

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

Dated Shimla-171001, the Feb, 2023

ORDER

In the matter of: CWP No. 8156/2022 titled as Manoj Kumar Vs. State of H.P. & Others.

Whereas, Sh. Manoj Kumar, TGT (NM) preferred CWP No. 8156/2022 titled as Manoj Kumar Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Ranol District Shimla to the station nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 25.11.2022 when the Hon'ble High Court has passed the following orders:-

" The petitioner, who is posted as TGT(NM) at GSSS Ranol, Tehsil Chirgoan, Distt. Shimla, is seeking his transfer from the present place of posting, which is a sub-cadre area. It is the case of the petitioner that he has completed his normal tenure at the present place of posting and under the transfer policy of the Government, he is entitled for a transfer. Learned counsel for the petitioner submits that the petitioner would make a fresh representation for his transfer and direction may be issued to respondent No. 2-The Director Elementary Education, Himachal Pradesh, to decide the representation expeditiously.

2. We accede to the request of learned counsel for the petitioner and permit the petitioner to make a fresh representation to respondent No. 2. If such representation is made within seven days from today, the same shall be decided by respondent No. 2, not later than four weeks from the date of receipt of the representation.

3. The writ petition to stand disposed of in the above terms, so also the pending miscellaneous application(s), if any."

Whereas, the petitioner was submitted his representations dated 5.12.2022. The petitioner was called for personal hearing on 27.01.2023 and he attended the same. At the time of personal hearing he has requested that he has completed normal tenure of three years at his present place of posting i.e. GSSS Ranol District Shimla which is a hard/sub-cadre area. He has further stated that he may please be adjusted as per the stations mentioned in the representation given by him at the time of personal hearing.

From perusal of record, it has been found that the petitioner has been working at GSSS Ranol District Shimla w.e.f. 22.11.2019 and has completed more than three years stay. The aforesaid school falls in hard/sub-cadre area. At present 46 students are studying in GSSS Ranol District Shimla. If the petitioner will be transferred from there the studies of students will suffer adversely. Therefore, after critical examination and thoughtful application of mind the request made by the petitioner is hereby rejected on administrative ground and in larger public interest. The representation of the petitioner is disposed of accordingly.

**Director
Elementary Education,
HP Shimla
Feb,2023**

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, H. P.
2. The Deputy Director of Education Shimla (H.P.)
3. The Principal, GSSS Ranol District Shimla (H.P.)
4. (Regd.) Sh. Manoj Kumar, S/o Shri Krishan Kumar R/O Vill. Sugnara P.O. Nagrota Surian Tehsil Jawali District Shimla, H.P.
5. The Nodal Officer (IT) Directorate of Elementary Education H.P. Shimla.
6. Guard file.



**Director
Elementary Education,
HP Shimla**

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

Dated Shimla-171001, the Feb, 2023

ORDER

In the matter of: CWP No. 7440/2022 titled as Avaden Singh Vs. State of H.P. & Others.

Whereas, Sh. Avaden Singh, TGT (NM) preferred CWP No. 7440/2022 titled as Avaden Singh Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GMS Kundi u/c GSSS Sunara District Chamba to the station nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 20.10.2022 when the Hon'ble High Court has passed the following orders:-

*" 4. Accordingly, without adverting to the merits of the case, we deem it appropriate to dispose of the writ petition with a direction that in case the petitioner moves fresh representation before respondent No. 2, Director of Elementary Education, Himachal Pradesh, in terms of the Transfer Policy dated 10.07.2013, within one week from today, the same shall be considered and disposed of by the said respondent, in accordance with law, within two weeks thereafter from the date of receipt of the representation alongwith copy of this order.
5. Pending miscellaneous application(s), if any, shall also stand disposed of."*

Whereas, the petitioner was submitted his representations in this office on 1.11.2022 and has given five stations of his choice in District Kangra & Chamba. However, the petitioner was called for personal hearing on 27.01.2023 and he attended the same. At the time of personal hearing he has requested that he has completed normal tenure of three years at his present place of posting i.e. GMS Kundi u/c GSSS Sunara District Chamva which is a hard/sub-cadre area. He has further stated that he may please be adjusted in the stations given in the representation submitted by him at the time of personal hearing.

