

Government of Himachal Pradesh
Department of Higher Education

ORDER

No. EDN-B-B(6)3/2023

Dated: Shimla-2, the

15-03-2025.

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Whereas, Smt. Bandna Kumari, Principal was posted in the O/o Dy. Director, Higher Education (Inspection) Hamirpur. Vide Notification No. EDUA-A009/12/2023-EDUA dated 04.10.2024, the Govt. has ordered that the Deputy Director (Higher Education-Inspection) will hereinafter be designated as Deputy Director (Quality). He/She will function as the administrative head of the District Institute of Education and Training (DIET). The Office of the Deputy Director (Quality) will be in the DIET itself and and he/she, along with the staff presently posted in the Inspection Wing, will sit in the DIET premises.

And whereas due to above arrangement, Smt. Bandna Kumari, was posted as Principal (Quality) in the O/o DDE Quality Control DIET Gauna Karour Nadaun Distt. Hamirpur.

Feeling aggrieved, Smt. Bandna Kumari, Principal had filed a CWP No. 2829 of 2025 seeking adjustment at DDEE, Hamirpur in view of her adverse health condition. The Hon'ble High Court has decided the matter on dated 01.03.2025. The operative part of the order is as under:

"4. Thought, it is sole prerogative of an employere to post an employee but once there is no denial to the fact that transfer policy promulgated by the State of HP provides for transfer on medical grounds. Coupled with the fact that petitioner herein has already approached competent authority by way of representation for transfer on medical grounds. This court sees no impediment in accepting the innocuous prayer made on behalf of the petitioner.


5. Consequently, in view of the above, this Court without going into the merits of the case, deems it fit to dispose of the present petition with the direction to respondent No.1 to considere and decide the pending representation of the petitioner dated 21.1.2025 (Annexure,P-4) expeditiously, preferably, within a period of one week, taking not of provisions contained under the transfer policy, wherein admittedly there is a provision to transfer an employee on medical grounds. Ordered

2025/03/15

accordingly. Needless to say, authority concerned while doing the needful in terms of instant order, shall afford an opportunity of hearing to the petitioner and pass appropriate order thereupon."

Smt. Bandna Kumari, Principal vide representation dated 21.1.2025 (not received in this office) attached as Annexure-P/4 has submitted that she is suffering from CA Ovary since 2020 and faced 4th line Chemotherapy. The last Chemo cycle was on 11.10.2024. Her health condition is so weak that she cannot commute 80 Kms daily as distance from her house to DIET Gauna Karour Hamirpur is 40 Kms. She has also attached the medical prescriptions as Annexure-P/3. She has further requested to adjust her in near by School of Hamirpur head quarter where the post is vacant i.e. DDEE Hamirpur/GSSS Matahni Distt. Hamirpur.

Therefore, in compliance of the above judgment passed by the Hon'ble High Court and keeping in view her ill health condition, Smt. Bandna Kumari, Principal is ordered to be transferred from the O/o DDE Quality Control DIET Gauna Karour Nadaun Distt. Hamirpur to the O/o Dy. Director Elementary Education, Hamirpur against vacancy..


(Rakesh Kanwar), IAS
Secretary (Education) to the
Government of Himachal Pradesh

REGISTRED POST


Smt. Bandna Kumari, Principal
DDE Quality Control DIET
Gauna Karour Nadaun Distt. Hamirpur

Endst. No as Above Dated Shimla-2 the,

15-03-2025.

Copy is forwarded to the following for information/necessary action.

1. The Director of Higher Education, H.P. Shimla-1 for uploading the same on the official website of the Department .
2. The Joint Secretary (Education) to the Govt. of HP w.r.t. CWP No. 2829 of 2025.
3. The Deputy Advocate General, HP, Shimla-1 w.r.t. CWP No.2829 of 2025.
4. The Deputy Director of Higher Education Hamirpur with the direction to ensure the delivery of this order to the concerned Principal, H.P and for the purpose of joining relieving.
5. Guard file


(Anil Kumar Sharma)
Under Secretary (Hr. Education) to
the Government of Himachal Pradesh