2026/36254 amt
4/4/2026

OFFICE OF DIRECTOR OF PUBLIC INSTRUCTIONS (S.E) PUNJAB, SAS NAGAR
(Establishment-3 Branch)
(Email ID- dpise.amla3@punjabeducation.gov.in)

Speaking order

Order No. 1140343
Dated, SAS Nagar: 21.10.2026

Whereas Shri Vikas Kumar and others have filed CWP No. 17836 of 2026 titled as *"Vikas Kumar and Others Vs. State of Punjab & Others"* before the Hon'ble Punjab and Haryana High Court, inter alia, praying for seeking directions regarding their relieving from their present place of posting in pursuance of the transfer orders issued in their favour. The present writ petition has been disposed of vide common order dated 17.08.2026 along with the bunch of other similar writ petitions in the main case titled as *Ashish Kalra Vs. State of Punjab and Others*, with the following directions:—

> *"(a) Secretary, Department of School Education, Punjab, shall constitute a Committee to re-examine the policy in question in all aspects, including the issues, as demonstrated above, with a view to rectify the anomalies and ensuring complete transparency, thereby leaving no discretionary powers with the authorities concerned to be exercised arbitrarily, within a period of three months from today.*
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> *(b) The Secretary, Department of School Education, Punjab, shall also constitute a separate Committee, within two weeks from today, which, after hearing all the stakeholders, including the petitioners, shall pass a speaking order qua every petitioner, thereby addressing his/her grievance, within a period of eight weeks from today."*

2. Whereas, in compliance with the aforesaid directions dated 17.08.2026 passed by the Hon'ble Punjab and Haryana High Court, the Department had constituted a Committee vide order dated 26.08.2026 for addressing the grievances of the petitioners in the above-said bunch. Accordingly, the grievances of the present petitioners were also heard by the said Committee after giving an opportunity of personal hearing on dated 22.09.2026. The Committee went through the contents of the present writ petition filed by the petitioners and examined the same in the light of the official record available and instructions issued by the Department from time to time. During the personal hearing, the petitioners reiterated the facts and submissions already pleaded by them in the aforesaid writ petition and requested that they be relieved from their present places of posting in pursuance of the transfer orders issued in their favour.

3. The grievances of the petitioners, the averments made in the writ petition, relevant transfer orders, applicable Transfer Policy and departmental instructions have been duly examined along with the available official record. The petitioners, namely Shri Vikas Kumar, Shri Balbir Singh, Shri Chhinder Singh and Shri Gurcharan Singh, while serving as Masters in Government Schools, participated in the Online Teacher Transfer Exercise and were allotted new stations vide transfer

orders dated 31.08.2024 and 06.09.2025. The petitioners have sought relieving from their present places of posting and have also relied upon the departmental Memo dated 31.05.2022, contending that the transfers earlier held up due to the 50% sanctioned-strength condition were directed to be implemented.

4. On examination of the transfer orders in question, it is observed that the orders themselves specifically provide that, where implementation of the transfer results in the number of teachers in a Senior Secondary/High School falling below 50% of the sanctioned strength, the transfer shall be implemented upon posting of a replacement. Thus, the transfer orders are subject to the conditions incorporated therein and do not confer an unconditional right to relieving. The Memo dated 31.05.2022 was issued in the context of transfers which had remained pending at that relevant time due to the 50% condition and provided a mechanism for implementation of such pending transfers. The said instructions cannot be construed as a permanent relaxation overriding the conditions specifically incorporated in the subsequent transfer orders.

5. Further, the communication dated 30.05.2022, relied upon by the petitioners, is required to be read in the context of the subsequent departmental instructions issued vide Memo No. Transfer Cell/2026/322388/2558 dated 19.03.2026. Vide the aforesaid departmental instructions, the Department has issued directions regarding cancellation of transfers which could not be implemented during the online transfer process due to the condition of 50% sanctioned teaching strength in schools or due to other departmental reasons.

6. As per Point No. 1.2 of the aforesaid departmental instructions dated 19.03.2026, in cases where the transfer of a teacher/employee could not be implemented due to the aforesaid reasons, the data of such teacher/employee had nevertheless been shifted to the destination school, although the teacher/employee continued to work at the original school. The said instructions provide that the transfers of such teachers/employees are to be cancelled so that their data may be shifted back to the same school where they are actually working.

7. On examination of the grievances of the petitioners and the available official record, it is observed that the cases of those petitioners whose transfer orders could not be implemented due to the reasons covered under the aforesaid departmental instructions are required to be dealt with in accordance with Point No. 2 of the Memo dated 19.03.2026. Accordingly, the applicability of the said instructions to the individual cases of the petitioners shall be determined with reference to the relevant transfer orders, the actual place of working and the reasons for non-implementation of the respective transfer orders.

8. It is further observed that the transfer process was undertaken through the prescribed online portal. However, allotment of a station through the online portal, or the shifting of an employee's data to the destination school, does not by itself establish that the transfer has been implemented when the employee continues to work at the original school. The administrative record is, therefore, required to reflect the actual place of working of the employee in accordance with the applicable departmental instructions.

9. Accordingly, the grievance of the petitioners regarding their relieving and the implementation of their respective transfer orders has been duly considered in the light of the applicable Transfer Policy, departmental instructions and the official record available. The cases of the petitioners shall be dealt with in accordance with the applicable conditions of their respective transfer orders and the departmental instructions dated 19.03.2026, including Point No. 2 thereof, wherever applicable.

In view of the above, the grievances raised by the petitioners stand addressed in terms of the aforesaid departmental instructions. The claim/representation of the petitioners is hereby disposed of accordingly.

Sakatar Singh Bal, PCS
Director School Education (Secondary) Punjab

Endst. No. Even./2026311273-75 Dated- SAS Nagar : 21-10-2026
A copy of the above is sent to the following for information and necessary action:-

1. District Education Officer (SE),TarnTaran and others Districts.
2. Concerned Petitioner's (as per list attached).

Assistant Director School Edcation-3

ਦਫਤਰ ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ(ਸੈ.ਸਿ) ਬਠਿੰਡਾ

ਪਿਠਅੰਕਣ ਨੰ: ਅ-1/1( )2026/ ਮਿਤੀ 05.11.2026

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਸੰਬਧਤ ਸਕੂਲ ਮੁਖੀਆਂ ਜਿਲਾ ਬਠਿੰਡਾ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਦਾ ਹੈ ਕਿ ਉਕਤ ਸਪੀਕਿੰਗ ਆਰਡਰ ਸੰਬਧਤ ਪਟੀਸ਼ਨਰਾਂ ਨੂੰ ਨੋਟ ਕਰਾਏ ਜਾਣ ਅਤੇ ਕਾਰਵਾਈ ਰਿਪੋਰਟ ਇਸਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ।

ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ (ਸੈ ਸਿ)