From perusal of record, it has been found that the petitioner has been working at GMS Kundi u/c GSSS Sunara District Chamba w.e.f. 11.03.2019 and has completed more than three years stay. The aforesaid school falls in hard/sub-cadre area. At present 103 students are studying in GMS Kundi u/c GSSS Sunara District Chamba. If the petitioner will be transferred from there the studies of students will suffer adversely. Therefore, after critical examination and thoughtful application of mind the request made by the petitioner is hereby rejected on administrative ground and in larger public interest. The representation of the petitioner is disposed of accordingly.

Director
Elementary Education,
HP Shimla
Feb,2023

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, H. P.
2. The Deputy Director of Education Sirmour (H.P.)
3. The Principal, GSSS Korag District Sirmour (H.P.)
4. (Regd.) Sh. Abnish Kumar, S/o Shri Girdhari Lal R/O Vill. Dhagroon P.O. Jasana Tehsil Bangana District Una, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla
6. Guard file.

Director
Elementary Education,
HP Shimla



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

Dated Shimla-171001, the Feb, 2023

ORDER

In the matter of: CWP No. 8398/2022 titled as Savroop Chand Vs. State of H.P. & Others.

Whereas, Sh. Savroop Chand, TGT (NM) preferred CWP No. 8398/2022 titled as Savroop Chand Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GSSS Chhatrari District Chamba to the station nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 05.12.2022 when the Hon'ble High Court has passed the following orders:-

" Accordingly, without adverting to the merits of the case, we dispose of the writ petition with a direction that in case the petitioner moves a fresh representation before respondent No. 2, Director of Elementary Education, Himachal Pradesh, in terms of the Transfer Policy dated 10.07.2013, within one week from today, the same shall be disposed of by respondent No. 2, in accordance with law, within two weeks thereafter from the date of receipt of the representation moved by the petitioner, alongwith copy of this order."

5. Pending miscellaneous application(s), if any, shall also stand disposed of. To come up for compliance, on 10.03.2023."

Whereas, the petitioner was submitted his representations dated 6.12.2022. The petitioner was called for personal hearing on 27.01.2023 and he attended the same. At the time of personal hearing he has requested that he has completed normal tenure of three years at his present place of posting i.e. GSSS Chhatrari District Chamba which is a hard/sub-cadre area. He has further stated that he may please be adjusted at GMS Bhariyan/GSSS Sach/GSSS Mangla/GSSS Chamba/GSSS Kariyan District Chamba against vacancy/longer stay.

From perusal of record, it has been found that the petitioner has been working at GSSS Chhatrari District Chamba w.e.f. 01.06.2006 on PTA basis. Thereafter his services were taken on Contract basis on 5.01.2015 and further regularized on 29.08.2020 and has completed more than 16 years stay. He has a permanent resident of VPO Chhatrari Tehsil & District Chamba. The aforesaid school falls in hard/sub-cadre area. At present 95 students are studying in GSSS Chhatrari District Chamba. If the petitioner will be transferred from there the studies of students will suffer adversely. Therefore, after critical examination and thoughtful application of mind the request made by the petitioner is hereby rejected on administrative ground and in larger public interest. The representation of the petitioner is disposed of accordingly.

**Director
Elementary Education,
HP Shimla
Feb,2023**

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, H. P.
2. The Deputy Director of Education Chamba (H.P.)
3. The Principal, GSSS Chhatrari District Chamba (H.P.)
4. (Regd.) Sh. Savroop Chand, S/o Shri Karam Chand R/O Vill. & P.O. Chhatrari Tehsil & District Chamba, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla.
6. Guard file.



**Director
Elementary Education,
HP Shimla**

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

Dated Shimla-171001, the Feb, 2023

ORDER

In the matter of:

CWP No. 7487/2022 titled as Vinod Kumar Vs. State
of H.P. & Others.

Whereas, Sh. Vinod Kumar, TGT (NM) preferred CWP No. 7487/2022 titled as Vinod Kumar Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GMS Rulyani u/c GSSS Dalhousie District Chamba to the station nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 21.10.2022 when the Hon'ble High Court has passed the following orders:-

" After arguing the matter for some time, learned counsel for the petitioner seeks leave to withdraw the present writ petition. Accordingly, the writ petition is allowed to be withdrawn. However, we direct respondent No. 2-Director Elementary Education to decide representations dated 21.3.2022 & 30.09.2022 (Annexure P-3) of the petitioner not later than ten days from today. Pending miscellaneous application(s), if any, also to stand disposed of."

