

**OFFICE OF ADDITIONAL CHIEF SECRETARY HARYANA SCHOOL  
EDUCATION DEPARTMENT CHANDIGARH**

**Order No. 16/144-2017 ET-II (2)**

**Dated, Chandigarh, the 30.05.2017**

Whereas Smt. Anita Rani has filed CWP No. 10400 of 2017 titled as Anita Rani Versus State of Haryana & Ors in the Hon'ble High Court. She prayed to Hon'ble High Court for the issuance of appropriate writ, direction or order in the nature of certiorari for setting aside the impugned transfer order dated 17.09.2016 (Annexure P-1) passed by respondent no. 2 by virtue of which the petitioner has been transferred from Govt. Primary School, Hanuman Gate (10602), Block Bhiwani, District Bhiwani to Govt. Girls Primary School, Badesara (10571), District Bhiwani against clear vacancy, as the impugned transfer order is arbitrary, non speaking and particularly against the Government's own Teacher Transfer Policy of 2016 (Transfer P-2) which directs that a superannuating employee who is in last year of service shall not be transferred except on his/her own request (and the petitioner is due to retire on 31/07/2017. This case was held for hearing on 16.05.2017 in Hon'ble High Court and the Hon'ble High Court has passed the following order on same day:-

*Notice of motion for 03.08.2017.*

*In the meantime, the operation of impugned transfer order shall remain stayed.*

In compliance of order dated 16.05.2017 of the Hon'ble High Court, I have gone through the petition of the petitioner, she demanded that for the issuance of appropriate writ, direction or order in the nature of certiorari for setting aside the impugned transfer order dated 17.09.2016 (Annexure P-1) passed by respondent no. 2 by virtue of which the petitioner has been transferred from Govt. Primary School, Hanuman Gate (10602), Block Bhiwani, District Bhiwani to Govt. Girls Primary School, Badesara (10571), District Bhiwani against clear vacancy, as the impugned transfer order is arbitrary, non speaking and particularly against the Government's own Teacher Transfer Policy of 2016 (Transfer P-2) which directs that a superannuating employee who is in last year of service shall not be transferred except on his/her own request (and the petitioner is due to retire on 31/07/2017. The department cannot transfer such employee/teacher which superannuation period is less than one year as per transfer policy.

It is mentioned here that the State Govt. has made a new transfer policy in June 2016 and it has following provisions:-

Whereas the new Teacher Transfer Policy 2016 has a vision in Para-1 is reproduced below:-

To ensure equitable, demand based distribution of teachers/Heads to protect academic interest of students and optimize job satisfaction amongst its employees in a fair and transparent manner.

And whereas para 2(i) provides that teachers who are members of State Cadre and District Cadre are liable to be transferred anywhere in the State and anywhere in the District respectively, at any point of time.

And whereas para 4(i) inter alia, provides that transfers can be effected by the Government at any time during the year in cases of administrative exigency. The reasons for transfers under these grounds should be recorded on file.

And whereas para 5(i) provides that transfer/posting to the opted zone/school will not be claimed or treated as a matter of right.

And whereas para 5(iii) provides that the option once availed and confirmed shall be final and can be changed only under the provisions of this Policy.

And whereas para 5(v) provides that unless protected under a provision of this Policy, every teacher completing 5 years continuous stay in a particular school shall be transferred.

And whereas the clarification order dated 21.07.2016 insofar as it concerns with para 5(v) provides that "Unless protected under a provision of this policy, every teacher completing 5 years stay/tenure in a particular school/zone of any district(s), whether independently in a district or cumulatively of more than one district, of the State shall be transferred"

And whereas para 8(iv) provides that all teachers shall be asked to select the zones in order of their preferences, across districts. They shall further opt for a minimum five or available number of schools, whichever is more, in order of preference within each zone, so that their claim could be considered against multiple vacancies within a zone. In case he/she does not get his/her preferred choice then he/she shall be given any available school in the same zone. In case there is no school available in the said zone then he/she will be considered for the next zone of preference and so on.

And whereas para 8(xiii) provides that in administrative exigency, the Department shall be at liberty to post any teacher at any of the choices given by him/her, irrespective of preference given.

And whereas para 9(i) provides that every teacher will be responsible for the accuracy and regular updation of data in the MIS in respect of his/ her credentials. In case he/she notices any discrepancy, he/she will get it rectified by adopting due procedure after producing the relevant evidences before the competent authority. He/she shall be responsible for updating of profile as and when any status is changed.

