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CABE COMMITTEE ON TRANSFER OF TEACHERS

REVISED DRAFT REPORT

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New Delhi - 11 00 16

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29/12  
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## 1. GENERAL

### 1.1 Introduction

The need for providing satisfactory service conditions for teachers has been recognised and emphasised by every Committee/Commission set up from time to time for bringing about reforms in the education system in India. In the National Policy on Education 1986 also it has been stated that "The Government and the Community should endeavour to create conditions which will help motivate and inspire teachers on constructive and creative lines".<sup>1</sup> Postings and transfers play a key role in the provision of satisfactory working condition for teachers. Accordingly, the National Policy on Education provides that "Guidelines will be formulated to ensure objectivity in the postings and transfers of teachers".<sup>2</sup> Elaborating this statement further, the Programme of Action state;

"Posting and transfer of teachers - It is essential that postings and transfers of teachers are made in accordance with certain norms. By and large, a teacher should not be moved for three years after his first appointment and we should move towards a situation where by and large, a teacher does not get transferred till he/she is promoted or there are some unavoidable exigencies".<sup>3</sup>

In realisation of the importance of postings and transfers for the general welfare and efficiency of the teacher the Ministry of Human Resource Development (Department of Education) vide its order No. P.2-2/87-PN2 dated 9.2.1987 constituted a committee of the CABE to examine the question of transfer of teachers and to prepare concrete proposals for action in this regard. The list of members constituting this committee is given in Annexure I. The terms of references of the committee were as under:

- i) The Committee will evolve norms and procedures in consultation with teachers for postings and transfers.
- ii) In evolving such norms, the committee will take into account the National Policy on Education and also the recommendations made in the Programme of Action particularly in respect of teachers.
- iii) The Committee will lay down its own procedure and may co-opt members as may be considered necessary to evolve a suitable policy relating to transfer of teachers in consultation with teachers representatives and organisations.

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1. National Policy on Education 1986 para 9.1  
2. op.cit. para 9.2  
3. Programme of Action (POA) page 187 para (h)

## 1.2 Objectives

The first meeting of the Committee was held in New Delhi on April 24, 1987 and the issues relating to the objective, scope and procedure to be adopted were discussed. As far the objectives, it was decided that the Committee would conduct a study of the existing norms of transfers obtaining in various states, prepare a consolidated picture of the salient features in the transfer rules in various states, discuss them further with the state representatives and representatives of the teachers' organisations at the national level. Thereafter, on the bases of opinion emerging out of these discussions, guidelines would be prepared to help the state government to prepare their own transfer rules.

## 1.3 Scope

The Committee observed that the transfer policy, being closely linked with the policies pertaining to cadre, recruitment, training and posting, cannot be considered in isolation from these aspects. Accordingly, it was decided that the issue of transfer of teachers needed to be considered in relation to the entire personnel management policy for teachers. It was also agreed that the recruitment in colleges and universities being mainly subject or institution based, the Committee would confine itself to the study of 'Transfer Problems' upto school level only. However it was decided that the study should include teachers working under all types of school management (Govt. local bodies, private/central, school organisation).

## 1.4 Work Procedure

As decided in the first meeting of the Committee, view of the various state governments teachers' organisations (both at the state as well as national level) managements/agencies on various issues relating to transfer of teachers, were sought through a structured proforma. A copy of the proforma/questionnaire sent to the state governments and various organisations/agencies is attached as Annexure II. A consolidated summary of the information received from the state governments and teachers' organisations was prepared and issues relevant to the transfer of teachers were framed. These issues were discussed with the representatives of the national level teachers' organisations in New Delhi on 29th and 30th January 1988.

