No. EDN-H(2) B(6)-1-18/2025-(NM)-CC-
DIRECTORATE OF SCHOOL EDUCATION
HIMACHAL PRADESH LALPANI SHIMLA
Dated Shimla-171001, the Oct., 2026

ORDER

In the matter of: CWP No. 18225/2026- Sh. Shiv Kumar, TGT(NM) Vs. State of H.P. and others.

Whereas, Sh. Shiv Kumar, TGT(NM) previously working in GSSS Gowal Tikker, Distt. Kangra has filed CWPNo.18225/2026 titled as Sh. Shiv Kumar Vs. State of Himachal Pradesh before the Hon'ble High Court, seeking the relief that he may be adjusted at one of the stations of his choice in Distt. Kangra. The case of the petitioner was listed before the Hon'ble High Court on 12.10.2026 when after hearing the matter the Hon'ble court was pleased to dispose of the above mentioned CWP with the following directions/Order :-

"Taking note of above submission, this writ petition is disposed of without interfering with transfer of respondent No.3 under the impugned office order dated 29.09.2026, Annexure P-1, but reserving liberty to the petitioner to represent against his transfer to sub-cadre area. In case such a representation is preferred within three days to respondent No.2, the same shall be considered and decided by respondent No.2/competent authority within 10 days thereafter. Till such time, petitioner shall not be compelled to join at the transferred station. He shall be at liberty to avail leave of the kind due. It is, however, clarified that in case representation is not made by the petitioner within the indicated timelines, the limited protection granted under this order shall cease to operate. Pending applications, if any, also stand disposed of."

In compliance to the directions of the Hon'ble High Court, the petitioner has submitted his representation on 14.10.2026 alongwith copy of order passed by the Hon'ble High Court on 12.10.2026, wherein requested that he may be adjusted at GSSS Purba or GSSS Thural or GSSS Lahala or GHS Bhagotla, Distt. Kangra, against longer stayee.

After perusal of the relevant record, it is revealed that the petitioner was transferred from GSSS Gowal Tikker(Kangra) to GHS Balh(Mandi) vide order dated 29.09.2026 with the prior approval of the competent authority. One, Smt. Lata Goshwami, TGT(NM) has been working in GHS Bhagutla, Distt. Kangra since 23.09.2022 and has completed her normal tenure of three years at her present place of posting.

Therefore, keeping in view the position stated above, the representation made by the petitioner is considered sympathetically and he is hereby adjusted at GHS Bhagutla, Distt. Kangra vice Smt. Lata Goshwani, TGT(NM) without TTA/JT and Smt. Lata Goshwani, TGT(NM) is hereby further transferred to GHS Balh(Mandi) in place of Sh. Shiv Kumar, TGT(NM).

Therefore, the representation of the petitioner is disposed of after due consideration. All the concerned be intimated accordingly.

DIRECTOR
Oct., 2026

Endst:No:- even dated, Shimla171001
Copy to the following for information and necessary action please:-

1. The Distt. Attorney, Directorate of School Education, H.P.Shimla.
2. The Deputy Director of School Education(Ele.), Mandi/Kangra, (H.P.).
3. The Principal/Headmaster, GSSS Gowal Tikker(Kangra)/Balh(Mandi)(H.P).
4. Sh. Shiv Kumar, TGT(NM) GSSS Gowal Tikker(Kangra)(H.P).
5. Incharge(IT) Directorate of School Education, H.P.Shimla(H.P).

DIRECTOR

Directorate of School Education
30 OCT 2026
Himachal Pradesh, Shimla-171001

No. EDN(SE)-H(7)26/2025
Directorate of School Education
Himachal Pradesh.

Dated Shimla-171001

Directorate of School Education
30 OCT 2026
Himachal Pradesh, Shimla-171001

ORDER

Whereas, Sh. Sanjay Kumar, DPE/Lect. Phy.Education has filed CWP No. 15841/2026 before the Hon'ble High Court regarding seeking his transfer from GSSS Bharmar (KGR) to one of the station of his choice i.e. GSSS Poolan /GSSS Garola /GSSS Chobia against longer stayee, as he has completed his normal tenure at present place of posting as well as his mother medical issue and due to her advanced age and recurring illness, she requires his regular care and support.

The case was listed before the Hon'ble Court on 11.09.2026 when the case was disposed of with the following directions:-

"Petitioner is serving as DPE at GSSS Bharmar, Tehsil Jawali, District Kangra. His case is that on completion of much more than the requisite tenure at the aforesaid station and faced with certain domestic problems, he preferred a representation on 24.07.2026 (Annexure P-3) to respondent No.2, seeking transfer from his present place of posting. Petitioner's grievance is that the aforesaid representation has not been considered and decided by the competent authority till date.