And whereas the department asked all teachers to update their personal profile and service profile on MIS portal expeditiously so that further action for implementation of the Transfer Policy could be taken in time followed by through letters dated 06.04.2016, through video conference dated 27.04.2016 and through public notice in various newspapers dated 06.05.2016, Email dated 21.05.2016, DEO letters dated 23.05.2016, Email dated 30.05.2016, letter dated 02.06.2016 and letter dated 30.6.2016 respectively.

And whereas most of the employees showed their willingness and alertness in completing their profiles well in time and thereby helping the Department in preparing their case in the application software for the general transfer in the spirit of Transfer Policy. Such employees timely gave their transfer preferences as per the schedule given by the department.

And whereas in spite of a plethora of communications and requests issued to employees through various mode of communications some employees certainly didn't care, thereby faulted, for completing their personal profiles as well as the service profile for which they were specifically enjoined upon in the policy as well as in the communications mentioned here in above. Such employees even didn't give transfer preferences. The list of such employees is enclosed herewith as annexure-I. As the Application Software has to implement the spirit of the policy hence such teachers would necessarily be allocated new stations.

And whereas these few employees who didn't/couldn't complete their profile or didn't give transfer preferences, for one reason or the other, cannot be permitted to hold up the entire process of transfers through digital mode for which almost all other teachers are waiting impatiently.

And whereas to allocate stations to such teachers the department devised a logic whereby these teachers-have been given stations in order of merit

in the zone as near as possible to the present place of posting of such teachers who didn't express their options even though such teachers were otherwise liable to be transferred from their present place of posting.

And whereas, some of these defaulting teachers couldn't be accommodated in nearby schools.

And whereas to save these teachers from being on road without posting and to let them complete their MIS profiles for future service decisions like transfers, promotions, etc. the department has allocated them postings at stations available vacant and as per their eligibility in terms of the Teacher Transfer Policy 2016.

And whereas the convenience of these teachers cannot be known by the department unless they themselves come forward and express their options and transfer preferences on the MIS profile whenever opportunity window is made open to them.

However, the transfer order dated 17.9.2016 of Smt. Anita Rani, JBT Teacher, Govt. Primary School, Hanuman Gate (10602), District Bhiwani to Govt. Girls Primary School, Badesara (10571), District Bhiwani is hereby cancelled in compliance of Hon'ble High Court order dated 16.05.2017 of CWP No. 10400/2017 titled as Anita Rani versus State of Haryana & ors.

I order accordingly.

**(P.K. DASS)**  
**Additional Chief Secretary Haryana**  
**School Education Department**  
**Chandigarh.**

**OFFICE OF DIRECTOR ELEMENTARY EDUCATION HARYANA**  
**PANCHKULA.**

Endst No. 16/144-2017 ET-II (2)

Dated, Panchkula, the 6-6-17

A copy is forwarded to following for information and necessary action:-

1. District Elementary Education Officer Bhiwani.
2. Head of the institutions concerned.
3. Official concerned.
4. Technology Officer (IT Cell).
5. PA/DEE.

*Sh*

7/6/17

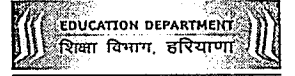
Prog (Vanna)

*Bali Ram Singh*  
**Superintendent ET-II**  
**O/o Director Elementary Education,**  
**Haryana, Panchkula**



GOVERNMENT OF HARYANA/हरियाणा सरकार  
**Directorate Elementary Education**  
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ORDER NO. 7/59-2016 HRM-II (2)

DATED, PANCHKULA THE 30-05-2017

In continuation of office order No. 7/59-2016 HRM-II (2) dated 13.01.2017 the period of deputation of Sh. Ramji Lal, Middle Head, GSSS Parta (3413), Distt. Sirsa to GMS Kirara (1389), Distt. Hisar is hereby further extends for a period of four months.

Other terms and conditions of deputation will remain the same.

P. K. DAS

Additional Chief Secy. to Govt. Haryana,  
 School Education Department, Chandigarh

ENDST. NO. EVEN:

DATED PANCHKULA, THE 7-6-2017

A copy is forwarded to the following for information and necessary action:-

1. District Elementary Education Officer, Sirsa/Hisar.
2. Principal/Headmaster, GSSS Parta (3413), Distt. Sirsa.
3. Principal/Headmaster, GMS Kirara (1389), Distt. Hisar.
4. Sh. Ramji Lal, Middle Head, GSSS Parta (3413), Distt. Sirsa is hereby deputed in GMS Kirara (1389), Distt. Hisar. It is directed that He will join his previous place of posting immediately after the expiry of deputation period and He will be treated absent from duty in case of non-joining his previous place of posting.
5. Technology Officer (IT CELL).