After a detailed discussion on various issues relating to the postings and transfer policy for teachers, several recommendations were made in this meeting. The teachers representatives however, wanted these recommendations to be confirmed/approved by the executive/general bodies of their respective organisations. Accordingly, a second meeting with these representatives was held in New Delhi on 26th March, 1988. In this meeting, the main issues were again discussed in the light of the brief received by the representatives from their respective organisations. After a long and detailed discussion certain recommendations were again made which are placed at Annexure IV. Keeping in view the feedback received from the State governments and the views expressed in the meeting with the

teachers representatives, draft report was prepared. New draft recommendations were then circulated to the State Governments for their comments. The response from the State Governments was not encouraging. The State Governments of Assam, Goa, Haryana, Kerala, Maharashtra, Orissa, Rajasthan, Sikkim and Union Territory Administration of Andaman, Nicobar Islands and Delhi sent their comments in which they by and large, endorsed the draft recommendations. An effort has however been made to incorporate the suggestions made by the State Governments in the final Report.

## 2. BASIC POLICY ISSUE

It is generally argued that in view of special job requirements in the teaching profession, there should be minimum or no transfer of teachers. In the Programme of Action also it has been clearly stated that "..... We should move towards a situation where, by and large, a teacher does not get transferred till he/she is promoted or there are some unavoidable exigencies".<sup>1</sup> The representatives of the national level teachers organisations, while supporting this view were of the opinion that it was not only desirable but also absolutely essential to adopt a policy of 'No Transfer' among teachers and to accept it (No Transfer) as an essential part of their personnel management. As far the state governments, none of the responding state/UT government have expressed such opinion. On the other hand, the very fact of their having framed transfer rules imply at least the inescapability of transfers. However, in their suggestions, some of the state Governments and the teachers associations have opined that teachers would not be disturbed if working satisfactorily and posted in rural/interior area unless they seek for their transfer or is warranted on administrative grounds.

The Committee examined this issue in its various aspects. It was agreed that a policy of 'No Transfer' would help to (a) provide a teacher with stable living and peace of mind (b) enable him to establish rapport with the community and improve the school environment, (c) improve the standard of education as well as his own academic and professional competence. On the other hand the committee had also to take cognisance of certain realities such as (a) Transfers are generally sought for as well as effected in every state, (b) most of the state governments have framed rules to regulate the transfers, (c) even the statement in the Programme of Action provides for unavoidable exigencies to permit transfers and that "it is essential that postings and transfers of teachers are made with certain norms and (d) the statement "guidelines will be formulated to ensure objectivity in the posting of teachers"<sup>2</sup> also points to the acceptance of transfers as a real phenomena. Besides, implementation of 'No Transfer' policy will be possible only by recruiting teachers for Elementary Education at Block level and Secondary/Higher Secondary School at the District level provided duly qualified teachers are available within the Block/District. This may also call for recruitment of untrained and even underqualified Teachers and then

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1. Programme of Action (POA) page 187, para (h).
  2. National Policy on Education 1986, para 9.2.

depute them for training or updating their qualifications. All these realities along with a closer look at the administrative as well as personal exigencies warranting the need for transfer has led the committee to believe that transfer of teachers would continue to remain an inescapable reality for an indefinite period. It would however be desirable that number of transfers of teachers should be kept at the minimum possible.

### 3. RELATION WITH GENERAL TRANSFER POLICY

In the formulation of universally applicable and administratively feasible transfer rules, the Committee tried to draw upon the transfer rules applicable in other departments. It was however found that the job requirements for the teaching profession were entirely different from administrative or even from other social service department. The job of a teacher, besides the basic requirement of dedication to the job, also required closer association with local community and personal attachment to students as individuals as against the impersonal commitment in other public dealing departments. It was therefore, agreed that transfer of teachers can not be a part of general transfer policy and as such there should be a separate transfer policy for teachers.

### 4. COVERAGE OF TRANSFER RULES/NORMS

As far the application of transfer policy to different categories of teachers, it was felt that teachers, irrespective of type of school management and the standard they are teaching in, are a professionally homogeneous group. The Committee therefore feels that for all institutions/organisations (local bodies, private management, government) where transfer of teachers is stipulated, observance of recognised norms should be mandatory. The field supervisory staff of the Education Department also needs to be covered by the transfer rules applicable to teachers.

### 5. EXIGENCIES FOR TRANSFER

As pointed out earlier, the Committee also tried to make a detailed analysis of the various exigencies which makes transfers an inescapable necessity. Briefly speaking these exigencies can be grouped into (i) Administrative exigencies and (ii) Requests from teachers.