Looking to the limited grievance of the petitioner, this writ petition is disposed of by directing respondent No.2/competent authority to consider and decide the aforesaid representation of the petitioner dated 24.07.2026 (Annexure P-3) in accordance with law and applicable transfer policy, within a period of four weeks from today. The decision so arrived at shall also be communicated to the petitioner. The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any"

And whereas, in compliance of Hon'ble High Court direction petitioner was called for personal hearing on 22.10.2026. During the course of hearing petitioner has informed that he is completed his normal tenure at present place of posting and now he is unable to serving at present place of posting due to his adverse family circumstances and health iussue of his mother and in view of his ongoing circumstances he may kindly be adjusted at the station of his choice i.e. GSSS Poolan /GSSS Garola /GSSS Chobia Distt. Chamba against longer stayee.

And whereas, services and posting records of the incumbents posted at the stations sought by the petitioner have been examined in r/o GSSS Poolan (CBA), It has been observed that Sh. Mohinder Singh, DPE/Lect. Phy.Education is presently posted in the said institution w.e.f. 13.09.2007 from his first appointment on PTA basis and did not serve any other station, therefore in accordance with the transfer policy and being a state cadre employee, he is liable to be transferred to any station within the state, as per requirement of the department.

Now therefore, after taking into account of the above facts and circumstances of the case, representation of petitioner is considered sympathically and petitioner i.e. Sh. Sanjay Kumar, DPE/Lect. Phy.Education, who is posted at GSSS Bharmar (KGR) is hereby transferred to GSSS Poolan (CBA) without TTA/JT vice Sh. Mohinder Singh, DPE/Lect. Phy.Education, and vice versa, with TTA/ JT.

Directorate of School Education
30 OCT 2026
Himachal Pradesh, Shimla-171001

With these observations, representation stands disposed of.

Director School Education
Himachal Pradesh.

Endst No. Even Dated Shimla-171001, the
Copy is forwarded to the following for information and necessary action please:-

1. The Deputy Director of School Education (Secondary), Kangra/Chamba.
2. The Principal, GSSS Bharmar (KGR)/ GSSS Poolan (CBA).
3. Supdt. Legal Cell, DSE in view of CWP No. 15841/2026.
4. Incharge, IT Cell, DSE to upload the said orders on official website.
5. Guard File.

Director School Education
Himachal Pradesh.

No. EDN(SE)-H(7)26/2025
Directorate of School Education,
Himachal Pradesh

Directorate of School Education
30 OCT 2026
Himachal Pradesh, Shimla-171001

Dated Shimla-171001

To

The Principal,
GSSS (G) Santokhgarh (Una)

Subject:- Regarding implemention of Ho'ble High Court judgement dated 13.10.2026 in CWP No. 18381/2026 titled as Parveen Sharma vs UOI and ors.

Memo;

In Pursuance to the Judgement dated 13.10.2026 in CWP No. 18381/2026 titled as Parveen Sharma DPE vs UOI and ors, you are directed to comply the orders of Hon'ble High Court (Copy Enclosed) under intimation to this directorate.

Director of School Education
Himachal Pradesh.

Endst No. Even Dated Shimla-171001, the
Copy is forwarded to the following for information and necessary action please:-

1. The Deputy Director of School Education (Secondary), Una/ Kinnaur.
2. The Prinicpal GSSS Batseri (Kinnaur).
3. Incharge, IT Cell, DSE to upload the said orders on official website.
4. Guard File.

Director of School Education
Himachal Pradesh.

No. EDN(SE)-H(3)B(6)SLP(C) No. 7423/2026-Yog Raj
Directorate of School Education
Himachal Pradesh, Shimla-171001

Dated: Shimla-171001, October, 2026

ORDER

Whereas, representations submitted by **Sh. Yog Raj** S/o Sh. Chet Ram, R/o Village Rakhoon, PO Kotmoras, Tehsil Sadar, Distt. Mandi (HP), Sh. Bipan Kumar, Village Kapahi, PO Sari, Tehsil Dharampur, Distt. Mandi (HP), Sh. Narinder Singh S/o Sh. Sohan Singh, R/o Chhallah Kuffer PO Deothi Majhgaon Tehsil Rajgarh, Distt. Sirmour 171226 (HP) and Sh. Khem Chand S/o Sh. Sukh Ram, R/o Village Beena, PO Kalahod, Tehsil Sunder Nagar, Mandi, (HP) addressed to the Principal Secretary (Education) to the Government of Himachal Pradesh, as well as to this office were received in this Directorate seeking the following reliefs:

1. Extend the benefit of the one-time relaxation policy dated 15.02.2011 uniformly to the petitioners as members of the old batch.
2. Extend to the petitioners the same benefit already granted to Saroj Kumar & Others, Sh. Amrik Singh, and other similarly situated candidates.
3. Consider and appoint the petitioners against the existing vacant posts of Physical Education Teachers.
4. Pass a reasoned and speaking order on this representation in compliance with the liberty granted by the Hon'ble Supreme Court in SLP (Civil) No. 7423 of 2026 and connected matters.

