

**NATIONAL CONFERENCE ON SERVICE & EMPLOYMENT LAW [P-1454]**

**(23<sup>rd</sup> & 24<sup>th</sup> August, 2025)**

At the National Judicial Academy (NJA), Bhopal

**PARTICIPANTS: HIGH COURT JUDGES**

Academic Coordinator – Dr. Humayun Rasheed Khan, Professor, NJA

**PROGRAM SCHEDULE**

| SESSION & TIMING  | THEMES   |
|---|--|
| <b>DAY 1</b><br><b>23<sup>rd</sup> August 2025</b><br><b>(Saturday)</b> |  |
| <b>SESSION 1</b><br><br>10:30 AM -12:00<br>NOON                         | <b>Service Matters and Judicial Review</b><br><br><u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"> <li>• Constitutional Provisions &amp; Protection of Public Servants</li> <li>• Creation of Service Relationship <ul style="list-style-type: none"> <li>✓ Recruitment Process</li> <li>✓ Selection and Eligibility Criteria</li> <li>✓ Panel and Select List</li> <li>✓ Interpretation of Recruitment Rules</li> <li>✓ Appointment or non-appointment</li> <li>✓ Appointment on Compassionate Grounds</li> <li>✓ <i>Ad hoc</i> appointment and Regularization: Pre &amp; Post Uma Devi Scenario</li> </ul> </li> <li>• Disputes regarding Date of Birth</li> </ul> |
| Noon -12:30 PM  | <b>Tea Break</b>   |
| <b>SESSION 2</b><br><br>12:30 PM - 2:00 PM                              | <b>Judicial Review in Recruitment, Promotion and Transfer Matters</b><br><br><u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"> <li>• Promotion and Seniority <ul style="list-style-type: none"> <li>(a) Inter- se Seniority</li> <li>(b) Inter- se Seniority of Promotee Officers and Direct Recruits in All India Services and Higher Judicial Services</li> </ul> </li> <li>• Seniority List <ul style="list-style-type: none"> <li>(a) Selection through Departmental Promotion Committee</li> <li>(b) Selection through Selection Committee /Boad</li> </ul> </li> <li>• Sealed Cover Procedure in Promotion</li> <li>• Roster System</li> </ul>                  |
| 02:00 PM – 03:00 PM   | <b>Lunch Break</b>   |
| <b>SESSION 3</b><br><br>03:00 PM – 04:30 PM                             | <b>Reservation in Employment</b><br><br><u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"> <li>• Constitutional Provisions on Reservation in Service</li> <li>• Reservation of S.C./S.T and OBC Emerging Trends of Judicial Response</li> <li>• Reservation of S.C./ S.T in college and University</li> <li>• Certificates of Status as Reserved Candidates</li> <li>• Carry Forward Rule &amp; De-reservation</li> <li>• Discussion on <i>Madhuri Patil v. Commr Tribal Development, (1994) 6 SCC 241</i></li> </ul>  |
| 04:30 PM – 05:00 PM   | <b>Tea</b>   |

| <b>DAY 2</b><br><b>24<sup>th</sup> August 2025</b><br><b>(Sunday)</b> |   |
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| <b>SESSION 4</b><br><br>10:00 AM -11:30 AM                            | <b>Labour and Employment Law</b><br><br><u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"> <li>▪ Evolving Perspectives of Labour and Management</li> <li>▪ Recent Trends in Contract Labour</li> <li>▪ Constitutional Promises of Equality vis-à-vis Unfair Labour Practices</li> <li>▪ Retrenchment and Lay Off</li> <li>▪ Reinstatement and Back Wages</li> <li>▪ Problems of Outsourced Labour</li> </ul>  |
| 11:30 AM - 12:00 PM   | <b>Tea Break</b>  |
| <b>SESSION 5</b><br><br>12:00 PM - 01:30 PM                           | <b>Disciplinary Proceedings, Principle of Proportionality and Judicial Review</b><br><u>Proposed Scope of Discussion</u> <ul style="list-style-type: none"> <li>• Natural Justice and Disciplinary Proceedings <ul style="list-style-type: none"> <li>➤ Charge Sheet and Reply to the Charge- Sheet</li> <li>➤ Holding of Enquiry</li> <li>➤ Suspension</li> <li>➤ Production and Inspection of Documents during Enquiry</li> </ul> </li> <li>• Power of Court or Administrative Tribunal to interfere with Enquiry</li> <li>• Criminal Proceedings vis- a- vis Departmental Proceedings</li> <li>• Judicial Review in the context of Disciplinary Proceedings <ul style="list-style-type: none"> <li>▪ Resignation</li> <li>▪ Voluntary Retirement</li> <li>▪ Compulsory Retirement</li> <li>▪ Dismissal from Service</li> </ul> </li> <li>• Principles of Proportionality</li> <li>• Impact of Dismissal on Pension, Gratuity &amp; Provident Fund</li> </ul> |
| 01:30 PM – 01:45 PM   | <b>Audit of the Course by Participant Judges</b>  |
| <b>Lunch &amp; Departure</b>  |   |

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|--|------------|------------------------|
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