

**Government of Jammu and Kashmir
Department of Skill Development
Civil Secretariat, Jammu/Srinagar**

Subject:- Final Seniority List of Superintendents ITIs stood as on 01.01.2023.

**Government Order No:- 54 -JK(DSD) of 2023
Dated:- 10 .05.2023**

Whereas, vide Government order No. 30-Edu(Tech) of 2002 dated 05.03.2002, under endorsement No. Edu/Tech/ITI/10/2000 dated 05.03.2002, a final seniority list of Superintendents of Industrial Training Institutes (ITIs) was notified; and

Whereas, from the date of issuance of the above seniority list, various appointments under the direct recruitment quota through J&K Public Service Commission have been made in the Superintendent Cadre. Besides, some Superintendents have already retired from Government Services; and

Whereas, subsequently a Tentative Seniority List was issued vide Circular No. 01-JK(DSD) of 2021 dated 08.01.2021, under endorsement No.Edu/Tech/ITI/106/2015 dated 08.01.2021, consisting of two annexure A&B. Annexure (A) pertaining to officers who were holding substantive posts and Annexure (B) pertaining to the officers holding the posts on OPG basis, which was issued inadvertently and same stands withdrawn ab-initio; and

Whereas, the matter has been reviewed again in light of rules in vogue and it came to fore that the Tentative Seniority List needs to be issued in respect of the incumbents who are holding the post of Superintendent on Substantive basis; and

Whereas, the matter was referred to the Department of Law, Justice and Parliamentary Affairs for seeking its advise/opinion in respect of issuing the Tentative Seniority List, who vide their U.O No. Law/Opn1/15/2022-10 dated 25.10.2022 advised as under:

"Department is advised to proceed ahead in issuing the tentative seniority list of Superintendents, ITI for the incumbents holding the said posts in substantive capacity provide the said process is not in conflict with any orders of the Hon'ble Court." and

Whereas revised Tentative Seniority List consisting of (27) officers, who are holding the post on substantive capacity has been notified vide circular No.04-JK(DSD) of 2022 dated 15.11.2022, for inviting objections from all the concerned, if any, within a period of 21 days after its publications through Director, Skill Development with specific recommendation; and

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Whereas, the Director Skill Development vide letter No. DSDD/344/2022-01-cc/7066020/1178 dated 20.12.2022 submitted objections/representations received from concerned for information and necessary action; and

Whereas, the objections/representations as submitted by Director Skill Development have been examined and disposed off as per response/remarks and shown against each in the below table:-

S No.	Name of I/c Principals/AD/AAA and I/c Supdts. submitted objection	Objection Raised	Remarks/disposal of objections
1.	Vivek Sagar Sharma. Rajesh Gupta. Naresh Singh. Ujwal Mahajan. Mudassir Shams. Sajad Hussain Naqueeb. Mandeep Dogra. Abdul Rashid Sheikh. Javid Ahmad Ganie. Qazi Arif. Baldev Raj. Abdul Rashid Bajard. Ruchie. Rajinder Singh. Imtiyaz Ahmed Mir. Archana. Ishfaq Ahmad Mir. Parvez Iqbal.	<p>1) That we have been working as I/c principals /superintendents posted at different ITIs of J&K UT against lien free posts.</p> <p>2) The post of superintendent is to be filled by departmental candidates & direct candidates in the ratio of 50:50 percent as per SRO 28.</p> <p>3) The department of Skill development has not been allowed to conduct DPC of gazette cadre from last 20 years to regularize our services against the lien free posts which we are holding.</p> <p>4) That we have been continuously approaching the authorities to conduct our DPCs without any results.</p> <p>5) We have been compelled by the arising situation to approach the court of law at different times and despite clear directives from Hon'ble courts our plea has been ignored/ delayed.</p> <p>6) There is deep influence of direct recruits in the department who have used influence of all methods to stop our DPC meetings in order to grab the future promotions in their favour by stopping our DPC meetings.</p>	<p>Objections have been considered in light of rules and regulations in vogue, and found that the incumbents still holding substantive posts in the subordinate service. The DPC yet not considered their confirmation/regularization against the post of Superintendent, though the proposal has already been submitted to the J&K PSC vide communication No. DSD-ITI/07/2023-02 dated 13.03.2023.</p>

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7) The said influential group of direct recruits have used fake complaints, media, affiliations, mask of court cases to stop our promotions with ulterior motives of grabbing upon next higher promotion posts.

