

Government of Jammu and Kashmir
School Education Department
Civil Secretariat, Jammu/Srinagar

Posting/Adjustment of Mr. Gh. Mohi-ud-Din, Principal, School Education Department.

Government Order No: 1772 -Edu of 2022
D a t e d :- 12 -07-2022

In the interest of administration, Mr. Gh. Mohi-ud-Din Bhat (Principal), awaiting orders of adjustment, is hereby posted/adjusted as HOD DIET against an available vacancy.

However, due to administrative exigencies and dearth of staff, besides experience in the field, the services of the officer shall be utilized in the HRM School Education Department till further orders.

The salary of the concerned officer shall be drawn & disbursed w.e.f. 2022 from the DIET Srinagar as per his LPC and Service Book.

By Order of the Government of Jammu and Kashmir.

Sd/-
(B.K. Singh)
Principal Secretary to Government

Dated: 12 -07-2022

HRM-158/2022(C.No.170309)

To the:-
Joint Secretary, J&K, Ministry of Home Affairs, Government of India, New Delhi.
Director School Education Jammu/Kashmir.
CSD to Advisor (B) for information of the Hon'ble Advisor.
Principal, DIET Srinagar for information and n/a.
Concerned Officer.
Pvt. Secretary to Principal Secretary to Government, School Education Department.
I/C Website, School Education Department.
Government Order file/Monday return (w.3.s.c)

(Mohd Iqbal Mir), JKAS
Under Secretary to Government

Government of Jammu and Kashmir
School Education Department
Civil Secretariat, Srinagar/ Jammu

Sub: Stepping up of pay of Mr. Syed Hussain Andrabi, I/C Lecturer, HSS Koil, Pulwama.
Ref: DSEK's Letter No. DSEK/Acctts/2354 dated 05.03.2022.

Government Order No: 1773-Edu of 2022
Dated: 13 -07-2022

In terms of the provisions laid down in Article 77-B of J&K CSR, 1996 Vol I read with SRO-14 dated 15.01.1996, sanction is hereby accorded to the stepping-up of pay of Mr Syed Hussain Andrabi, I/C Lecturer, HSS Koil Pulwama (retired) from Rs. 21410 (17130 + 4280) in the pay band of Rs. 9300-34800+ GP 4280 to Rs. 22080 (17780 + 4300) in the pay band of Rs. 9300-34800+ GP 4300 (pre-revised) to bring his pay at par with his junior counterpart namely Mr. Ab Gani Beg notionally w.e.f 01.06.2015 and monetarily w.e.f 01.04.2021 i.e the month of his retirement.

By order of the Government of Jammu and Kashmir

(Bishwajit Kumar Singh)
Principal Secretary to Government
School Education Department

Dated: 13 -07-2022

No. Edu-Actt0SUC/12/2022

Copy to the:.

1. Accountant General, J&K, Srinagar.
2. Joint Secretary (J&K), Ministry of Home Affairs, GoI.
3. Director School Education, Kashmir.
4. Chief Education Officer, Pulwama.
5. Concerned.
6. Govt. Order File (w.2.s.cs).


(Iftikhar Hussain Chauhan)
Director Finance
School Education Department

Subject: Transfer and Posting of I/c Head Masters.

Government Order No. 1069-Edu of 2022 dated 10-05-2022

Government Order No.: 1774 -Edu of 2022
Dated: 13-07-2022

In the interest of administration, Mr. Koushal Kumar, Head Master under orders of Government as Z/O Pancheri Udhampur is now posted as Senior Head Master GHS, Bhagwati Nagar, Jammu in view of his superannuation on 30-09-2022.

By Order of the Government of Jammu and Kashmir.

