by the applicant
Through: S. Nalini
Advocate
on 16.05.06

G.R Meena

DETAILS OF THE APPLICATION

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

This application is made not against any particular order but praying for a direction upon the respondents to treat the applicant as regular teacher at least from the date of his joining in service with all consequential service benefits including seniority and monetary benefits, pursuant to his selection against the existing vacancies for the recruitment year 2004-2005 in the cadre of Post Graduate 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 applicant to continue in service in his post till passing of the necessary order of regularization of his services.

2. Jurisdiction of the Tribunal:

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

3. Limitation:

The applicant further declares 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 applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India. Applicant is working as Post Graduate Teacher in Kendriya Vidyalaya at Missamari in Assam under the administrative control of Assistant Commissioner, Guwahati Region. He has been appointed and posted from outside the NE Region.

4.2 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 applicant in pursuance to the said advertisement applied for the post of Post Graduate Teacher (for short PGT) within the stipulated period. The respondents on scrutiny of the application, found the applicant eligible for the post of PGT and accordingly he has been asked to appear in the written examination on 21.12.2003, written test (second stage) on 14.02.2004 and also on 15.02.2004 and again he has been asked to appear in the interview, the applicant accordingly appeared in the written examination as well as in the interview on the scheduled date fixed by the KVS and he 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).

4.3 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 KVS in the month of May 2004. The applicant has been declared selected for the post of PGT. The KVS even after publication of the select list did not take any steps immediately for appointment of the applicant.

4.4 4.5 That most surprisingly after a lapse of about 8/9 months the applicant has been issued offer of appointment provisional on contract basis for a period of 1 year with pre-condition that the services of the applicant shall be regularized with effect from the date of joining of the applicant 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 his 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 his selection has not been carried out in accordance with the selection procedure then the present offer will be withdrawn. However, 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 his 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 he will be confirmed in service as per his 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 his services are confirmed his appointment may be terminated by 1 month notice on either side without assigning any reason and the appointing authority has made it clear that they reserve the right to terminate the services of the

appointee before expiry of the stipulated period of notice by making payment of sum equivalent to the pay and allowance for the period of notice or the un expired portion thereof. In clause 7 of the offer of appointment letter it has been stated that in case of any dispute or claim against the Kendriya Vidyalaya Sangathan in respect of service or any contract arising out of or flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.

All the above conditions laid down in the offer of appointment letter are highly arbitrary, unfair and illegal but since the applicant is in need of better government job as such he had no other alternative but to accept the said terms and conditions and accordingly he reported for duties in different Schools as per direction contained in the offer of appointment letter. The applicant has joined his services in the KVS, Missamari within the stipulated period and till date he is serving in the cadre of PGT in the said School in the state of Assam.

(Copy of offer of appointment letter is enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 2.)

4.5 That it is stated that so far condition laid down in clause 7 of the offer of appointment letter regarding jurisdiction of filing of Court cases arising out of provisional appointment letter is highly arbitrary in view of the fact that the Kendriya Vidyalaya Sangathan has invoked the jurisdiction of the Central Administrative Tribunal by issuing necessary notification as required under the provision laid down in the Administrative Tribunal Act 1985 and as such in violation of the provision of the relevant Act 1985 the Sangathan cannot restrict the jurisdiction for filing Court cases in Delhi alone, such action of the Sangathan is in contravention of the provision of Section 14 of the Administrative Tribunal Act 1985. Moreover, the Principal Bench of the Central Administrative Tribunal is functioning from Delhi itself with Benches in different places, however, Central Administrative

Tribunal is treated as one unit and as such filing of any application before any other Bench other than Delhi shall also liable to be treated that the same has also been filed before the CAT Principal Bench. Moreover, the Benches of CAT are functioning in different places other than Delhi to enable the employees to file cases within his 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 applicant. 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 his Education Code in order to restrain a particular section of the employees from approaching the different Benches situated in other places than Delhi. Therefore, the Hon'ble Tribunal be pleased to set aside and quash clause No. 7 of the offer of appointment letters (Annexure- 2).

(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).

4.6 4.7 That it is stated that the applicant 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 applicant 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 applicant is always working under the threat of termination of his services. It is relevant to mention here that the service of the applicant has been extended by the Assistant Commissioner, Guwahati Region upto 30th April 2006 or on conclusion of enquiry giving it's report whichever is earlier and the said decision is communicated through memorandum bearing No. F.8-1/PGT (History)/2005-KVS (GR)/19438-40 dated 27.01.2006.

