

4

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No. 158/2006
R.A/C.P No.
E.P/M.A.No.

1. Orders Sheet..... OA Pg. 1 to 3
2. Judgment/Order dtd 6.11.2006 Pg. to 12. closed common Judgment
at 91, 93, 94, 100, 116, 117a
3. Judgment & Order dtd..... Received from H.C/Supreme Court 158/2006
4. O.A..... Pg..... to.....
5. E.P/M.P..... Pg..... to.....
6. R.A/C.P..... Pg..... to.....
7. W.S..... Pg..... to.....
8. Rejoinder..... Pg..... to.....
9. Reply..... Pg..... to.....
10. Any other Papers..... Pg..... to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments... P. memorandum Submission page-2 to 9
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

Kalish
24/10/17

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDERS SHEET

- 1. Original Application No. 158/06
- 2. Miso Petition No. _____
- 3. Contempt Petition No. _____
- 4. Review Application No. _____

Applicant(S) Manoj Kumar

Respondant(S) U.O. P. Govt

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

Advocate for the Respondant(S) M.K. Majumdar, K.V.S. Counsel

Notes of the Registry	Date	Order of the Tribunal
<p>The application is in Form is filed/C.F. No. 10/- deposited vide P. No. <u>266/224276</u> Dated <u>22.6.06</u></p> <p><u>[Signature]</u> Dy. Registrar</p> <p><u>[Signature]</u> 23/6/06</p> <p><u>Steps taken</u></p> <p><u>[Signature]</u></p>	27.06.2006	<p>Present : Hon'ble Sri K.V. Sachidanandan Vice-Chairman.</p> <p>Pursuant to an advertisement dated 13-19 September 2003 for recruitment to various category of posts of Teachers in the Kendriya Vidyalaya Sangathan, the applicant applied for the post of Trained Graduate Teacher (Math.) and after the recruitment processes like written test, interview, etc., the Respondents issued offer of appointment provisionally on contract basis for a period of one year and the applicant has been engaged right from day one onwards. According to the averments made in the application, his appointment was on provisional and his services would be regularised depending on the outcome of inquiry undertaken by the Respondents for selection of the candidates and by impugned order dated 27.04.2006 time was granted upto 30.06.2006. Specific contention of the Applicant is that if no such inquiry is undertaken by the Respondents, the services of the Applicant.</p>

207158/06

Contd/-

27.06.2006. would have been regularised. The applicant is apprehending termination of his services at any point of time.

Heard Mr S. Nath, learned counsel for the Applicant and Mr M.K. Majumdar, learned standing counsel for the KVS.

Mr M.K. Majumdar, learned standing counsel for the KVS submitted that he would like to take instructions as to the latest position of the inquiry that has been initiated against such selection. He may take instruction and the matter be posted on 04.07.2006.

In the interest of justice, the Respondents are directed to maintain status quo till the next date.

Vice-Chairman

/mb/

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

Post on 08.08.2006. ~~Interim~~ Interim order dated 27.06.2006 shall continue till the next date.

Vice-Chairman

mb

08.08.2006 When the matter came up for hearing, it is 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.

Vice-Chairman

Member

Order dt. 27/06/06
Sent to D/section for
issuing to resp.
learned standing
counsel for the KVS.
and counsel for the
applicant.

28/6/06

D/No = 684, 685
Dt = 10/7/06

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

6/7/06

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

14/8/06

22.8.06
Before filing WTS
preliminary submission
of facts has been submitted.
(one copy) file

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


Vice-Chairman

/mb/

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

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


Vice-Chairman

/mb/

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

copy
30/8/06.

no W/Ls has been filed.

me
3.11.06.

23.11.06

copy of the
order handed
over to the H/As
for the parties



**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

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

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

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

I. O.A. No. 91/2006.

1. Shri Gyaneshwar Jha, PGT (History)
KV, No. 2, ONGC, Agartala, Tripura West.
2. Shri Sampuran Das, Sarjal, PGT (Chemistry)
K.V., 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

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

... Respondents:

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

II. O.A. No. 93/2006

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

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

... Applicants.

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

Versus

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

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

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

.... Respondents

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

III. O.A. No. 94/2006

1. Miss Sandhya Patel
Daughter of Sri L.P. Patel
At present posted as Post graduate Teacher (Chemistry)
Kendriya Vidyalaya, Maligaon, Assam.

2. Kumar Mohan G
Son of Sri K. G. Nair
At present posted as Post Graduate Teacher (Physics)
Kendriya Vidyalaya, Maligaon, Assam.

3. Balwan Singh
Son of Sri Thath Ram
At present posted as Post Graduate Teacher
(Commerce), Kendriya Vidyalaya, Maligaon, Assam.

4. Md. Mohamudin
Son of Md. Naisurulla,
At present posted as Trained Graduate Teacher (Maths)
Kendriya Vidyalaya, Maligaon, Assam.

... Applicants.

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

- Versus -

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

2. Kendriya Vidyalaya Sangathan
Represented by its Chairman
18, Institutional Area, Swahid Jeet Singh Marg, New
Delhi - 16.

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



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

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

IV. 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. Q.A. No. 116/2006

1. Sri Mukesh Kumar
S/o - Shri Jal 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,
1B, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
3. The Assistant Commissioner (ADM & FIN)
Kendriya Vidyalaya Sangathan
1B, Institutional Area,
Saheed Jeet Singh Marg,
New Delhi - 110 016.
4. Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Silchar Region, Regional Office,
Hospital Road, Silchar - 788011, Assam.

