

**OFFICE OF THE DIRECTOR ELEMENARY EDUCATION HARYANA
PANCHKULA**

Order No. 2/5-2019 HRM-I/TGT Promotion (3) Dated Panchkula, the 11.05.22

Whereas the final seniority list of TGT Persons with Disability as on 16-01-2020 issued vide order no. 2/5-2019 HRM-I (2) dated 13.02.2020 is hereby withdrawn with immediate effect because there is some ambiguity found regarding the personal data of the disabled persons. The same is hereby circulated for information to all the concerned.


**Anshaj Singh
Director Elementary Education
Haryana, Panchkula**

Endst No. Even:

Dated, Panchkula, the 12-5-2022

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

1. Director Secondary Education Haryana Panchkula.
2. Director SCERT Haryana Gurugram.
3. All District Education Officers.
4. All District Elementary Education Officers.
5. Director School Education Chandigarh Administration U.T. Chandigarh.
- ✓ 6. I.T. Cell for upload on website.


**Superintendent TGT Promotion
O/o Director Elementary Education
Haryana, Panchkula**

CC:-

1. Supdt. PGT-I Branch
2. Supdt. HRG-II Branch
3. Astd. 1, TGT Promotion Branch.



GOVERNMENT OF HARYANA / हरियाणा सरकार
Directorate Elementary Education
मौलिक शिक्षा निदेशालय

शिक्षा, संस्कृति एवं विकास
 Education, Culture and Development
 School Education, Haryana
 विद्यालय शिक्षा, हरियाणा
 तमसो मा ज्योतिर्गमय
 Lead me from Darkness to Light

E-mail: eduprimaryhry@gmail.com - Site: www.harprathmik.gov.in

Order No. 2/37-2022 D&L (2)

Dated 11.05.2022

Sh. Jitender Malik (061463), TGT Physical Education (DPE), GSSS Kirtan (1451), District Hisar is hereby placed under suspension with immediate effect. During the period of suspension he would be entitled to have subsistence allowances under Rule 83 of HCS (General) Rules, 2016.

During the period of suspension, his Headquarter would be O/o Block Education Office, Narnaund. He would not left his Head Quarter without prior permission of competent authority.

MUKESH KUMAR
 Additional Director, Elementary Education
 Haryana, Panchkula


Endst No. EVEN

Dated Panchkula the 11.05.2022

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

Regd.

1. Accountant General A&E Haryana, Chandigarh.
2. District Elementary Education Officer, Hisar w.r.t his Memo No. E-I/2022/3090 dated 10.05.2022. It is requested to send draft of charge sheet under Rule-7 within seven days positively
3. Principal/Head Master, GSSS Kirtan (1451), District Hisar.
4. Sh. Jitender Malik (061463), TGT Physical Education (DPE), GSSS Kirtan (1451), District Hisar.
5. IT Cell.


Superintendent D&L
 for Director Elementary Education
 Haryana, Panchkula





GOVERNMENT OF HARYANA / हरियाणा सरकार
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Order No. 2/37-2022 D&L (2)

Dated 11.05.2022

Smt. Sudershan Kaur (019658), ESHM, GSSS Kirtan (1451), District Hisar is hereby placed under suspension with immediate effect. During the period of suspension she would be entitled to have subsistence allowances under Rule 83 of HCS (General) Rules, 2016.

During the period of suspension, his Headquarter would be O/o Block Education Office, Hansi-I. She would not left his Head Quarter without prior permission of competent authority.

MUKESH KUMAR
 Additional Director, Elementary Education
 Haryana, Panchkula

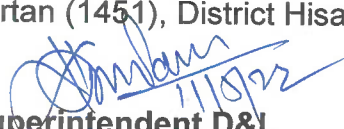
Endst No. EVEN

Dated Panchkula the 11.05.2022

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

Regd.

1. Accountant General A&E Haryana, Chandigarh.
2. District Elementary Education Officer, Hisar w.r.t his Memo No. E-1/2022/3090 dated 10.05.2022. It is requested to send draft of charge sheet under Rule-7 within seven days positively
3. Principal/Head Master, GSSS Kirtan (1451), District Hisar.
4. Smt. Sudershan Kaur (019658), ESHM, GSSS Kirtan (1451), District Hisar.
5. IT Cell.


