

DIRECTORATE OF ELEMENTARY EDUCATION
HIMACHAL PRADESH, LALPANI SHIMLA.

Dated- Shimla-171001, the

March, 2021

In the matter of: CWP. No. 4939/2020-titled as Archana Devi, TGT (NM) Vs. State of H.P. & Others.

Whereas, Smt. Archana Devi, TGT(NM) who is presently working in GMS Sanahan u/c GSSS Lylh Distt. Chamba has filed CWP No. 4939/2020 tiled as Archana Devi Vs. State of H.P. before the Hon'ble High Court of H.P regarding her transfer from GMS Sanahan u/c GSSS Lylh Distt. Chamba to soft area after completion of normal tenure. The case of the petitioner was listed before the Hon'ble High Court Himachal Pradesh on 04.11.2020, when after hearing the matter the Hon'ble High Court has directed as under:-

"Consequently, this petition is disposed of with liberty to the petitioner to make a fresh representation to the respondent/ authorities concerned giving five stations of her choice, which must be spread in more than one district, within one week from today, in the light of clause 16.1 read with clause 16.5 of the transfer policy. On receipt of such representation, the respondent/authorities shall consider the representation of the petitioner, in the light of the transfer policy occupying the field, and pass appropriate orders, within two weeks. It is clarified that while deciding the representation of the petitioner the respondents shall consider the stations of choice of the petitioner as mentioned in her representation, subject to the condition that the incumbents posted there have completed their normal tenure of posting, in accordance with the transfer policy. In case none of them have completed the normal tenure then the office of the respondent/authorities shall get in touch with the petitioner apprising her of vacant stations where the incumbents have completed their normal tenure and the possible places where the petitioner can be posted. The petitioner is at liberty to approach this Court again, in case she still feels aggrieved and dissatisfied by the outcome of the representation. Pending application(s), if any, are closed."

In compliance to the directions of the Hon'ble High Court the petitioner was called for personal hearing on 29.01.21 and 19.2.21 but, she failed to attend personal hearing on above dates. The department has received representation of Smt. Archana Devi TGT (NM) on 01.03.2021 wherein the concerned teacher has requested that she may kindly be adjusted in Distt.Kangra against vacancy which will accrue due to the promotion of TGTs to the cadre of PGTs. Since, presently promotion list has not been issued by the Director of Higher Education hence, request for transfer in Distt. Kangra cannot be acceded to at this stage.



The representation of the applicant is disposed of accordingly.

Soy

DIRECTOR
March, 2021

Endst:No:-EDN-H(2)B(6)1-18/2021-(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 Lylh Distt. Chamba H.P.
4. (Regd.) Smt. Archana Devi, TGT(NM) GMS Sanahan u/c GSSS Lylh Distt. Chamba, H.P.
5. The Nodal Officer (IT), Directorate of Elementary Education H.P. Shimla .
6. Guard file.

DIRECTOR