



GOVERNMENT OF HARYANA / हरियाणा सरकार  
**Directorate Elementary Education**  
**मौलिक शिक्षा निदेशालय**

शिक्षा, संस्कृति एवं विकास  
 Education, Culture and Development

School Education, Haryana  
 विद्यालय शिक्षा, हरियाणा

तमसो मा ज्योतिर्गमय  
 Lead me from Darkness to Light

E-mail: eduprimaryhry@gmail.com - Site: www.harprathmik.gov.in

Order No. 8/225-2021 D&L (1)

Dated, Panchkula, the 18.01.2022

CCL of Smt. Sukhvir Kaur, ESHM, GMS Ratgal (2380) Distt. Kurukshetra is hereby granted the following leave:-

Sr. No.	Name of Leave	From	Instructions applicable
1.	Child care leave	19.01.2022 to 11.04.2022 (83 Days)	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.

Note- If any official shall remain on CCL more than 89 days then her post will be considered as vacant. The official on return from CCL shall report to the Directorate for further posting.

**Mukesh Kumar**  
 Additional Director (Admn.),  
 Directorate of Elementary Education,  
 Haryana, Panchkula.

Endst. No. Even:

Dated, Panchkula, the 19.01.2022

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

Regd.

1. Accountant General (A&E) Haryana, Chandigarh.
2. District Elementary Education Officer, Kurukshetra w.r.t. their Memo No. E-3/2021/456 dated 14.12.2021
3. Headmaster/Principal, GMS Ratgal (2380) Distt. Kurukshetra.
4. Smt. Sukhvir Kaur, ESHM, GMS Ratgal (2380) Distt. Kurukshetra.
5. Technology Officer (I.T. Cell).

**Superintendent D&L**  
 for Director Elementary Education  
 Haryana, Panchkula





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Order No. 2/5-2022 D&L (2)

Dated: 21.01.2022

Sh. Sadhu Ram (092291), DPE, GGMS Bhaini Surjan (6007), District Rohtak is hereby placed under suspension with effect from 16.11.2021 (deem date of suspension). During the period of suspension he would be entitled to have subsistence allowances under Rule 83 of HCS (General) Rules, 2016.

During the period of suspension, his Headquarter would be O/o District Elementary Education Officer, Panchkula. He would not left his Head Quarter without prior permission of competent authority.

  
**MUKESH KUMAR**  
 Additional Director, Elementary Education  
 Haryana, Panchkula

Endst No. EVEN

Dated Panchkula, the 21.01.2022

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

1. Accountant General (A&E) Haryana, Chandigarh.
2. District Elementary Education Officer, Rohtak w.r.t his Memo No. E-I-21/9460 dated 29.11.2021. It is requested to send draft of charge sheet under Rule-7 within seven days positively.
3. District Elementary Education Officer, Panchkula.
4. Head Master, GGMS Bhaini Surjan (6007), District Rohtak.
5. Official concerned.
6. ✓ IT Cell.

  
**Superintendent D&L**  
 for Director Elementary Education  
 Haryana, Panchkula  
[eduprimarydl@gmail.com](mailto:eduprimarydl@gmail.com)



**DIRECTORATE OF ELEMENTARY EDUCATION HARYANA, SHIKSHA  
SADAN, SECTOR-5, PANCHKULA**

**Order No. 16/148-2021 PRT (ART) (2)**

**Dated** 21.1.22

Whereas Renu approached the Hon'ble Punjab & Haryana High Court by way of filing a Civil Writ Petitioner i.e. CWP No. 25443/2021- Renu Vs. State & Others praying therein for issuance of a writ in the nature of mandamus to direct the respondent no. 2 to consider candidature of the petitioner as protected at their present school for online transfer drive 2021 as per clause (1) memo no. 3/20-2014 GS (1) dated 08.11.2021 P-2, that options for voluntary participation should be obtained from the petitioner as per clause 6 of the teacher transfer policy, while the petitioner are not eligible for compulsory transfer, because petitioner has not completed their 5 years stay/ tenure in particular school/zone of any district, as per clause 6 of the amended teacher transfer policy dated 05.06.2017 P-1. That the tenure of the petitioner at presented posting station is less than 3 year as she has joined by joining letter dated 12.03.2019 P-3. Further pass any order or direction that during the pendency of the present petition, the transfer of the petitioner may kindly be stayed on the facts and circumstances of the case and in the interest of justice and fair play. The writ petition came for hearing before the Hon'ble Court on 15.12.2021, wherein the Hon'ble High Court was pleased to dispose of the writ petition with directions to respondents to consider the representation of petitioner. The operative part of judgment dated 15.12.2021 is reproduced as under:-