Sd/-

(B.K. Singh)

Principal Secretary to the Government

Dated: 13-07-2022

No. Edu-HRM/233/2021 (C No. 79618)

Copy to the:

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Joint Secretary J&K, Ministry of Home Affairs, Government of India.
3. Director Archives, Archaeology & Museum, J&K.
4. Director School Education, Jammu.
5. OSD to Advisor (B) to the Hon'ble Lieutenant Governor for information of the Hon'ble Advisor.
6. Chief Education Officer, Jammu/ Udhampur.
7. Concerned for information.
8. Private Secretary to Principal Secretary to Government, School Education Department.
9. I/c website, School Education Department.
10. Government Order file (w 252)

(Mohammad Iqbal Mir) 13-07-2022
Under Secretary to the Government

GOVERNMENT OF JAMMU AND KASHMIR
SCHOOL EDUCATION DEPARTMENT,
CIVIL SECRETARIAT JAMMU/SRINAGAR
(Legal Section)

O A No. 61/291/2022 titled Gazala Afsar Malik Vs UT of J&K and others.

Government Order No: 1775.Edu of 2022

Dated: 15-07-2022

Whereas, the School Education Department vide Government Order No 322-
of 2019 dated 16.10.2019, the applicant was promoted as I/C Lecturer in the
discipline of Urdu in School Education Department;

Whereas, vide Government Order No. 1455-JK(Edu) of 2021 dated 24.09.2021,
the applicant was transferred/adjusted from District Institute of Education and Trainings,
DIET, Rajouri to Government Higher Secondary School, Chingus, Rajouri;

Whereas, the applicant approached the Hon'ble Central Administrative Tribunal,
Jammu and has sought following relief:-

- I. Quashing the Government Order No. 1455-JK(Edu) of 2021 dated 24.09.2021 issued by the respondent No. 1 by virtue of which the applicant has been transferred from DIET, Rajouri to HSS Chingus, Rajouri.
- II. Commanding upon the respondents to decide the representation of the applicant with regard to modification of the Government Order No. 1455-JK(Edu) of 2021 dated 24.09.2021 in respect of her adjustment from HSS Chingus to HSS Mohalia Kassaban Jammu on available vacancy on medical grounds.

Whereas, the Hon'ble Central Administrative Tribunal Jammu vide its order dated 31.03.2022 disposed of the O.A of the applicant with the following directions:-

"On considering the above submissions of counsels for the parties, this O.A. is disposed of at admission stage, without expressing any opinion on merits of the case, directing Respondent No. 1 to decide the pending representation of the applicant dated 19.07.2021 in view of her health grounds as per provisions of transfer policy and decide it with a speaking order within four weeks from the date of receipt of a certified copy of this order and within one week thereafter to communicate it to the applicant. No costs".

Whereas, the representation of the applicant was examined in the Department and found that the post of Lecturer is a UT cadre post and the UT cadre Officer is required to serve in any part of the Union Territory of J&K upon Administrative requirement of the Government and as such cannot insist upon posting at a particular place of his choice;



Whereas, in terms of Rule 27 of Classification Control and Appeal Rules, 1956, a member of a service or class of a service may be required to serve in any part of the Union Territory of Jammu and Kashmir on any post borne on the cadre of such service or class.

Whereas, the issue of transfer and postings has been considered time and again by the Hon'ble Supreme Court, and the entire law is settled by catena of decisions of the Apex Court. It is settled law that transfer of a Government servant appointed to a particular cadre of transferable post from one place to the other is an incident of service. No Government servant, therefore, has any legal right for being posted at any particular place. Moreover transfer from one place to another is necessary in public interest and exigency in public administration as held in "Gujrat Electricity Board Vs Atma Ram Sugjomal Poshani", AIR 1989 SC 1433, which reads as under:-

"An employee holding a transferable post cannot claim any vested right to work on a particular place as the transfer order does not affect any of his legal rights and Court cannot interfere with a transfer/posting which is made in public interest or on administrative exigency."

Whereas, the Hon'ble High Court of Jammu and Kashmir at Jammu vide its judgment dated 18.05.2018 passed in SWP No. 891/2018 titled Shivani Manhas Vs State of J&K and others has held that the transfer of an employee is the mandate of the employer and an employee can be transferred at any place keeping in view the administrative exigency;

Whereas, a Division Bench of the Hon'ble Supreme Court while dismissing a Special Leave Petition (SLP) vide its judgment dated 06.09.2021 has passed the following:-

"It is not for the employee to insist to transfer him/her and/or not to transfer him/her at a particular place. It is for the employer to transfer an employee considering the requirement,"

Whereas, the applicant has been posted as I/C Lecturer, HSS Chingus, Rajouri, which is only few Kms from Rajouri City and as such she can avail medical facilities at her place of posting i.e., HSS Chingus. Further the nature of medical condition in no way prevention employee from discharging his/her duties.