It is relevant to mention here that another extension order has been issued recently vide letter No. F.11-1/2005-06-KVS/Estt-II dated 27.04.2006 in favour of the present applicant as well as in favour of the other similarly situated employees, whereby services of the applicant has been extended upto 30th June 2006 with exactly similar terms and conditions as imposed in earlier extension order. Moreover, from the contents of the extension order it is not clear as to when the Government is likely to receive the enquiry report, it may so happen that enquiry report might have been submitted by the enquiry committee even before 30th June 2006 without any knowledge of the applicant and if any adverse report is submitted by the enquiry committee in that event the services of the applicant will be terminated without passing any further extension order on or before 30th June 2006, apprehending such threat of termination of his services applicant is

approaching before this Hon'ble Court for protection of his valuable and legal right by passing an appropriate interim order restraining the respondents from ousting the applicant from service or in other words an appropriate order of status quo ante may be passed in favour of the applicant till disposal of this Original Application.

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

5. ~~4.7~~ That your applicant further begs to say that he is having requisite educational qualification for recruitment to the posts of PGT in KVS on regular basis, being satisfied with his eligibility and on receipt of the advertisement duly published in the Employment News dated 13-19 September 2003 submitted his candidature to the appropriate authority for consideration of his appointment for the post of teachers in KVS. The applicant has gone through the rigorous process of selection which includes 2 stages of written test as well as interview and he has successfully came out through the process of selection and finally selection list has been published by the KVS recommending the name of the applicant for appointment to the post of PGT. The applicant is not at all concerned with the selection procedure adopted by the Government of India, however it is at the instance of the Government the applicant 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 PGT for the recruitment year 2004-2005 as such the applicant is entitled to be absorbed on regular basis in view of the fact that he has been duly selected after observing all formalities required under the law, therefore selection of the applicant cannot be questioned at this belated stage.

¶ 4.8 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 applicant 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 applicant on the alleged ground as indicated above is highly arbitrary, illegal and unfair and such action of the respondents is in violation of Article 14 of the Constitution of India.

¶ 4.9 That it is stated that the advertisement and selection of the applicant for appointment to the post of PGT has been conducted at the instance of the Government and the applicant have gone through the rigorous process of selection with the legitimate expectation that he will be considered for appointment against the vacancies of 2004-2005 in Kendriya Vidyalaya, 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 applicant. The applicant is a victim of a well-planned conspiracy at the highest level of the Government. It appears that a well-planned attempt is made to terminate the service of the

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

4. ^{4.10} ~~4.11~~ That it is stated that although order has been passed by the competent authority extending the service of the applicant but still he is convinced and reasonably apprehending that his service 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 applicant finding no other alternative approaching before this Hon'ble Tribunal to project the right and interest of the applicant by passing an appropriate order directing the respondents to regularize the services of the applicant and till such time the applicant be allowed to continue as PGT.

5. ^{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 applicant 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 applicant on the pretext of enquiry report and therefore it smacks malafide as such applicant has no other alternative but to approach this Hon'ble Tribunal for protection of his rights and interest.

It is relevant to mention here the applicant 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 he has fared well in the interview and declared selected on the basis of his performances in the interview as such he is likely to get absorption on regular basis, but surprisingly till date his 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 applicant as regular teacher at least from the date of his 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).

5. 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, the applicant 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 in the KVS as such he has acquired a valuable and legal right for appointment on regular basis at least from the date of joining in his respective posts.

5.2 For that, the vacancy against which the applicant has been selected is regular vacancy as such applicant is entitled to be appointed on regular basis from the date of joining as PGT in KVS.

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 applicant have been declared selected and already appointed on provisional basis otherwise such action of the Government will led to differential treatments towards the applicant which will be in violation of Article 14 of the Constitution of India.

5.5 For that, the applicant is qualified to hold the post of PCT 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 applicant has applied for the post of PGT pursuant to the advertisement dated 13-19 September 2003 and after a long waiting for almost a year, the applicant has been appointed provisionally subject to outcome of the alleged enquiry report which is not sustainable in the eye of law rather the applicant is entitled to be appointed on regular basis.

