



Government of Jammu and Kashmir
School Education Department
(Gazetted Section)
Civil Secretariat, Jammu

NOTICE

Subject:- SWP No. 1305/2016 titled Nissar Ahmad Baba Vs State and others.

Whereas, Shri Nisar Ahmad Baba, Lecturer, approached the Hon'ble High Court through the medium of SWP No. 1305/2016 titled Nisar Ahmad Baba Vs State and others, praying therein for his regularization as Lecturer w.e.f 10.07.1999, retrospectively, and consequential benefits thereof.

Whereas, the case of the Lecturer was examined and it has been found that among others, Shri Nisar Ahmad Baba was placed as I/C Lecturer vide Government Order No. 949-Edu of 1999 dated 10.07.1999.

Whereas, while considering the regularization of I/C Lecturers of different disciplines including those of statistics in the year 2011, the final seniority list of PG Masters/Teachers was issued vide Government Order No. 712-Edu of 2010 dated 27.09.2010, wherein Shri Nisar Ahmad Baba is figuring at Sty. No. 32, between Mohammad Riyaz Hajam (Sty. No.31) and Shri Abdul Majid Parrey (Sty. No. 33).

Whereas, on the basis of aforesaid seniority list, eligibility list of I/C Lecturers in the discipline of Statistics was prepared against 38 vacancies which became available with the department w.e.f 10.07.1999 to 1.9.2010 for regularization of I/C Lecturers, Shri Nisar Ahmad Baba was regularized w.e.f 08.07.2005. The details (as per eligibility list) of the senior counterparts of Shri Nisar Ahmad Baba who have been regularized from the same date i.e. 08.07.2005 are given as under:-

S.No.	Name of the officer	Desig	Sty no. in the sty list of PG Masters/ Teachers issued vide G.O.No. 712-Edu of 2010 dated 27.09.2010	Date of birth	Date of 1 st appointment	Date of passing PG	Date of regularization as Lecturer.
1	Sat Pal	Teacher	14	20.05.1966	11.11.1989	5.6.2004	Notionally w.e.f 8.7.2005 & regular from 7.11.2007

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2	Anuradha Sharma	Teacher	24	14.04.1964	16.02.1993	8.9.2002	8.7.2005
3	Fayaz Ahmad Shah	Teacher	28	05.01.1970	121.10.1993	5.4.2002	08.07.2005
4	Hakumat Singh	Teacher	30	06.03.1964	22.03.1994	1.8.1993	08.07.2005
5	Mohammad Riyaz Hajam	Teacher	31	17.11.1967	31.03.1994	14.06.2004	Notionally w.e.f 8.7.2005 & regular from 7.11.2007
6	Nisar Ahmad Baba	Teacher	32	01.01.1969	12.05.1994	10.06.1994	08.07.2005

Whereas, in the year 1999, regularization of I/C Lecturers as Lecturer in the discipline of Statistics was ordered vide Government Order No. 737-Edu of 1999 dated 20.05.1999, whereunder 10 Lecturers were regularized from different dates. Out of 10, two Lecturers namely S/Sh Ghulam Rasool Sofi and Noor-ud-din Bhat had retired on superannuation on 31.03.2000 and 30.04.2000 respectively. These two vacancies were not taken into account during the regularization of Lecturers (Statistics) in the year 2011.

Whereas, from the above table, it can be seen that S.No. 1, 2, 3 & 5 have passed their PG in the year 2002 and 2004 respectively and S.No. 4 & 6 have passed PG in the year 1993 and 1994. Thus, the officers figuring at S.No. 1, 2, 3 & 5 were not eligible for regularization as Lecturer against these posts which have become available w.e.f 01.04.2000 and 01.05.2000 respectively. The officers figuring at S.No. 4 & 6 of the table were to be considered for regularization against these two vacancies which accrued on 31.03.2000 and 30.04.2000 respectively, in view of the fact that they have passed their PG in the year 1993 & 1994 respectively.

Whereas, it was decided by the authorities to place the case of above two Lecturers before the designated committee to consider the regularization of Shri Hukumat Singh and Shri Nisar Ahmad Baba as Lecturer w.e.f. 1.4.2000 and 01.05.2000, respectively, instead of 8.7.2005.

Whereas, the committee discussed the issue in detail and decided that a notice should be issued to the concerned members of the service, obtaining therein the objections, if any, from the Members whose seniority is likely to be effected due to the proposed retrospective effect of regularization in favour of Shri Hukumat Singh and Shri Nisar Ahmad Baba as Lecturer w.e.f. 1.4.2000 and 01.05.2000, respectively, instead of 8.7.2005.

Now, therefore, before proceeding further in the case, the concerned Members of Service (Lecturer in Statistics), whose seniority is likely to be effected due to the proposed retrospective effect of regularization in favour of Shri Hukumat Singh and Shri Nisar Ahmad Baba as Lecturer (Statics) w.e.f.

1.4.2000 and 01.05.2000 respectively instead of 8.7.2005, are called upon to file objections, if any, within 21 days from the date of publishing of this notice in print media. Objections, if any, in this regard shall not be entertained after expiry of the stipulated period.

In case no objection is received within the stipulated period, it shall be presumed that no Member of the service has any objection and further action as envisaged under rules shall be taken accordingly.

Sd/-
(Farooq Ahmad Shah) IAS
Secretary to the Government
School Education Department
Dated. 19 - 03 - 2018

No. Edu/L/K/115/2016

Copy to the:-

1. Director, School Education, Kashmir/Jammu with the request to upload this notice on their websites.
2. Director, Information, J&K, Jammu with the request to publish this notice in two daily newspapers, one each from Kashmir/Jammu Division and furnish copy of newspaper to this department for reference and record.
3. I/C Website, School Education Department.

(Suhail ul Islam) KAS
Under Secretary to the Government
School Education Department
19/03/18

