

Directorate of Cooperation
Himachal Pradesh


No.4-106/82-Coop.(Estt.) Dated Shimla-9, the 29 th,September,2022

"OFFICE ORDER"

Whereas, in compliance of the order passed by the Hon'ble High Court on 06-09-2022 in CWP No. 6173 of 2022, the representation made by the petitioner i.e. Sh. Chain Lal regarding his transfer from Tribal area of District Keylong to the office of the Assistant Registrar Cooperative Societies Palampur is considered and decided vide this office order Number 4-116/98-Coop. (Estt.) dated 29-09-2022.

Therefore, keeping in view the merits of the case of Sh. Chain Lal, DAO/DI as delineated in office order dated 29-09-2022, the transfer and postings of the following District Audit Officer/District Inspector, Cooperative Societies of this Department are hereby ordered with immediate effect.

Sr. No	Name of Official	From	To	Remarks
1	Sh. Chain Lal	O/o ARCS Lahaul Spiti at Keylong	O/o ARCS Palampur	Vice Sr.No.2 as substitute
2	Sh.Puran Chand	O/o ARCS Palampur	O/o ARCS Lahaul Spiti at Keylong	Vice Sr.No.1


(Rajesh Sharma, IAS)
OK Registrar Cooperative Societies,
Himachal Pradesh

Endst.No.4-106/82-Coop.(Estt.) Dated Shimla-9, the 29 th,September,2022
Copy to:-

1. The Secretary (Cooperation) to the Government of Himachal Pradesh for information.
2. The Additional Registrar, Cooperative Societies Dharamshala District Kangra H.P. for information.
3. The Deputy Registrar, Cooperative Societies Dharamshala/Mandi H.P. for information.
4. The Assistant Registrar Cooperative Societies Lahaul Spiti at Keylong and Palampur for information and necessary action with the direction to send the relieving/joining report of the officials to this office.
5. P.A. to Registrar, Cooperative Societies, H.P. for information.
6. Personal file.


(Rajesh Sharma, IAS)
OK Registrar Cooperative Societies,
Himachal Pradesh

Directorate of Cooperation
Himachal Pradesh

No. 4-116/98-Coop.(Estt.)

Dated Shimla-9 the 29th September, 2022.

Representation in terms of directions passed by the Hon'ble High Court in CWP No. 6173 of 2022 on 6th September, 2022 titled Chain Lal V/s State of Himachal Pradesh.

“ ORDER ”

The Hon'ble High Court of Himachal Pradesh has passed the following order in CWP No. 6173 of 2022 titled Chian Lal V/s State of Himachal Pradesh and others on 6th September, 2022:-

“...2. *Learned Counsel for the petitioner has submitted that the petitioner had worked twice in a tribal area. Although, petitioner has moved a representation dated 14.07.2022 (Annexure P-1) to the respondents for his transfer to a soft area, but no action has been taken on the representation moved by the petitioner so far.*

3. *Learned Additional Advocate General has submitted that the representation submitted by the petitioner is not in terms of the transfer policy dated 10.07.2013.*

4. *Accordingly, without advertng to the merits of the case, we deem it appropriate to dispose the writ petition with a direction that in case the petitioner moves fresh representation before the respondents/competent authority, in terms of the Transfer Policy dated 10.07.2013, within one week from today, the same shall be disposed of by the respondents in accordance with law, within two weeks thereafter from the date of receipt of the representation along with copy of this order.*

5. *Pending miscellaneous application(s) if any, shall also stand disposed of.”*



In compliance of the order of the Hon'ble High Court dated 06.09.2022, the petitioner was called upon to appear in person on 28.09.2022 before the undersigned along with the evidence/record if any in support of his case. A representation dated 08.09.2022 was also filed by the petitioner in this regard which was received in the Department on 09.09.2022.

During the course of hearing, the petitioner submitted that he has been working as District Audit officer/ District Inspector in the office of the Assistant Registrar Cooperative Societies Keylong since 01.09.2020 and has completed more than two years at his present place of posting and this is his second tenure in Tribal area as he also served at Pangi w.e.f July, 2003 to Sept., 2005. The petitioner Sh. Chain Lal further asserted that his family circumstance are not favorable, therefore, he requested for his adjustment at Palampur.

In view of the above, the incumbency position in the office of the Assistant Registrar Cooperative Societies Palampur was perused, which reveals that there is only one sanctioned post of District Audit officer/ District Inspector presently occupied by Sh. Puran Chand since 07.01.2022. A scrutiny of record further reveals that Sh. Puran Chand was initially recruited as Inspector in this Department and joined his duties on 19.09.1998 in office of the Assistant Registrar Cooperative Societies Palampur and ever since then he remained posted under the jurisdiction of the Assistant Registrar Cooperative Societies Palampur. Hence, his overall stay in the office of the Assistant Registrar Cooperative Societies Palampur is of 24 years. The details of previous postings of Sh. Puran Chand are as under:-

<u>Sr. No.</u>	<u>Place of Posting</u>	<u>Tenure</u>
1.	O/o ARCS Palampur	19-09-1998 to 05-08-2002
2.	Development Block Baijnath	06-08-2002 to 02-07-2008
3.	O/o ARCS Palampur	03-07-2008 to 30-04-2012
4.	D.B Panchrukhi	01-05-2012 to 05-01-2016
5.	D.B. Bhawarna	06-01-2016 to 06-01-2022
6.	ARCS Palampur (as DAO/DI)	07-01-2022 to till date

After carefully going through the relevant record, I have reached to the conclusion that Sh. Chain Lal, District Audit officer deserves to be transferred from Tribal area of District Keylong to the place of his choice i.e Palampur as he has already completed the stay of more than two years at his present place of posting and it is his second tenure in Tribal. Since, the petitioner has shown his willingness to transfer him in the office of the ARCS Palampur and there is only one post of DAO/DI and the incumbent posted in the office of the ARCS Palampur has also not served in Tribal area during his entire service career of 24 years, therefore, it is ordered that Sh. Chain Lal DAO/DI be posted at Palampur and Sh. Puran Chand, DAO/DI be transferred to Keylong as substitute of Sh. Chain Lal. The above orders be issued immediately.

Place:- Shimla
Date:- 28/09/2022



(Rajesh Sharma, I.A.S)
Registrar Cooperative Societies,
Himachal Pradesh