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

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

5.10 For that applicant is apprehending his services may be terminated or he will be ousted on or before 30th June 2006 in view of the direction

contained in the extension order dated 27.04.2006 (Annexure- 5) in spite of the fact that applicant has been duly selected pursuant to an advertisement for recruitment against the vacancies of the recruitment year 2004-2005 as such he has acquired a valuable and legal right for regularization of his services.

6. Details of remedies exhausted.

That the applicant declares that he has exhausted all the remedies available to and there is no other alternative remedy than to file this application.

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

The applicant further declares that he 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 applicant humbly prays 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 applicant as regular Post Graduate Teacher (History) with immediate effect or at least with effect from the date of his 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 applicant to continue in service as PGT (History) till applicant is 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 applicant (Annexure- 2).

8.4 Costs of the application.

8.5 Any other relief (s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for:

During pendency of the application, the applicant prays 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 service of the applicant 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 applicant for providing relief as prayed for.

10.

11. **Particulars of the I.P.O**

i) I.P.O No.	:	26 G 324127.
ii) Date of issue	:	28-6-1976.
iii) Issued from	:	G.P.O, Bangalore.
iv) Payable at	:	G.P.O, Bangalore.

12. **List of enclosures:**
As given in the index.

VERIFICATION

I, Shri Ganga Ram Meena, S/o- Shri Jahari Lal, aged about 28 years, working as PGT (History) in the Kendriya Vidyalaya, Missamari, Dist- Sonitpur, Assam, applicant in the instant 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 12th day of May 2006.

G.R Meena



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

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

iii) Proficiency in teaching through Hindi and English media.

Desirable

Knowledge of Computer Applications.

2. TRAINED GRADUATE TEACHERS IN

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

PAY SCALE : Rs. 5500-175-9000

UPPER AGE LIMIT : 35 years (as on 01.01.2004)

ESSENTIAL QUALIFICATIONS:

i) Four Year integrated degree course of Regional Colleges of Education of NCERT in the concerned subject with atleast 50% marks in aggregate, 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)

one must be either History or Geography.

Botany, Zoology and Chemistry.

Sanskrit as an elective subject at Degree level.

f. For TGT(Maths)

Maths, Physics and Chemistry.

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

h. 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 :

Senior Secondary (Class XII) with 50% marks.

i) P.T. after Senior Secondary (class XII) or B.Ed. or equivalent of B.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 fulfil 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 query will be entertained. The prescribed essential qualifications are the minimum and the mere 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. servants of 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.
- 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

- 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 shall 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.
- 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

- 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.
- 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.
- The mode of selection shall include a written test/ examination, professional practice tests, proficiency tests, and personal interviews.
- 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:-

1st 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 14th and 15th 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 written test and/ or the descriptive type examination.

*Affected
for interview*

greening 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 presume that he/she is eligible for appointment to the post. 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

INES 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 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. 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 applied 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.

On receiving the admit cards, candidates should verify that the photographs, signatures placed 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. Any variation is found in the signatures appended by him/her at different places, his/her candidature will be cancelled.

The 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.

On 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, only one post and one centre will be considered.

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 on 20.01.2004. Selection 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 sustain 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 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 liable 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 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 specified 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 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 20 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 coe@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.St)	1 3	TGT (Science)	1 4
TGT(Sanskrit)	1 5	TGT(Maths)	1 6

PRIMARY TEACHERS

PRT 2 | 1

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

(1) Plus two/ Higher Secondary/ PU/ 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
26. Genetics	29. Micro Biology	30. Bio Technology
31. Molecular Biology	32. Plant Physiology	33. History
34. Geography		

EXAMINATION CENTRE CODE - FOR STAGE - I EXAMINATION

Rangalore	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

Regional Office,

Chayaram Bhawan, Maligaon, Guwahati-781012

REGISTERED POST

Phone: 2571798/2571799/2571797(FAX)

