

OFFICE OF DIRECTOR SECONDARY EDUCATION HARYANA PANCHKULA

No. KW 21/10-2019 HRG-1 (3)

Dated, Panchkula the 24.04.2024

On attaining the age of superannuation, the following HES-I officer will stand retired from Government Service w.e.f. 30.04.2024 (A.N.) in accordance with the provisions contained in Rule 143 (1) of Haryana Civil Services (General) Rules, 2016:-

Sr. No.	Name of employee	Designation & present posting	D.O.B.	D.O.R.	Remarks
1	Smt. Asha Dahiya [037098]	DEO Faridabad	02.04.1966	30.04.2024	There is no u/r-7 or 8 chargesheet is pending against him.
2.	Sh. Kuldeep Dahiya [047265]	DEO Panipat	21.04.1966	30.04.2024	There is no u/r-7 or 8 chargesheet is pending against him.
3.	Smt. Kailash Kumari [003543]	Principal DIET Tejli Yamunanagar	20.04.1966	30.04.2024	There is no u/r-7 or 8 chargesheet is pending against him.


**JITENDER KUMAR
DIRECTOR SECONDARY EDUCATION
HARYANA PANCHKULA**

Endst No. Even

Dated Panchkula, the: 25-4-2024

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

1. The Principal Accountant General (A&E) Haryana, Chandigarh.
2. Deputy Commissioner, Concerned.
3. Director, SCERT, Haryana, Gurugram.
4. Smt. Asha Dahiya [037098], District Education Officer, Faridabad.
5. Sh. Kuldeep Dahiya [047265], District Education Officer, Panipat.
6. Smt. Kailash Kumari [003543], Principal DIET Tejli Yamunanagar.
7. Treasury Officer, Concerned.
8. IT Cell (HQ).
9. Assistant-2 for information and necessary action.


**SUPERINTENDENT HRG-I
FOR DIRECTOR SECONDARY EDUCATION
HARYANA PANCHKULA**



GOVERNMENT OF HARYANA / हरियाणा सरकार
Directorate School Education
विद्यालय शिक्षा निदेशालय

शिक्षा, संस्कृति एवं विकास
 Education, Culture and Development

School Education, Haryana
 विद्यालय शिक्षा, हरियाणा

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 कार्यालय: शिक्षा सदन, सेक्टर 5 पंचकुला-134109 (भारत) दूरभाष : 91 (0172) 2560246 फैक्स: 91 (0172) 2560253

e-mail: edusecondaryhry@gmail.com - site: www.schooleducationharyana.gov.in

Regd.

To

District Education Officer,
 Narnaul (Mahendergarh).

Memo No. **12/31-2024 HRG-I (3)**
 Dated, Panchkula, the 26.04.2024

Subject: Permission to go abroad – Sh. Ajeet Singh, Principal Govt. Senior Secondary School Dhadhot [3921] Distt. Mahendergarh.

Kindly refer to your office letter No. E-1/2024/705 dated 02.04.2024 on the subject cited above.

The permission is hereby accorded to **Sh. Ajeet Singh, Principal Govt. Senior Secondary School Dhadhot [3921] Distt. Mahendergarh** from 12.06.2024 to 26.06.2024 to visit U.K. and Europe for tourism on the following conditions:-

1. That he/she will obtain prior permission from competent authority for earned leave and will not proceed abroad without getting the leave sanction.
2. That he/she will hand over the charge before going abroad.
3. That this permission is subject to condition that he/she will not join any Govt. or Non Govt. Job in abroad.
4. That there will no financial burdens on the State exchequer.
5. That he/she will not extend leave from abroad in any circumstances.
6. That he/she will abide by all the rules and will be faith full to the Constitution of India.
7. That security record of the Government will not be effected in anyway due to his/her going to abroad.

st
Superintendent HRG-I
For Director Secondary Education,
Haryana, Panchkula

Endst. No. Even

Dated, Panchkula, the 26.04.2024

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

1. **Sh. Ajeet Singh, Principal Govt. Senior Secondary School Dhadhot [3921] Distt. Mahendergarh.**
2. IT Cell (Local).

Ruww
Superintendent HRG-I
For Director Secondary Education,
Haryana, Panchkula



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

Order No. 13/16-2024 HRME-1(6)

Dated, Panchkula, the 25-04-2024

Whereas, the petitioners had filed the Civil Writ Petition No. 1585 of 2024 titled as Subhash and others Vs. State of Haryana and others before the Hon'ble High Court praying therein for issuance of a writ in the nature of mandamus directing the respondents to regularise the service of the petitioners with effect from 18.12.2003/12.05.2005 instead of 01.04.2011 from the date when their juniors, namely Sarbati Devi and Bhoop Singh, have been regularised and release all consequential benefits along-with interest.