The Administrative exigencies may be due to, (a) the need for filling a vacancy caused by the retirement, promotion, resignation, suspension, dismissal or complaint against the conduct of a teacher, (b) the need for rationalisation of the staff as per prescribed norms, (c) need for special consideration required in matter of posting of special categories like SC/ST, lady teachers, physically handicapped, state or national level awardees, caretakers of the families of working defence personnel and teachers on the verge of retirement, (d) necessity arising out of consulsory/involuntary transfers to hard/difficult areas, and (e) necessity arising out of posting/transfer of office bearers of the branches of the recognised state/national level

teacher's organisations at the local level during their period of tenure as office bearer. The requests from teachers which are generally accepted as pertinent ground for transfers are based on (a) health or medical grounds of his own or dependents, (b) posting of working couple at the same station, (c) mutual requests for transfers and (d) other compassionate grounds. The committee examined the various implications of these exigencies with a view to consider them as pertinent grounds for teachers.

## 6. NORMS FOR TRANSFER

### 5.1 Promotion/Retirement etc.

As regards promotions, retirement, resignation etc. the representatives of the teachers organisations had observed that transfers due to promotion should be necessary only an account of non-availability of vacancy in the same institution/school. In that case also the teacher should be given the option to select institution of his/her own choice wherever vacancy arises. The Committee feels that transfers on account of promotion should be made only when no post is available within the institution. Even in such eventuality, care should be taken that transfer due to promotion does not add to any sort of hardship to the teacher and therefore, posting in such cases should ensure choice of the effected teacher.

### 6.2 Transfers due to Complaint

Sometimes transfers are done due to complaints against a teacher and in many cases the effected teacher is a victim of wrong discretion on the part of authorities. The Committee strongly feels that transfers on the basis of complaints against a teacher should be discouraged. However, complaint against a teacher is also interpreted as a case of people/community loosing confidence in the teacher due to genuine and strong reasons. In such cases the Committee feels that transfer should be resorted to only when the issue of complaint is fully established.

### 6.3 Rationalisation of Staff

It is generally observed that there is uneven deployment of teachers between difficult and popular areas even within the same Taluka. Teachers with same influence get themselves transferred/posted to popular places irrespective of the vacancies in such institutions/areas. This has resulted in overstaffing of schools in these areas at the cost of schools in non-popular places. Some of the State Governments are now trying to rationalise their staffing position by way of posting out of teachers from schools with surplus staff to understaffed schools. Such a rationalisation becomes necessary for net-working of institutional facilities. In this process, with a view to minimise the chances of miscarriage of justice, it will be more appropriate if teachers with longer stay in an overstaffed school/area are first posted out to non-popular areas or under-staffed school.



#### 6.4 Staffing the Institutions in Difficult Areas

Besides the problem of rationalisation of staff, most of the State Governments are facing the problem of posting and retention of staff in the hard/difficult/interior/tribal/unpopular areas. Most of the responding states have pointed out that teachers, even on promotion, are invariably reluctant to work in the interior areas. Firstly, they avoid posting to these areas. But even if posted there, they try to get transferred from there at the slightest available opportunity. To meet this problem, it has been suggested that newly recruited teachers should be first posted to interior/rural areas only and that they should be transferred out from these areas only after the completion of a fixed minimum period of service on that posting. It has also been suggested that service in these areas should be a necessary condition for transfer to soft/popular areas. The representatives of the teachers organisations, while conceding the seriousness of the problem, opined that new teachers and teachers on complaints should not be posted to such areas. On the other hand, they have suggested that it should be made obligatory for teachers (male below 45 years and female below 40 years) to complete one effective posting in these areas during their service period provided they are given additional salaries (ranging from 50 to 100 per cent according to the category of the difficult areas) for working in these areas.

