

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

**Subject:** Upgradation/Re-designation of various categories of posts in Technical Education Department (Now Department of Skill Development Department).

- Reference:**
1. Hon'ble High Court Decision dated 02.12.2002 in LPA No.159/ 2001 and dated 11.03.2005 in SWP No. 303/2004 titled ITI Employees Association J&K Vs.State of J&K and Ors
  2. Hon'ble High Court Order dated 29.7.2025 passed in Contempt Petition No.22/2023 titled Zahoor Ahmad & Ors V/S Asgar Hassan Samoon and others.

**Government Order No. 61- JK (DSD) of 2025  
Dated: 17 .11.2025**

**Whereas,** the LPA No. 159/2001 titled "ITI Employees Association J&K Vs. State of J&K and Ors" was disposed of by the Hon'ble High Court at Srinagar vide judgment dated 02.12.2002. The operative part of which reads as under:-

*"If this is the position, then the cause of the ITI Instructors is better than the Workshop Instructors. They render practical trainings for longer period. They also take theory classes. If this category of employees render more practical training to the trainees then it cannot be said that they cannot invoke concept of equal pay for equal work i.e. seek parity with Workshop Instructors.*

*In view of the above this appeal is allowed . ITI instructors are held entitled to the same benefit as are being given to Workshop Instructors. Let the requisite relief be granted with effect from the date the writ petition was filed in this Court. Let this be done within a period of four months from the date the copy of the order is made available to the respondents."*

**Whereas,** pursuant to the above Hon'ble High Court judgement dated 02.12.2002, the Department, with the prior concurrence of Finance Department conveyed vide U.O. No. A/4(04)-746 dated 08.01.2007, accorded sanction to the revision of pay scale in respect of following categories of posts vide Government Order No: 111-Edu(Tech) of 2007 dated 02.8.2007:-

S.No.	Name of the Post	Existing Pay scale	Revised Pay Scale
1	Principal ITI	8000-12900	9000-300-14100
2	Superintendent (ITI)	6700-10700	7500-12000

3	Technical Assistant. Drawing Instructor Social Study Instructor	5700-10100	6500-10500
	Math-cum-Science Instructor.	4000-6000	6500-10500
	Polytechnic Instructors.	4000-6000	6500-10500

Junior Engineers also will continue to be at par with the pay scales enjoyed by other Junior Engineers of PWD/PDD/PHE which is Rs. 4500-7000 for fresh recruits and Rs. 5700-10100 after putting in 8 years service. But a degree holder gets 8 increments at the initial stage.

The posts of Senior and Junior Instructors in the ITI Sector already placed in the higher pay scale of Rs. 6500-10500 in pursuance of Court order dated 02-12-2002 in LPA No: 159/2001 shall continue as such and will be re-designated as Vocational Instructors as prescribed by the National Council on Vocational Trainings. However, the recruitment/promotions to the posts of Junior Instructors now re-designated as Vocational Instructors shall initially be in the pay scale of Rs. 4000-6000 and thereafter in the pay scale of Rs. 6500-10500 after they put in 5 years service (for those having Matric with National Trade Certificate or National Apprenticeship Course and CTI pass) incumbents having no CTI/ATI facilities available in their designated trade shall require 7 years experience in that category.

Whereas, in terms of J&K Civil Services (Special Provisions Act, 2010), the services of the following three incumbents was regularized from time to time as shown against each:-

S.No.	Name of the incumbent	Designation with pay scale	Govt. Order No. and Date	Date of regularization
1	Ajaz Maqbool Bhat	Drawing Instructor (9300-34800 + GP 4280)	109-Edu(Tech) of 2014 dated 16.05.2014	With immediate effect i.e. 16.05.2014
2	Ajaz Rasool Bhat	Drawing Instructor (9300-34800 + GP 4280)	90-Edu(Tech) of 2018 dated 24.07.2018	With immediate effect i.e. 24.07.2018
3	Zahoor Ahmad Beigh	Drawing Instructor (9300-34800 + GP 4280)	90-Edu(Tech) of 2018 dated 24.07.2018	With immediate effect i.e. 24.07.2018

Whereas, in the year 2019, on the recommendations of the Service Selection Board 13 candidates were appointed as Drawing Instructors, vide Order No. 136 and 137 of 2019 dated 28.02.2019 issued by Director Skill Development in the pay scale of 9300-34800+4200 GP, who represented/approached the Department for rectification of their pay scales attached to the post of Drawing Instructors; and

Whereas, the matter with regard to rectification of pay scales of these directly appointed Drawing Instructors was examined in the Department and the matter was referred to the Finance Department for advise who in turn vide U.O. No FD-Code/27/2021-03-287 dated 23.03.2023 advised to rectify the pay level of the post of Drawing Instructors strictly in accordance with the recruitment rules notified vide SRO 145 dated 10.04.2002 notionally; and

