

**Office of Director Public Instructions (SE), Punjab
PSEB Complex, Phase-8, SAS Nagar**

Order No.: -13/28-2017 Est-1(8)

Dated, SAS Nagar: 18-09-2017

NOTICE

To

Sr. No.	Name	Father's Name	Place of posting
1.	Kuldeep Singh	Raghubir Singh	GMS Bhamavati Sangrur
2.	Gurpreet Kaur	Baldev Singh	Barmi (AB) LDH
3.	Madhu	Pasi Ram Rattan	Tanda Ram Sahai (HSP)

All Lecturer Biology

On 03.07.2016, promotions from the posts of Masters/ Mistresses to the posts of Lecturers in various streams were ordered. All those Masters/ Mistresses who had requisite qualifications of post graduation in relevant subject as per UGC guidelines, were promoted in respective streams of Lecturers. The noticee were not promoted as they did not submit their documents pertaining to their post graduation qualifications or due to their incorrect fixation of seniority as Master/ Mistress. However, after issuance of promotion orders dated 03.07.2016, the noticee represented before this Office raising their claim for promotions alleging that juniors to them stood promoted. Before their cases could be finalized, all further promotions were stayed by the Hon'ble Punjab and Haryana High Court vide its order dated 10.08.2016 in CWP No. 13563 of 2016, Baldev Singh & others Vs. State of Punjab & others along with other connected matters. In these bunch of petitions, the issue was regarding eligibility of such Masters/ Mistresses who had acquired requisite qualifications of post graduation through distance mode by participating in the activities beyond the State territorial jurisdiction of the concerned university. For the said reasons, the noticee could not be promoted till 30.11.2016, when the Hon'ble High Court discharged the State from its stand of not making further promotions.



However, simultaneously, the Hon'ble High Court vide its said interim orders directed the State to provisionally promote the petitioners in the above mentioned writ petitions as well as similarly situated persons against available vacancies subject to final outcome of the writ petitions. The relevant extract of the interim order dated 30.11.2016 is as under:-

"Therefore, CM No.15228-CWP of 2016 is allowed and in continuation/modification of the order dated 10.08.2016, it is ordered that the petitioners, as also other similarly situated employees (Masters/Mistresses) shall be granted provisional promotions to the post of Lecturer in their respective streams as per their seniority subject to fulfillment of the promotional criteria, against the available vacancies in the promotion quota subject to the final outcome of the present set of writ petitions. Thus, the State is discharged from its stated stand in the order dated 10.08.2016 regarding non-filling of the remaining vacancies in the promotion quota."

As per the above orders, the promotions were to be made against the available vacancies. In the subject of Lecturer **Biology** as on 31.12.2016 in the **SC** category to which the noticee belong, there were **8** vacancies available. There were two categories of Masters/ Mistresses who were claimants for promotion to the post of Lecturer **Biology** in **SC** category. One comprising of **8** Masters/ Mistresses including the noticee whose cases could not be finalized earlier due to stay on promotions. Other category comprised of **5** Masters/ Mistresses who became entitled for provisional promotion as per interim order dated 30.11.2016. The State giving preferential treatment to former category of Masters/ Mistresses including the noticee, promoted **8** Masters/ Mistresses on regular basis vide order dated 27.02.2017, particulars of whom are as under:-

Sr No	Sen No	Sub Master Cadre	M/F	Name	Fname
1	3244 a	SCI	F	Poonan Viridi	Tarsem Lal

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2	3434	Sci	m	Raman Kumar	Sant Ram
3	3461	Science	m	Arvind Singh	Sarvjit Singh
4	3505	sci	M	Gurvinder Singh	Harbans Singh
5	3508	sci	M	Parminder Singh	Dhan Ram
6	3510	sci	M	Kuldeep Singh	Raghibir Singh
7	3459 B	sci	F	Gurpreet Kaur	Baldev Singh
8	3460 B	Sci	f	Madhu	Pasi Ram Rattan

After promoting them, as there was no vacancy available in their category, following 5 employees who otherwise were eligible for provisional promotions could not be promoted. The particulars of these 5 employees are as under:-

Sr No	Sen No	Sub	M/F	Name	Fname
1.	3309	sci	m	kulwinder singh	Namdev singh
2.	3373	Sci	f	Anita Rana	Ram Lubhaya
3.	3488	Sci	M	Baljinder Singh	Bhola Singh
4.	3512	Sci	M	Kulwinder singh	Jit Singh
5.	3513	Sci	M	Karnail Singh	Ram Singh

Certain Masters/ Mistresses who could not be promoted due to non-availability of vacancies, filed contempt petitions alleging that certain juniors to them have been promoted vide order dated 27.02.2017, thus alleged the violation of principle of Seniority-cum-Merit which was directed to be followed for making promotions, by the Hon'ble High Court vide its interim order dated 30.11.2016.



Facing with the contempt petitions, COCP No. 156, 665, 666 and 1029 of 2017, the matter was taken up with the Learned Advocate General Punjab. As per the opinion of Learned Advocate General Punjab, a combined merit of all eligible employees irrespective of the fact that they were eligible for regular promotions or provisional promotions after 30.11.2016, was required to be drawn in order to comply with the directions dated. 30.11.2016 in its letter and spirit. Accordingly, the redrawn list of 13 employees against available **8** vacancies upto 31.07.2017 is as under:-

Sr No	Sen No	Sub Master Cadre	M/F	Name	Fname	DOA/ Deem Date	status
1	3309	Sci	m	Kulwinder Singh	namdev singh	22-05-06	ytp
2	3244 a	sci	F	Poonam Viridi	Tarsem lal	5-Dec-2006	lorp
3	3373	sci	F	Anita Rana	Ram Lubhaya	5-Dec-2006	ytp
4	3434	Sci	m	Raman Kumar	Sant Ram	5-Dec-2006	lorp
5	3461	Science	m	Arvind Singh	Sarvjit Singh	5-Dec-2006	lorp
6	3488	Sci	M	Baljinder Singh	Bhola Singh	5-Dec-2006	ytp
7	3505	sci	M	Gurvinder Singh	Harbans Singh	5-Dec-2006	lorp
8	3508	sci	M	Parminder Singh	Dhan Ram	5-Dec-2006	lorp
BEYOND PROMOTION ZONE DUE TO NON VACANCY							
9	3510	sci	M	Kuldeep Singh	Raghbir Singh	5-Dec-2006	lorp
10	3512	Sci	M	Kulwinder Singh	Jeet Singh	5-Dec-2006	ytp
11	3513	SCI	M	Karnail Singh	Ram Singh	5-Dec-2006	ytp



12	3459 B	sci	F	Gurpreet Kaur	Baldev Singh	8-Dec-2006	lorp
13	3460 B	Sci	f	Madhu	Pasi Ram Rattan	8-Dec-2006	lorp

PP: Provisional Promotions
LORP: Left out regular promotion
YTP: yet to be promoted

From the above, it is apparent that all noticee do not fall within the promotion zone and hence, are liable to be reverted. For the said reasons, a notice is hereby issued to them to show cause as to why their promotion orders not be withdrawn. The notice are hereby directed to file their response to this notice on or before 03.10.2017 failing which further action shall be taken on merits.

Paramjit Singh,
Director Public Instructions (SE), Punjab.

Endst. No. Even

Dated, SAS Nagar:18-09-2017

A copy of the above is forwarded to the O/o Director General School Education to upload it on the official website for information and necessary action of all the concerned. All the concerned District Education Officers shall ensure the service of this notice to all the notices by 03.10.17 and send the compliance report through e-mail on the same day on e-mail id adsa1.dpise@gmail.com


Assistant Director