No.F. 8-1/PGT(History)/05-KVS(GR)/15112-20 Dated: 02-02-2005

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

With reference to his/her application for the above post Smt./Km./Shri Gangaram Meena is hereby informed that he/she has been selected for appointment on provisional basis against the post of PGT(History) in the Kendriya Vidyalaya Sangathan in the pay scale of Rs. 6500-200-10500/- and posted at Kendriya Vidyalaya Missamari. 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(History) by a Civil Surgeon. This provisional appointment of Shri/Smt/Kumari Gangaram Meena in the post of PGT(History) is subject to the outcome of a report/conclusion/recommendations/findings of the enquiry committee set up with the approval of Competent Authority to conduct detailed enquiry into the procedure adopted by Kendriya Vidyalaya Sangathan for selection of candidates for teachers by employing private agency and give, inter-alia report/conclusion/recommendation/findings to ascertain as to whether any candidate has received any undue advantage by virtue of procedure adopted by Kendriya

Affected
Law
Advocate

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

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

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

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

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

In case the enquiry committee upholds his/her selection he/she will be on probation w.e.f. the date of joining for a period of two years which may be extended. Upon successful completion of probation he/she will be confirmed in his/her term 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 PGT(History).
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, thereafter. The appointing authority, however, reserves the right to terminate the services of the appointee before expiry of the stipulated period of notice by making payment of sum equivalent to the pay and allowances for the period of notice or the unexpired portion thereof.

5. Other terms & conditions of service governing the appointment are same as laid down in the Education Code for Kendriya Vidyalayas as amended from time to time. Since for Kendriya Vidyalaya Sangathan Employees, Welfare Scheme has been introduced with effect from 1.4.2002 joining the above scheme is compulsory.
6. "The appointment is provisional as stipulated in Para-1 and is subject to the Schedule Caste/ Tribe certificate being verified through the proper channel and if the verification reveals that the claim to belong to SC or ST as the case may be, is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false certificate".
7. In case of any dispute or claim against the Kendriya Vidyalaya Sangathan, in respect of service or any contract, arising out of or flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.
8. If he/ she accepts the offer on the terms and conditions stipulated he/ she would send his/ her acceptance immediately to this office on receipt of this memorandum and join the Kendriya Vidyalaya mentioned overleaf. Necessary proforma for the purpose of forms are enclosed herewith which should be submitted to the concerned Principal, after getting the same duly completed in all respects. This acceptance should reach the undersigned in any case by 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.

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

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

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

(U. N. KHAWAREY)
ASSISTANT COMMISSIONER

~~Encl As above.~~

✓ Gangaram Meena, PN-54,
Krishna Nagar Colony, Gopalpura by pass
Jaipur (Raj) - 302-015

Copy forwarded to:-

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

REGISTERED POST

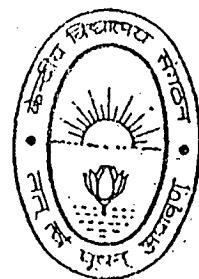
2. The Principal, Kendriya Vidyalaya Mississipi. The date of joining of the candidate may be intimated to this office immediately after the candidate reports for duty. In case he/ she does not join by the stipulated date, this office should be informed telegraphically. This appointment is further subject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

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

ASSISTANT COMMISSIONER

Annexure-3

EDUCATION CODE
FOR
KENDRIYA VIDYALAYAS



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

*Affected
Jub. Advocate*

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

Article 57. Foreign Service Terms

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

Article 58. Jurisdiction

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

Handed over vide
Date 21/2/06

**KENDRIYA VIDYALAYA SANGATHAN
REGIONAL OFFICE : GUWAHATI :22.**

No.F.8-1/PGT(History)/2005-KVS(GR) / 19438-40

Dated : 27-01-2006

MEMORANDUM

With reference to this office letter of even number dated 02-02-2005 vide which you have been offered provisional appointment on contract to the post of Post Graduate Teacher (History) as per terms and conditions mentioned therein. Accordingly you have joined your duties on 19-02-2005 at Kendriya Vidyalaya, Missamari.

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


(U. N. Khawarey)
Assistant Commissioner

To

✓ Shri. G.R. Meena, PGT (History),
Kendriya Vidyalaya,
Missamari.

Distribution :-

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


Aftab Jafar
Advocate



28 -

Central Board of Secondary Education

Delhi-110002

Phone: 26857936

Fax: 26857937

E-mail: cbse@vsnl.net.in

Website: www.cbse.nic.in

Annexure - 5

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

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 30th June 2006 or conclusion of enquiry giving its report whichever is earlier. Other terms and conditions of the offer issued to the candidates will remain the same. You are therefore requested to take necessary action in the matter accordingly. The text of the memorandum to be issued to the candidates is enclosed herewith.