Whereas, the petitioner was submitted his representations in this office on 30.9.2022, 28.10.2022, 28.11.2022 and has given four stations of his choice in District Kangra. However, the petitioner was called for personal hearing on 23.1.2023 and he attended the same. At the time of personal hearing the petitioner has requested that he has completed more than three years stay at his present place of posting and he may be transferred from GMS Rulyani u/c GSSS Dalhousie District Chamba the station of his choice.

From perusal of record, it has been found that the petitioner has been working at GMS Rulyani u/c GSSS Dalhousie District Chamba w.e.f. 12.03.2019 and has completed more than three years stay. The aforesaid school falls in soft area and petitioner is not entitled for transfer to the station of his choice. Moreover, TGT(NM) is State Cadre post and the incumbents supposed to serve anywhere in the State as per requirement and administrative exigency. At present 19 students are studying in GMS Rulyani u/c GSSS Dalhousie District Chamba. If the petitioner will be transferred from there the studies of students will suffer adversely. Therefore, after critical examination and thoughtful application of mind the request made by the petitioner is hereby rejected on administrative ground and in larger public interest. The representation of the petitioner is disposed of accordingly.

**Director
Elementary Education,
HP Shimla
Jan,2023**

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, H. P.
2. The Deputy Director of Education Chamba (H.P.)
3. The Principal, GSSS Dalhousie District Chamba (H.P.)
4. (Regd.) Sh. Vinod Kumar, S/o Late Shri Gain Chand, R/O VPO Takoli Ghirthan, Tehsil Fatehpur District Kangra, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla.
6. Guard file.



**Director
Elementary Education,
HP Shimla**

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

Dated Shimla-171001, the Feb, 2023

ORDER

In the matter of: CWP No. 8199/2022 titled as Abnish Kumar Vs. State of H.P. & Others.

Whereas, Sh. Abnish Kumar, TGT (NM) preferred CWP No. 8199/2022 titled as Abnish Kumar Vs. State of H.P. before the Hon'ble High Court of H.P. regarding his transfer from GHS Barol u/c GSSS Korag District Sirmour to the station nearby his native place. The above writ petition was listed before the Hon'ble High Court, Himachal Pradesh on 28.11.2022 when the Hon'ble High Court has passed the following orders:-

"Accordingly, without adverting to the merits of the case, we deem it appropriate to dispose of the writ petition with a direction that in case the petitioner moves fresh representation before respondent No. 2, Director of Elementary Education, Himachal Pradesh, in terms of the Transfer Policy dated 10.07.2013, within one week from today, the same shall be considered and disposed of by the said respondent, in accordance with law, within two weeks thereafter from the date of receipt of the representation.

5. Pending miscellaneous application(s), if any, shall also stand disposed of.

6. To come up for compliance on 9th January, 2023."

Whereas, the petitioner has submitted his representations in this office on 1.12.2022 and has given five stations of his choice in District Una & Hamirpur but posts of TGT(NM) in all these schools were not lying vacant. However, the petitioner was called for personal hearing on 27.01.2023 and he attended the same. At the time of personal hearing he has requested that he has completed normal tenure of three years at his present place of posting i.e. GHS Barol u/c GSSS Korag District Sirmour which is a hard/sub-cadre area. He has further stated that he may please be adjusted at GSSS Kiarian District Una against vacancy being caused due to retirement of present incumbent on 28.02.2023.

From perusal of record, it has been found that the petitioner has been working at GHS Barol u/c GSSS Korag District Sirmour w.e.f. 14.11.2019 and has completed more than three years stay. The aforesaid school falls in hard/sub-cadre area. At present 46 students are studying in GHS Barol u/c GSSS Korag District Sirmour. If the petitioner will be transferred from there the studies of students will suffer adversely. Therefore, after critical examination and thoughtful application of mind the request made by the petitioner is hereby rejected on administrative ground and in larger public interest. The representation of the petitioner is disposed of accordingly.

**Director
Elementary Education,
HP Shimla
Feb,2023**

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

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2. The Deputy Director of Education Sirmour (H.P.)
3. The Principal, GSSS Korag District Sirmour (H.P.)
4. (Regd.) Sh. Abnish Kumar, S/o Shri Girdhari Lal R/O Vill. Dhagroon P.O. Jasana Tehsil Bangana District Una, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla.
6. Guard file.



**Director
Elementary Education,
HP Shimla**