



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

Subject: OA.No.1177/2023 titled Dr. Bhupinder Kaur V/s UT of J&K & Ors.

Government Order No. 53 -JK (Edu) of 2024

Dated: 06 -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, representation of Dr. Bhupinder Kaur was received by the Department through Online Transfer Portal;

*Whereas*, the representation of Dr. Bhupinder Kaur was considered under the provisions of the Transfer Policy issued by the Department vide Government Order No. 103-JK(Edu) of 2023 dated 24.04.2023 and subsequently, the applicant, Dr. Bhupinder Kaur lecturer Commerce working at GHSS Rehari, Jammu (Zone-1) was transferred and posted at HSS Pakhlai Udhampur (Zone-2) vide G.O No. 279-Jk(Edu) of 2023 dated 01.09.2023;

*Whereas*, Dr. Bhupinder Kaur, pursuant to her transfer, has filed OA.No.1177/2023 titled Dr. Bhupinder Kaur V/s UT of J&K & Ors before the Hon'ble Central Administrative Tribunal, Jammu praying for following reliefs:-

- i. Quashing the Government Order No.279 of JK (Edu) of 2023 dated 01.09.2023, transferring the applicant from Govt. Girls Hr. Sec. School, Rehari Jammu to Higher Secondary School, Pakhlai, Udhampur, in violation of Transfer Policy and in violation of Hon'ble CAT Order dated 07.02.2023 passed in O.A 61/112/2023.
- ii. Quashing the relieving order No. GHSS/R/1417 dated 02.09.2023 issued by Respondent no. 4 by virtue of which the Applicant was relieved from the Govt. Girls Hr. Sec School, Rehari Jammu.
- iii. Commanding and directing the Respondents to transfer the Applicant to an appropriate place keeping in view of the grounds mentioned above.
- iv. Commanding and directing the respondents to release the salary of the applicant from the month of Feb to August.2023.

*Whereas*, the Hon'ble CAT after hearing the applicant disposed of the OA by passing order dated 11.09.2023, the operative part of which is reproduced 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 to decide the applicant's representation dated 02.09.2023 while keeping in view the provisions of the policy guidelines dated 24.04.2023. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing. The whole exercise shall be undertaken within a period of ten days from the date of receipt of a certified copy of this order.

So long as the applicant's representation remains pending with the Principal Secretary to Government, Department of School Education, Union Territory of Jammu & Kashmir, the applicant shall not be displaced from Government Girls Higher Secondary School Rehari, Jammu."

*Whereas*, in compliance to the directions of the Hon'ble Central Administrative Tribunal, vide letter dated 22.09.2023, the applicant was requested to appear in the Administrative Department for hearing on 25.09.2023. 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 her written statements, the applicant has stated that he has been transferred from GHSS Rehari, Jammu to HSS Pakhlai Udampur. Further the applicant has stated that she served in GHSS Shal, Akhnoor, GHSS Surinsar Ghss Mandal and GHSS Rehari (as surplus for last 14 months) and never got chance to serve near to her home. Further she has stated that vide G.O No. 1511-Jk(Edu) of 2022 dated 10.06.2022 she was posted at GHSS Rehari Jammu on medical grounds of her husband. However, after 07 months she was again transferred from GHSS Rehari Jammu to HSS Pallanwala Jammu and approached DSE, Jammu for modification. Later on she approached Hon'ble CAT, Jammu to get order modified from Pallanwala to some suitable place in Jammu. The Hon'ble CAT, Jammu vide O.A No. 61/112/2023 dated 07.02.2023 has directed DSE, Jammu to consider her for suitable place of posting before taking her transfer to another place viewing the age of minor daughters and posting of husband as Defense personnel, Deputy Commandant in BSF posted at Greater Noida. The applicant has stated that again after 7 months she was transferred from GHSS Rehari Jammu to HSS Pakhlai Udampur as the new place of posting is about 90 KM away from her residence and is unable to manage her two minor daughters. The applicant has requested that her transfer order may be modified and she may be posted at some suitable place near to her residence i.e Kunjwani Jammu. Her modification request can be considered as there is clear vacancy in GHSS Marh, keeping in

view her obligations being single parent, as her husband is posted outside the UT of J&K ;

Now, therefore, in light of the above stated facts and circumstances, the claim of the applicant has been considered in light of the directions passed by the Hon'ble Central Administrative Tribunal, Jammu on 11.09.2023, passed in OA.No.1177/2023 titled Dr. Bhupinder Kaur V/s UT of J&K & Ors, the applicant is hereby transferred and posted at GHSS Marh District Jammu.

**By order of the Government of Jammu and Kashmir.**


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

No: Edu-LGL0Jmu(CAT)/375/2023-01

Dated: *06* .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, Udhampur.
8. Principal Concerned for necessary compliance in the matter.
9. Concerned.
10. Private Secretary to Principal Secretary to Government, School Education Department.
11. I/c website.
12. Government Order file (w.2.s.c).

  
**(Abhishake Abrol) JKAS**  
Deputy Secretary to the Government  
School Education Department . 