

2026/22824
30/09/2026
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Speaking order

Order No. 1205385
Dated, SAS Nagar: 23.09.2026

Whereas, Manjeet Singh , Aged 33 Years Teacher, Presently Posted At GSSS Desal KPT-3 , Distt Kapurthala And 48 Others Filed CWP No. 15830 Of 2026 Prayed to issue necessary directions to the respondents to allow the petitioners being master cadre (english) teachers to exercise transfer options to their home districts or nearby areas in parity with other subject teachers as has been denied to the English master/mistress teachers for recruitment/years the previous since the posts available for transfer on the online portal to the english master/mistress are negligible/unavailable; or issuance of an appropriate writ, order or direction in the nature of mandamus to consider adjustment of the petitioners against available SST(social studies) posts as per equitable redistribution of english and sst posts in the year 2020 and 2025 and for fair rotation in terms of the transfer policy, 2019; issuance of an appropriate writ, order or direction in the nature of certiorari declaring the action of the respondents in discriminating against master cadre english teachers by denying them the option for transfer to their home districts or nearby areas while extending such benefit to other subject teachers under the transfer policy, 2019 as illegal, arbitrary and violative of articles 14 and 16 of the constitution of india; or issuance of an appropriate writ, order or direction in the nature of certiorari declaring the action of the respondents in discriminating against master cadre english teachers by denying them the option for transfer to their home districts or nearby areas while extending such benefit to other subject teachers under the transfer policy, 2019 as illegal, arbitrary and violative of articles 14 and 16 of the constitution of india;. This case came up for hearing on 20.05.2026 and the Hon'ble Court was pleased to pass following order:-

"Without going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.2 to consider and decide representation dated 10.04.2026 (Annexure P-7) submitted by the petitioners expeditiously, by passing a speaking order after affording an opportunity of hearing to the petitioners, preferably within a period of 06 weeks from the date of receipt of certified copy of this order. Further, the decision taken thereon shall be conveyed to the petitioners."

2.0 In due compliance of the above said directions of the Hon'ble Court, the petitioners have been given personal hearing on 23.09.2026. During the course of the said hearing the petitioners oral submissions were duly heard and all relevant record, representation tendered by the petitioners were formally taken on record. I have carefully gone through the official record pertaining to the claim of the petitioners. After perusal of the office record, produced before me, it has come to notice that petitioners are substantively working as Master Cadre (English) teachers in the Department of School Education, Punjab, and are seeking transfer to their home districts or adjacent regions.

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3.0 To evaluate the merits of the claim raised by the petitioners in their representation dated 10.04.2026, the operating guidelines governing the transfer of teaching personnel have been carefully scrutinized. The department handles all general transfers strictly via an automated, online portal based on the objective criteria defined under the "Teachers Transfer Policy-2019" notified via No. 11/35/2018-1edu6/1508658 dated 25.06.2019.

4.0 Regarding the legal entitlement of seeking a transfer to a station of choice or home district, Paragraph 5(i) under the Basic Principles of the Teachers Transfer Policy-2019 categorically mandates:

"Transfer/posting to the opted zone/school will not be claimed or treated as a matter of right."

Furthermore, Paragraph 12 of the policy explicitly lays down a clear Disclaimer:

"DISCLAIMER: These guidelines regarding transfer are meant essentially for the internal use of the Department and do not vest any teacher with any right to transfer."

In terms of these governing principles, individual teachers do not possess an absolute, vested legal right to compel the department to execute transfers to specific stations. Rather, postings are determined by automated system compliance based on cumulative merit points and real-time station vacancies. However, the provisions of Teacher Transfer Policy-2019 are not applicable to the employees falling under specified exempted categories, including employees suffering from Cancer, on dialysis, themselves or having a spouse or child suffering from it or employees suffering from Hepatitis-B/Hepatitis-C/ Sickle Cell Anemia / Thalesimia etc or any other Serious Nature of Chronic Disease as mentioned in letter dated 26.02.2024. In order to facilitate transfer in such exceptional cases, the transfer Portal has been opened w.e.f. 23.09.2026. Accordingly, eligible employees falling under the aforesaid exempted categories may submit their transfer request through the portal, which shall be considered in accordance with the applicable Rules

5.0 With respect to the petitioners' core grievance regarding the non-availability or negligible number of vacant posts for the English subject cadre on the transfer portal, alongside their request for adjustment against available Social Studies (SST) Subject Post, the matter has been administratively assessed. To redress this exact imbalance, safeguard the broader academic interests of students, and maximize job satisfaction among employees, the department has undertaken a thorough rationalization and post-redistribution exercise.

6.0 It is hereby placed on record that, pursuant to the earlier exercise undertaken by the Department, 425 posts of Social Studies (SST) were converted into the post of English Subject in view of the availability of vacancies and the requirement assessed on basis of the prescribed Teacher- Student Ratio. The said 425 converted post have now already been filled by eligible teachers through online Portal under Teachers Transfer Policy-2019. Thus, the earlier exercise of conversion of 425 post has already been implemented and no further transfer can presently be made against those posts. In this regard, it is further submitted that there are a total number of 8769 Sanctioned Posts of English Subject in the department, out of which 498 Posts are presently vacant. The petitioners, if otherwise eligible, may apply for transfer against the available vacancies as and when the transfer portal is

category. Thus, the petitioners' claim cannot be said to have been disclosed and may be considered in accordance with the applicable Transfer Policy and availability of Vacancies at the relevant time.

Moreover, keeping in view the continuing requirement of transfer by English to certain districts and relocation of posts of Social Studies subject to English Subject, the Department has now constituted a new Committee via order dated 22.09.2026 to examine this issue.

8.0 In view of the aforesaid facts, it is pertinent to mention here that the Education Department comprises a large number of cadres and a substantial strength of employees working across different subjects and categories. Any exercise involving conversion of posts from one subject to another, therefore, requires a comprehensive assessment of the sanctioned strength, working strength, surplus posts, subject-wise requirement and Teacher-Student Ratio across the department. Such an exercise is necessarily voluminous in nature and requires due examination and verification at various levels before final decision can be taken.

Hence, the claim of the petitioners, at this stage cannot be accepted. However, the petitioners would be at liberty to raise their claim upon the final outcome / recommendations of the committee.

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

Endst. No. Even./2026266717-18

Dated- 23.09.2026

A copy of the above is sent to the following for information and necessary action:-

1. Concerned District Education Officer (SE)
2. Concerned Petitioner's (as per list attached).

Sakatar Singh Bal
23/9/26
Assistant Director School Education-3

ਦਫਤਰ ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ(ਸੈ.ਸਿ) ਬਠਿੰਡਾ

ਪਿਠਾਅੰਕਣ ਨੰ: ਅ-1/1()2026/ 1174

ਮਿਤੀ 7.10.2026

ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ ਸੰਬੰਧਤ ਸਕੂਲ ਪ੍ਰਿੰਸੀਪਲਾਂ ਨੂੰ ਭੇਜ ਕੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਸਪੀਕਿੰਗ ਆਡਰ ਸੰਬੰਧਤ ਪਟੀਸ਼ਨਰਾਂ ਨੂੰ ਨੋਟ ਕਰਾਉਣੇ ਯਕੀਨੀ ਬਣਾਏ ਜਾਣ ਅਤੇ ਕਾਰਵਾਈ ਰਿਪੋਰਟ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ।

Sakatar Singh Bal
ਜਿਲਾ ਸਿਖਿਆ ਅਫਸਰ(ਸੈ.ਸਿ)
ਬਠਿੰਡਾ