Now, therefore, the claim of the applicant has been considered in light of the directions passed by the Hon'ble Central Administrative Tribunal, Jammu Bench, Jammu on 31.03.2022 passed in O.A No. 61/201/2022 titled Gazala Afsar Malik Vs UT of J&K and others and has been found devoid of merit, hence rejected.

By Order of the Government of Jammu and Kashmir

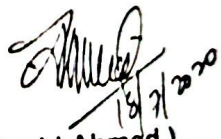
Sd/-
(B.K. Singh)
Principal Secretary to Government
School Education Department

Dated 15-07-2022

No Edu-LGL0Jmu(CAT)/40/2022-01

Copy to the -

1. Joint Secretary, (J&K), Ministry of Home Affairs, Government of India.
1. Director School Education, Jammu for information and necessary action.
2. Chief Education Officer, Rajouri for information and necessary action.
3. Pvt Secy to Principal Secy. to Government, School Education Department.
4. Concerned petitioner.
5. I/C Website
5. Govt. Order file (w.3.s.c).


(Javid Ahmed)
Additional Secretary to Government
School Education Department

Government of Jammu and Kashmir
School Education Department
J&K, Civil Secretariat, Jammu

Subject: - Inter-District transfer of Teachers/Masters/Jr.Assistant/Lab.Assistant.

Government Order No: 1776 -Edu of 2022

Dated: 15.07.2022

In the interest of administration, transfer & posting of the following official(s) is ordered with immediate effect:-

| No | Name of Employee | Designation | Present Place of posting | New Place of Posting |
|-----|------------------------|-------------|---|----------------------|
| 1. | Amarjet Kour | Teacher | GMS Thokerpora, Budgam | Srinagar |
| 2. | Arsalna | Teacher | HSS Pampore, Pulwama | Srinagar |
| 3. | Jasbeer Kour | Master | Pattan, Baramulla | Srinagar |
| 4. | Easha Pandita | Teacher | Pampore, Pulwama | Srinagar |
| 5. | Gurpreet Kour | Teacher | GMS Chadoora, Budgam | Srinagar |
| 6. | Vinod Kumar Dhar | Teacher | GMS Bumhama, Kupwara | Srinagar |
| 7. | Arjun Kumar | Jr. Asstt. | BHS Manzhar, Kupwara | Srinagar |
| 8. | Sanjay Kumar Pandit | Teacher | GHSS Khumeryal, Kupwara | Srinagar |
| 9. | Rajesh Kumar | Teacher | PS Chatwan, Kupwara | Srinagar |
| 10. | Vishal Mantoo | Teacher | GHS Konmoh, Pulwama | Srinagar |
| 11. | Pooja Thakar | Lab. Asstt. | MS Palpora, Anantnag | Srinagar |
| 12. | Gurdeep Kour | Teacher | BMS Nablal Pampore, District Pulwama | Srinagar |

The above officials shall be deemed to have been relieved.
By order of the Government of Jammu and Kashmir.

Sd/-
(B.K Singh)
Principal Secretary to Government,
School Education Department
Dated: 15.07.2022

No: Edu-NGK / 301/2022-01
Copy to:-

1. Principal Secretary to Hon'ble Lt. Governor J&K.



Principal Secretary to Government, General Administration Department.

Joint Secretary, J&K, Ministry of Home Affairs GOI New Delhi.

Director, School Education, Kashmir.

OSD to Advisor (B) to Hon'ble Lt. Governor.

Chief Education Officer.

Private Secretary to Principal Secretary to Government, School Education Department.

Concerned Official(s) for compliance.

Te website.

Government order file.

Monday return file.


15/7/22

(Mayank Sharma) I.K.A.S.