... Respondents.

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

VII. O.A. No. 117/2006

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

... Applicant.

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

- Versus -

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Human Resource Development,
Government of India,
New Delhi - 110 001.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
1B, 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. SACHIDANANDAN (V.C.)

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

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



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

"This is regarding regularization of appointment of teachers (PGT/TGT/PRT) appointed on provisional contract basis in the year 2005, subsequently their period of contract was extended from time to time with the condition that their period of contract would be upto the last of period of extension or conclusion of enquiry by Santhyam Committee whichever is earlier. Now Ministry of HRD, Department of School Education and Literacy, UT-2 Section has informed vide letter No. F.3-2/2005-UT-2 dated 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."

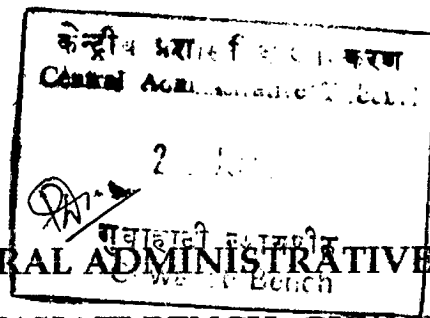
In view of the above, you are therefore directed to inform all the teachers (PGT/TGT/PRT) as per the format enclosed who were appointed on provisional contract basis in the year 2005 in the Kendriya Vidyalayas under jurisdiction accordingly.

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/IGT/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



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

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

O. A. No. 158 /2006

Shri Manoj Kumar

-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 TGT 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- 2)
- 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- 4)
- 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.

4/7/06

Manoj Kumar

48
18

P R A Y E R S

Reliefs sought for:

1. That the Hon'ble Tribunal be pleased to direct the respondents to absorb the applicant as regular Trained Graduate Teacher (Maths.) with immediate effect or 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 TGT (Maths.) 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.

9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

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

Title of the case : O.A. No. 158 /2006

Shri Manoj Kumar. : Applicant.

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

INDEX

Sl. No.	Annexure	Particulars	Page No.
1.	---	Application	-15-
2.	---	Verification	-16-
3.	1	Copy of the advertisement published in Employment News dated 13-19 Sep' 03.	17-18
4.	2	Copy of the appointment letter.	19-22
5.	3	Copy of the extract of the Article 58 of the Education code for Kendriya Vidyalayas.	23-24
6.	4	Copy of the memorandum extending the services of the applicant on or before 30 th June 2006.	-25-
7.	5	Copy of the advertisement dated 12-18 February, 2006.	26-27

Filed by:

Date:-

Advocate

30/1/06

Manoj Kumar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

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

O.A. No. 158 /2006

BETWEEN:

Shri Manoj Kumar,

S/o- Shri Vijay Kumar Singh,
Working as TGT (Mathematics)
Kendriya Vidyalaya, Duliajan (OIL),
Dist- Dibrugarh,
Assam- 786602.

...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,
Silchar Region,
Regional Office,
Hospital Road, Silchar, Assam- 788001.

..... Respondents.

Manoj Kumar

20
Filed by me applicant
In favour of: S. N. K.
At Guwahati
23.06.06

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 Trained 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 Trained Graduate Teacher in Kendriya Vidyalaya at Duliajan in Assam under the administrative control of Assistant Commissioner, Silchar 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 Trained Graduate Teacher (for short TGT) within the stipulated period. The respondents on scrutiny of the application, found the applicant eligible for the post of TGT 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 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, Duliajan (OIL) within the stipulated period and till date he is serving in the cadre of TGT 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

6
25

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 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, Silchar Region upto 30th April 2006 or on conclusion of enquiry giving it's report whichever is earlier.

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 30th June 2006 is enclosed herewith for perusal of the Hon'ble Tribunal as Annexure- 4.

4.7 That your applicant further begs to say that he is having requisite educational qualification for recruitment to the posts of TGT 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 come 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 TGT. 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 TGT 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 TGT 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 TGT 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 TGT.

- 4.10 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 protect 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 TGT.

- 4.11 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- 5.

- 4.12 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 TGT 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 TGT 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 TCT 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 TGT 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 override 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- 4) 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 Trained Graduate Teacher (Maths.) 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 TGT (Maths.) 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)	IP.O No.	:	269324276.
ii)	Date of issue	:	22.5.08.
iii)	Issued from	:	G.P.O. Guwahati.
iv)	Payable at	:	G.P.O. Guwahati.

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

VERIFICATION

I, Shri Manoj Kumar, S/o- Shri Vijay Kumar Singh, aged about 30 years, working as TGT (Mathematics), Kendriya Vidyalaya, Duliajan (OIL), Dist- Dibrugarh, Assam- 786602, 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 the 21st day of June 2006.