8) The said group wants that only their 50 % quota of direct recruits be considered in the seniority list and remaining departmental 50% eliminated by one or other method.

9) The said group comprises of candidates selected in 2017, 2013, 2010 & 2004, whereas we are working in in charge capacity from 2001 onwards against our Pc quota against lien free posts and they are continuously created hurdles in conducting of DPC.

10) The said group has now managed in getting tentatively seniority list of Superintendents of only direct recruits issued without conducting DPC for the balance 50% departmental candidates.

11) If the seniority list gets finalized they will march over our rights and our future promotions will be stopped and we will be reverted on technical grounds of not being working on substantive posts.

12) It is necessary to mention that Administrative department had taken steps to settle the issue vide GO no 222-edutech) of 2014 dated 11.12.2014 by issuing final seniority list via initial constitution mode, then submitting proposal to PSC for convening of SPC vide letter No Edu/tech/ITI/38/2018 dated 25.05.2018 and by issuing tentative seniority list vide circular no 1-JKDSD of 2021 dated 08-01-2021 but at each time the said

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		<p>group have derailed the process and stopped conducting of DPCS.</p> <p>We humbly submit for your kind personal intervention to save the department from the clutches of above referred group so as to stream line the administrative functioning of department on the basis of merit and justice by issuing directions that DPC be conducted before issuance of any seniority list so that justice is delivered to all the members as per recruitment rules.</p>	
2	Javid ahmad I/C Assistant Director DSD	<p>Before issuance of final seniority list of Superintendents ITIs sector, he may be confirmed as Superintendent through DPC w.e.f 01.08.2005 on the basis of seniority and eligibility against 50% promotion quota posts in accordance with technical education Gazetted service recruitment rules SRO 328 of 2002 presently in vogue and my name may kindly be enlisted at proper place at serial No. 8 the final seniority list in order to safeguard my future service prospects on merits.</p>	-do-
3	Sajad Hussain Naqueeb	<p>1) The said tentative seniority list has been issue in complete disregard to the advice of Law, Justice and Parliamentary affairs issued under their U.O No. Law/opn/15/2022-10n dated 25.10.2022 that</p> <p><i>"Department is advised to proceed ahead in issuing tentative seniority of Superintendents, ITI for the incumbents holding the said posts in substantive capacity provided the said process is not in conflict with any orders of the Hon'ble Court"</i></p> <p>2) I am in the court of law on the same subject vide writ</p>	-do-

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petition no SWP 821/2014 followed by contempt No. 560 of 2014, the operative part court order of Hon'ble Court is as

"So-viewed, the writ petition is disposed of with a direction to the respondents to accord consideration to petitioner's promotion as Superintendent ITI on substantive basis, having regard to the averment made in the petition, annexure appended thereto and rules occupying the field. The respondents are expected to appreciate that right to be considered for promotion is an integral part of fundamental rights guaranteed under Article 16 constitution of India. The respondents by avoiding to consider petitioners claim and that too for last two decades are acting in violation of letter and spirit of the constitution and the recruitment rules. The respondents in any case shall complete the exercise within eight weeks from date of receipt of copy of this order and convey the decision to the petitioner so as to enable him to work out his remedy in the event his claim or any part thereof remains to be dealt with"

3) The tentative seniority list is in total disrespect to the orders of Hon'ble Court and complete disregard to the advice of Law, Justice & Parliamentary affairs issued under their U.O No. Law/opn/15/2022-10 dated 25.10.2022.

4) The tentative seniority list contains three incumbents of promotion quota only and rest 24 from direct quota incumbents where as they should have been 24 instead as per recruitment

