



GOVERNMENT OF HARYANA / हरियाणा सरकार

Directorate School Education

विद्यालय शिक्षा निदेशालय

शिक्षा, संस्कृति एवं विकास
Education, Culture and Developmentतमसो मा ज्योतिर्गमय
Lead me from Darkness to Light

www.schooleducationharyana.gov.in | edusecondaryhry@gmail.com

ORDER NO. 2/557-2015-HRL(2)
Transfer Id 73457

DATED, PANCHKULA: 17/12/2015

In partial modification of this office order no. 2/557-2015-HRL(3) dated 10/12/2015 Sh. Arun Kumar [011388] Lecturer in English who was transferred from GSSS Kadipur Distt. Gurgaon [774] to GGSSS Sohna Distt. Gurgaon [852] is hereby adjusted in GSSS Gurgaon (4/7 Urban Estate), Distt. Gurgaon [761] Against vacancy provided that he has not joined his previous place of posting.

Note :-

- 1 The official will be relieved immediately and in any case within 7 days failing which he/she will be liable for disciplinary action.
- 2 No TA/DA and joining time will be admissible to the official if he/she has been shifted on his/her request after exercising option.
- 3 No male teacher below the age of 50 years be allowed to join in the girls schools.
- 4 If there is no vacancy in the destination school for any reason the incumbent transferred shall re-join his/her previous place of posting and also inform to concerned branch/computer cell at HQ. If any discrepancy is noticed in this order or there is a violation of transfer policy, It should be brought to the notice of Computer Cell/Concerned branch within three days and the order be not implemented.
- 5 In case of urban area stations while implementing the transfer orders, it may be ensured that the transferee has completed the rural service as per transfer policy.
- 6 Head of the Institution may obtain the consent/affidavit of the official that he/she is willing to lose his/her seniority in case of requested transfer orders.

M.L. KAUSHIK
DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

ENDST. NO. EVEN

DATED PANCHKULA, 29-12-2015

A copy is forwarded to the following for information and necessary action :-

- 1 District Education Officer/ District Elementary Education Officer, Concerned.
- 2 Head of the institution, Concerned. It is hereby directed to check consent of both the employees those are transferred mutually, before their relieving / joining.
- 3 Official Concerned.
- 4 Secy. OSD/CM
- 5 Sr. PS/E.M.
- 6 Sr. PS/PSSE
- 7 PS/DSE
- 8 Technology officer (HQ)


ASSISTANT DIRECTOR HRL
for DIRECTOR SECONDARY EDUCATION
HARYANA, PANCHKULA

4057 IT60
29/12/15

**OFFICE OF THE DIRECTOR SECONDARY EDUCATION, HARYANA
PANCHKULA**

Order No. 22/113-2015 HRL (2) Dated, Panchkula, the 22.12.2015

Sanction is hereby accorded under Notification No. 15/136-2010 Co (1) dated 26th April, 2011 to re-employment of **Sh. Vijay Singh, Lecturer English, GGSSS Ghraunda (Karnal)** who has been retired on 30.11.2015. He will retain in the same institution with immediate effect upto 31.03.2016 or till the vacancies are filled in by promotion or fresh recruitment or from the date of actual joining, till rationalization/adjustment/other posting whichever is later on the following terms and conditions :-

1. There is no adverse remarks regarding integrity during last three years service and service record during last three years is good or better than that.
2. No charge sheet U/R 7 or 8 of Haryana Civil Services (Punishment & Appeal) Rules 1987 is pending against him/her.
3. Medical fitness Certificate from the Government Medical Officer.
4. No case involving moral turpitude is pending and no charges have been framed by the competent Court.
5. The salary will be paid as per provisions of CSR Vol-II i.e. last pay drawn minus pension.

M.L. KAUSHIK
DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA

Endst. No. Even

Dated, Panchkula, the 28/12/15

A copy is forwarded to the following for information and necessary action:-

1. District Education Officer, Karnal.
2. Principal, GSSS Ghraunda (Karnal).
3. Official concerned.
4. Technology Officer (Local).