Manoj Kumar

KENDRIYA VIDYALAYA SANGATHAN

RECRUITMENT FOR THE POSTS OF TEACHERS

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

PART-I
POST GRADUATE TEACHERS IN
(i) English (ii) Hindi (iii) Physics (iv) Chemistry
(v) Economics (vi) Commerce (vii) Mathematics (viii) Zoology
(ix) History (x) Geography (xi) Botany (xii) Biology

PAY SCALE: Rs. 6500-2000 10300
UPPER AGE LIMIT: 40 YEARS (As on 01.01.2004)
ESSENTIAL QUALIFICATIONS:

- 1. Two years integrated or 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. PG1 (English)
 - b. PG1 (Hindi)
 - c. PG1 (Physics)
 - d. PG1 (Chemistry)
 - e. PG1 (Economics)
 - f. PG1 (Commerce)
 - g. PG1 (Maths)
 - h. PG1 (Biology)
 - i. PG1 (History)
 - j. PG1 (Geography)
 - k. B.Ed. or equivalent
 - l. Proficiency in teaching in Hindi and English

2. TRAINED GRADUATE
(i) English (ii) Science (iii) Hindi Studies
(iv) Sanskrit (v) Mathematics

- 1. Four Year integrated course of Regional Colleges of Education of NCERT in the concerned subject with at least 50% marks in aggregate, or Second Class Bachelor's Degree with at least 50% marks in aggregate in the concerned subject(s) and in aggregate 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 Science) Any two of the following: History, Geography, Economics and Pol. Science, of which one must be either History or Geography.
 - d. For TGT (Science) Botany, Zoology and Chemistry.
 - e. For TGT (Sanskrit) Sanskrit as an elective subject at Degree level.

3. PRIMARY TEACHER
PAY SCALE: Rs. 4500-1300-1
UPPER AGE LIMIT: 35 YEARS (As on 01.01.2004)
ESSENTIAL QUALIFICATIONS:

- 1. Senior Secondary Certificate (10+2) or equivalent with 50% marks in aggregate in the concerned subject(s) and in aggregate 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 Science) Any two of the following: History, Geography, Economics and Pol. Science, of which one must be either History or Geography.
 - d. For TGT (Science) Botany, Zoology and Chemistry.
 - e. For TGT (Sanskrit) Sanskrit as an elective subject at Degree level.

4. PHYSICIAN
PAY SCALE: Rs. 10000-20000-30000
UPPER AGE LIMIT: 40 YEARS (As on 01.01.2004)
ESSENTIAL QUALIFICATIONS:

- 1. MBBS with 50% marks in aggregate in the concerned subject(s) and in aggregate 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 Science) Any two of the following: History, Geography, Economics and Pol. Science, of which one must be either History or Geography.
 - d. For TGT (Science) Botany, Zoology and Chemistry.
 - e. For TGT (Sanskrit) Sanskrit as an elective subject at Degree level.

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) Up to a maximum of 10 years in the case of SC/ST candidates and 6 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) Up to a maximum of 10 years in the case of Physically Handicapped candidates. 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 QUANTIFIED. FOR PHYSICALLY HANDICAPPED, IF A PERSON BELONGS TO SC/ST, HE/SHE WILL BE ALLOWED 15 YEARS I.E. 10 YEARS FOR M.H. AND 05 YEARS FOR SC/ST.

PART-III
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
Candidates desirous to apply for more than one post should submit applications for each post accompanied by the prescribed fee and necessary enclosures for each post in separate envelopes.
Applicants cannot apply for more than one subject in each category of post i.e. one subject in PG1 and/or one in TGT.
Envelope containing the application must be signed and sealed in front as "APPLICATION FOR THE POST OF _____"
Duly filled 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. 100 (One hundred and Fifty only) by demand draft only in favour of KENDRIYA VIDYALAYA SANGATHAN payable at New Delhi (India) through IFO/Money Order/Crossed Cheque/Post Office Money Order etc. which will not be accepted by the Sangathan and the fee should be deposited in the account having received without fee, separate for each post applied for.
The refund of the fee will not be allowed in any case.
The bank draft should be valid for at least 3 months from the date of advertisement.
No fee is required to be paid by SC/ST/Physically Handicapped persons are also exempted from the payment of fee. The submission of prescribed Medical Certificate issued by a Government Civil Surgeon or Chief Medical Officer.

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

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. (9.30 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. (14.10 hrs to 16.30 hrs)	120

The place of examination will be intimated to candidates separately.
2nd Stage - 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 not take any scrutiny of applications for eligibility before the examination.

*Attestd
Sd/-
Advocate*

37

...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 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.

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

THIS TO BE ATTACHED WITH THE APPLICATION

...enclosed 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.

FORM FOR RECEIPT OF APPLICATION(S) : 27.10.2003

FORMS FOR FILLING UP THE APPLICATION FORM

...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 sheet or on printed application form ensuring that its format is the same as published by the Sangathan in this advertisement or may download from the Sangathan website www.kvsangathan.org. While filling information boxes relating to name, address, father's name etc. one box should be left blank between the names/ words in block letters only. Application Forms will not be accepted by the Kendriya Vidyalaya Sangathan or Kendriya Vidyalaya (s).

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

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

...application forms are to be processed in computerized system, candidates should exercise 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 incomplete/incorrectly filled, not accompanied by the prescribed fee shall be summarily rejected.

...candidates should note that no request for change of subject or Post or centre as indicated originally by them in the application form shall be entertained by the Sangathan under any circumstances.

...in filling his/her application form, the candidate should carefully decide about his/her choice of the subject or post or preference of the centre of the examination. If a candidate indicates the names of more than one post in TGT/PGT or the names of more than one centre, his/her candidature will be summarily cancelled.