*"Petitioner has filed this writ petition with a grievance that she has not completed her tenure/stay of five years at GPS Qutubpur, District Rewari where she was appointed on 12.03.2019. It is submitted that as per clause 6 of Teachers Transfer Policy, 2016, petitioner, who has not completed her five years tenure after her appointment on 12.03.2019 is protected from being transferred, therefore, petitioner should not be made to compulsorily participate in the Online transfer driver, 2021. In this respect, representation dated 12.11.2021, it is stated, was submitted but to no avail.*

*Notice of motion.*

*Mr. Randhir Singh, Addl. AG, Haryana accepts notice on behalf of the respondents and submits that representation submitted by the petitioner shall be decided in a time bound manner and in fact present writ petition can be treated as a comprehensive representation as detailed facts are mentioned therein.*

*Learned counsel for the petitioner is not averse to such course of action.*

*Keeping in view the facts and circumstances, this writ petition is disposed of with a direction to the competent authority to consider the present writ petition as a representation on behalf of the petitioner and decide the same in a time bound manner, preferably within three weeks from the date of receipt of certified copy of this order. In case of an order adverse to the petitioners, same be by way of a speaking order. Till then, status quo regarding petitioner's posting be maintained.*

*Petition is disposed of accordingly."*

The brief facts of this case are that on the requisition of the Education Department, the Haryana Schools Teachers Selection Board (HSTSB) had advertised 9870 posts of Primary Teachers (PRT) on 08.11.2012, which included 8763 posts of Rest of Haryana (ROH) Cadre and 1107 for Mewat District Cadre. The cut off date for filing online application forms was on 08.12.2012. It was clearly stipulated in the advertisement dated 08.11.2012 that the candidates must ensure that they fulfil all the eligibility conditions on the last date fixed 08.12.2012 for online application forms. The Haryana Schools Teachers Selection Board (HSTSB) had sent the recommendation list of 10218 candidates for posts of JBT/Primary teachers on 20-8-2014 as under :-

CADRE	REQUISITI ON SENT TO HSTSB	RECOMMENDATI ONS (MAIN MERIT LIST)	WAITI NG LIST	TOTAL SELECTED CANDIDAT
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				ES
ROH	8763	8374	674	9048
Mewat	1107	1081	89	1170
Total	9870	9455	763	10218

Meanwhile in CWP-12938-2014 titled as Maha Singh Bhurania Vs. State of Haryana & others, the Hon'ble High Court had ordered on 06.08.2014 that before appointment, scientific verification and verification of the antecedents of the selected candidates be undertaken because the allegations were made on the selected candidates that they have got the HTET certificates by impersonation and in this way their HTET certificates are bogus. In compliance of the said order, the record of all the candidates as application form, answer sheets etc. were handed over to the State Crime Record Bureau (SCRB) Madhuban, Karnal and Forensic Science Laboratory (FSL), Karnal for the scientific verification of the record with the thumb impressions/signatures of the candidates.

During the process of the said selection, a candidate namely Antim Kumari, who had not passed the Haryana Teacher Eligibility Test (HTET) on 08.12.2012 i.e. on last date for submission of online application form and she passed this test on 17-7-2013 i.e. after cutoff date 08-12-12, had filed a Civil Writ Petition No. 346 of 2013 titled as Antim Kumari Vs. State of Haryana & others. Some other connected CWPs were also filed by some other candidates, as the applications of the candidate by HSTSB were rejected on the ground that they did not fulfil the condition regarding having qualified HTET /STET on the last date of submission of the application forms.

In the above mentioned case, the Hon'ble High Court had passed an interim order on 23-10-2013 in CWP No. 346 of 2013 titled as Antim Kumari Vs. State of Haryana & others. The operative part of this order is as under:-

**"Meanwhile, in modification of the order dated 27.08.2013, it is directed that the candidates possessing all other eligibility conditions on the cut-off date as mentioned in the advertisement, except the certificate of STET which they have acquired after the cut-off date shall also be treated eligible, though provisionally. The Board may complete the selection process and declare the result, subject to final outcome of these proceedings. However, the**

**'Selection Criteria' to be adopted by the Board and the original records of selection shall be produced before us on the date fixed. The Department shall not offer appointments without prior permission of this Court.**