Yours faithfully,

(Pragya Richa Srivastava)
Joint Commissioner(Admin.)

Enccl: As above.

Attested
Smt. Advocate

called for the Interview who have secured merit certificate based on the performance (above cut-off percentage) in both the descriptive examinations i.e. Paper I and Paper III.

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

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

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

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

DOCUMENTS TO BE ATTACHED WITH THE APPLICATION

1. A Bank Draft of Rs.300/- (three hundred only) in favour of Kendriya Vidyalaya Sangathan, payable at New Delhi.
2. Attested photocopies of all the educational qualifications, mark-sheets, date of birth, caste/ category, sub-category, experience etc. duly tagged with application together.
3. One self addressed and self stamped Post Card by affixing postage stamp of Rs.6/-.

LAST DATE FOR RECEIPT OF APPLICATIONS : 25.03.2005

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

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

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

GUIDELINES FOR FILLING UP THE APPLICATION FORM

- i) Applicants must read the 'Guidelines' before filling up the Application Form and must ensure that no column applicable to them is left blank or wrongly filled as the information furnished therein would be used for deciding the eligibility and suitability of the applicants for being called for written examination/interview. Correct name of the course/degree must be written with proper nomenclature. Applications not filled correctly and not as per the 'Guidelines' are liable to be rejected and the onus of such rejection would lie on the applicant(s).
- ii) 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 neatly in 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's website www.kvsangathan.nic.in. While filling information in block letters in boxes relating to name, address, father's name etc., one box should be left blank between the names/ words. Application Forms will not be supplied by the Kendriya Vidyalaya Sangathan or Kendriya Vidyalaya (s).
- iii) The application form can 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 are incompletely/ incorrectly filled or not accompanied by the prescribed fee shall be summarily rejected.
- iv) The candidates should note that no request for change of subject or Post or centre as indicated originally by them in the application form shall be entertained by the Sangathan under any circumstances.
- v) While filling his/her application form, the candidate should carefully decide about his/her choice of the subject or post or preference of the centre of the examination. If a candidate indicates the names of more than one post in TGT/PGT, his/her application is liable to be cancelled.
- vi) The candidates should fill up the appropriate codes for the post/ subject/ centre of examination in the application form. The codes for various posts/ subjects/ centres of examination are given below:

POST GRADUATE TEACHERS

Post Subject Codes

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

TRAINED GRADUATE TEACHERS

Post Subject Codes

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

PRIMARY TEACHERS

Post Subject Codes

PRT:	5 1
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Subject offered Code (refer column no.12 of the application form) for various subject combinations:

- (1) Plus two/ Higher Secondary/ PUC/Intermediate (Class XII)

01. Physics, Chemistry, Mathematics	02. Physics, Chemistry, Botany/Zoology
03. Chemistry, Botany and Zoology	04. Physics, Botany and Zoology
05. Social Sciences (having at least two subjects out of History, Geography, Economics and Pol. Science).	06. Physics, Chemistry, Mathematics
18. Commerce/Accountancy/Business Studies	02. Hindi Literature as one of the Subjects
99. Others	03. Chemistry, Botany and Zoology
(2) Graduate degree	04. Physics, Botany and Zoology
01. English Literature as one of the main subjects	06. Physics, Chemistry, Botany/Zoology
03. Sanskrit Literature as one of the main subjects.	
- (2) Graduate degree

08. Social Studies (having at least two subjects out of History, Geography, Economics and Science of which one must be either History or Geography)
09. B.A. (Hons.) in History/Geography/ Economics / Political Science as major subjects
10. B.Com / B.Com (Hons.)
11. Others
12. Post Graduate Degree
13. English
14. Electronics
15. Chemistry
16. Applied Economics
17. Mathematics
18. Zoology
19. Genetics
20. Molecular Biology
21. Geography
22. Hindi
23. Applied Physics
24. Bio Chemistry
25. Business Economics
26. Mathematics
27. Life Sciences
28. Genetics
29. Plant Physiology
30. Bio Technology
31. History