INSTRUCTIONS TO THE CANDIDATES

...candidates should note that in case a communication is received by the Sangathan from their present employer, withdrawing the candidate from appearing in the written examination, his/her application/candidature will be rejected.

...selected candidates will not be informed of the result individually for stage - I examination but it will be available on website www.kvsangathan.org on 20.01.2004. Appointment orders to the selected candidates will be issued by the Sangathan. Sangathan may at its discretion recommend higher initial pay to exceptionally good and experienced candidates.

...missing in any form will disqualify a candidate.

...candidates 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 applicants for being called for written examination/interview. Applications not filled correctly and not as per the 'Guidelines' are liable to be rejected and the rejection would be on the applicant(s). The Sangathan will not entertain any claim for such rejection.

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

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

...candidates serving in any recognized institution/ organization autonomous body of Central/ State Govt. must apply under information to his/her Employer.

...fee will be paid for appearing in the written tests and interview.

...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 available to any establishment of KVS in India or abroad.

...candidates will be entitled to various allowances as admissible under the KVS Rules.

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

...number of vacancies for initial posting are available in the Vidyalaya of the Region, J&K and remote areas of the country.

...request for change of place of posting will be entertained.

...only the candidate should ONLY be submitted for the post to :-

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

...acquired by the candidates should be strictly in accordance with the KVS Rules and candidates should not seek claim of equivalence of their qualifications with that of a qualifications as asked for.

...candidates should not fill in the qualification in the application form for which they are appearing in any of the examination or whose result are awaited/ withheld/ not

- 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 specified stations for which the candidates have opted in the application forms alongwith proof of their having applied for the post on 20th December, 2003 between 11.00 AM to 3.00 PM. Provisional Admit Cards would be issued to such candidates. The candidates may also inform KVS by e-mail: cor@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.SI)	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/ PUC/ Intermediate (Class XII)
 - 01. Physics, Chemistry, Mathematics
 - 02. Physics, Chemistry, Botany/Zoology
 - 03. Chemistry, Botany and Zoology
 - 04. Physics, Botany and Zoology
 - 08. Social Sciences (having at least two subjects out of History, Geography, Economics and Pol. Science).
 - 18. Commerce/Accountancy/Business Studies
 - 99. Others
- (2) Graduate degree
 - 01. English Literature as one of the main subjects.
 - 02. Hindi Literature as one of the main subjects.
 - 03. Chemistry, Botany and Zoology.
 - 04. Physics, Botany and Zoology
 - 05. Physics, Chemistry, Mathematics
 - 06. Physics, Chemistry, Botany/Zoology
 - 07. Sanskrit literature as one of the main subjects.
 - 08. Social Studies (having at least two subjects out of History, Geography, Economics and Pol. Science). Of which one must be either History or Geography.
 - 09. D.A. (Hons.) in History/ Geography/ Economics/ Pol. Science as a major subject.
 - 18. B.Com/ B.Com(Hons.)
 - 90. Others
- (3) Post Graduate degree
 - 10. English
 - 11. Hindi
 - 12. Physics
 - 13. Electronics
 - 14. Applied Physics
 - 15. Nuclear Physics
 - 16. Chemistry
 - 17. Bio Chemistry
 - 18. Economics
 - 19. Applied Economics
 - 20. Business Economics
 - 21. Commerce
 - 22. Mathematics
 - 23. Applied Mathematics
 - 24. Botany
 - 25. Zoology
 - 26. Life Sciences
 - 27. Bio Sciences
 - 28. Genetics
 - 29. Micro Biology
 - 30. Bio Technology
 - 31. Molecular Biology
 - 32. Plant Physiology
 - 33. History
 - 34. Geography

EXAMINATION CENTRE CODE FOR STAGE - I EXAMINATION

Bangalore	01	Bhopal	02
Chennai	03	Delhi	04
Guwahati	05	Kolkata	06
Lucknow	07	Mumbai	08
Ahmedabad	09	Bhubaneswar	10
Chandigarh	11	Dehradun	12
Syderabad	13	Jabalpur	14
Jaipur	15	Jammu	16
Patna	17		

EXAMINATION CENTRE CODE FOR STAGE - II EXAMINATION

Bangalore	21	Bhopal	22
Chennai	23	Delhi	24
Guwahati	25	Kolkata	26
Lucknow	27	Mumbai	28

Continued

- 19 -

Annexure-2

38

KENDRIYA VIDYALAYA SANGATHAN
SILCHAR REGION

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

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

19442-44

Dated : 04.02.2005.....

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

With reference to his/her application for the above post Smt./Kym./Shri **Manoj Kumar**

is

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

He/She will draw allowances and other benefits in addition to his/her pay at rates as admissible to the Kendriya Vidyalaya Sangathan employees. This offer of appointment is subject to the candidate being declared fit for the post of TGT(Maths) by a Civil Surgeon. This provisional appointment of Shri./Smt./Kym. **Manoj Kumar** in the post of _____

is subject to the outcome of a report/conclusion/

recommendations/findings of the enquiry committee set up with the approval of Competent Authority to conduct detailed enquiry into the procedure adopted by Kendriya Vidyalaya Sangathan for selection of candidates for teachers by employing private agency and give, inter-alia report/conclusion/recommendation/findings to ascertain as to whether any candidate has received any undue advantage by virtue of procedure adopted by Kendriya Vidyalaya Sangathan for the selection and recruitment of teachers for the year 2004-05.