Whereas, in terms of the opinion of Finance Department, the grade pay in respect of 13 direct appointees of 2019 was upgraded from 4200 to Rs. 4210 (pre-revised) and also the grade pay of the incumbents namely Aijaz Maqbool Bhat, Zahoor Ahmad Beigh and Aijaz

Rasool Bhat regularized in the year 2014 and 2018, was reduced from Rs 4280 to 4210 (pre-revised) vide Government Order No. 42-JK(DSD) of 2023 dated 26.04.2023 with the

recovery in respect of the Drawing Instructors whose grade pay has been reduced from Rs. 4280 to 4210 (pre-revised) and up-gradation shall have notional effect and no arrears shall be paid; and

Whereas, aggrieved by Government Order No. 42-JK(DSD) of 2023 dated 26.04.2023 ,the incumbents/applicants namely Mr. Zahoor Ahmad Beigh, Aijaz Rasool Bhat and Aijaz Maqbool Bhat approached the Hon'ble Tribunal seeking the following relief:-

1. Set aside the impugned Govt Order 42-JK(DSD) of 2023 dated 26.04.2023 reducing the grade pay for drawing Instructors in the ITI section from Rs.4280 to Rs. 4210.
2. Restore the grade pay of Drawing Instructors to the previous level of Rs.4280 as per the Division Bench Judgement and Govt. Order No. 111-Edu(Tech) of 2007.

Whereas, the Hon'ble Central Administrative Tribunal passed an interim Order dated 29.5.2023 in O.A/411/2023 titled Zahoor Ahmad Beigh and others V/s Skill Development. The operative part of the said order is re-produced as under:-

***".....List on 13.07.2023. In the meantime till next date of hearing before the bench, respondents are directed not to recover any excess amount from the salaries of the applicants."***

Whereas, the Government Order No. 42-JK(DSD) of 2023 dated 26.04.2023 was issued in consonance with condition that the recruitment/promotions to the posts of Junior Instructors now re-designated as Vocational Instructors shall initially be in the pay scale of Rs. 4000-6000 and thereafter in the pay scale of Rs. 6500-10500 after they put in 5 years service (for those having Matric with National trade certificate or National Apprenticeship Course and CTI pass) incumbents having no CTI/ATI facilities available in their designated trade shall require 7 years experience in that category laid down in the Government order No: 111-Edu(Tech) of 2007 dated 2.8.2007; and

**Whereas**, the petitioners also filed Contempt Petition bearing No.22/2023 alleging violation of Division Bench Judgement dated 02.12.2002 in which statement of facts was filed by the Director, Skill Development but Hon'ble High Court ordered vide order dated 29.7.2025 as under:-

***"The statement of facts/compliance report filed by the respondents through one Khan Farooq Ahmad, Joint Director, Skill Development, Kashmir, only shows defiance of the judgment passed by this Court. The respondents appear to have been acting as an Appellate Authority sitting over the judgment passed by the Division Bench of this Court. This Court has already ruled that the pay scale of the Drawing Instructors Working in ITI and Drawing Instructors working in Polytechnic Sector shall be the same and even in the face of said finding returned by the Division Bench, respondents are still trying to justify a different and a lesser pay scale for Drawing Instructor of the ITI Sector."***

**Whereas**, after examination in the Department, the matter was taken up with the Department of Law, Justice and PA who returned the file vide U.O.Law-Lit3/781/2025-10 dated 2.9.2025 with the following observations/advice:-

***"Returned. That the pay level is strictly governed and granted in accordance with the pay rules issued by the Finance Department from time to time.***

***Perusal of the DNF, would reveal that the grade pay of Rs. 4280 has been granted in favour of the petitioners in compliance with the judgement dated 02.12.2002 passed by the Hon'ble Division Bench in LPA No. 159/2001. As such, there may not be any ground or plausible justification for withdrawing the said benefit in respect of petitioners which as per DNF has been granted in compliance with the directions of Hon'ble Division Bench.***

***In view of the above, the issue of reduction of grade pay from Rs. 4280 to 4210 in respect of aforementioned petitioners is required to be considered in consultation with the Finance Department in light of the directions of Hon'ble Court. The department may as such examine the matter further and take necessary action in the matter accordingly."***

**Whereas**, the case was, accordingly, referred to the Finance Department with the proposal for obtaining their concurrence to withdraw Government Order No. 42-JK(DSD) of 2023 dated 26.04.2023, whereby the grade pay of the petitioners was reduced from ₹4280/- to ₹4210/- (pre-revised) as it is imperative to ensure compliance with the concluded Division Bench judgment dated 02.12.2002 and prevent adverse judicial orders in the pending contempt proceedings; and

