

GOVERNMENT OF JAMMU AND KASHMIR
DIRECTORATE OF SCHOOL EDUCATION
KASHMIR

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Subject: Placement of eligible Class-IV Employees as I/C Lab. Assistant, I/C Junior Assistants, and I/C Lib. Assistants of District Baramulla.

ORDER NO: 2951 -DSEK OF 2015.

D A T E D: 18 / 12 / 2015.

Whereas, due to huge number of vacancies of different categories of non-teaching posts in different offices/institutions, the work output of School Education Department has been adversely affected. In certain places, the teachers/Class-IV employees have been assigned the non-teaching jobs.

Whereas, as per School Education subordinate non-gazetted recruitment rules issued under SRO-308 of 2008 dated: 16/08/2008 a joint seniority of different categories of Class-IV posts viz peon, orderly, Safaiwala, Gardner, Chowkidar, Lab. Bearer, Lib.Bearer Gasman and others has been framed by the Government for promotion to Lab. Assistants, Junior Assistants and Lib.Assistants.

Whereas, the **Chief Education Officer Baramulla** vide his letter No: CEO/Bla/NT/2015/18983 dated: 28/09/2015 has furnished a list of 266 qualified Class-IV employees after notifying in print media on 24/08/2014 for promotion/placement on 69 vacancies of Lab. Assistants, Junior Assistants and Library Assistants.

Whereas, the matter of placement of eligible class-IV for elevation as Incharge Junior Assistant on stop-gap arrangement in OPG with the condition of passing of type test was taken up with the Administrative Department.

Whereas, the Administrative Department vide letter No. Edu-I/83/2015 dated: 15/05/2015 has conveyed agreement to the proposal for making stop-gap arrangement by placement of eligible Class-IV employees in the higher cadre subject to condition that those who benefit from such placement would necessarily clear the type test within six months, failing which the person shall be reverted back and opportunity would be provided to others. This would also apply to those who have been so placed earlier, but have not cleared the type test.

Whereas, the Hon'ble High Court in its order dated: 06/08/2015 under SWP No. 1090/2012 CMPs. 01/2015, 1708/2014, 1810/2012 has passed directions reads as:

Vide order dated 28/05/2013 status quo was directed to be maintained but vide subsequent order dated 12/06/2014 position has been clarified to the extent that there is not impediment for the respondents to consider the claim of the applicants for the posts other than Lab. Assistants. Same clarification shall also apply to the applicant seeking impleadment.

It is further made clear that the excluding posts of Lab. Assistants as against other posts such as, Lib.Assistants, Junior Assistants and other, there shall be no impediment for grant of promotion as shall be permissible under law.

The claim of five petitioners is against five posts of Lab. Assistants as available in the district Baramulla, therefore, five posts from amongst the posts of Lab.Assistants of District cadre Baramulla shall not be filled up.

Whereas, the following criteria has been set by the Department to be adhered to in the process of placement as Incharge Lab. Assistant, Incharge Lib.Assistant and Incharge Junior Assistant..

- I. Priority has been given to Lab. Assistant owing to the reason that he has a bright promotion prospects than the Junior Assistants, Lib.Assistants. The matric and above with full subjects and as per seniority have been elevated as Lab. Assistants other than having qualification as Adeeb, Second preference in seniority have been given for the slot of Library Assistants, the third priority have been given for the post of Junior. Assistants.
- II. Those candidates with Adeeb in Matriculation have been considered only for the post of Junior Assistants, as well as Lib. Assistants.
- III. The Placement of such cadres to the elevated cadre (Junior Assistant, Lab Assistant, Lib.Assistant) of such cases where FIR has been lodged under RPC against the promotee figuring in the seniority list be kept in abeyance till the promotee is acquitted of the charges and their quota will remain reserved and seniority would be maintained.
- IV. If the promotee by virtue of seniority falls in reserved category like RBA. ST, SC, ALC and does not fulfilled the norms of eligibility under SRO 308 of 2008 dated; 16/10/2008 and If under the reserved category the candidate is not available. The vacancies of such slot have been utilized at present stage and in the future promotions such utilized posts which have been utilized owing to the non availability of category slot would be given a priority in the future promotion list. The vacuum caused by the non availability of the category candidate have been utilized by general candidate