1. Background & Factual Matrix

1. The Recruitment and Promotion (R&P) Rules for the post of Physical Education Teacher (PET) notified on 28.12.1973 were repealed and reframed vide Notification dated **10.01.2011** in consonance with the guidelines of the National Council for Teacher Education (NCTE) and the provisions of the Right of Children to Free and Compulsory Education Act, 2009 (RTE Act).
2. Under the amended R&P Rules dated 10.01.2011, the minimum educational qualification for the post of PET was prescribed as 10+2 with **2-year Diploma in Physical Education (D.P.Ed.)** OR Bachelor's Degree in Physical Education (B.P.Ed.). Candidates possessing 1-year Diploma under the repealed 1973 rules became ineligible for prospective recruitments.
3. Upon enforcement of the amended rules, the State Government accorded **one-time relaxation** communicated vide letter dated **15.02.2011** strictly for filling up **1000 sanctioned posts** of C&V teachers across various categories (including **125 posts of PETs**), permitting recruitments under both old and new R&P Rules, subject to the condition that appointees under old rules improve their qualifications within five years.
4. All 125 sanctioned posts of PETs under the said one-time relaxation policy were duly filled up (63 posts by direct recruitment and 62 posts on a batch-wise basis). The candidates having applicants participated in the selection process but could not be selected due to their lower batch-wise placement/seniority. Upon completion of

recruitment for these 125 posts, the process under the one-time relaxation policy culminated.

2. Judicial History

1. The petitioners in the Civil writ petition No. 8022/2012 were qualified as per old R&P Rules to the post of PET approached the Hon'ble High Court of H.P. to extend the benefit of the decision of State Government communicated vide letter dated 15.02.2011 and the same was disposed of with a direction to the respondents to consider the cases of the petitioners for appointment to the post of Physical Education Teachers in the light of the decision so taken by the Government and the fact that the Government has already given appointment to similarly situated persons under the old R&P Rules. This would be subject to the petitioners acquiring educational qualification within five years from the date of appointment.
2. In compliance to the orders passed by the Hon'ble High Court of H.P. in above court case and subsequent dismissal of SLP No. 17560/2013 on 17.12.2013, special approval was granted by the Government to appoint 20 specific petitioners in CWP No. 8022/2012 as a special case by imposing a specific condition to the effect that these appointees shall have to improve their educational qualification in order to satisfy the provisions made in Rule 23 sub Rule (2) under Right of Children for Free and Compulsory Education Act, 2009 within five years.
3. Numerous of candidates who were not qualified in terms of amended R&P Rules of PET approached the Hon'ble High Court to extend the similar benefit on the analogy of CWP No. 8022/2012 and the Hon'ble Court with almost identical orders directed the respondent(s) to decide their cases in the light of above judgment, if otherwise similarly situated. Before deciding their cases, the petitioners in various CWPs started filing contempt petitions and thereafter, the respondent No. 1 (Secretary Education) rejected the claims of the petitioners by passing detailed order dated 30.6.2015 with a view that relaxation in R&P Rules cannot be stretched for infinite period of time. The order dated 30.6.2015 were further challenged by the applicants in OA No. 2781/2015 and the same has been decided alongwith 31 connected matters vide order dated 28.4.2017 with a direction to respondents/ competent authority to re-consider the entire matter afresh. Accordingly, the respondent No. 1, after due consideration rejected the case of the applicants by way of passing order dated 10.7.2018.
4. The petitioners challenged once again the Govt. order dated 10.7.2018 in the Hon'ble High Court under CWPOA No. 3573/2019-titled as Yog Raj and others Vs. State of H.P. and others in the Hon'ble High Court which was decided on 19.07.2022.
5. Feeling aggrieved appellant state filed Later Patent Appeal (LPA) 194/2023. The Hon'ble High Court of HP has disposed of above LPA No. 194/2023 titled as State of HP versus Yog Raj and on 09.01.2026. Operative part of the judgment is reproduced as under: -

   "In view of aforesaid discussion and for reasons recorded hereinabove, Letters Patent Appeal(s) filed by the State Authorities are allowed and the connected writ petitions {CWP's and CWPOA's} are dismissed, in the following terms:

   (i). Letters Patent Appeal No 194 of 2023, State of Himachal Pradesh and others versus Yog Raj and LPA Nos.11, 12, 13, 14, 15, 16, 17 and 18 of 2025, are allowed;