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

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

Contd. Page. 2

*Attested
Law.
Advocate*

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

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

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

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

3. No TA will be admissible for first joining the Sangathan as TGT(Maths)

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

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

6. "The appointment is provisional as stipulated in Para-1 and is subject to the Schedule Caste/Tribe certificate/OBC Certificate being verified through the proper channel and if the

[3]

verification reveals that the claim to belong to SC or ST or OBC as the case may be, is false, the services will be terminated forthwith without assigning any further reasons and without prejudice to such further action as may be taken under the provisions of the Indian Penal Code for production of false certificate".

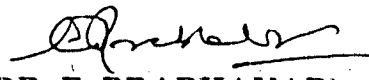
7. In case of any dispute or claim against the Kendriya Vidyalaya Sangathan, in respect of service or any contract arising out of or flowing from this offer of appointment the Courts of Delhi alone shall have jurisdiction.

8. If he/she accepts the offer on the terms and conditions stipulated he/she would send his/her acceptance immediately to this office on receipt of this memorandum and join the Kendriya Vidyalaya mentioned overleaf. Necessary proforma for the purpose in forms are enclosed herewith which should be submitted to the concerned Principal, after getting the same duly completed in all respects. This acceptance should reach the undersigned in any case by ~~15-2-2005~~. If the offer is not accepted by the said date or after acceptance if the appointee does not report for duty at the above named Kendriya Vidyalaya by 25-2-2005, this offer of appointment will automatically stand cancelled and no further correspondence will be entertained from him/her.

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

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

11. He/She will be eligible for the New Restructured Defined contribution pension system only as circulated by KVS(HQRS) Vide circular No. F. 2-17/2003-04/KVS(Budget) dated 08/12.03.2004 and F.2-17/2003-04/KVS(Budget) dated 24.12.2004.


(DR. E. PRABHAKAR)
ASSISTANT COMMISSIONER.

Encl: As above

Sh. Manoj Kumar,
North Patel Nagar,
Gokul Path, Nala Paar,
Patna, Bihar
Pin- 800 024.

*Attest in
Law
Advocate*

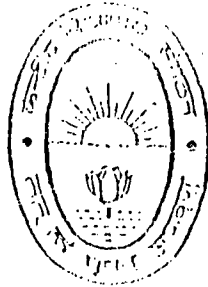
Copy forwarded to :-

1. The Principal, Kendriya Vidyalaya _____ . In case Sh./Smt. Km. _____ accepts the offer of a pointment he/she should be relieved immediately with the instructions to join his/her new post under intimation to the Sangathan. If the appointee is not working at present in his Vidyalaya, this memorandum may be sent to the concerned Vidyalaya forthwith under intimation to the Sangathan.
2. The Principal, Kendriya Vidyalaya Duliajan, Assam. The date of joining of the candidate may be intimated to this office immediately after the candidate reports for duty. In case he/she does not join by the stipulated date, this office should be informed telegraphically. This appointment is further subject to production of certificates etc as per Article 49 (1) of Education Code for Kendriya Vidyalayas. The candidate be allowed to join his/her duties only after verification of original certificates, and on submission of requisite forms/statements duly completed in all respects. Those appointed under SC/ST or OBC quota may be allowed to join duties only on production of original certificate mentioned in para 6 of the order. They are also requested to check the original certificates in respect of the qualifications of the appointee employee and satisfy themselves that the appointee possess requisite qualification for the post he/she is appointed to. The Principal/In-charge Principal will certify on the joining report itself regarding his/her satisfaction about the certificate produced.
3. The Dy.Commissioner (Admn), KVS(HQ), New Delhi, for information.

ASSISTANT COMMISSIONER

EDUCATION CODE
FOR
KENDRIYA VIDYALAYAS

24



KENDRIYA VIDYALAYA SANGATHAN
18, INSTITUTIONAL AREA
SHALIBHADRA, NEW DELHI - 110 016

*Attestd
Dus
K. Narasimha*

43

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.

Director
Kendriya Vidyalaya Sangathan
New Delhi - 110016
Phone: 26857636
Fax: 26857636
Website: www.kvsangathan.nic.in

Annexure - 4



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

Dated: 27-4-2006

The Assistant Commissioner
Kendriya Vidyalaya Sangathan
All Region Offices.

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

Sir/Madam,

In continuation to this office letter of even number dated 13-1-2006 it is to inform you that it has been decided by the competent authority that the period of provisional appointment on contract to the post of PGT/TGT/PRT appointed in the year 2005 on direct recruitment basis be extended up to 30th June 2006 or conclusion of enquiry giving its report whichever is earlier. Other terms and conditions of the offer issued to the candidates will remain the same. You are therefore requested to take necessary action in the matter accordingly. The text of the memorandum to be issued to the candidates is enclosed herewith.

Yours faithfully,

(Pragya Richa Srivastava)
Joint Commissioner (Admn.)

Encl: As above.