ASSISTANT DIRECTOR HRL-II
FOR DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA
4

4058 IT/64
29/12/15

**OFFICE OF DIRECTOR SECONDARY EDUCATION HARYANA,
PANCHKULA**

Order No.: 13/162-2015 HRL (3)

Dated: 29-12-2015

That in Civil Writ Petition No. 24693 of 2014, the petitioner has prayed for directing the respondents to consider his case in terms of the instructions dated 31-01-1996 for regularization of his services alongwith consequential benefits of seniority. This writ petition was disposed of by the Hon'ble High Court on 07.08.2015 with the following directions:

"The present writ petition is disposed of with a direction to the Director Secondary Education Haryana-respondent No.2 to consider the legal notice (Annexure P-6) and take appropriate decision in accordance with law preferably within a period of two months from the date of receipt of certified copy of this order.

In case the claim of the petitioner is accepted then consequential benefits, if any, be given to the petitioner within a further period of two months. In case the respondents do not grant any relief then a well reasoned and speaking order be passed and conveyed to the petitioner."

In pursuance of the above directions of this Hon'ble Court, the legal notice of the petitioner dated 29-8-2014 has been considered and it has been observed that he is claiming regularization and seniority on the basis of service rendered by him as an adhoc employee. As per service record, the petitioner was initially engaged as Science Master on adhoc basis w.e.f. 21-12-1993 and subsequently appointed as lecturer in Biology on adhoc basis w.e.f. 13-09-1994. Thereafter, he was appointed as Lecturer on regular basis through direct recruitment w.e.f. 26-02-1996. Through the legal notice, Annexure P-6, petitioner is claiming the above benefits in terms of the Government Instructions dated 07.03.1996, but his claim is not covered under these instructions.

That as per terms and conditions of the instructions dated 07.03.1996 for regularization of services, the employee must has completed two years service on 31.01.1996 on the post and was in service on that day, but in the present case, the petitioner did not complete two years continued service either as Science master or as Lecturer in Biology on 30.01.1996, thus his claim for regularization of his services is not maintainable in view of the instructions of the Government dated 07.03.1996.

Moreover, The Haryana Government vide Notification No. GSR 13/Const./Art. 309/2007, Dated Chandigarh the 13-04-2007 has already rescinded all the notifications issued for regularization of services of adhoc/daily wages/contractual/part time workers of the State.

The claim of the petitioner for regularization of his services and seniority is further liable to be rejected also in terms of the Hon'ble Supreme Court decision rendered in **State of Haryana and others v. Vijay Singh and others, (2012) 8 SCC 633** while allowing the appeal of the Haryana State with the following observation:-

“30. None of the aforesaid judgments can be read as laying down a proposition of law that a person who is appointed on purely ad hoc basis for a fixed period by an authority other than the one who is competent to make regular appointment to the service and such appointment is not made by the specified recruiting agency is entitled to have his ad hoc service counted for the purpose of fixation of seniority. Therefore, the respondents, who were appointed as Masters in different subjects, Physical Training Instructor and Hindi Teacher on purely ad hoc basis without following the procedure prescribed under the 1955 Rules are not entitled to have their seniority fixed on the basis of total length of service. As a corollary to this, we hold that the direction given by the High Court for refixation of the respondents' seniority by counting the ad hoc service cannot be approved.”

In view of the position explained above, I found no merit in the Legal Notice dated 29.08.2014, therefore, claim of the petitioner for regularization of his service w.e.f. 31.01.1996 and thereafter fixation of seniority with all consequential benefits deserves to be rejected.

I order accordingly.


(M.L. Kaushik)
Director Secondary Education,
Haryana, Panchkula

Regd.
To

Chander Parkash s/o Sh. Banwari Lal
Village & Post Office- Jamal Pur,
Tehsil- Farukh Nagar (Gurgaon)

Endst. No.: Even

Dated, Panchkula the: 29-12-2015

A copy is forwarded to the following for information and necessary action:

- ✓ 1. District Education Officer, Gurgaon with directions to inform the petitioner.
2. Concerned Principal.


Assistant Director HRL
for Director Secondary Education
Haryana, Panchkula