Whereas, the Finance Department vide UO No. Dated:30.09.2025 returned the file with following observations:-

*Returned: The department is advised on the following lines;*

- i) *Finance Department, vide U.O. dated 08.01.2007 has already concurred the upgradation of the Pay Scale of Drawing Instructor to 6500-10500 (PR) i.e. GP 4280 in compliance to Division Bench judgment dated 02.12.2002.*
- ii) *Department has also upgraded the Pay scale of the Drawing Instructors from Rs. 5150-8300 to Rs. 6500-10,500 + GP 4280 vide GO dated 02.08.2007.*
- iii) *Petitioners in the instant contempt petition were regularized as Drawing Instructors; vide Government Order No. 109-Edu (Tech) of 2014 dated 16-05 2014 & Government Order No. 90-Edu (Tech) of 2018 dated 24.07.2018 in the pay scale of 9300-34800+4280.*
- iv) *Department should have updated the Recruitment Rules accordingly, an action that was never undertaken by the department.*
- v) *Department while submitting the case to Finance Department for rectifying pay scales as per RRS should have specifically mentioned the reasons for not updating the RRs so that instant contempt would not have arisen.*
- vi) *Withdrawing of Government Order No. 42-JK (DSD) of 2023 dated 26.04.2023 would also lead to downgrading of pay scale by 13 Drawing Instructors from 9300-34800+4210 GP to 9300-34800+4200 GP (pre-revised) and shall further invite litigation by these 13 Drawing Instructors.*
- vii) *Department may accordingly, re-examine the proposal keeping in view all the legal aspect.*

Whereas, the matter was again examined in the Department and in view of the finality of the judgment, the absence of legal scope for further intervention, and the serious judicial implications for concerned officers including Dr. Asgar Hassan Samoon, IAS, the then Administrative Secretary Department of Skill Development , Ms. Nitu Gupta JKAS, the then Secretary in the Department ,Finance Department , and Sh. Sudershan Kumar, JKAS, the then Director Skill Development who have already been charge-sheeted, the Department considers it appropriate to implement the Hon'ble Court's Orders as a one-time exception, strictly limited to the petitioners only. This approach ensures full compliance with judicial directions, safeguards Government interests, and brings the matter to final closure, while fully acknowledging and validating the Finance Department's advice. The case was accordingly again referred to the Finance Department for their concurrence; and

Whereas, the Finance Department vide U.O. No. FD-Code/509/2025-AO- 810 dated 24/10/2025 returned the file with following advice/concurrence:-

Returned: The department is advised on the following lines;

1. Finance Department , vide U.O dated 08.01.2007 has already concurred the upgradation of the Pay Scale of Drawing Instructor to 6500-10500 (PR) i.e GP 4280 (pre-revised) in compliance to Division Bench judgment dated 02.12.2002.
2. Department has also upgraded the Pay scale of the Drawing Instructors from Rs. 5150-8300 to Rs. 6500-10,500 + GP 4280 vide GO dated 02.08.2007.
3. Petitioners in the instant contempt petition were regularized as Drawing Instructors, vide Government Order dated 16.05.2014 & dated 24.07.2018 in the pay scale of 9300-34800+4280.
4. Vide Government Order dated 26.04.2023 the grade pay of applicant was reduced from Rs 4280 to 4210 (pre-revised).
5. The Hon'ble High Court vide dated 29.07.2025 observed that the responded had "acted as an appellate authority over the Division Bench judgment dated 02.12.2002."
6. Department may accordingly take corrective measure for maintaining pay parity between Drawing Instructors of the ITI and Polytechnic sectors in line with the Hon'ble Court's directions, and to ensure full compliance and advert contempt proceedings.
7. Department may also update the Recruitment Rules accordingly.
8. Approval of the competent authority shall be obtained.

Whereas, from the perusal of the opinion/concurrence of Finance Department dated 24.10.2025, it reveals that the Department has to maintain pay parity between the Drawing Instructors of ITI and Polytechnic sectors in line with the Hon'ble Court directions dated 02.12.2002 passed in LPA No. 159/2001 pursuant of which the Government Order No: 111-Edu(Tech) of 2007 dated 2.8.2007 was issued; and

Whereas, the Hon'ble High Court judgement dated 02.12.2002 passed in LPA No. 159/2001 and Judgement dated 11.3.2005 passed in SWP No. 303/2004 was implemented vide Government Order No: 111-Edu(Tech) of 2007 dated 02.8.2007 by upgrading the pay scale of the various categories of posts with the following rider in Para 3:-