*Attested
Smt.
Advocate*

KENDRIYA VIDYALAYA SANGATHAN

18 - Institutional Area, Shahid Jeet Singh Marg, New Delhi - 110016

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

PART - I : DETAILS FOR VARIOUS POSTS

POST GRADUATE TEACHERS
PAY SCALE: Rs. 6500-200-10500
UPPER AGE LIMIT: 40 YEARS (as on 01.01.2005)
ESSENTIAL QUALIFICATIONS:
 Two years integrated Post Graduate M.Sc. Course of Regional Institute of Education or B.Ed. in the concerned subject with atleast 50% marks in aggregate or Master's degree from a recognized University with at least 50% marks in aggregate in the concerned subjects.

Name of Post	Subject(s)
PGT (English)	English
PGT (Hindi)	Hindi
PGT (Physics)	Physics/Electronics/Applied Physics/Nuclear Physics
PGT (Chemistry)	Chemistry/Bio Chemistry
PGT (Economics)	Economics/ Applied Economics/ Business Economics
PGT (Commerce)	Commerce with Accounting / Cost Accounting / Financial Accounting as a Major subject of study. Holder of degree of M.Com in Applied/ Business Economics shall not be eligible.
PGT (Maths)	Mathematics/Applied Mathematics
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.
PGT (History)	History
PGT (Geography)	Geography

B.Ed. or equivalent qualification from a recognized University. Proficiency in teaching through Hindi and English media (will be judged by way of descriptive type written examination of +2 standard). Desirable: Knowledge of Computer Applications.

TRAINED GRADUATE TEACHERS

PAY SCALE: Rs. 8000-175-9000
UPPER AGE LIMIT: 35 Years (as on 01.01.2005)
ESSENTIAL QUALIFICATIONS:
 Four Years Integrated degree course of Regional Institute of Education of NCERT in the concerned subject with at least 50% marks in aggregate; or Second Class bachelor's degree with at least 50% marks in the concerned subject(s) and in aggregate including elective and languages in the combination of Subjects as under:

Name of Post	Subject(s)
TGT (English)	English as an elective subject at Degree level
TGT (Hindi)	Hindi as an elective subject at Degree level
TGT (Social Studies)	Any two of the following : History, Geography, Economics and Pol. Science of which one must be either History or Geography
TGT (Science)	Chemistry, Botany and Zoology
TGT (Sanskrit)	Sanskrit as an elective subject at Degree level
TGT (Maths)	Maths with any two of the following subjects: - Physics/ Chemistry/ Electronic/ Computer Science/ Statistics

B.Ed. or equivalent qualification from a recognized University. Proficiency in teaching through Hindi and English media (will be judged by way of descriptive type written examination of +2 standard). Desirable: Knowledge of Computer Applications.

PRIMARY TEACHERS

PAY SCALE: Rs. 4500-125-7000
UPPER AGE LIMIT: 30 Years (as on 01.01.2005)
ESSENTIAL QUALIFICATIONS:
 (i) Senior Secondary (Class XII) with 50% marks.
 (ii) JBT - after Senior Secondary (Class - XII) or B.Ed. or equivalent or B.El.Ed.
 (iii) Proficiency in teaching through Hindi and English media (will be judged by way of descriptive type written examination of 10th standard).
 Desirable: Knowledge of Computer Applications

RESERVATION
 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 either as a regular or as a non-regular in the Armed Forces (Army, Navy and Air Force) may be eligible for reservation for Ex-servicemen.

PART - II : ELIGIBILITY/AGE RELAXATION

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

RELAXATION

- Upper age limit will be as under:
 - Up to a maximum of Five years in the case of SC/ST candidates
 - Up to a maximum of Three years in the case of OBC candidates
 - Up to a maximum of Five years for persons who had ordinarily been domiciled in the State of Jammu and Kashmir during 1.1.80 to 31.12.89
 - Up to a maximum of Ten years for women candidates.
 - Up to a maximum of Five Years for Govt. servants/KVS regular employees.
- An ex-serviceman who has put in not less than 06 months continuous service in the Armed Forces (Army, Navy and Air Force) shall be allowed to deduct the period of such service from his actual age and if the resultant age does not exceed the maximum age limit prescribed for the post by more than 3 years he shall be deemed to satisfy the condition regarding age limit.
- Not applicable for the posts of Trained Graduate Teachers and Primary Teachers. For the posts of Post Graduate Teachers, the above will not be applicable.
- Up to a maximum of 10 years in the case of SC/ST candidates and 8 years in the case of OBC candidates as Govt. employees in accordance with the Govt. of India instructions. A candidate's family age relaxation under this para should produce a candidate who is

his/her employer to the effect that he/she is a Govt. servant as on the date of advertisement.
 (ii) Up to 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.
 (iii) FOR PHYSICALLY HANDICAPPED, IF A PERSON BELONGS TO SC/ST, HE/SHE WILL BE ALLOWED 15 YEARS I.e. 10 YEARS FOR P.H. AND 05 YEARS FOR SC/ST.