*P. K. Das*

SUPERINTENDENT HRM-II  
 for DIRECTOR ELEMENTARY EDUCATION  
 HARYANA, PANCHKULA

*2/5/17*

2409 IT Cell  
07/06/17

**OFFICE OF THE DIRECTOR ELEMENTARY EDUCATION, HARYANA  
PANCHKULA**

Order No. 15/172-2017 HRM-II(4)

Dated, Panchkula, the 24.05.2017

Smt. Santosh Kumari, SS Mistress, GHS Badala, Distt. Bhiwani is hereby granted the following leave:-

Sr. No.	Name of Leave	From	Instructions applicable
1.	Child care leave	24-05-2017 to 15-01-2018	C.S. Instruction No. 11/102/2009-3 FR dated 01.02.2016/05.07.2012/05.11.2012

With permission to Affix/Suffix holidays.

1. That the official would have continues to officiate in class-III during her proceeding on leave with permission to Affix/Suffix holidays.
2. That she would draw the usual HRA and other allowances during the period of leave and she is likely to return to the post to which these allowances are attached.
3. That the officer/official would have continued to officiate in Class-III but she proceeds on leave during above period.
4. That alternate arrangement be made before employee's going on CCL so that there would be no adverse effect on the studies of the students.

**Virender Kumar Dahiya  
Additional Director Admn.  
O/o Director Elementary Education  
Haryana, Panchkula.**


**Endst. No. Even:**

**Dated, Panchkula, the 6-6-17**

A copy is forwarded to the following for information and necessary action:-

Regd.

1. District Elementary Education Officer, **Bhiwani** w.r.t. their Memo No.E-2-2017/991 dated 12.05.2017.
2. Accountant General (A&E) Haryana, Chandigarh.
3. Headmaster, GHS Badala, Distt. Bhiwani.
4. Smt. Santosh Kumari, SS Mistress, GHS Badala, Distt. Bhiwani.
5. Technology Officer (I.T Cell).

  
**Superintendent HRM-II  
for Director Elementary Education  
Haryana, Panchkula**

2412 GT Cell  
07/06/17

From

Director Elementary Education,  
Haryana, Panchkula.

To

District Elementary Education Officer,  
Narnaul.

Memo No. 32/120-2015 HRM-I (2)  
Dated, Panchkula, the

Subject: Medical Reimbursement Bill of-Sh. Ashok Kumar, Science Master,  
GMS Khampura, Distt. M. Garh.

\*\*\*\*\*

Kindly refer to your memo No. A-2/2016/146-47 dated 20.01.2017 on  
the subject cited above.

The Medical Reimbursement case of Sh. Ashok Kumar, Science Master,  
GMS Khampura, Distt. M.Garh for the treatment of his Mother from  
13.09.2014 to 22.09.2014 at Sarvodya Hospital, Gurugram is sent to you in  
original to do the needful as per the DSE letter No. 10/30-2011 Adman. (4) Dated:  
25.10.2012 that confers the power to sanction the bills for medical reimbursement  
to the Head of Office up to Rs. 50,000 & 1,00,000 that has been further extended up  
to 3,00,000/-as per Health Department, Haryana letter No. 2/24-2013 IHB-III  
dated 19.09.2016.

The Administrative Department has granted relaxation in the policy for  
the treatment taken in an unapproved hospital as per guidelines issued by Finance  
Department, Haryana and Health Department, Haryana time to time.

Now the sanction is to be issued on PGI, Chandigarh/AIIMS, Delhi rates  
for the amount Rs. 19,917 /-worked out by section officer on Annexure-A (exclude  
Non-admissible amount, if any).

Encl. Original M.R. Bill.

*Sd/-*  
Superintendent HRM-1  
Director Elementary Education  
Haryana, Panchkula

Endst. No. Even:

Dated, Panchkula, the 07.06.2017

A copy is forwarded to the following for information and necessary action.

1. Principal/Headmaster, GMS Khampura, Distt. M. Garh.
2. Sh. Ashok Kumar, Science Master, GMS Khampura, Distt. M. Garh
- ✓ 3. I.T. Cell.

*Sh. Ashok Kumar*  
Superintendent HRM-1  
for Director Elementary Education  
Haryana Panchkula.