The Committee examined in detail, the various aspects of this problem and felt that the problem was directly connected with overall development of the various parts of the country. Also, the problem is more serious till such time the local candidates are available in sufficient number to work as teachers in these areas. Formation of a separate cadre for such areas and having area-specific recruitment based on projected requirement could be one way out for checking demand/pressure for transfer from these areas. This will help teachers to reconcile for permanently working in these areas from the very beginning. However, formation of a separate cadre may not be feasible for various administrative and technical difficulties. It appears therefore to be more advisable to adopt a flexible recruitment policy frame whereby local person with lower qualifications are recruited as teacher and provided with necessary in-service training. In the Programme of Action also a similar view has been expressed "Village Youth who may not fulfil the prescribed qualifications for the post of teachers may be appointed as volunteer teachers..... These volunteer teachers may be appointed only in areas where arrangements can be made for training of good quality."<sup>1</sup> An endorsement of this approach is made by the National Commission on Teachers "In the recruitment of teachers in the rural and tribal areas, preference should be given to local persons. If necessary, the recruitment qualifications should be relaxed to facilitate this. Such teachers should be encouraged to join correspondence courses and other programmes to acquire in due course the minimum qualifications".<sup>2</sup>

1. Programme of Action (FOA), page 186, para (e)
2. National Commission for Teacher's Education, para 8

Besides the efforts to appoint local teachers, it is recommended that efforts should be made to minimise the hardship in rural areas by way of provision for special allowances and other (particularly housing) facilities as stated in the Programme of Action.

"In the school system, particularly at the elementary level, the desert, hill, tribal and remote rural areas have always had difficulty in regard to placement of teachers. A systematic and phased programme will be prepared to deal with this problem, the main components of which will be as follows:

- a) Teachers who are willing to work in those areas, particularly those whose wives can also be teachers, will be assured long-term postings in the rural areas of their choice, and scholarship provided for their children's education.
- b) A large programme of houses will be taken up. These houses will be close to habitations and would be built in clusters so that apart from teachers, other functionaries who are required to stay in the villages stay there. Special RLEGF projects will be prepared for this purpose. These funds will be supplemented by allocations for this purpose from the Finance Commission, Tribal Sub-Plans, Desert Development Programme, Hill Area Development Programme, etc."

The Committee therefore feels that pending the availability of local teachers who are willing to serve in hard/difficult areas for ever, service of some specified period in difficult areas should be made obligatory for every teacher. Whether the teacher should be posted in the difficult areas in the beginning of his career or some time afterwards, the number of postings in ones career to such areas and the tenure period may perhaps differ from state to state and therefore left to the concerned state governments to decide. Apart from newly recruited teachers, the transfer to and from difficult and soft/popular areas should be regulated on the basis of 'Longest in longest out', principle. It is also recommended that a teacher who is willing to stay and work satisfactorily in difficult areas should not be disturbed. Besides, to encourage teachers to seek voluntary transfers to rural/hard areas, a tenure in rural areas should be prerequisite for any recommendation for the State or National award. It was also felt that the nature and extent of hard/difficult areas should be clearly defined, categorised and identified based on well recognised indicators/norms after every census. Besides other norms, the distance from an urban area/place should also be considered as a major criteria for defining hard areas for purpose of transfer of teachers.

#### 5.5 Consideration for Special Categories

In almost all the States and Union Territories, special consideration is given to special categories (lady teachers, SC/ST

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Programme of Action (page 186), para 13

teachers, physically handicapped, caretakers of working defence personnel, state or national awardees and teachers on the verge of retirement) in matters of postings which results in transfers for filling the vacancy so caused. The Committee examined the justification for giving special consideration to these categories. It was observed that in almost all the states, teachers who are physically handicapped, or are on the verge of retirement or state/national awardees or are looking after the families of working defence personnel are generally transferred to the place of their choice. Such considerations being universally in vogue may continue in future also. However, the concession to lady teachers appears mainly due to the non-availability of local female teachers. Therefore, the consideration for lady teachers would also continue till local lady teachers are available in large numbers to voluntarily accept postings in the interior areas. Till such time, various facilities and concessions would need to be continued to lady teachers. These concessions, besides posting them at convenient places may also include as stated in the Programme of Action "All women teachers desirous of being posted with their spouses will be posted as such provided that the latter are working in desert, hilly, tribal or remote rural areas:

- Placement of women teachers will be made keeping in view their domestic obligations;
- Every effort will be made to provide the facility of creches to women teachers;
- They will also be provided convenience of long leave, if necessary, for bring up their children;
- Possibility of providing them part-time work will be explored."