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

Application must be submitted in the prescribed format published in Annexure of this advertisement. The application format can also be downloaded from the website of the sangathan www.kvsangathan.nic.in
 Candidates desirous to apply for more than one post should submit applications for each post accompanied by the prescribed fee and necessary enclosures for each post in separate envelopes.
 Applicants cannot apply for more than one subject in each category of Post (P.G./T.G./P.T.) Envelope containing the application must be superscribed in bold letters as 'APPLICATION FOR THE POST OF (PGT/ TGT / PRT) in (name of Subject)
 Only filled in application must reach at the following address latest by 25-03-2005.
KENDRIYA VIDYALAYA SANGATHAN
POST BOX NO.4624
NEW DELHI-110016
EXAMINATION FEES / APPLICATION FEE
 Candidates will have to pay a NON-REFUNDABLE APPLICATION FEE OF Rs.300/(Three Hundred only) by Demand Draft only in favour of 'KENDRIYA VIDYALAYA SANGATHAN payable at New Delhi along with his/ her application. The fee sent through IPO/ Money Order/ Cheque/ Currency note or the Treasury Challans etc. will not be accepted by the Sangathan and such applications will be treated as having been received without fee. Separate fee is to be paid through separate bank draft for each post applied.
 2. The refund of the fee will not be allowed in any case.
 3. The bank draft should be valid for at least 6 months from the date of publication of this advertisement. In the case of local pay orders issued in lieu of Demand Draft, the validity should be six months or three months as applicable.
 4. No fee is required to be paid by SC/ST/Ex-servicemen categories. Physically Handicapped persons are also exempted from payment of fee subject to the submission of a copy of the prescribed Medical certificate issued by a Govt. Hospital, duly signed by Chief Medical Officer. Similarly, the candidates from SC/ST/Ex-servicemen categories should also enclose a photocopy of certificate issued by competent authority. In the absence of such proof and if no fee has been paid, the application will be rejected on the ground of 'fee not paid'. No correspondence or proof sent later will be entertained.

PART - IV : MODE OF SELECTION AND SCHEME OF EXAMINATION

- The Sangathan will hold written examinations as per scheme of examination given below, for the recruitment to the above mentioned posts at Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Chandigarh, Chennai, Delhi, Dehradun, Guwahati, Hyderabad, Jabalpur, Kolkata, Jaipur, Jammu, Lucknow, Mumbai and Patna.
- The centre for the examinations as mentioned above are subject to change at the discretion of the Sangathan. While every effort will be made to slot the candidates, the centre of his/her choice for the examination, the Sangathan may at its discretion slot a different centre to the candidate in case circumstances so warrant. No request for change of examination centre once allotted will be entertained and the candidate will have to appear at the allocated centre at his/her expense.
- The mode of selection shall include a written test/ examination, proficiency test and personal interview.
- The written examination will be of two types i.e. Objective type and Descriptive type. Paper - I (General Paper) will be containing 120 Objective type questions with four multiple choice answers in the subjects like General English (30), General Knowledge/General Awareness (30), General Intelligence/ Reasoning (20), Numerical ability (30) and Teaching Aptitude (20). The duration of the paper will be 2 hours. This examination will be immediately followed by a Descriptive Test of 1 (one) hour duration i.e. Paper - II consisting questions in English and Hindi languages to test the bilingual competence of candidate. The total duration of Paper-I and II will be three hours.
 There will be another Descriptive Type Test of three hours duration i.e. paper - III, which will be held in the second shift containing long and short questions pertaining to Subject/Post for which a candidate has applied. The candidate will be required to answer these questions in descriptive manner.
 It is essential for all candidates to appear at all the examinations as per above details. In case a candidate is found absent in any of the tests, his/her answer sheets will not be evaluated. For the evaluation purposes, no negative marking will be given. The Scheme of written examination is as under:

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

Sl. No of Post	Name of Post	Date of Exam.	Type of Paper	Difficulty Level	Timings	Paper	Subject(s)	Total Marks
1	PGT	21/05/2005	Objective	Post Graduation	0900-1100 hrs	I	General Paper	120
			Descriptive	+2 Level	1100-1200 hrs	II	Language Proficiency	40
			Descriptive	Post Graduation	1400 - 1700 hrs	III	Subject Paper	120
2	TGT	22/05/2005	Objective	Graduation	0900-1100 hrs	I	General Paper	120
			Descriptive	+2 Level	1100-1200 hrs	II	Language Proficiency	40
			Descriptive	Graduation	1400-1700 hrs	III	Subject Paper	120
3	PRT	23/05/2005	Objective	+2 Level	0900-1100 hrs	I	General Paper	120
			Descriptive	10th Std.	1100 - 1200 hrs	II	Language Proficiency	40
			Descriptive	+2 Level	1400 - 1700 hrs	III	Subject Paper	120

The above scheme of examination will remain unchanged except change in the order of date(s) for PGT, TGT or PRT which may be changed depending upon number of candidates. While effort will be made to conduct the Examination in order of dates mentioned above for each category, there is a possibility that the order of dates for the examination for PGT, TGT and PRT may change due to administrative reasons. The exact dates of holding the examination for these posts will be indicated in the Admit Card to be sent to eligible candidates.
 5. The candidate's performance in Paper-I will be evaluated first and based on the marks secured will merit ranking secured by candidate, upto a cut off percentage as decided by KVS, the descriptive answer sheets of Paper II and Paper III will be evaluated further in respect of those shortlisted candidates in Paper - I. However, the marks secured by those shortlisted candidates in Paper I will not be included for the final merit ranking. While processing the final results, only those candidates who have obtained a pre-determined cut off percentage of marks in Paper II and Paper III. Only those candidates will be

*Attestd
 Jait
 Adwade*

...of the backlog who have secured merit ranking based on the performance (above cut off percentage) in the descriptive examinations i.e. Paper II and Paper III.
 The Sangathan will conduct a preliminary scrutiny of all the applicants to determine eligibility of candidates before the written tests. For this purpose a candidate has to attach attested copies of qualification certificates, mark-sheets, cast, sub-category etc. for determining eligibility. However, in case even at the time of preliminary scrutiny, a candidate is allowed to appear at the selection examination even if called for the interview and such candidate does not fulfil any of the laid down selection criteria, his/her candidature will automatically be treated as cancelled. 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. Further candidature will be purely provisional subject to eligibility being verified again after the interview or interview.