2413 OT Cell  
07/06/17

From

Director Elementary Education,  
Haryana, Panchkula.

To

District Elementary Education Officer,  
Panchkula.

Memo No. 32/240-2016 HRM-I (2)  
Dated, Panchkula, the

**Subject: Medical Reimbursement Bill of-Smt. Satwant Kaur, (Retd.) Science Mistress, GSSS Sector-7, Distt. Panchkula.**

\*\*\*\*\*

Kindly refer to your memo No. E-3/2017/Med/12631 dated 31.01.2017 on the subject cited above.

The Medical Reimbursement case of **Smt. Satwant Kaur, (Retd.) Science Mistress, GSSS Sector-7, Distt. Panchkula** for the treatment of her **Husband from 25.03.2016 to 28.03.2016 at ACE Hearts and Vascular Institute Mohali** is sent to you in original to do the needful as per the DSE letter No. 10/30-2011 Adman. (4) Dated: 25.10.2012 that confers the power to sanction the bills for medical reimbursement to the Head of Office up to Rs. 50,000 & 1,00,000 that has been further extended up to 3,00,000/-as per Health Department, Haryana letter **No. 2/24-2013 IHB-III dated 19.09.2016.**

The Administrative Department has granted relaxation in the policy for the treatment taken in an unapproved hospital as per guidelines issued by Finance Department, Haryana and Health Department, Haryana time to time.

Now the sanction is to be issued on PGI, Chandigarh/AIIMS, Delhi rates for the amount Rs. **1,05,033** /-worked out by section officer on Annexure-A (exclude Non-admissible amount, if any).

**Encl. Original M.R. Bill.**

*Sd/-*  
*for* **Superintendent HRM-1**  
**Director Elementary Education**  
**Haryana, Panchkula**

**Endst. No. Even:**

**Dated, Panchkula, the 07-06-2017**

A copy is forwarded to the following for information and necessary action.

1. Principal/Headmaster, **GSSS Sector-7, Distt. Panchkula.**
2. Smt. Satwant Kaur, (Retd.) Science Mistress, GSSS Sector-7, Distt. Panchkula
- ✓ 3. I.T. Cell.

*Shree Guler*  
**Superintendent HRM-1**  
**for Director Elementary Education**  
**Haryana Panchkula**



2414 OT Cell  
07/06/17

**From**

**Director Elementary Education,  
Haryana, Panchkula.**

**To**

**District Elementary Education Officer,  
Gurugram.**

**Memo No. 32/22-2017 HRM-I (2)**

**Dated, Panchkula, the**

**Subject: Medical Reimbursement Bill of-Sh. Ramkishan, Retd. S.S. Master.  
GSSS Khalilpur, Distt. Gurugram.**

\*\*\*\*\*

Kindly refer to your memo No. A-2/M/2017/606-08 dated 22.02.2017 on the subject cited above.

The Medical Reimbursement case of **Sh. Ramkishan, Retd. S.S. Master. GSSS Khalilpur, Distt. Gurugram** for the treatment of himself from **12.09.2016 to 16.09.2016 at Metro Umkal Hospital & Heart Institute, Rewari** is sent to you in original to do the needful as per the DSE letter No. 10/30-2011 Adman. (4) Dated: 25.10.2012 that confers the power to sanction the bills for medical reimbursement to the Head of Office up to Rs. 50,000 & 1,00,000 that has been further extended up to 3,00,000/-as per Health Department, Haryana letter **No. 2/24-2013 IHB-III dated 19.09.2016.**

The Administrative Department has granted relaxation in the policy for the treatment taken in an unapproved hospital as per guidelines issued by Finance Department, Haryana and Health Department, Haryana time to time.

Now the sanction is to be issued on PGI, Chandigarh/AIIMS, Delhi rates for the amount Rs. **1,55,444** /-worked out by section officer on Annexure-A (exclude Non-admissible amount, if any).

**Encl. Original M.R. Bill.**

*-sd-*  
**Superintendent HRM-1**  
*07/06/17*  
**Director Elementary Education**  
**Haryana, Panchkula**

**Endst. No. Even:**

**Dated, Panchkula, the 07.06.2017**

A copy is forwarded to the following for information and necessary action.

1. Principal/Headmaster, **GSSS Khalilpur, Distt. Gurugram.**
2. **Sh. Ramkishan, Retd. S.S. Master. GSSS Khalilpur, Distt. Gurugram.**
- ✓ 3. I.T. Cell.