**Office to retain a photo copy of this order on the files of the connected cases."**

In compliance of the said interim order dated 23.10.2013 and in continuation of advertisement No.2/2012 for the posts of Primary Teachers (PRT), the Haryana School Teachers Selection Board vide its notice dated 15.11.2013 had sought the applications online through the website [www.recruitment-cdamohali.in](http://www.recruitment-cdamohali.in) from such candidates who have passed the Haryana Teachers Eligibility Test (HTET) held in June, 2013 and possessing all other eligibility conditions on the cut-off date i.e. 08.12.2012 of first Advertisement No. 2/2012. The eligibility of such candidates shall be treated provisionally subject to the final outcome of the above said CWPs. The online application could be filled from 19<sup>th</sup> November, 2013 to 29<sup>th</sup> November, 2013 till 5.00 P.M.

Further the Hon'ble High Court finally disposed of the said writ petition along with the connected writ petitions on 29.04.2015 as having become infructuous in view of the communication of the Government dated 20.04.2015 with observation that they do not see any reason not to permit the Government to act in the light of its decision contained in the communication of 20.4.2015 to accommodate the claim of the candidate regarding appointment to the candidates.

In pursuant to the orders dated 29-04-2015 passed by the Hon'ble Division Bench in case Antim Kumari, Haryana Staff Selection Commission (HSSC) had recommended 2233 candidates for the posts of Primary Teachers on 13.07.2015 against advertisement No. 2/2012 of candidates, who had obtained marks equivalent to or more than the cut-off marks of the category for which the recommendation in respect of 9455 candidates have already been received from the erstwhile Haryana School Teachers Education Board against 9870 advertised vacancies on 04.08 2015. In

this way the HSTSB & HSSC have recommended total 11688 candidates including 2233 candidates and total 12732 candidates including 1044 candidates of waiting list. The detail given in the tabular form of both lists is as under:-

CADR E	POST ADVERT RISED BY HSTSB 08.11.201 2	RECOMMENDATION (MAIN MERIT LIST)			WAITING LIST		
		HSTSB 20.08.201 4	HSSC 04.08.201 5	Total	HSTSB 20.08.201 4	HSSC 04.08.201 5	Total
ROH	8763	8374	1864	1023 8	674	231	905
Mewat Cadre	1107	1081	362	1443	89	50	139
<b>Grand Total</b>	9870	9455	2233	1168 8	763	281	1044
<b>As above total recommended candidates with waiting are 12732 after receiving from HSTSB and HSSC.</b>							

After getting the report of the candidates from the SCRB/FSL, the Hon'ble High Court was apprised about the reports of identical candidates, then the Hon'ble Division Bench of the Hon'ble High Court vacated the stay on 20.04.2017 and directed the respondents to issue the appointments to the eligible candidates strictly in order of merit but not beyond the advertised posts and subject to final outcome of the appeal.

In compliance of orders dt. 20-04-2017, the appointment letters issued to the selected eligible candidates in April, 2017 whose scientific reports were received identical with the candidates of the first original list.

During the said process of appointment letters, CM No.1361 and 1368 of 2017 in LPA No.720 of 2016, CM No.1380 of 2017 in LPA No.686 of 2016 and CM Nos.6402 and 6887 of 2017 in CWP No.2203 of 2016 were filed and in these CMs, the Hon'ble Division Bench had passed the interim order dated 08.05.2017 regarding revise list as under:-

“Meanwhile, State of Haryana is directed to identify the total number of posts to be filled in as per the order dated 20.04.2017, as also the number of selected candidates, who as per the original merit list or revised merit list or in terms of the directions issued by learned Single Judge (S), are entitled for appointment. It is further directed as an interim measure that appointments be offered strictly

**in order of merit as per the revised merit list but subject to final outcome of these proceedings. If some posts remain unfilled after appointing the candidates as per the revised merit list, the same may be offered to the candidates in waiting list provided that the total appointments do not exceed the advertised posts”.**

In compliance of this order dated 08.05.2017, the department had prepared the joint merit list from the first main original list and from the second list of candidates who were recommended in pursuance of the order dated 29.04.2015 passed by this Hon'ble High Court in case CWP No. 346 of 2013- Antim Kumari Vs. State of Haryana & others. The candidates who recommended by HSTSB, the merits were prepared and Districts were allotted by HSTSB itself as per choice given by the candidates in the application forms, but the HSSC had not sent list of postings as per merits and Department itself allotted the Districts randomly to these candidates without considering their merits.

