

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION (SE) PUNJAB. CHANDIGARH

Order No.11/113- 2011 ME (1)
Dated, Chandigarh, the 20-07-2012

A number of class IV employees had been filing various writ petition in the Hon'ble Punjab and Haryana High claiming therein to promote them as a Senior Laboratory Attendant /Library Restorer/Clerk ante-dated from the date some juniors had been so promoted . According to official record, previously upto the the year of 1985 , some class-IV matriculate employees has been promoted to the post of SLA/Class-III posts on the basis of seniority maintained in the respective districts. Some class-IV employees who were senior than that of such promotees and were working other districts claimed ante-dated promotions . This issue came up before the Hon ble Punjab and Haryana High Court in CWP No.7904 of 1997 titled as Jagtar Singh and others Vs State of Punjab. The Hon'ble Punjab and Haryana High Court disposed of said writ petition by passing the direction to maintain the seniority off all class IV matriculate employees working in the subordinate offices of the Education Department at the State Level. Following the direction of the Hon'ble Punjab and Haryana High Court, vide Memo No.11/41-98 ME (2) dated 25-10-1999, the department circulated revised final joint seniority list of eligible matriculate passed Class-IV employees working in different field of the Education Department.

2. So far as the promotion of an eligible Class-IV employee to the post of Clerk is concerned , only those employee had been promoted who had passed the Punjabi Type-writing Test. Recently the Hon'ble Supreme Court of India, while disposing of the Special Leave Petition bearing No.2897 of 2006 State of Punjab Vs. Jagdish Kaur, has been pleased to hold that a Class-IV Employee has to pass the Punjabi Type Writing Test at the prescribed speed for acquiring the eligibility to be considered for promotion to the post of Clerk . Therefore, no Class-IV employee can claim ante-dated promotion to the post of clerk without being passed Punjabi Type Writing Test and such employees can not be equated with those who had passed the type-writing test before being promoted to the post of Clerk.

3. With a view to provide an appropriate deemed date of promotion to the already promoted Class-IV employee to the post of SLA/Library Restorer, an exercise to review all earlier promotion has been undertaken. Accordingly, a list for reviewing

such promotions has been prepared .While reviewing the promotions, 10% of total sanctioned posts of SLA in number as stood on 26-11-1985, have been taken into account which come to 223 in number. All class-IV employees who were recruited in the year 1974 onwards and acquired the eligibility for the post of SLA and whose turn for promotion did come have been given deemed date of promotion w.e.f. 26-11-1985, the detail of which has been described in column No. 1 to 12 in the enclosed review list. In the review process, 35 posts of Library Restorers which were available as on 26.11.1985 against 20% quota of total sanctioned post of Library Restorer in number 175 have also been taken into consideration for the given purpose. The eligible Class-IV employees have also been given deemed date of promotion against the subsequent vacancies of SLA /Library Restorer which became available due to retirement or appropriate quota against the newly created post on the basis of seniority cum merit/eligibility. All the employees in the enclosed review list shown to have given promotion from an ante-dated shall be deemed to have been promoted as SLA/Library Restorer in the column No.1 to 12 in the Review list and their pay shall be refixed accordingly.

Some employees, at present holding the post of Library Restorers have been promoted ante-dated as a SLA. If such employees are desirous to have availed of promotion of SLA, they will have to forego promotion to the post of Library Restorer and before allowing them to ante-dated promotion, an undertaking to this effect be got from them and entry to this effect be made in the Service Book of the concerned.

The said review list has been put on Web site SSA punjab.org.

Dr. Kamal Kumar
Director of Public Instruction (SE)
Punjab.

Endst No. Even

Dated 20-07-2012

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

- 1) All Circle Education Officers
- 2) All District Education Officers (SE) in the State of Punjab.

Sd/-

Suprintendent (M.E)