National Commission for Teachers Education have also recommended similar facilities for lady teachers:

"State Governments should institute scholarship for women who have had seven or eight years of schooling and are willing to teach in the Rural Schools. (para 58)

We further recommend that in the Seventh Plan there should be a provision for the construction of one lakh quarters for women teachers in the Rural Schools. (para 59)

Without proper housing and medical facilities in rural and remote areas she cannot opt for a rural teacher's job.

- Built in provision for long periods of leave to tend to home needs specially after child bearing;

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Programme of Action (FOA) page 184, para (f)

- Need of creches;
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- Part time appointments. (para 6.56)"

#### 6.6 Posting Office Bearers of Teacher Organisation

In some of the states, office bearers of branches of the recognised state/national level teacher organisations are transferred to places convenient to the organisations. This issue was specifically emphasised in the meeting of the teachers representatives. The Committee feels that these considerations may also continue subject to the condition that the teachers thus transferred would have to go back to their previous place of posting after their period of tenure as office bearer is over.

Besides the exigencies arising out of administrative considerations, sometimes there are equally strong exigencies arising out of request from teachers for transfers. These requests may be due to (a) Medical or health grounds (b) Education and/or professional improvement (c) Posting of a working couple at the same place (d) Mutual transfers and (e) Other compassionate grounds.

#### 6.7 Medical/Health Ground

Sometimes the request from teachers for transfer is based on medical/health grounds of his own and/or his dependents. The Committee is of the opinion that such requests should be duly supported by medical certificate from competent authority (to be decided by the concerned state government). Besides, with a view to checking the abuse of this concession, strict disciplinary action should be taken in case of filing wrong certificate.

#### 6.8 Educational/Professional Improvement

The teachers, with a view to improve his own and/or his dependents educational/professional qualifications may sometimes seek posting/transfer near a place where facilities to this effect are conveniently available. The representatives of teachers organisations particularly recommended for requests on these grounds to be accepted as pertinent grounds for transfers. The Committee however regrets does not agree to this contention and feels that faculty improvement can at least be considered a pertinent ground for grant of special leave but not for transfer. Similarly, it is considered more advisable to make specific provision/allowance for educational opportunities for teacher's dependents than to transfer the teachers on these grounds. Even in case of deputation for in-service training as is the case in some of the states, a teacher should be posted back to the institution he was working in when he went for training.

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1. National Commission for Teacher Education, para 54-58.

## 6.9 Requests for Mutual Transfers

In almost all the States the easiest acceptable ground for transfer is when they apply for mutual transfers. The representatives of the teachers organisations were of the opinion that such transfers should only be permissible provided (a) Both the teachers have given their consent and (b) The educational authorities of both the teachers give consent and issue orders of their release to that effect. In almost all the responding states mutual transfers are accepted provided (a) The teachers involved in the transfer have completed the specified minimum tenure at their present posting, (b) There is no violation of distance criteria (posting within specified distance from the native place as applicable in some of the states like Maharashtra and Andhra Pradesh), (c) The mutual transfer does not interfere with the interest of the school and (d) Neither of the two is transferred to the present place on administrative grounds.

The Committee also feels that requests for mutual transfers should be acceded to provided such transfers do not violate the conditions suggested by the teachers representatives and operating in the states as pointed out above.

## 6.10 Postings of Working Couple

Like mutual transfers, there is a general provision in all the responding states to permit transfers with a view to post working couples at the same station. Provided there is a vacancy and their posting does not interfere with distance (from native place) and obligatory rural posting criteria. The representatives of the National level teachers' organisations were of the view that in the case of husband and wife both working in the Education Department, their posting at the same station should be accepted as a rule. However, efforts should also be made for their posting at the same station even if only one of them is working in the Education Department. In the Programme of Action also it has been stated that "Teachers who are willing to live in those areas, (difficult areas) particularly those whose wives can also be teachers, will be assured long-term postings in the rural areas of their choice and scholarships provided for their children's education".<sup>1</sup> The Committee is of the opinion that the posting of husband and wife at the same station will definitely help increase their efficiency. It is therefore recommended that efforts should be made to post a working couple, as far as possible, and without interference with other conditions/rules, at the same station.