The 2544 candidates who had been appointed in 2004, 2008 and 2011 have been ordered on 23.08.2019 to transfer on their opted districts under the Cadre Change Policy 2018. But PRTs appointed in 2017 and onwards had sought the stay order dated 28.08.2019 passed in CWP No. 22361 of 2019 titled as Sapna Devi & ors. Vs. State of Haryana & ors. and due to stay order, transfer order dated 23.08.2019 could not be implemented because after implementation the transfer order dated 23.08.2019 of 2544 PRTs the process of the PRTs appointed in 2017 and onwards was to be started.

The Hon'ble High Court has finally decided the main case CWP No. 22361/2019 titled as Sapna Devi & others Vs. State of Haryana on 14.08.2020 in which the stay was granted by the Hon'ble High Court on 28.08.2019. In this judgment dated 14.08.2020, the Hon'ble High Court directed the respondents to exercise the transfer drive as per seniority whether it is batch wise within three months from the date of judgment dated 14.08.2020. The Hon'ble High Court further directed that if a candidate has sought a 1<sup>st</sup> preference during his services in job, he will not be allowed to participate in a transfer drive..

The transfer order of 2544 teachers who were appointed before 2011 has been implemented on 20.04.2021 and schools has also been allocated to them on 23.04.2021



temporarily. It is further submitted that in respect of the PRTs appointed in 2017 and onwards, the inter district transfer process was initiated by the department regd. the permanent allocation of districts to these PRTs and in this respect a letter dated 30.04.2021 was circulated to the DEEOs to verify 21967 vacancies in the field so that districts be allocated as per their choice. This letter dated 30.04.2021 was challenged by the PRTs appointed before 2011 in CWP No. 9605 of 2021 titled as Pardeep Kumar and others Vs. State of Haryana & others on the ground that they have been given limited vacancies and lot of vacancies have been given to teachers appointed in 2017 and onwards, which was listed for 10.05.2021 and on that date the Hon'ble High Court stayed this letter dated 30.04.2021 and in this way all inter district transfer was stopped till further order.

Now the department has initiated the process for the intra district transfers i.e. within district for implementation the rationalization so that the studies of the children do not suffer. The main purpose of the intra district transfer to full fill the shortage of the teachers in the schools, where there is no teacher and to transfer the teachers from the schools, where there are surplus because as per RTE Act-2009, free and compulsory education is to be given to every child till the completion of elementary classes i.e from 1<sup>st</sup> class to 8<sup>th</sup> class. In this way the surplus teachers and teachers who have completed the five years in the particular zone are directed to participate in the intra district transfer mandatory. It is pertinent to mention here that this condition of completion of 5 years is applicable where the PRTs have been allocated the districts or schools in General Transfer but where a teacher has been transferred on Administrative exigency, given temporary posting on new appointment/promotion/reversion/repatriation or any other reasons are required to participate forcefully on the basis of lists provided by the concerned establishment branch to the IT cell at the time of GTD(General Transfer Drive) as State Government order dated 16.07.2021.

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It is worthwhile to mention here that the petitioner has sought the stay order in the present case by concealing the facts in the present writ petition.

Considering the factual position and circumstances as submitted above, it is concluded that the the claim of the Ms. Renu is not maintainable as the districts allotted to the JBT/PRT appointed in 2017 randomly by the department Manually and not as per the

teachers transfer policy, if stations allotted to teachers by way of promotion or manually they are bound to participate in the transfer drive for obtaining their permanent stations for 5 years, therefore claim of the Ms. Renu JBT hereby rejected to avoid the precedent, litigations and completion and further she is directed to participate in the General Intra District Transfer.

**Place: Panchkula**  
**Dated:**

*21/1/22*  
**(Anshaj Singh)**  
**Director Elementary Education**  
**Haryana, Panchkula.**

**Endst No: Even.**

**Dated, Panchkula the 24.1.22**

A copy of this order is forwarded to following for necessary information and further action thereon:-

1. Ms. Renu W/o Narotam R/O ward No. 23 Daya Nagar, Nizampur Road, Narnaul Dist. Mahendergarh.
2. Head Teacher, GPS Qutubpur, Rewari

✓ 3 IT Cell

**Place: Panchkula**  
**Dated:**

*Rajesh 24.1.2022*  
**Superintendent PRT (ART)**  
**for Director Elementary Education**  
**Haryana, Panchkula.**

*P-N 24/1/2022*

*DD*

*24/1/22*