

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI CHIMANBHAI MEHTA): (a) The Association should have a minimum membership strength of 15 per cent of each of the categories of employees which they purport to represent.

(b) and (c) The enrolments figures etc. have been called from both the factions so that the question of their recognition and ultimate representation is discussed and a decision taken in the staff Council.

(d) to (f) The Association is expected to submit the list of the members with proof of their membership. The last date of submission of membership lists etc. has been extended upto 15.5.90 on the requests of some of the associations.

**Constitutional and Legal validity regarding promotions in Kendriya Vidyalaya Sangathan**

443. DR. NARREDDY THULASI REDDY:

SHRI ISH DUTT YADAV.

Will the PRIME MINISTER be pleased to refer to answer to Unstarred Question 1782 given in the Rajya Sabha on 27th March, 1990 and state:

(a) what is the stipulated period after which a promotee PGT, Vice-Principal and Principal in Kendriya Vidyalaya Sangathan can be/is debarred from promotion for a period of one year on declining promotion;

(b) what is the constitutional and legal validity of enforcing promotion;

(c) details of rules sub-rules/clauses/section under which disciplinary action can be resorted to if the promotee declines the enforced promotion; and

(d) what are the details of such action taken during the preceding three years?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI CHIMANBHAI MEHTA): (a) The stipulated period after which a promotee PGT, Vice-Principal and Principal is debarred from promotion is one month or date of refusal of such promotion, whichever is earlier. This period is extendable in individual cases, depending upon the circumstances.

(b) to (d) According to the existing instructions, which are based on Government of India Instructions when a Kendriya Vidyalaya Sangathan employee declines promotion to a higher grade when offered may make a written request to the appointing authority declining the same giving reasons therefor. Refusal of promotion would entail no fresh offer of promotion being made for a period of one year from the date of refusal. The employee, on eventual promotion will lose seniority *vis-a-vis* erstwhile juniors promoted earlier, irrespective of whether the post in question is filled by selection or seniority. In case the reasons adduced by the employee for refusal of promotion are not acceptable to the appointing authority, the promotion will be enforced. If the promotion is still refused, the employee is liable for disciplinary action under the rules. No promotion has had to be enforced during the last three years by the Kendriya Vidyalaya Sangathan.

**Promotion of Post Graduate Teachers to Vice-Principal for SC/ST in Kendriya Vidyalaya Sangathan**

444. SHRI ASHOK NATH VERMA: Will the PRIME MINISTER be pleased to state:

(a) whether there is any reservation for Scheduled Castes and Scheduled Tribes persons in promotion of Post Graduate Teachers of Kendriya Vidyalayas to the post of Vice-Principal;

(b) if so, what are the details thereof;