EXAMINATION CENTRE CODE

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

SPECIAL INSTRUCTIONS TO THE CANDIDATES

- i) Applications have been invited only for the post of Post Graduate Teacher, Trained Graduate Teacher and Primary Teacher. Applications for other posts should not be submitted.
- ii) Qualifications acquired by the candidates should be strictly in accordance with the prescribed qualifications and candidate should not seek claim of equivalence of their qualifications with that of qualifications as asked for. Wherein grades have been given, equivalence marks of graduation should be attached.
- iii) The Candidate should not fill in those qualifications in the application form for which they have appeared in any of the examination whose result is awaited/ withheld/ not declared.
- iv) Candidates applying for the posts of TGTs in Mathematics, Science and S.St. must note that they should have studied the combination of given subjects in all the years of degree course and in each year they have secured 50% marks in the subject and aggregate. TGT-S.St. must also ensure that they have studied the two subjects out of given 4 subjects out of which one must be History or Geography. The applicants for these posts should attach mark sheet of each year to determine their eligibility in the absence of which their candidature will be cancelled. Similarly, candidature of those candidates who have not studied the required subjects, will be cancelled.
- v) Since examination for all the posts of PGT/ TGT will be held simultaneously for all the subjects on the same day, a candidate cannot appear for other subjects in the same category of post. Therefore, at the most, a candidate can apply only for one post in each category. However, a candidate must apply separately for a post in PGT/ TGT/ PRT, as the case may be.
- vi) The blind candidates applying for a post must clearly write/ mark the column of Blind and PH to determine their case and eligibility etc. Such candidates will not be allowed to use the services of their guide/scribe. The guide/scribe will be provided at the centre who will assist such candidates in writing their answer on their behalf, in case the visibility level is such that they cannot write on their own. However, such candidates can also keep with them their own guide who should not be more than 10th Standard for PRT, 12th Standard for TGT and a Graduate in the case of PGT, whose services may be utilized. However, such candidate should also bring with them their guide with above mentioned qualification whose services may be utilized in case the centre is not in a position to provide the guide/ scribe. In case scribe for them could not be made available, the examination will be conducted under the overall supervision of the invigilator. A total extra time of one hour for PGT-I and II (if required) will be given, and similarly 1 hour extra time for paper - III will be given to such candidates.
- vii) The OBC candidate must produce a certificate in the prescribed proforma, as is issued for employment in central Govt. offices and they should not be from creamy layer.
- viii) Application should be submitted by ordinary post only to:-

KENDRIYA VIDYALAYA SANGATHAN

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

- ix) Candidates serving in any recognized institution/ organization/ autonomous body of Central Govt./State Govt. must apply under intimation to his/her Employer. They will also be required to provide a 'No Objection Certificate', if called for interview.
- x) Applicants should note that in case a communication is received by the 'Sangathan' from his/her present employer, withholding the candidate from appearing at the written test/ interview, his/her application/ candidature will be rejected.
- xi) Candidates admitted to the examination will be sent Photo Admit Card permitting them to take the examination. No candidate will be permitted to appear at the examination without the Admit Card.
- xii) On receiving the admit cards, candidates should verify that the scanned photograph, signatures (taken from the application form) 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, please inform Regional Office of KVS located in the city of the centre allocated for examination one day before the scheduled date of exam so that remedial action is taken.
- xiii) A candidate who does not receive Admit Card for the examination may get in touch with the Assistant Commissioner, Regional Office of the KVS at the city of examination (list of KVS Regional Offices is available at the website of KVS) alongwith proof of their having applied for the post one day before the scheduled date of exam, between 10 AM to 3 PM alongwith 2 passport size photographs for issuance of provisional admit card. In respect of those candidates whose applications were not received by Sangathan due to postal delay or otherwise, no action will be taken and no fresh request will be entertained.
- xiv) Important Information relating to conduct of KVS-PGT, TGT, PRT-2005 Examination will be available at KVS website www.kvsangathan.nic.in. Applicants must remain in touch with KVS through its website for the important information which KVS will display on its website from time to time.
- xv) Canvassing in any form will disqualify a candidate.
- xvi) There will not be any negative marking for evaluation purposes. The question papers will be provided bilingually i.e. in Hindi and English.
- xvii) A candidate appearing for the examination must bring with him/her a Pen, Pencil, Rubber and other stationary for examination purposes.
- xviii) No Calculator, Cell phone, Digital Diary, Watch, etc. will be allowed to the examination hall.
- xix) The Sangathan may, at its discretion, hold re-examination. The candidate will be required to appear for such re-examination at his/her own cost.
- xx) No TA/DA will be paid for appearing at the written tests and interview.
- xxi) The results of the shortlisted candidates for interview will be available on the website around mid July, 2005. The shortlisted candidates will be sent interview letters for appearing at the interview to be held at Dehi around 2nd/3rd week of August, 2005.
- xxii) Based on the overall performance in the written examination and interview, appointment letters will be issued by Sangathan.
- xxiii) Selected candidates are liable to be posted anywhere in India based on 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. No request for change of place of posting will be entertained.
- xxiv) Selected candidates will be entitled to various allowances as admissible under the Central Govt./ KVS Rules.
- xxv) Selected candidates will initially be on probation for two years which is extendable by two more years on year to year basis, if necessary.
- xxvi) The Sangathan may, at its discretion, recommend higher initial pay to exceptionally qualified and experienced candidates.
- xxvii) For all practical purposes or in case of any discrepancy in the context of text of the advertisement in Hindi language, the English version of the advertisement will prevail.
- xxviii) The jurisdiction for all legal matters for this recruitment will be New Delhi and legal cases filed (if any) in other courts will not be maintainable.

