



GOVERNMENT OF JAMMU & KASHMIR
SCHOOL EDUCATION DEPARTMENT
CIVIL SECRETARIAT, J&K

Subject: OA No. 61/749/2023 titled Sanjeev Kumar Vs UT of J&K & Ors.

Government Order No. 419–JK (Edu) of 2023

Dated: 08.12.2023

Whereas, vide Notification No. 01-JK (Edu) of 2023 Dated 26.04.2023, online representations from +2 Principals were invited for online transfer-2023 and the representations so received have been examined under the provisions of the Transfer Policy notified by the department vide Government Order No. 103-JK(Edu) of 2023 dated 24.0.2023.

Whereas, among others Mr. Sanjeev Kumar, Principal, HSS (Boys) Kathua has been transferred and posted at HSS Maglore, Kathua vide Government order No.209-JK(Edu) of 2023 dated 10.07.2023;

Whereas, being aggrieved by his transfer order the said Principal approached the Hon'ble CAT in OA No. 61/749/2023 titled Sanjeev Kumar Vs UT of J&K through Principal Secretary to the Government, School Education Department & Ors praying for quashing his transfer order;

Whereas, the Hon'ble CAT after hearing the applicant passed an order dated 19.07.2023 in the original application, the operative part of which is reproduced is as under:

"..... Accordingly, the Original Application is disposed of with a direction to the Principal Secretary to Government, Department of School Education, Union Territory of Jammu & Kashmir (Respondent No. 1 herein) to decide the applicant's pending representation dated 14.07.2023 and revisit his transfer order while keeping in view the provisions of Clause-C(20) of the Transfer Policy dated 24.04.2023, and the observations made by Hon'ble High Court in Tahira's case (supra). Before taking any decision into the matter, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of two weeks from the date of receipt of a certified copy of this order."

Whereas, in compliance to the directions of the Hon'ble CAT, the department vide letter No. Edu-LGL0Jmu(CAT)/228/2023-01 dated 23.08.2023, requested the applicant to appear in the Administrative Department for hearing on 29.08.2023. The applicant did not appear on the due date and was again asked to appear in the department on 12.09.2023 and in compliance, the applicant appeared in the department for hearing on revised date and was heard in person.

Whereas, during the hearing the applicant submitted his written statement as well and has submitted that he is on the verge of retirement and is having disability of 57 % (Low vision and Right lower limb), as such, has prayed for modification of his transfer order

Whereas, the case of the applicant has been examined in the department in terms of Clause-2.1 of the Transfer Policy notified vide Govt. Order No.103-JK(Edu) of 2023 dated 24.04.2023 and has been considered for modification.

NOW, THEREFORE, it is hereby ordered that:

1. Mr. Sanjeev Kumar, Principal HSS Maglore, Kathua is transferred and posted at HSS Keerian, Kathua.
2. Mr. Narinder Singh, Principal HSS Keerian, Kathua is transferred and posted at HSS Maglore, Kathua.

By order of the Government of Jammu and Kashmir.


Sd/-
(Alok Kumar), IRS
Principal Secretary to the Government

No: Edu-LGL0Jmu(CAT)/363/2023-01

Dated: - 08.12.2023

Copy to the:-

1. Joint Secretary, J&K, Ministry of Home Affairs, Government of India.
2. Director, SCERT, J&K.
3. Secretary, JKBOSE.
4. Director, School Education, Jammu/Kashmir.
5. OSD to Advisor (B) to the Hon'ble Lieutenant Governor, J&K UT.
6. Project Director, Samagra Shiksha J&K.
7. Chief Education Officer _____.
8. Concerned.
9. Private Secretary to Principal Secretary to Government, School Education Department.
10. I/c website.
11. Government Order file (w.2.s.c).


(Abhishake Abrol) JKAS
Deputy Secretary to the Government
