

**DIRECTORATE OF ELEMENTARY EDUCATION
HIMACHAL PRADESH, LALPANI SHIMLA**

Dated- Shimla-171001, the April, 2022.

In the matter of: CWP No. 6713/2022 titled as Rajesh Kumar Vs. State of H.P. & Others.

Whereas, Shri Rajesh Kumar, TGT (NM) preferred CWP No. 6713/2022 titled as Rajesh Kumar Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Bhaloo District Shimla (Hard Area) to District Kangra/Una in soft area. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 3.12.2021 when the Hon'ble High Court has passed the following orders:-

" 3. Accordingly, without adverting to the merits of the case, we disposed of the present writ petition with a direction that in case the petitioner moves a fresh representation to respondent No. 2 Director of Elementary Education Himachal Pradesh, as per guidelines laid down in the Transfer policy dated 10.7.2013, within a period of one week from today, then the said respondent shall dispose of the representation, in accordance with law, within 15 days of receipt of the representation alongwith copy of this order."

In the compliance of the aforesaid orders passed by the Hon'ble High Court, the petitioner was called for personal hearing on 1.2.2022. He attended the same and requested his transfer from hard area to his native place i.e. District Kangra/Una against vacancy or longer stayee in stations of his choice.

From perusal of record, it has been found that the petitioner is working in GSSS Bhaloo District Shimla since 2.08.2017 and has completed more than four years stay there. The petitioner is working in hard/sub-cadre area of Shimla District and is entitled for transfer at the station of his choice as per policy. The petitioner has given five stations of his choice in which four of District Una and one of District Kangra. One Smt. Sushma Sharma, TGT(NM) is working in GMS Upper Prithipur u/c GSSS Prithipur District Una since 3.3.2016 and has completed more than six years stay in his present place of posting. She has never served in hard/tribal area. Keeping in view of the position stated above, the petitioner is hereby transferred from GSSS Bhaloo District Shimla to GMS Upper Prithipur u/c GSSS Prithipur District Una & vice-versa, with TTA/JT to Smt. Sushma Sharma, TGT(NM). The representation of the petitioner is disposed of accordingly.

DIRECTOR

April, 2022

Endst:No:-EDN-H(2)B(6)1-18/2022-(NM)-dated, Shimla-1

Copy to the following for information and necessary action please:-

1. The Distt. Attorney (Edu.) Directorate of Elementary Education, Shimla
2. The Deputy Director of Education Shimla/Una (H.P.).
3. The Principal, Govt. Sr. Sec. School Bhaloo(Shimla)/GSSS Prithipur Distt. Kangra. H.P.
4. Regd.) Rajesh Kumar S/O Shri Prem Chand Vill. & P.O. Marwar Tehsil Ghanar District Una H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla .
6. Guard file.



DIRECTOR

DIRECTORATE OF ELEMENTARY EDUCATION
HIMACHAL PRADESH, LALPANI SHIMLA

प्रारम्भिक शिक्षा निदेशालय (हि.)

11 APR 2022

Dated- Shimla-171001, the April, 2022.

In the matter of: CWP No. 2054/2022 titled as Anita Kumari Vs. State of H.P. Shimla-1
& Others.

Whereas, Miss Anita Kumari, TGT (NM) preferred CWP No. 2054/2022 titled as Anita Kumari Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GMS Gujrehra u/c GSSS (Bilaspur) to GMS Samah u/c GSSS Kaffota, District Sirmour vice Smt. Poonam Kumari, TGT(NM) & vice-versa. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 5.4.2022 when the Hon'ble High Court has passed the following orders:-

" 3. Neither of the two situations are emerging from pleadings of the present writ petition. Even though the petitioner has made a hand written note in the petition qua the fact that transfer has been made on the basis of D.O. note but she has not mentioned as to on whose D.O. note the transfer has been made. Nor any such person has been made as party respondent on such allegation. The petitioner has completed normal tenure of three years at the present place of posting and thereafter chosen to be transferred. Hardship is always a matter, to be considered by the employer. The petitioner for that purpose can approach the Director, Elementary Education-respondent No. 2 raising argument of her hardship by way of a detailed representation, who shall, in turn, consider and decide the same within a period of two weeks from the date of submission of the representation alongiwith a copy of this order."

4. In view of above, the writ petition is disposed of, os also the pending miscellaneous(s), if any."

In the compliance of the aforesaid orders passed by the Hon'ble High Court, the petitioner submitted her representation in this office on 11.4.2022 and she has requested that her parents are in old age and suffering with old age problems, so she may kindly be adjusted near the any one station of residence. She further also requested to adjust her at GSSS Kothi Deora District Solan against vacancy.

From perusal of record, it has been found that the petitioner has been transferred from GMS Gujrehra u/c GSSS Gandeer District Bilaspur to GMS Samah u/c GSSS Kaffota District Sirmour vice Smt. Poonam Kumari, TGT(NM) & vice-versa on the completion of her normal tenure of three years with the prior approval of competent authority, as she is working in GMS Gujrehra u/c GSSS Gandeer District Bilaspur since 19.3.2019. Keeping in view of the position stated above, the representation of the petitioner is considered sympathetically, and she is hereby adjusted at GSSS Kothi Deora District Solan against vacancy, without TTA/JT. The representation of the petitioner is disposed of accordingly.

DIRECTOR

April, 2022

Endst:No:-EDN-H(2)B(6)1-18/2022-(NM)-dated, Shimla-1

Copy to the following for information and necessary action please:-

1. The Dist. Attorney (Edu.) Directorate of Elementary Education, Shimla, H. P.
2. The Deputy Director of Education Bilaspur/Solan (H.P.).
3. The Principal, Govt. Sr. Sec. School Gandeer(Bilaspur)/GSSS Kaffota Distt. Sirmour/GSSS Kothi Deora District Solan, H.P.

4. Regd.) Miss Anita Kumari D/O Shri Prem Chand, R/O Village Lalyar Post Office Bagwara Tehsil Bomson at Tauni Devi, District Hamirpur, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla .
6. Guard file.




DIRECTOR