*Dr. Singh*  
**Superintendent HRM-1**  
**for Director Elementary Education**  
**Haryana Panchkula.**

2415 I T Cell  
07/06/17

From

Director Elementary Education,  
Haryana, Panchkula.

To

District Elementary Education Officer,  
Palwal.

Memo No. 32/139-2015 HRM-I (2)  
Dated, Panchkula, the

Subject: Medical Reimbursement Bill of-Sh. Mahender Singh, ESHM, GSSS  
Khambi, Distt. Palwal.

\*\*\*\*\*

Kindly refer to your memo No. E-2/2017/1575 dated 14.03.2017 on the  
subject cited above.

The Medical Reimbursement case of **Sh. Mahender Singh, ESHM, GSSS  
Khambi, Distt. Palwal for the treatment of his Daughter from 13.02.2014 to  
18.02.2014 at Shanti Malik Memorial Hospital, Palwal** is sent to you in original  
to do the needful as per the DSE letter No. 10/30-2011 Adman. (4) Dated:  
25.10.2012 that confers the power to sanction the bills for medical reimbursement  
to the Head of Office up to Rs. 50,000 & 1,00,000 that has been further extended up  
to 3,00,000/-as per Health Department, Haryana letter No. 2/24-2013 IHB-III  
dated 19.09.2016.

The Administrative Department has granted relaxation in the policy for  
the treatment taken in an unapproved hospital as per guidelines issued by Finance  
Department, Haryana and Health Department, Haryana time to time.

Now the sanction is to be issued on PGI, Chandigarh/AIIMS, Delhi rates  
for the amount Rs. 8,613 /-worked out by section officer on Annexure-A (exclude  
Non-admissible amount, if any).

Encl. Original M.R. Bill.

*Sd/-*  
Superintendent HRM-1  
for Director Elementary Education  
Haryana, Panchkula

Endst. No. Even:

Dated, Panchkula, the 07-06-2017

A copy is forwarded to the following for information and necessary action.

1. Principal/Headmaster, GSSS Khambi, Distt. Palwal.
2. Sh. Mahender Singh, ESHM, GSSS Khambi, Distt. Palwal.
3. I.T. Cell.

*Sh. Mahender Singh*  
Superintendent HRM-1  
for Director Elementary Education  
Haryana Panchkula.

2416 JT Cell  
07/06/17

To

District Elementary Education Officer,  
Panchkula.

Memo No. 32/182-2016 HRM-I (2)  
Dated, Panchkula, the

**Subject: Medical Reimbursement Bill of-Smt. Satwant Kaur, (Retd.) Science Mistress, GSSS Sector-7, Distt. Panchkula.**

\*\*\*\*\*

Kindly refer to your memo No. A-2/2016/475-76 dated 21.03.2017 on the subject cited above.

The Medical Reimbursement case of **Smt. Satwant Kaur, (Retd.) Science Mistress, GSSS Sector-7, Distt. Panchkula** for the treatment of her Husband from 28.05.2015 to 09.06.2015 at ACE Hearts and Vascular Institute Mohali is sent to you in original to do the needful as per the DSE letter No. 10/30-2011 Adman. (4) Dated: 25.10.2012 that confers the power to sanction the bills for medical reimbursement to the Head of Office up to Rs. 50,000 & 1,00,000 that has been further extended up to 3,00,000/-as per Health Department, Haryana letter No. 2/24-2013 IHB-III dated 19.09.2016.

The Administrative Department has granted relaxation in the policy for the treatment taken in an unapproved hospital as per guidelines issued by Finance Department, Haryana and Health Department, Haryana time to time.

Now the sanction is to be issued on PGI, Chandigarh/AIIMS, Delhi rates for the amount Rs. 1,02,113 /-worked out by section officer on Annexure-A (exclude Non-admissible amount, if any).

**Encl. Original M.R. Bill.**

*Sd -*  
**Superintendent HRM-1**  
*P/O* Director Elementary Education  
Haryana, Panchkula

**Endst. No. Even:**

**Dated, Panchkula, the 07.06.2017**

A copy is forwarded to the following for information and necessary action.

1. Principal/Headmaster, GSSS Sector-7, Distt. Panchkula.

2. Smt. Satwant Kaur, (Retd.) Science Mistress, GSSS Sector-7, Distt. Panchkula

✓ 3. I.T. Cell.

*Sd -*  
**Superintendent HRM-1**  
for Director Elementary Education  
Haryana Panchkula.