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		<p>rules in force.</p> <p>5) The tentative seniority list is in total contradiction to the recruitment rules where under ratio of direct and departmental should be 50:50.</p> <p>6) That Despite several assurances before court my case for regularization has not moved ahead, on the contrary the seniority list of Superintendents is being issued containing only direct recruits who entered the department in the year 2017, 2013, 2010, & 2004. While as I am holding the post against lien free departmental quota prior to them.</p> <p>7) Finalization of such seniority list without conducting DPC for my regularization which is pending from last 22 years will badly Affect my service career and even result in my reversion after 34 years of service when such defective seniority list is put in operation.</p> <p>8) The issuance of such defective seniority hugely influenced by direct recruits who want to deprive me of all future promotions will be totally injustice to me.</p> <p>It is requested that my case before court vide Govt. order 33-Edu (Tech) of 2015 dated 09.03.2015 be considered and issuance of defective seniority list before conducting of DPC for me kindly delayed to meet the normal justice.</p>	
4	<p>Abdul Rehman Rather.</p> <p>Abdul Hamid Malik.</p> <p>Farooq Ahmad Chesti.</p>	<p>The tentative seniority list of all official (Suplicants) retired, deceased and in-service(Non Gazetted Officials) viz Foreman, Surveyor, Supervisor, Junior</p>	-do-

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	Abdul Gani Najar. Iqbal Pandow	Engineer and Workshop Instructor(AVTS) may kindly be sanctioned to issue as enlisted in the tentative Seniority list (Non-Gazetted) Annexure(B) of Circular no 01-JKDSD of 2021 date 08.01.2021. and consider them for regularization from the dates they take charge of the post.	
5	Superintendent ITIs (Batch 2010 PSC- Reserved Categories) Niyaz Ahmad (ST). Rajinder Bhat (ALC) Javaid Ahmad (ST) Mohsin Ali (ST) Ajay Kumar (SC) Rajesh Kumar (SC) Naresh Singh (RBA)	These incumbents has raised objections to the effect that category/reservation have not been mentioned against these incumbents in the revised tentative seniority list of Superintendent ITIs as on 01.01.2022 as issued vide Circular no 04-JKDSD of 2022, dated 15.11.2022 and has requested for necessary modifications in the seniority to this effect, so that being reserved category candidates due consideration is given to them for next promotion.	Category certificate of these incumbents may be considered at the time of DPC, subject to production of valid category certificate by the DSD.
6	Tawheeda Habib (I/c Principal ITI Budgam)	I belong to RBA category which perhaps has been erroneously not been depicted in seniority list against my name which may kindly be done now, as has been done in respect of Serial No. 27 of seniority list so that I may get benefit in promotion under reserved quota as provided under rules. Inspite of constant persuasions my case for regularizations Assistant Director and further promotion as Deputy Director was delayed. I filled contempt petition in the CAT informal under No TA/43/2022 regularization SWP contempt no 500/2019 order dated 06.11.2022 the order is amply clear and warrants convening of DPC in favour for my regularization as Asst. Director and further promotion as Deputy director in the category to which I belong retrospectively.	-do-

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7	Rajendra Kumar (I/c Deputy Director SD)	<p>I may be placed above Mr. G M Bhat in the Seniority list, who was below me in merit in Selection list of PSC and who was given seniority erroneously w.e.f 01.01.1996 on notional basis even when he joined as Direct recruit in 1999. As such, I may be placed/adjusted as Joint Director ITI in place of him.</p> <p style="text-align: center;">OR</p> <p>If the department is of the view that Mr. Bhat was indeed to be promoted as Superintendent w.e.f 01-01-1996 under JE quota then Mr. Farooq Khan should be shown promoted w.e.f 01.12.1999 as the next post of Superintendent under JE quota became available on that date. As such I may be placed above Mr. Farooq Khan in the seniority list and may be placed/adjusted as Joint Director ITI. Also in pursuance esteemed circular No. 04-JK(DSD) of 2022 dated 15.11.2022 Mr. GM Bhat has been shown as promote may also be seen as was selected through PSC.</p>	<p>It has observed that vide Government Order No. 26-Edu(Tech) of 2002 dated 08.02.2002 on the recommendations of PSC vide communication No. PSC/DPC/ITI/9/93 dated 22.01.2002, Mr. G.M Bhat has been promoted to the post of Superintendent w.e.f 01.01.1996 under promotion quota on notional basis to restore his seniority in the cadre of Superintendent, therefore he will figure in the seniority list as per date of his confirmation.</p>
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Now, therefore, after considering the objections/representations and disposal thereof as mentioned herein-above, in terms of Rule 24 of J&K Civil Services (Classification, Control & Appeal) Rules, 1956, the final seniority list in respect of Superintendent ITIs holding the posts on substantive basis as it stood on 01.01.2023, is hereby notified forming **Annexure "A"** to this order which is in supersession of all previous orders issued from time to time on the subject. However, the aggrieved Officers may prefer appeal before the Competent Authority in case of any genuine objection.