## 6.11 Minimum Tenure

In almost all the States, a minimum period of service at a place of posting is fixed before which application for transfers, are not generally considered. The fixing of minimum period looked from an administrative angle is justified on the premise that teachers should be discouraged from seeking, transfer just after his posting to

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1. Programme of Action, page 186, para 13.

difficult place. From the teachers interest point of view it implies dislocation of a teacher from a place where he wants to continue. In the Programme of Action also it has been stated that "By and large a teacher should not be moved for three years after his first appointment...."<sup>1</sup> From academic consideration it tentamounts to withdrawing a teacher before his students pass out from one stage to another. The Committee feels that a minimum tenure must be fixed for working at place of posting before which a teacher cannot be transferred unless under very extra ordinary circumstances. This minimum tenure may vary from three to five years.

#### 6.12 Maximum Stay

Although the job requirements of teaching profession call for 'No Transfer' approach, some times it becomes difficult to allow a teacher to stay at a place of posting beyond certain period of time. The problem of maximum stay at a place of posting for teachers arises generally due to the tendency for resisting transfers out of popular areas and from places where there is an apprehension of promotion of vested interests by the teachers. The Committee therefore feels that whereas there should be no maximum limit for voluntary stay with satisfactory work in rural/interior areas, some limit may be placed for tenure of postings in the popular areas.

#### 6.13 Frequency of Transfers

✓ As regards the frequency of transfers the general feeling appears to be that as far as possible, there should be very few transfers in the service career of a teacher. In this connection the Programme of Action provides that ".....and we should move towards a situation where, by and large, a teacher does not get transferred till he/she is promoted or there are some unavoidable exigencies".<sup>2</sup>

✓ The representatives of the teachers' organisations were of the opinion that a teacher should not be subjected to more than one transfer during his service career on the same post except in case of exigency transfer and one difficult area transfer. The Committee however feels that it would neither be feasible nor justified to quantify the number of transfers in one's service career. But at the same time it is also recommended that the number of transfers in teacher's career should be limited and overall consideration should be to avoid transfers to the maximum possible extent.

#### 6.14 Time for Transfer Orders

✓ So far as the time of effecting transfers are concerned, the Committee feels that no transfers should be allowed during the mid-term/mid session. The teachers as well as the concerned schools should be informed well before the starting of the academic session

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1. Programme of Action (POA), page 185.
  2. Op. Cit., page 185.

preferably during the vacations falling before the beginning of the session. Transfers during the mid-session (under exceptional circumstances) should be got approved by the Consultative Committee.

#### 6.15 Option of Teachers

As regards the options of the teachers in matters of postings, it is generally agreed that left to themselves, no teacher would opt for a posting beyond certain distance from his native place. Therefore, there is no point in asking for the option of the teachers in matters of postings. The Committee however feels that to get better performance from the teachers, they should be consulted in matters relating to the places of their postings. To obviate the difficulty of reluctance to postings in difficult areas, it is recommended that a teacher should be asked to opt from 3/4 alternative places offered by the administration.

#### 6.16 Jurisdiction of Transfer

As far the jurisdiction of transfers, the Committee feels that it should generally be co-terminus with the cadre for appointment. However, with a view to provide for vertical mobility in career, teacher can be transferred outside the jurisdiction limits of his appointment jurisdiction subject to the formal consent or request of the teacher. In the case of inter-regional transfers within the state, decision should be finalised and conveyed to the effected teachers within 10 days of the application. Teachers thus transferred should enjoy the benefits of their past service period, pay protection and consequence benefits.