 Superintendent D&L
 for Director Elementary Education
 Haryana, Panchkula



DIRECTORATE OF ELEMENTARY EDUCATION HARYANA, PANCHKULA

Order No. 17/11-2022 ESHM (1)

Dated Panchkula the, 6-5-2022

Whereas, the present CWP No. 5432 of 2022 titled as Dhram Vir V/s State of Haryana & Others was filed by the petitioner praying therein for quashing the action of the respondents in not promoting the petitioner to the post of Elementary School Head Master (ESHM) from the post of TGT Hindi as he is duly eligible and entitled for the same in pursuance of the letter dated 17.08.2019 (P-16) issued by the respondents after rectifying his date of joining in the seniority list as has been already requested to the Respondent Department through representation dated 09.08.2021 (P-7) through proper channel and the representation dated 10.08.2021 to the Respondent No.3 (P-8) in the interest of justice and fairplay. Still further it is prayed that this Hon'ble Court may be pleased to issue a writ in the nature of mandamus directing the Respondents to promote the petitioner to the post of Elementary School Head Master (ESHM) from the post of TGT Hindi as he is duly eligible and entitled for the same in pursuance of the letter dated 17.08.2019 (P-6) issued by the respondents after correcting/rectifying his date of joining in the seniority list as has been already requested to the Respondent Department through the case of the petitioner dated 09.08.2021 (P-7) through proper channel and the representation dated 10.08.2021 (P-8) to the Respondent No. 3 on email, with all consequential benefits including @12% p.a. alongwith future benefits in the interest of justice and fairplay.

The said petition came up for hearing before the Hon'ble High Court on 17.03.2022 and the following order was passed :-

"Heard through video conferencing.

Learned counsel for the petitioner contends that the petitioner, who is working as TGT Hindi, is eligible for promotion to the post of Elementary School Headmaster. He also contends that the petitioner has sent a legal notice dated 01.12.2021 (Annexure P-12) in this regard to the respondents and states that respondent No.2 may be directed to decide the same in a time bound manner.

Issue notice to the respondents.

At the asking of the Court, Mr. Kapil Bansal, DAG, Haryana, accepts notice on behalf of the respondents.

Heard.

Without expressing anything on the merits of the case, the petition is disposed of with a direction to respondent No.2 to consider and decide the legal notice dated 01.12.2021 (Annexure P-12), in accordance with law, within a period of three months from the date of receipt of certified copy of this order."

That, after receiving the said direction from the Hon'ble High Court, the matter of the claimant i.e. Dharam Vir has been examined carefully and it has been found that the claimant is working as Hindi Teacher since 05.04.2010. The claimant is has passed B.A. in 2008 with 45.33% from MDU, Rohtak and B.Ed. in the year in 2015-16 with 60% from IGNOU, New Delhi.

In the compliance of direction issued by the Hon'ble High Court, the Legal Notice dated 01.12.2021 (Annexure P-12) has been examined and it has been found that initially the claimant was appointed as Hindi Teacher dated 05.04.2010. The claimant is at Seniority No. 24251 in Tentative Combined Seniority List of TGT including C&V teachers as on 01.01.2017 which has been revised on 21.02.2019 keeping in view of SLP No. 42671 of 2018 titled as State of Haryana & Others V/s Sandeep Singh & Others. Now, a separate final Seniority List of C&V Hindi Teachers was prepared on the basis of regular date of joining as Hindi Teachers as on 30.11.2021 which has been issued on 20.04.2022 by TGT Promotion branch in which the claimant is at Seniority No.1477. The claimant has prayed in his legal notice for promotion on the post of Elementary School Head Master on the basis of seniority list TGT/Master Cadre as on 01.01.2017 by which TGT/Master had been promoted Seniority upto 4500 (General) and upto 10000 reserved category. It is worthwhile to mention here that the claimant has misled the Hon'ble High Court as well as answering department by giving the example of promotion upto seniority 10000 (SC) of TGT/Master cadre whereas the claimant is a employee of C&V Hindi cadre.