Further, this Seniority List shall be subject to the final outcome of writ petition(s) if any pending on the subject before the competent Court of law.

By order of the Government of Jammu & Kashmir.

Sd/-
(Dr. Asgar Hassan Samoon) IAS
Principal Secretary to the Government,

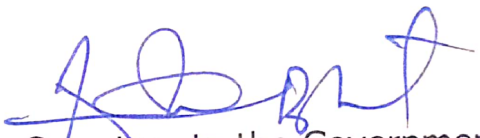

No:- No. DSD-ITI/86/2022(226677)

Dated: 10 .05.2023

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Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs.
3. Director, Skill Development Department, Jammu.
4. Director, Archives, Archaeology & Museums, J&K Jammu
5. OSD with Hon'ble Advisor (B) I/c Department of Skill Development.
6. Joint Director, ITI Kashmir/Jammu.
7. Deputy Director (Trainings) ITI
8. Principals/Superintendent of all ITIs.
9. PS to Principal Secretary to the Government, Department of Skill Development.
10. Concerned.
11. Government Order file/Incharge website.



Under Secretary to the Government
Department of Skill Development


Annexure "A" to Government Order No. 54 –JK(DSD) of 2023 dated 10 .05.2023

S.No.	Name S/Shri.	Designation	D.O.B	D.O.A/Regularization	Remarks
1.	G.M Bhat	Superintendent	03.04.1966	01.01.1996	promtee
2.	Khan Farooq	Superintendent	19.04.1966	01.01.1996	promtee
3.	Rajinder Kumar	Superintendent	20.05.1968	05.03.1999	Direct
4.	Anisa Moon	Superintendent	27.11.1965	11.03.1999	Direct
5.	Mohammad Ashraf Wani	Superintendent	06.03.1968	01.12.1999	promtee
6.	Nazar-ul-Islam	Superintendent	25.03.1965	20.04.2004	Direct (expired on 12.05.2021)
7.	Tawheeda Habib	Superintendent	01.01.1974	20.02.2004	Direct
8.	Bilal Ahmad Wani	Superintendent	18.03.1976	14.05.2010	Direct
9.	Anoop Sharma	Superintendent	08.05.1978	14.05.2010	Direct
10.	Ravi Gupta	Superintendent	11.10.1979	14.05.2010	Direct
11.	Imran Wajahat	Superintendent	05.12.1978	14.05.2010	Direct
12.	Ajaz Majid Kakroo	Superintendent	21.08.1974	14.05.2010	Direct
13.	Ghulam Nabi Shah	Superintendent	09.03.1982	14.05.2010	Direct
14.	Aman Preet Singh	Superintendent	04.01.1981	14.05.2010	Direct
15.	Showkat Anwar Rather	Superintendent	16.03.1975	14.05.2010	Direct
16.	Ajay Kumar	Superintendent	25.08.1975	14.05.2010	Direct
17.	Rajesh Kumar Banotra	Superintendent	08.01.1974	14.05.2010	Direct
18.	Niyaz Ahmad	Superintendent	15.08.1975	14.05.2010	Direct
19.	Jawid Ahmad	Superintendent	01.01.1976	14.05.2010	Direct
20.	Mausin Ali	Superintendent	30.12.1974	14.05.2010	Direct
21.	Ravinder Singh Bhati	Superintendent	15.08.1978	14.05.2010	Direct

22.	Ajaz Ahmad Wani	Superintendent	27.07.1987	25.10.2013	Direct
23.	Fida Hussain Bhat	Superintendent	05.04.1988	25.10.2013	Direct
24.	Mubashir Hafiz Jan	Superintendent	17.09.1987	25.10.2013	Direct
25.	Amandeep Singh	Superintendent	11.04.1990	25.10.2013	Direct
26.	Saahil Rashid	Superintendent	25.04.1988	25.10.2013	Direct
27.	Talat Mehmood (ALC)	Superintendent	02.01.1992	25.10.2013	Direct

Note:- The D.O.B reflected above shall be subject to further verification of their service records.


Under Secretary to the Government.
Department of Skill Development