



GOVERNMENT OF JAMMU & KASHMIR
DIRECTORATE OF SCHOOL EDUCATION, JAMMU
MUTHI CAMP, JAMMU-181205

Subject:- C.P. No. 159/2024 in O.A. No. 234/2024 titled Mohd. Iqbal & and V/s Ashok Kumar Sharma.

ORDER NO: DSEJ ³⁵² of 2024

DATED: ^{9.11} 11.2024

Whereas, the applicant no. 1 namely Mohd. Iqbal was engaged as Rehbar-E-Taleem (ReT) teacher in Primary School, Zera, Zone Bhagwah, District Doda and after completing five years of regular service as ReT teacher regularized as General Line Teacher, thereafter, teacher Grade-II; and

Whereas, the applicant namely Mohd. Farooq was engaged as 3rd Teacher in Govt. Upper Primary School, Lahri, Zone Bhagwah, District Doda and after completing five years of regular service regularized as General Line Teacher; and

Whereas, the Department has issued a notification vide No. 02-JK(Edu) of 2023 dated 15.06.2023, thereby inviting applications for mutual transfers of RReT teachers in terms of G.O. No. 20-Edu of 2019 dated 22.01.2019; and

Whereas, the applicants namely Mohd. Iqbal and Mohd. Farooq also applied for mutual transfer but their mutual transfer was not effected at that point in time; and

Whereas, thereafter, the applicants have filed Original application No. **O.A. No. 234/2024 titled Mohd. Iqbal & and V/s UT of J&K and others** before the Hon'ble Central Administrative Tribunal, Jammu and has sought following relief in the matter:-

"Direct the respondents to issue the orders transferring the applicants from Govt. PS Zera to Govt. UPS, Lahri and vice-versa in Zone Bhagwah District Doda on Mutual Transfer Basis as already done for the similarly situated employees of the respondent department."

Whereas, the Hon'ble Central Administrative Tribunal vide order dated 07.03.2024 has disposed of the Original Application with the following directions:-

".....Accordingly, the Original Application is disposed of with a direction to Chief Education Officer, Doda to consider the case of the applicants for mutual transfer and pass a reasoned and speaking order, as per rules, keeping in view the Rule 3, sub-rule(a) of Govt. Order No. 20-Edu of 2019, dated 22.01.2019 (Annexure A4) within a period of four weeks from the date of receipt of a certified copy of this order. Before taking such a decision, the applicants shall also be afforded an opportunity of hearing.

Ordered Accordingly. However, there shall be no orders so as to costs."

Whereas, the applicants have also filed contempt petition before the Hon'ble Central Administrative Tribunal and the contempt was listed on 15.10.2024 and the Hon'ble CAT has passed the following order:-

"Mr. Sudesh Magotra, learned AAG is granted four weeks' time as a matter of last opportunity to file compliance report, failing which the Director shall remain present before

this Tribunal on the next date of hearing along with records and to explain why they have not filed the compliance report till date.

List the case on 14.11.2024.”

Whereas, the case of the applicants was examined in light of the Government Order No. 20-Edu of 2019 dated 22.01.2019 (State Administrative Council decision No. 166/22/2018 dated 07.12.2018) and G.O. No. 192-JK (Edu) of 2023 dated 27.06.2023. Further, Point 3(a) of Order No. 20-Edu of 2019 dated 22.01.2019 reads as under:-

“.....The service conditions of the Teachers Grade-II shall be the same as prescribed for the General Line Teachers with the exception that they shall not be transferable except on the mutual basis to the post of other teacher Grade-II/RRETs/ReTs in exceptional circumstances.....”

Now, therefore, keeping in view the facts and circumstances of the case as well as the order dated 07.03.2024 passed by the Hon'ble Central Administrative Tribunal, Jammu in case **O.A. No. 234/2024 titled Mohd. Iqbal & and V/s UT of J&K and others**, sanction is hereby accorded to the mutual transfer of the following RReTs (Teacher Grade-II/ReT 3rd teacher) on reciprocal basis.

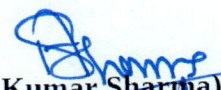
S.No	Name	Designation	Present place of posting	New Place of posting
01.	Mohd. Iqbal	Teacher Grade-II	Primary School, Zera, Zone Bhagwah, District Doda	Govt. Upper Primary School, Lahri, Zone Bhagwah, District Doda
02.	Mohd. Farooq	ReT 3 rd Teacher	Govt. Upper Primary School, Lahri, Zone Bhagwah, District Doda	Primary School, Zera, Zone Bhagwah, District Doda

The above said mutual order is subject to the following conditions:-

1. The teachers (Grade-II/ReT 3rd teacher) so transferred are working at their actual place of engagements/appointments.
2. They have not been promoted/appointed/selected on higher post as on date.
3. Having minimum one year of service in their cadre.
4. No joining time and TA/DA is allowed.

No: DSEJ/Legal/ 25044-47

Dated: 07-11-2024


(Ashok Kumar Sharma) JKAS
Director School Education
Jammu

Copy for information to the:-

1. Principal Secretary to Government, School Education Department, Civil Secretariat, Jammu please.
2. Chief Education Officer, Doda for information and necessary action.
3. Applicants for information.
4. Incharge website for information and necessary action.