The above-said Civil Writ Petition came up for hearing on 24.01.2024 before the Hon'ble High Court & and on that day the Hon'ble High Court was pleased to dispose of the same with directions to respondent No.2 to decide the legal notice dated 20.06.2023 (P-8) of the petitioners. The operative part of the said order is as follows:-

“In view thereof, without going into merits of the case, the petition is disposed of with a direction to respondent no. 2/Director General Secondary Education Haryana to consider and decide the pending legal notice dated 20.06.2023, by passing a speaking order in accordance with law, within a period of three months from the date of receiving a certified copy of this order. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of Rs. 25,000/- to the petitioners.”

In compliance of the above said direction of the Hon'ble High Court, the legal notice dated 20.06.2023 (P-8) of the petitioners was examined and it has been found the petitioner Nos. 1 to 7 were engaged as part time class IV in GHS, Bighana on 10.07.2000, in GPS Manoharpur on 09.10.2000, in GPS Karamgarh on 10.10.2000, in GPS Jheel on 07.11.2000, in GPS Krishna Nagar on 01.01.2001, in GGPS Julani on 01.01.2001 and in GPS Rajpura on 05.01.2001 respectively against unsanctioned post in Jind District on DC rates and worked only for one and half hours per day. The services of the petitioners were regularized on 07.08.2014 in DIET IKKAS, on 07.08.2014 in GSSS Budha



Khera, on 07.08.2014 in GHS Kharainti, on 07.08.2014 in GSSS Dharodi, on 07.08.2014 in DIET IKKAS, on 07.08.2014 in GSSS Jajwan and on 07.08.2014 in GHS, Shahpur respectively and later on this services were regularized w.e.f 01.04.2011 vide order No.E-3/1/1839 dated 17.01.2019, vide order No.3185 dated 12.11.2018, vide ref. No. SPL dated 19.10.2020, vide order No. 399/19 dated 19.01.2019, vide order No. E-1/2019/4080 dated 16.01.2019, vide order No. 2977/2019 dated 16.01.2019 and vide order No. 2019/C-819B dated 24.01.2019 respectively.

Whereas, earlier the Education Department framed a departmental regularization policy dated 30.12.1998/25.02.1999. But as per the policy dated 30.12.1998/25.02.1999, only those part time class IV were entitled for regularization who had requisite experience mentioned in the policy in the institutions where sanctioned post of class-IV were available because as per this policy the seniority of part time Class IV employees was at institutional level. So, the part time Class IV employees were regularised in the same institution where they were working as part time class IV employees provided the availability of vacant sanctioned post of class IV. The said policy was superseded by another departmental Policy new departmental policy dated 11.11.2003 of the Education Department. Whereas, as per the departmental regularization policy dated 11.11.2003, a common seniority list of all the part time Class-IV employees working in Govt./Primary/Middle/High/Sr. Secondary Schools and the field offices like O/o BEOs/SDOs/DPEOs/DEOs/SCERT/DIETs/GETTIs etc. as on 30.06.2003 was prepared by the DEOs concerned at District Level and accordingly the petitioners stand at seniority nos. 310,346,363,423,493,507 and 526 respectively. This seniority list of part time Class-IV employees acts as a reference point for sponsoring the names of the senior most employee for regularization of their services against vacant regular sanctioned post. Therefore, all the petitioners were regularized w.e.f 01.04.2011 vide order No.E-3/1/1839 dated 17.01.2019, vide order No.3185 dated 12.11.2018, vide ref.

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No. SPL dated 19.10.2020, vide order No. 399/19 dated 19.01.2019, vide order No. E-1/2019/4080 dated 16.01.2019, vide order No. 2977/2019 dated 16.01.2019 and vide order No. 2019/C-819B dated 24.01.2019 respectively as per their eligibility, seniority list as well as on the availability of vacant sanctioned posts in Jind District as per the departmental regularization policy dated 11.11.2003.

Whereas, para No.12 of the departmental regularization policy dated 11.11.2003, clearly provides that "first of all, those class IV part time employees shall be regularized only against the regular sanctioned posts available/becoming available in Govt. Schools/offices strictly on the basis of their seniority list who have completed at least six years of continuous service on their post & whose work & conduct is satisfactory. While calculating 6 years of continuous service the break in such service due to vacations shall also be counted in the length of service. The remaining employees would be considered for regularization thereafter on the basis of their seniority provided duly sanctioned class IV posts are available. The very fact that a part time Class IV employee has completed more than six years of continuous service shall not confer a right on such employee for regularization of his/her services if no sanctioned posts are available or if such employee is lower in seniority. Every such employee is lower in seniority every such employee will be considered for regularization only on his/her turn provided a duly sanctioned class IV post is available."