### 7. IMPLEMENTATION/OPERATIONAL MODALITIES

#### 7.1 Adequately Represented Consultative Committee

In the preparation of a policy frame for postings and transfer of teachers, certain administrative issues would also require serious attention. First of all, it is required that these rules are acceptable to the teacher community. To make them acceptable, needs to be warranted that such rules, as far as possible, take in consideration the entire personnel policy for teachers. It should at least be ensured that these rules do not at all adversely effect, not directly promote, the career development and general welfare of the teachers. It is, therefore, recommended that every state should constitute a consultative Committee for transfer of teachers. Such committee should adequately be represented by Teacher's Organisation at all levels of administration. This Committee should not only advise the transferring authorities in the preparation and diffusion of Transfer Rules but should also have mandatory power/authority in hearing of appeals/grievances of the teachers effected by transfer besides ensuring proper implementation and checking any deviation from the recognised norms. Besides, all cases involving deviation from principle of "longest in longest out" should be compulsarily referred to this Committee for final decision.

## 7.2 Objectivity and Clarity

In order to ensure the acceptability of norms by the Teacher Community, it is required that objectivity and clarity is ensured in the formulation as well as implementation of these rules. It is, therefore, necessary that the rules and conditions, if any, are clearly spelt out leaving no scope for ambiguity. It is thus desirable that medical, compassionate and other special grounds permitting transfers are properly defined and clearly spelt out at the time of formulation of transfer norms. Transfer orders should also be self-explanatory and specific leaving no scope for ambiguity.

## 7.3 Rules as Statutory Orders

Once the transfer rules/norms are formulated, in consultation with and involvement of all the concerned parties (administration, teachers, politicians) it would need to be ensured that the approved rules are followed in their letter and spirit leaving no scope for misinterpretation or deviation. It is therefore, also desirable that the norms of transfer are in the form of statutory orders and are prescribed for the state as a whole. Obedience of Transfer orders should be introduced as a necessary condition in the service rules for teachers.

## 7.4 Consultation of Headmaster

Sometimes implementation of transfer orders is delayed due to non-release or non-acceptance of the transferred teacher by the Headmaster. To obviate this difficulty the Committee feels that (a) to the extent possible, Headmasters should be consulted and their formal consent obtained at the time of issuing the transfer orders, if the opinion of the headmaster leads to the violation of the principle of "longest in longest out", such cases should be referred to the Consultative Committee for final disposal; (b) there should be a provision in the State Education Code for disciplinary action against the Headmaster responsible for violating or causing delay in the implementation of transfer norms; (c) the concerned Headmaster should be bound to release and accept the transferred teacher; and (d) a specified period (preferably two to four weeks) may be fixed beyond which no post should be allowed to remain vacant. If necessary, the Headmaster of the school may (through necessary amendments in the existing rules) be given power to fill such posts by temporary appointment.

## 7.5 Involvement of Local Community

The pressure from the local community sometimes also plays a decisive role both in cancellation as well as issue of transfer orders. In the National Policy on Education also, special emphasis has been laid on peoples' involvement in educational process at all levels. The Committee, therefore, also examined the justification, nature and extent of the involvement of local community in the implementation of Transfer Rules. The involvement of the locality in the implementation of these rules appears to be justified because the Public interest and support for the institution is directly related to



the degree of confidence reposed by the community in the staff/faculty of the institution. It is therefore desirable that public representation involving transfer as well as cancellation of transfers of particular teachers should be given due consideration. At the same time, the interest of the teacher also needs to be safeguarded against local intrigues and power play. It is therefore recommended that transfer cases involving public pressure after a thorough scrutiny should be referred to the Consultative Committee for final decision. However, in case of consensus, the opinion of the local community (be it in the form of local Panchayat or the Parent Teacher Association) should be accepted by the administration.

#### 7.6 Provision of Adequate Facilities for Postings in Difficult Areas

In the case of postings to difficult areas it is also desirable that a teacher is given two or three choices and asked to give his option formally. It is also recommended that some positive rewards for opting to work in these areas and necessary penalty for refusing/flouting the postings to such areas may be specified. It is however desirable that provision of housing and other facilities for difficult/interior areas should be given an over-riding priority. In the Programme of Action also it has been provided that "A large programme of housing will be taken up. These houses will be close to habitations and would be built in clusters so that apart from teachers, other functionaries who are required to stay in the village stay there. Special RLEGP Projects will be prepared for this purpose. These funds will be supplemented by allocation for this purpose from the Finance Commission, Tribal Sub-Plans, Desert Development Plan, Hill Area Development Programme, etc." However, as stated in an earlier section, the long-term solution of this problem is area-specific recruitment based on projected requirements, whereby even untrained persons may be selected particularly from these areas and trained subsequently.