(ii). Writ Petition i.e. CWPOA No.5740 of 2020, 5663 of 2022, 6475 of 2022, 6476 of 2022, CWP Nos. 1756, 1759, 1809, 1897, 2821 of 2023, are dismissed;

(iii). Impugned Judgement dated 19.07.2022 passed by Learned Single Judge in Yog Raj versus State of Himachal Pradesh, in Lead Case and connected cases is quashed and set aside;

(iv). Claim of writ petitioners for relaxation with prayer for appointment against future vacancies is disapproved, being dehors the Recruitment and Promotion Rules dated 10.01.2011 [Annexure A-1] and dehors NCTE Regulations dated 12.11.2014;

(v) Parties to bear respective costs.

In aforesaid terms, instant appeals and writ petitions along with all pending application(s), if any shall stand disposed of."

The applicants challenged the Division Bench judgment dated 09.01.2026 before the Hon'ble Supreme Court of India. The Hon'ble Apex Court vide order dated **14.07.2026** dismissed the Special Leave Petitions, observing as under:

"1. We do not find any good ground to entertain these petitions. The special leave petitions are, accordingly, dismissed.

2. Petitioners would be at liberty to pursue his grievance if any, before the appropriate authority."

In pursuance of the liberty granted by the Hon'ble Supreme Court, the matter was submitted to the Government for examination and instructions. The Department of School Education, Government of Himachal Pradesh vide letter **No. EDN-C-B(1)3/2019-Part-I dated 15.09.2026** conveyed the considered decision of the Government as under:

"The matter has been examined in this Department and it has been decided that no relaxation in the essential qualification prescribed in the R&P Rules for the post of P.E.T. notified on 10.01.2011 can not be given."

3. Order.

In view of the detailed facts, statutory provisions, and binding judicial pronouncements summarized above:

1. The claim of the applicants for extension of the one-time relaxation policy dated 15.02.2011 to future recruitments is **dehors** the Recruitment and Promotion Rules dated 10.01.2011 and contrary to the mandatory NCTE Regulations dated 12.11.2014.
2. The applicants, possessing 1-year Diploma in Physical Education, do not fulfill the prescribed minimum educational qualifications under the extant R&P Rules dated 10.01.2011 and are therefore ineligible for appointment to the post of Physical Education Teacher.
3. The Hon'ble High Court of Himachal Pradesh in LPA No. 194 of 2023 (decided on 09.01.2026) has unequivocally disapproved the claim for relaxation/appointment against future vacancies, which has been affirmed upon dismissal of SLP (C) No. 7423/2026 by the Hon'ble Supreme Court of India on 14.07.2026.
4. The Government of Himachal Pradesh vide decision dated 15.09.2026 has also explicitly affirmed that no relaxation in essential qualifications can be granted.

Accordingly, the representations dated nil submitted by **Sh. Yog Raj, Sh. Bipan Kumar, Sh. Narinder Singh, Sh. Khem Chand** and other connected applicants for

seeking relaxation in qualifications and appointment to the post of Physical Education Teacher are found to be devoid of merit and are hereby rejected.

Representations stand disposed of; inform the applicants accordingly.

Director of School Education
Himachal Pradesh, Shimla-1

Endst. No. even, dated: Shimla-1 October, 2026

Copy forwarded for information to: -

1. The Secretary (Education) to the Government of Himachal Pradesh, Shimla-171002, for information with reference to letter No. EDN-C-B(1)3/2019-Part-I dated 15.09.2026.
2. The District Attorney, Directorate of School Education H.P. w.r.t. his UO No. EDN(SE)-H(14)LC-791/2022-MND dated 22.07.2026.
3. Sh. Yog Raj S/o Sh. Chet Ram, R/o Village Rakhoon, PO Kotmoras, Tehsil Sadar, Distt. Mandi (HP).
4. Sh. Bipan Kumar, Village Kapahi, PO Sari, Tehsil Dharampur, Distt. Mandi (HP).
5. Sh. Narinder Singh S/o Sh. Sohan Singh, R/o Chhallah Kuffer PO Deothi Majhgaon Tehsil Rajgarh, Distt. Sirmour 171226 (HP).
6. Sh. Khem Chand S/o Sh. Sukh Ram, R/o Village Beena, PO Kalahod, Tehsil Sunder Nagar, Mandi, (HP)
7. The Nodal Officer, IT Cell, Dte. of School Edu. H.P. to upload the same on official website.
8. Guard File.

Director of School Education
Himachal Pradesh, Shimla-1

Directorate of School Education
30 OCT 2026
Himachal Pradesh, Shimla - 171001