

Government of Himachal Pradesh  
Department of Higher Education

(7)

DHE .....	149597
09 OCT 2023	
Branch	72

**ORDER**

No. EDN-B-B(6)-21/2023-L-1

Dated: Shimla-2, the 05-10-2023.

1.. Whereas Sh. Madan Lal, Principal, was transferred from GSSS Sunhi, Distt. Kangra to GSSS Singadhar, Distt. Chamba and he challenged these orders before the Hon'ble High Court vide CWP No. 6074 of 2023 with the grievances that he has been transferred to a hard area and also in view of the ailments of his wife and mother. He also took the plea that he is going to retire in two years. The Hon'ble High Court decided the matter on 05.09.2023 and the operational part of the judgement is as under:-

*"In view of the above submissions, this writ petition is disposed of by permitting the petitioner to make a representation to respondent No.1/competent authority within three days from today, which shall be considered and decided by respondent No. 1/competent authority in accordance with law and applicable policy, within a period of one week thereafter."*

2. Whereas, as per the directions of Hon'ble High Court and the representation of the petitioner, he was afforded an opportunity of being heard in person on 25.09.2023. Further, the learned Counsel for the petitioner appeared in the hearing for the petitioner. During the hearing the learned Counsel submitted that the petitioner has already served in tribal and hard area of Lahaul and Spiti and again been transferred to a difficult area. Therefore, the petitioner be transferred to the opted stations.
3. Whereas, from the perusal of records it is evident that despite the fact that the petitioner has earlier served in hard and tribal area of Lahaul Sapiti in the year 1997 to 1999 but the present place of his posting i.e. GSSS Singadhar, Distt. Chamba is a soft area and does not fall in Hard or Difficult area as is alleged by the petitioner. Further, the plea of the petitioner that it took 5 KM on foot journey to reach the station is also found incorrect as it has been informed that there is a jeepable road upto the school. The plea of the petitioner that he has been transferred during the short stay is also incorrect as he had almost completed the normal tenure of three

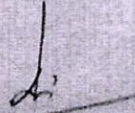
1

Dr. Gopind

10/10

years at GSSS Sunhi, Distt. Kangra i.e. Two years and eleven months. Further, the petitioner opted the station surrounding to Kangra, while from his service records it is evident that he is serving in the surrounding areas of Kangra since 1999 and has never been posted outside 50KM from Kangra since than. Further, he has already joined his services at GSSS Singadhar, Distt. Chamba.

4. Now therefore, the undersigned after careful consideration of all the facts and circumstances of the case finds no merit in the plea of the petitioner and hence the representation of the petitioner is rejected accordingly.

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

**REGISTRED POST**

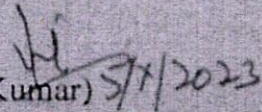
**Sh. Madan Lal, Principal, GSSS Singadhar,  
Distt. Chamba, H.P.**

Endst. No as Above Dated Shimla-2 the

05-10-2023.

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. 6074 of 2023..
3. The Deputy Director of Higher Education Chamba with the direction to ensure the delivery of this order to the concerned Principal, H.P.
4. The Private Secretary to the Secretary (Education) to Govt. of HP.
5. Guard file.

  
(Anil Kumar) 5/11/2023  
Under Secretary (Hr. Education) to the  
Government of Himachal Pradesh