Under Secretary to the Government


ISPA



Government of Jammu & Kashmir
School Education Department, Civil Secretariat, J&K,
Phone No: 0191-2561521 (J) 0194-2485421(K)
Email-jdpeducation@gmail.com

Subject:- Revalidation along with Permission for Advance Drawl of Rs. 2565.72 lakhs (Rupees Twenty Five Crore Sixty Five Lakh Seventy Two Thousand Only) under Samagra Shiksha for its utilization during 2022-22.

Reference:- 1. Ministry of Education, Department of School Education & Literacy Sanction F.No.7-1/2019-IS-4(SAP & ST) dt: 29-02-2020 (3 number of sanction orders bearing same number & date).
2. Ministry of Education, Department of School Education & Literacy Sanction F.No.7-2/2021-IS.4(GEN) dt: 22-09-2021.

Government Order No:- 1777 Edu of 2022:
Dated:- 19-07-2022

Sanction is hereby accorded to the authorization alongwith advance drawal of **Rs. 2565.72 lakhs (Rupees Twenty Five Crore Sixty Five Lakh Seventy Two Thousand Only)** in favour of Project Director, Samagra Shiksha J&K under the Centrally Sponsored Scheme "Samagra Shiksha" as sanctioned by Ministry of Education, GoI vide above references and released by Finance Department as per BEAMS order No. 07/CSS/FDR/Rev/FDR/Resource-BE,2022-23/7/2 dated: 18-07-2022.

The release of funds is subject to the fulfilment of the Codal formalities, procedural norms and following conditions:-

- i. All Codal formalities shall be observed while incurring expenditure.
- ii. The funds shall be utilized strictly for the purpose these have been released.
- iii. No diversion/re-appropriation of funds is allowed at any level.
- iv. The Project Director, Samagra Shiksha, J&K shall send Utilization certificates well before 31-03-2023 to GoI with a copy to Finance Department and Administrative Department.
- v. Director Finance, School Education Department and Accounts Officer, Samagra Shiksha, J&K shall vouchsafe availability of funds.
- vi. The Advance drawl should be as per actual and urgent need and should not result in parking of funds.
- vii. The conditions stipulated in BEAMS order may be adhered to in letter and spirit.
- viii. The Project Director, Samagra Shiksha J&K shall incur expenditure strictly as per the guidelines of scheme and conditions laid down in the sanction letter of Ministry of Education, GoI.
- ix. Red account/Utilization Certificates of the funds be submitted by Project Director, Samagra Shiksha to Administrative Department for onward submission to Accountant General.

- x. The accounts and other records shall be open to inspection by an Officer of the Ministry of Education or any other person deputed by Ministry for this purpose.
- xi. The Department shall send a status report about the scheme, in terms of physical and financial progress made during the current year and upto date cumulative expenditure and physical achievement.
- xii. The Project Director, Samagra Shiksha J&K shall incur expenditure strictly as per the work code description/conditions mentioned in the BEAMS order.
- xiii. The Scheduled Tribes Component, SAP and General Component-wise details need to be incorporated in utilization certificate separately.

The expenditure on this account shall be debited to the object heads:-

- i. Demand No- 07
- ii. Major Head -2202
- iii. Sub Major Head-02
- iv. Minor Head-001
- v. Group Head-0031
- vi. Sub Head-2442
- vii. Detailed Head- 028

This issues with the concurrence of Finance Department conveyed vide U.O. No. E-22000-FD-RESOCSS/39/2021-03-FD/123 dated: 18-07-2022.

By order of the Government of Jammu & Kashmir.

Sd/-
(B.K.Singh)
Principal Secretary to Government,
School Education Department.

Dated: 19.07.2022.

No:-Edu- PSOCSS/25/2022-01 (230166)

Copy to the:-

- 1) Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
- 2) Principal Accountant General, J&K.
- 3) Financial Commissioner (Additional Chief Secretary), Finance Department, J&K.
- 4) Director Finance, School Education Department, J&K.
- 5) Director, School Education, Jammu/Kashmir.
- 6) Project Director, Samagra Shiksha, J&K.
- 7) Treasury Officer, Civil Secretariat, J&K.
- 8) Pvt. Secretary to Principal Secretary to Government, School Education Department.
- 9) I/c Website, School Education Department.
- 10) Government Order/Stock File.


(Iftikhar Hussain Chaudhan)
Director Finance,
School Education Department