That it is relevant to mention here that there are 5548 sanctioned posts of ESHM as per Service Rules, 2012. As per this, recruitment to the post of Elementary School Head Master is governed by Rule 9(1)(a), which reads as under :-

- "9. (1) Recruitment in the Service shall be made ; -
(a) In the case of Elementary School Head Master -
(i) 85% by promotion from amongst TGTs; and
(ii) 7% by promotion from Hindi teachers ; and
(iii) 7% by promotion from Sanskrit teachers ; and
(iv) 1% by promotion from Punjabi teachers ;
Or
(v) by transfer or deputation of an official already in service of any State Government, Government of India or from the Haryana State Education School Cadre (Group C) Service."

Accordingly, the Elementary School Head Master is a 100% promotional post and total sanctioned post for Hindi cadre is 395 out of which 305 for General Category and 79 for SC category and 11 posts reserved for PH category. It is also pertinent to mention here that regular appointment as Hindi Teachers upto dated 01.12.2001 (General category) and 20.11.2000 (Reserved category) were promoted. It is also relevant to mention here that at present 73 C&V Hindi Teacher (Reserved category) are working out of 79 sanctioned post for Reserved category of C&V Hindi Teacher.

It is pertinent to mention here that as per Haryana Civil Services Rules, 2012, Appendix-B (Rule-7) the qualification for the promotion to the post of ESHM is as under :


Sr. No.	Designation of Posts	Academic qualifications and experience, if any, for direct recruitment on contract basis	Academic qualification and experience, if any, for appointment other than by direct recruitment on contract basis
1	2	3	4
1	Elementary School Head Master		By promotion:- (i) B.A./B.Sc. and 2-year Diploma in Elementary Education ; OR B.A./B.Sc. with at least 50% marks and 1-year Bachelor in Education (B.Ed.): OR

			<p>B.A./B.Sc. with at least 45% marks and 1-year Bachelor in Education (B.Ed.), in accordance with the NCTE (Recognition Norms and Procedure) Regulations issued from time to time in this regard;</p> <p>OR</p> <p>Senior Secondary (or its equivalent) with at least 50% marks and 4 year Bachelor in Elementary Education (B. El. Ed.);</p> <p>OR</p> <p>Senior Secondary (or its equivalent) with at least 50% marks and 4 year B.A. Ed.;</p> <p>OR</p> <p>B.A./B.Sc. with at least 50% marks and 1-year B.Ed. (Special Education);</p> <p>(ii) 5 years experience in regular capacity as Hindi/Sanskrit/Punjabi Teacher/ TGT,</p> <p>(iii) Atleast 3 weeks in-service training in administrative and accounts module.</p>
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It is worthwhile to state here that the claimant has not given an example of his junior Hindi teacher who was promoted as Elementary School Head Master. The claimant is at Seniority No.24251 as on 21.02.2019 in TGT Master including C&V Teachers and 1477 as on 20.04.2022 in C&V Hindi Teacher respectively and the claimant is regular appointee as C&V Hindi Teacher dated 05.04.2010 and last promotion of C&V Hindi Teacher in his category and cadre has been considered of those whose regular appointment date is 20.11.2000. Hence, the claim of the claimant is not justified

In the context explained above, the case of the claimant in the instant writ petition has been examined and it has been found that the claimant is not eligible for promotion as per his respective seniority in his cadre and Service Rules, 2012 as not having essential qualification for promotion. On the basis of present circumstances, the claim of the claimant has been rejected as per his respective seniority in the seniority list of C&V Hindi cadre and his date of appointment i.e. 05.04.2010 is not within the appointment date i.e. 20.11.2000 (Revised category) which were considered for promotion. Hence, rejected in above terms.

I order accordingly.


(Mukesh Kumar)
Additional Director Administration,
O/o. Director Elementary Education,
Haryana, Panchkula.

Regd.
To


Sh. Dhram Vir (083585) age about 42 years S/o. Sh. Mange Ram, working as TGT Hindi at Government Girls Senior Secondary School Utawar District Palwal Haryana, R/o. Village Siroli, Tehsil Punhana Distt. Nuh (Mewat), Haryana.

Endst. No.: Even

Dated Panchkula the, 10-5-2022

A copy of this order is forwarded to following for information and necessary action:

1. The Principal Accountant General (A&E) Haryana, Chandigarh.
2. District Elementary Education Officer, Palwal.
3. Sh. Anil Kumar Sharma, Punjab & Haryana High Court, Chandigarh.
4. IT Cell. To upload the Order on website.


Superintendent ESHM
for Director Elementary Education
Haryana, Panchkula 22.04.2022