Now, in the interest of administration and in order to run the Department smoothly, and subject to ratification by the DPC and Vigilance Clearance from GAD (Vigilance), it is hereby ordered that **69 (sixty nine) Class-IV Employees (i.e. Lab. Assistant= 36 Jr.Assistant=14 & Lib.Assistant= 19** shown in the annexure to this order shall work as stop-gap arrangement purely on temporary basis in their own pay and grade. This order shall not confer any preferential claim in favour of the elevated officials to continue on the post and shall be subject to the superior claim if any, and without prejudice to the out come of the court case if any which may not be within the immediate knowledge of this office. The order is further subject to fulfilment of the following conditions:-

1. That if on consequent verification, if any class-IV employee found in-eligible as per SRO-308 of 2008 dated; 16/08/2008 for such placement, this order will not confer any right to him/her and placement shall liable to be rescinded in that case abinitio.
2. That it will be the personal responsibility of the CEO/DDO to verify the particulars of the Class-IV employee as indicated in the annexure of this order with reference to their original service records/ appointment order/Qualification certificates/testimonials and will ensure that the particulars recorded against each official are correct, variation if any found should be brought to the notice of this Directorate for clarification/further instructions, till then the benefit of placement shall not be allowed in his/her favour.
3. That the official must necessarily be holding genuine appointment on substantive basis and un-interrupted service, and shall not be involved in fake, fraud, adhoc, migrant, Contractual appointments and are not subject to any criminal proceedings departmental/VOK.
4. That the placement order in respect of reserved category aspirants shall be allowed only after production/verification of original category certificate issued by the competent authority. The verification with regard to the genuiness of appointment/ qualification certificate/category certificate (if any) be got done by the CEO/DDO from the concerned issuing authority.
5. The placement of the officials shall be without pre-judice to the superior claim if any.
6. The placement of such officials shall be confirmed by DPC (Departmental Promotion Committee) after fulfilling all requisite eligible parameters.
7. The officials placed as I/C Jr. Assistants shall be required to appear in the type test on Computer Key Board and shall have to qualify the test with a speed of 25 words per minute within a period of 06 months, failing which their placement order shall be withdrawn abinitio giving chance to others in merit.
8. The officials placed as Incharge Library Assistants are required to qualify the certificate course in Library Science as required in terms of SRO-308 of 2008 dated; 16/10/2008. Those who could not qualify the same they shall be reverted back to their original post.
9. The migrant class-IV elevated to the next cadre in this order shall report to their respective CEO's with Original Service book and allied documents for seeking further posting in the district within 21 days, failing which their elevation as such shall be deemed to have been cancelled in abinitio and the eligible class-IV next in the order of merit and seniority shall be considered.
10. The posts sanctioned under RMSA shall in no case be utilized for posting these the elevated officials and neither such posts should be in accounted for as vacancy for determination of Rota Quota for any promotion/recruitment purpose.

Sd/-

**Director School Education
Kashmir**

Dated: 18-12-2015

NO: DSEK/NT/Prom/19/2015/Bla 3455-56

Copy to the:

1. Commissioner Secretary to Government Education Department Civil Secretariat Jammu for information.
2. Joint Director I/C Migrant Directorate of School Education Jammu for information.
3. Chief Education Officer **Baramulla** for information, with the instructions that the order shall not be implemented unless the work and conduct of the promotee is ascertained from the DDO concerned and simultaneously the other explicit conditions as laid down in the aforesaid order are fulfilled in toto. The adjustment of the Class-IV elevated here-under be made against the clear vacancies without involving transfers.
4. Stock file/Order File.

**Personnel Officer
Directorate of School Education,
Kashmir**

18/12/2015
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