Candidates who has been allowed to appear at the written test and/or interview, should not presume that he/she is eligible for appointment to the post.
 The Sangathan reserves the right to cancel his/her candidature at any stage of the selection, if it is not as per the provisions laid down in this advertisement.

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.500/- (three Hundred only) in favour of Kendriya Vidyalaya Sangathan, New Delhi.

2. Attested photocopies of all the educational qualifications, mark-sheets, date of birth, caste/creed 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.5/-.

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 their application well in advance to avoid any postal delay. In such a manner that the same reaches the office on or before the stipulated date for receipt of application. Similarly, those sending application through air mail 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-forwarded by Post Office at the cost of the 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 the applicant. 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 selection 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 certificate etc.
- (iii) Non receipt of caste certificate/sub-category certificate, wherever applicable.
- (iv) Not possessing the degree/diploma 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 on 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 be on the applicant(s).

ii) The candidates must fill in the application form published in accordance to this advertisement and may fill it in original or may get this form photocopied or typed neatly in footcap size while paper (21 cm x 30 cm) 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.nic.in. While filling information in box 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 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 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			
TGT (English)	1 1	PGT (Hindi)	1 2
TGT (Physics)	1 3	PGT (Chemistry)	1 4
TGT (Economics)	1 5	PGT (Commerce)	1 6
TGT (Maths)	1 7	PGT (Biology)	1 8
TGT (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			
5 1			

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

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

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

EXAMINATION CENTRE CODE			
Bangalore	31	Bhopal	32
Delhi	34	Guwahati	35
Lucknow	37	Mumbai	38
Bhubaneswar	40	Cuttack	41
Hyderabad	43	Jabalpur	44
Jammu	46	Patna	47
Chennai	33	Kolkata	36
Ahmedabad	39	Dehradun	42
Jaipur	45		

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) Exam 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 PGT, one in TGT and PRT. Candidates are advised to apply only for one post, in each category. However, a candidate must apply separately for a post in PGT/ TGT/ PRT, as the time 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 utilised. 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 Paper I and II/Combined will be given additionally 1 hour extra time for paper - III will be given to such candidates.
- vii) The OBC candidate must produce a certificate in the prescribed manner, as issued for employment in central Govt. offices and they should not be the beneficiary thereof.
- viii) Application should be submitted by ordinary post only for:
 - 1. KENDRIYA VIDYALAYA SANGATHAN, P.O. BOX 4624, NEW DELHI-110 016
 - 2. 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.
 - 3. 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.
 - 4. 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.
 - 5. 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.
 - 6. 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.
 - 7. 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.
 - 8. Canvassing in any form will disqualify a candidate.
 - 9. There will not be any negative marking for evaluation purposes. The question papers will be provided bilingually i.e. in Hindi and English.
 - 10. A candidate appearing for the examination must bring with him/her a Pen, Pencil, Rubber and other stationary for examination purposes.
 - 11. 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.
 - 12. No TA/DA will be paid for appearing at the written tests and interview.
 - 13. 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 Delhi around 2nd/3rd week of August, 2005.
 - 14. Based on the overall performance in the written examination and interview, appointment letters will be issued by Sangathan.
 - 15. 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.
 - 16. Selected candidates will be entitled to various allowances as admissible under the Central Govt./ KVS Rules.
 - 17. Selected candidates will initially be on probation for two years which is extendable by two more years on year to year basis, if necessary.
 - 18. The Sangathan may at its discretion recommend higher initial pay to exceptionally qualified and experienced candidates.
 - 19. For all practical purposes or in case of any discrepancy in the posting of last of the advertisement in Hindi language, the English version of the advertisement will prevail.
 - 20. 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)

केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
22 AUG 2006
गुवाहाटी न्यायपीठ
Guwahati Bench

*Filed by the Respondent
Through Mr. Manoj Kumar
Hassan*

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

O.A.No. 158/2006

Shri Manoj Kumar 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/Estt-II
issued by the Joint Commissioner
(Administration).

- AND -

IN THE MATTER OF :

The Assistant Commissioner
K.V.Sangathan, Silchar Region
Silchar.

..... Petitioner.

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 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. 158/2006 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.

5

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 ^{4th} day of July, 2006 at Guwahati

Uday Narayan Khawarey

DEPONENT

Place : 4.7.06

Date :

9-55

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

A.O.
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 ^{31st} December, 2006 or conclusion of enquiry giving its report whichever is earlier. Other terms and conditions of the offer issued to the candidates will remain the same. You are therefore requested to take necessary action in the matter accordingly. The text of the memorandum to be issued to the candidates is enclosed herewith.

Yours faithfully,


(Pragya Richa Srivastava)
Joint Commissioner(Admn.)

8th 8ka
Pl arrange to issue
selection letter to all
23/6