*The posts of Senior and Junior Instructors in the ITI Sector already placed in the higher pay scale of Rs. 6500-10500 in pursuance of Court order dated 02-12-2002 in LPA No: 159/2001 shall continue as such and will be re-designated as Vocational Instructors as prescribed by the National Council on Vocational Trainings. However, the recruitment/promotions to the posts of Junior Instructors now re-designated as Vocational Instructors shall initially be in the pay scale of Rs. 4000-6000 and thereafter in the pay scale of Rs. 6500-10500 after they put in 5 years*

**service (for those having Matric with National Trade Certificate or National Apprenticeship Course and CTI pass) incumbents having no CTI/ATI facilities available in their designated trade shall require 7 years experience in that category.**

Whereas, the matter now stands converted into Contempt Proceedings in CCP(D) No. 22/2023 ( LPA No. 159/2001) titled Zahoor Ahmad & Ors Vs Asgar Hassan Samoon and others. The Hon'ble High Court has passed an interim Order dated 29.7.2025, operative part of which is reproduced as under:-

*"...2. It was further brought to the notice of the Court that the judgment supra was implemented by the respondents in letter and spirit and, therefore, they were under an obligation to ensure that the grade pay given to the petitioners is on a par with the grade pay given to the Drawing Instructors in the Polytechnic Sector.*

*03. The statement of facts/compliance report filed by the respondents through one Khan Farooq Ahmad, Joint Director, Skill Development, Kashmir, only shows defiance of the judgment passed by this Court. The respondents appear to have been acting as an Appellate Authority sitting over the judgment passed by the Division Bench of this Court. This Court has already ruled that the pay scale of the Drawing Instructors Working in ITI and Drawing Instructors working in Polytechnic Sector shall be the same and even in the face of said finding returned by the Division Bench, respondents are still trying to justify a different and a lesser pay scale for Drawing Instructor of the ITI Sector.*

*04. Statement of facts filed, on the face of it, is contemptuous in nature. However, before we frame a formal Robkar and call upon the respondents to answer the charge of contempt, we permit the petitioners to substitute the new incumbents who are now responsible to ensure that the judgment of the Division Bench is respected in all respects.*

*05. Mr. Shuja ul Haq, learned counsel appearing for the petitioner prays for and is granted two weeks' time to lay a formal application for substitution of the new incumbents.*

*06. List again on 03.09.2025.*

*07. In the meanwhile, Registry shall issue notice to the arrayed respondents to explain as to why they be not punished for committing contempt of this Court.*

Now, therefore, in view of the directions/judgments passed by the Hon'ble High Court, on 02.12.2002 and 11.03.2005 passed in case titled "ITI Employees Association J&K Vs. State of J&K and Ors, and order dated 29.7.2025 passed in Contempt Petition No.22/2023 titled Zahoor Ahmad & Ors V/S Asgar Hassan Samoon and others, the advice tendered by the Department of Law, Justice & PA and the subsequent concurrence of the Finance Department, sanction is hereby accorded to the:-

1. The following lines of Para 3 of the Government Order No. 111-Edu (Tech) of 2007 dated 02.08.2007, shall and shall always be deemed to have been deleted:

"The recruitment/promotions to the posts of Junior Instructors now re-designated as Vocational Instructors shall initially be in the pay scale of Rs. 4000-6000 and thereafter in the pay scale of Rs. 6500-10500 after they put in 5 years service (for those having Matric with National Trade Certificate or National Apprenticeship Course and CTI pass). Incumbents having no CTI/ATI facilities available in their designated trade shall require 7 years experience in that category."

2. Withdraw Government Order No. 42-JK(DSD) of 2023 dated 26.04.2023 ab-initio.

It is further ordered that the above course of action shall come into force notionally and no arrears shall accrue on this account.

By order of the Government of Jammu and Kashmir.

Sd/-  
(Kumar Rajeev Ranjan) IAS  
Secretary to the Government

No: DSD-Ig/119/2023-02 (7201496)

Dated :17 .11.2025

Copy to:

1. Principal Secretary to the Government, Finance Department
2. Joint Secretary J&K Ministry of Home Affairs, Govt. of India.
3. Additional Advocate General, Jammu
4. Secretary to the Government, Department of Law, Justice and Parliamentary Affairs.
5. Director Skill Development, J&K
6. Director, Archives, Archaeology & Museums, J&K Jammu.
7. Additional Secretary (Legal), Department of Skill Development for inf. and n/action
8. Additional Secretary with Hon'ble Deputy Chief Minister (I/c Minister Skill Development)
9. Pvt. Secretary to Administrative Secretary, Department of Skill Development.
10. Incharge Website, Department of Skill Development.
11. Government Order/Stock file

  
17.11.2025  
(Anil Kumar Raina)

Under Secretary to the Government