Moreover, so far as the question of regularisation of services of junior to the petitioners namely Sh. Bhoop Singh, prior to the petitioners is concerned, in that context it is relevant to clarify here that services of said part-time employee were regularised by Sh. Karamveer Singh, the then Headmaster/DDO, Govt. High School, Bhambhewa (Jind) vide order No. 283/05 dated 12.05.2005 at his own level. Resultantly a Departmental Enquiry was conducted against the concerned headmaster who was found at fault & hence he was charge sheeted under Rule 7 vide order No. 5/81-08 HRG (4)

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1634 dated 28-05-2008 of the directorate. Thereafter, in the regular enquiry conducted by Sh. V.P. Batra IAS (Retd.), the charges levelled against Sh. Karamvir Singh, Headmaster stand proved & hence concerned headmaster was found of guilty for inadvertent regularisation of services of Bhup Singh accordingly, vide order No. 5/81-2008 HRG-II (2) dated 20.07.2011, the penalty of stoppage of two annual increments with cumulative effect was inflicted upon him and also ACR for the year 2005-06 was downgraded by one step.

Further in context of inadvertent regularization, a show cause notice was issued to Sh. Bhoop Singh Vide letter no. 726 dated 19.02.2008 to which he replied on 17.03.2008. Thereafter, his services were De-regularized on 10.04.2008 and he challenged the same in CWP No. 6882 of 2008 titled as "Bhup singh Vs State of Haryana & others" and got stay from the Hon'ble High court and attained finality on 22.07.2008. meanwhile COCP No.779 of 2008 in CWP No.6882 of 2008 was filed and at that time, having no other option with the department the services of Sh. Bhoop Singh were regularized w.e.f. 12.05.2005 thus it is not appropriate and logical to consider the case of the petitioners in view of the afore mentioned case as, it will not serve any useful purpose rather it would enhance the multiplicity of unwarranted and unnecessary litigation.

Whereas, another junior, namely; Smt. Sarbati Devi was engaged as part time class-IV (sweeper) against unsanctioned post in GPS Malsari Khera, Jind on 14.12.2000 and her services were inadvertently regularized vide order no. E-4/2011/835-838 dated 27.07.2011 w.e.f. 13.12.2003 and she joined as a Water Carrier in GHS Khera Khemawati, District Jind, in compliance of the order dated 08.05.2003 passed by the Hon'ble High Court in CWP No. 5468 of 2003 titled as Dhanpati Devi & others Vs. State of Haryana & others. However, the services of the junior namely Smt. Sarbati Devi had been de-regularized vide order no.683-684/20 dated 10.06.2020 of regarding the same CWP No. 8776/20, 9139/20 titled as Sarbati Devi vs. State of Haryana & others.



wherein the order dated 10.06.2020 has been challenged, are pending before the Hon'ble High Court.

Whereas, another junior, namely, Sh. Ram Niwas, appointed against sanctioned post in GHS Ludana on 05.07.2001 was regularized w.e.f 06.05.2004 vide order no./E-4/2011/743 dated 21.07.2011 in compliance of order dated 29.09.2009 passed in Civil Suit No. 101 of titled as "Ram Niwas Sharma Vs State of Haryana and others" but subject to the final outcome of RSA No.1752 of 2010 which is pending before the Hon'ble High Court.

Whereas, the petitioners had been regularized w.e.f 01.04.2011 vide order No.E-3/1/1839 dated 17.01.2019, vide order No.3185 dated 12.11.2018, vide ref. No. SPL dated 19.10.2020, vide order No. 399/19 dated 19.01.2019, vide order No. E-1/2019/4080 dated 16.01.2019, vide order No. 2977/2019 dated 16.01.2019 and vide order No. 2019/C-819B dated 24.01.2019 respectively in view of the departmental regularization policy dated 11.11.2003 as per their seniority, eligibility as well as the availability of vacant sanctioned post of class IV.

Thus, keeping in view of the position explained above, the claim of the petitioners demanded through Legal Notice dated 20.06.2023 is not tenable and hence rejected being devoid of merits.

I order accordingly.

(JITENDER KUMAR), IAS
DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA

Regd.

To

1. Subhash Chander S/o Sh. Ramphal R/o Village Bighana District Jind
2. Balraj S/o Surat Singh R/o Village Manoharpur District Jind
3. Raj Kumar S/o Sat Narayan R/o Village Ghjimana District Jind
4. Sushil Kumar s/o Om Parkash R/o Village Jheel District Jind
5. Satyawan s/o Ganga Dutt R/o Village Nirjan District Jind
6. Rai Pal s/o Basau Ram R/o Village Julani District Jind
7. Kuldeep S/o Basau Ram R/o Ikkas District Jind.

Endst No Even

Dated Even 26.04.2024

A copy is forwarded to the following for information and necessary

action:-

1. District Education Officer, Jind
2. IT Cell
3. Concerned Principal

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**SUPERINTENDENT, HRME-I
DIRECTOR SECONDARY EDUCATION,
HARYANA, PANCHKULA**