

**Government of Jammu & Kashmir**  
**Directorate of School Education Kashmir**  
Samandar Bagh SP College Road, Srinagar

**Sub: CPSW No:545/2017 titled Shakil Ahmad Shakil & Ors Vs UT of J&K & Ors..... promotion as Master thereof.**

**ORDER NO. 525 DSEK OF 2022**  
**DATED 05 / 11 / 2022**

Whereas, the Administrative Department vide Order No. 853-Edu of 2018 dated:07-09-2018 appointed following six petitioners as teacher in the pay scale of Rs 5200-20200 + GP 2800/- (Pre-revised) in District cadre Budgam notionally from the date private respondents No. 5 and 6 of the petition were appointed by the Department vide order No:503-DSEK of 1999 dated: 31-03-1999 in compliance to Hon'ble High Court's order dated 27-11-2017 passed in SWP No. 10/1998 titled Shakil Ahmad Shakil & Ors Vs State and Others, pursuant to the approval conveyed by the General Administration Department vide OM No. GDC-1 06/CM/2018 dated 06/07/2018; and

Whereas, after joining on the post as teacher these petitioners/appointees applied for consequential benefit as Master from the date their counterparts were considered by the Department as such; and

Whereas, the Chief Education Officer Budgam projected the promotion cases as Master of these petitioners/teachers vide his communication No. CEOB/Estt/2021/15914 dated 04/09/2021; and

Whereas, these petitioners filed a con'empt petition in the Hon'ble High Court under No. CPSW No. 545/2017 titled Shakil Ahmad Shakil & Ors Vs UT of J&K & Ors. and the Hon'ble High Court grants three weeks time for filing compliance report strictly in conformity with judgement dated 27-11-2015; and

Whereas, the issue was placed before the Departmental Promotion Committee in its meeting held on **16/09/2022** and after threadbare discussion the Departmental Promotional Committee agreed that the petitioners are entitled for all service benefits including promotion as Master from the date Respondent No. 5&6 were considered by the Department viz. 13/05/2013 (i.e. the date of issuance of promotion Order No. 1297 DSEK of 2013 dated 13/05/2013); and

Whereas, the Chief Education Officer' Budgam was requested by this office to furnish certain documents/certificates in respect of these petitioners vide this office letter No. DSEK/Estt/III/B-trs/NZ/2875 dated 28/09/2022; and

Whereas, the Chief Education Officer Budgam furnished these documents/certificates vide his No. CEOB/Estt/2021/17494 dated 10/10/2022 and upon examination of these documents/certificates, it was observed that out of these six petitioners two were not found eligible for such promotion at the relevant point of time viz. 13/05/2013 and one petitioner has yet to complete his B.Ed. course which is pre-requisite for promotion as Master.

Now, therefore, pursuant to the decision of the Divisional Departmental Promotion Committee taken in its meeting held on **16/09/2022**, and in compliance to Hon'ble High Courts above referred order, pending receipt of vigilance clearance from the concerned quarter, sanction is hereby accorded to the promotion of these five

petitioners/teachers to the post of Masters in the **Pay Level-6E** (35900-113500) notionally from the date their eligible counterparts were promoted as such as indicated against each on the available post of Masters in District Budgam.

S.No.	Name of the Petitioner/Official	Present Place of Posting	Qualification	Date of Birth	Date of passing B.Ed.	Date from which promoted as Master on Notional basis
1	Shakil Ahmad Shakil	High School Chrawni	B.Sc. B.Ed.	15-02-1973	03-11-2008	13-05-2013
2	Mohd. Tariq Sofi	PS Tilwanbagh	M.A. B.Ed.	02-11-1972	21-04-2011	13-05-2013
3	Bashir Ahmad Sheikh	MS Rakhayee	B.A. B.Ed.	06-03-1972	08-04-2022	08-04-2022
4	Shamim Ahmad Shamim	MS Zaloosa	M.Sc. B.ed.	05-02-1972	08-03-2021	08-03-2021
5	Nuzhat Bashir	MS Satallite Town	B.Sc. B.Ed.	01-10-1973	12-09-2005	13-05-2013

The promotion of the petitioner/teacher is subject to the following conditions:

- I. *the Chief Education Officer Budgam shall verify the particulars of the teacher and genuineness of his appointment with reference to original service records/appointment order and shall ensure that the particulars reflected in the promotion order are coincided.*
- II. *the Chief Education Officer shall satisfy himself about the genuineness of his appointment and qualification/degree and ensure that the official has been appointed by the competent authority and acquired the degrees through recognized Universities and as per the norms as laid down in Circular No. Estt/A/5361-5511 dated 02/11/2000.*

The Drawing and Disbursing Officer/Chief Education Officer concerned shall post the promotee on the vacant post of Master only in headless Middle Schools after production of following certificates/documents:

- *Last 03 years satisfactory APRs.*
- *Integrity/work, conduct and behavior satisfactory certificate.*
- *Good result percentage to the subjects taught by the official.*
- *Genuineness certificate regarding his appointment in the Department.*
- *Updated service verification certificate of the said official.*
- *Vigilance Clearance from GAD.*

Sd/

**Director**

School Education Kashmir

Dated: 05/11/2022

No: DSEK/Estt-III/A/2946

Copy to the:

1. *Principal Secretary to Government, School Education Department, Civil Secretariat, Jammu/Srinagar for favour of information.*
2. *Joint Director, School Education Kashmir for information.*
3. *Chief Accounts Officer, Directorate of School Education Kashmir for information.*
4. *District Legal Remembrancer, DSEK for information.*
5. *Chief Education officer, Budgam for information and necessary action.*
6. *Incharge website for uploading the Order along with annexure on the Official website.*
7. *Order file/Stock file.*

**Personnel Officer**

Directorate of School Education  
Kashmir