Continued on page 32

VAKALATNAMA

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI

O. A. No. 2006

Shri Gangaram Meena.

...Applicant(s)

-V3-

U.O.1 less

...Respondent(s)

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

In witness whereof, I/We hereunto set my/our hand on this the 16th day of May, 2006.

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

satisfied and accepted.

Advocate

Christopher

Advocate

Advocate

NOTICE

From:

Subrata Nath
Advocate.

To,

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

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

Sir,

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

Please acknowledge receipt of the same.

Received

(M.K. Mazumdar)
Advocate, KVS.

Yours sincerely

Subrata Nath
(Subrata Nath)

Advocate.

finding Mr. M.K. Mazumdar
nowhere in the Court Premises
I undertake to serve a
copy of this O.A. to Shri M.K.
Mazumdar.

Subrata Nath
Advocate
16/5

22 AUG 2006

गुवाहाटी न्यायपीठ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 117/2006

Shri Gangaram Meena

..... Applicant

Versus -

Kendriya Vidyalaya Sangathan & Ors.

..... Respondents

IN THE MATTER OF :

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

- AND -

IN THE MATTER OF :

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

- AND -

IN THE MATTER OF :

The Assistant Commissioner

K.V.Sangathan, Guwahati Region

Guwahati.

..... Petitioner.

Filed by the Respondents
Through Mr. Maninder
K.V. Sangathan Standing
Counsel

1. That the applicant by filing application has raised the question for their absorbing in the post he holding on regular basis and or to allow him to continue till applicant is absorbed.
2. That the facts remain that after regular selection he was 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 applicant 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 appointment 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 his/her selection has not been carried out in accordance with the selection procedure, then the present offers will be withdrawn. However, he 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.

However, his/her appointments would be kept in abeyance until his/her confinement is 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 he/she is confirmed the services of the appointee is 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 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.

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 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 applicant is apprehending termination of his/her 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.117/2006 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 applicant was provisional, contractual and temporary in nature for a period of one year which has been extended upto 30.4.2006 and thereafter extended upto 30.6.2006 and recently vide office order dated 22.6.2006 upto 31st December 2006 with the terms and conditions.

VERIFICATION

I Shri Uday Narayan Khawarey, Son of Shri Jagat Narayan Khawarey, aged about 46 years, presently working as Assistant Commissioner in the Regional Office of Kendriya Vidyalaya Sangathan, Jawaharnagar, Khanapara, being authorized by the Respondent do hereby verified that the statement made in paragraphs 1, 2,

3, 4 & 5 are true to my knowledge and those made in paragraphs — 6 — are based on records.

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

Uday Narayan Khawarey

DEPONENT

Place : 4.7.06

Date :

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



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

AO
23/6/06
Dated: 22-06-2006

The Assistant Commissioner
Kendriya Vidyalaya Sangathan
All Region Offices.

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

Sir/Madam,

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

Shri SKA
11 days to 2006
23/6

Yours faithfully,

Pragya Richa Srivastava
(Pragya Richa Srivastava)
Joint Commissioner(Admn.)