



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

Subject: OA No.1485/2023 titled Fiahaz Ahmed V/s UT of J&K & Ors.

Government Order No. 30 -JK (Edu) of 2024

Dated: 05 -01-2024

Whereas, vide Notification No. 01-JK (Edu) of 2023 dated 26.04.2023, online representations were invited from various Teaching Cadres of Education Department including the Lecturer Cadre for consideration of transfer during the year 2023 and in response to the representation of Fiahaz Ahmed was received by the Department through Online Transfer Portal;

Whereas, the representation of Fiahaz Ahmed was considered under the provisions of the Transfer Policy invited by the Department vide Government Order No. 103-JK(Edu) of 2023 dated 24.0.2023 and subsequently, the applicant, Fiahaz Ahmed, Lecturer, Zoology was transferred from HSS Chiryai, Udhampur - (Zone 3) to GHSS Basantgarh , District Udhampur;

Whereas, Fiahaz Ahmed, pursuant to his transfer, filed OA No.1485/2023 titled Fiahaz Ahmed V/s UT of J&K & Ors before Hon'ble Central Administrative Tribunal, Jammu praying for following reliefs:-

- i. Appropriate directions may be issued to the respondent to post the applicant in Zone- I or II of Udhampur District.

Whereas, the Hon'ble CAT after hearing the applicant disposed the OA by passing order dated 20.11.2023, the operative part of which is reproduced as under:

".....Accordingly, the Original Application is disposed of with a direction to respondent to treat this O.A. as representation of the applicant and decide the same by passing a reasoned and speaking order and communicate the order so passed to the applicant. Before passing any order, 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.

With these directions, O.A. No. 1485 of 2023 is disposed of. It is made clear that I have not entered into the merits of the case.

However, there shall be no orders so as to costs."

Whereas, in compliance with the directions of the Hon'ble Central Administrative Tribunal, the applicant was requested to appear in the Administrative Department for hearing on 24.11.2023. The applicant appeared on the scheduled date and time and the applicant was heard in person and was also allowed to submit his written statement as well;

Whereas, in his written statements, the applicant has stated that under spouse posting the wife of the applicant is working as teacher and posted in Middle School Sansu Zone Udhampur and the applicant has requested may kindly be adjusted on spouse ground in Zone Jib , Zone Tikri & Zone Udhampur. The applicant further stated that he was serving in Zone III and shown his willingness to continue/serve in the Zone III in Chiryai and have tenure of 3 year and 1month only. And the post is lying vacant in same school as well. The applicant has requested to kindly retain me at HSS Chiryai or kindly adjust me at vacant positions near by the place of my spouse.viz a viz, HSS Kud, HSS Chenani,HSS Jaganoo the claim of the applicant can be considered in view of the clear vacancies in the said schools;

Whereas, 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 20.11.2023 passed in OA No.1485/2023 titled Fiahaz Ahmed V/s UT of J&K & Ors and the applicant is hereby transferred and posted at GHSS Jaganoo, Udhampur. The applicant is further directed to immediately join at new place of posting

without any further delay, failing which strict disciplinary action shall be initiated against him under rules.

By order of the Government of Jammu and Kashmir.

Sd/-

(Alok Kumar), IRS

Principal Secretary to the Government

No: Edu-LGL0Jmu(CAT)/593/2023-01

Dated:-05.01.2024

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, Ramban.
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,
School Education Department