#### 7.7 TA/DA for Transfers

It is observed that in most of the states there is no provision for TA/DA payment to teachers for the expenditure incurred in joining the new place of posting on transfer. In view of the fact that such allowances are paid to employees in other departments (particularly in the Administrative Department), the Committee strongly feels that there should be a necessary provision in the budget for the expenditure on account of payment of transfer TA/DA to teachers. Such TA/DA should preferably be paid in advance to the teachers who are transferred.

#### 7.8 Joining Time for Transfers

Besides the provision of TA/DA, it is also desirable that the effected teacher should be provided appropriate time both for preparing himself for joining the new posting as well as ample opportunity for appeal in case of unwanted posting. However, transferred teachers should not be allowed to abuse this provision by

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1. Programme of Action (POA), page 186(13).

way of delaying their joining to new posting. It is, therefore, recommended that a teacher who has been served with transfer orders; (a) should not be allowed any extension in the joining period unless warranted by strong reasons and approved by the Consultative Committee; (b) Should not be granted any leave except under exceptional circumstances to be decided by the Consultative Committee; (c) Should not be allowed to be retained in the existing institution for any reason including for want of substitute teacher; and (d) Should not be allowed to receive salary from the institution from where he or she is transferred after a specific period.

#### 7.9 Trans-Jurisdictional Transfers

As stated earlier, the jurisdiction for transfers should be the same as the jurisdiction for recruitment with sufficient provision for wider jurisdiction in case of requests on grounds of upward mobility. However, in the case of application for inter-regional transfers within the state, decision should be finalized and conveyed to the concerned teacher within ten days of the application. It is also desirable that the teachers thus transferred should enjoy the benefits of their post service period, pay protection and consequent benefits.

#### 7.10 Check list of Teachers

With a view to ensure fair play in transfer orders it is necessary that the affected teacher does not find any reason of impartiality against him. To ensure this, a computerised check list/register of all teachers should be prepared and displayed at all concerned levels. Such a list will help ensure awareness as well as acceptance of transfers by the concerned teachers. This check-list should contain all relevant information about the number period, place and frequency of transfer for each teacher. Besides the concerned teacher, representatives of teachers organisations should also be allowed access to this check list. Besides, checking of transfer register (its updating and display) should be an essential part of the duties of the inspection staff.

#### 7.11 Redressal of Grievances

Besides the formulation and implementation Transfer rules, the Committee feels that the provision for redressal of grievances is equally important. Realising the need for paying prompt attention to the legitimate grievances of the teachers the Programme of Action has provided that "It is also necessary that disaffection among teachers is taken note of promptly. Joint consultative committees will be formed at District and State levels to examine and officers may be designated to particularly examine individual grievances. It will be examined if this activity can be undertaken by a standing committee of the State Advisory Board of Education"<sup>1</sup>. In the context of grievances against transfers it is suggested that the consultative committee as proposed earlier should have mandatory power/authority to redress the grievances of teachers effected by transfers.

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1. Programme of Action (POA), page 187.

With a view to provide sufficient opportunity to the effected teacher to ventilate his grievances, it is suggested that a notification of the transfer list should be made at least one month before the issue of transfer orders during which the teacher should have the privilege to raise any objection to the transfer, if any. It is also recommended that such cases of objection should be disposed off within fifteen days of the application by the consultative committee of teacher's transfers. However, the transfer orders once issued should not be cancelled/withdrawn unless approved by the Consultative Committee on the recommendations of the Director of Education.

## B. SUMMARY OF RECOMMENDATIONS

### B.1 Policy Issues

- a) Adoption of a Policy of 'No Transfer' is desirable because
  - i) logical sequencies of the statement in the Programme of Action. We should move towards a situation where by and large, a teacher does not get transfered till he/she is promoted or there are some unavoidable exigencies.
  - ii) It would provide stability in life which is necessary for peace of mind and dedication to job.
  - iii) It would enable the teacher to establish rapport with the community which is essential to play the role assigned to him in New Education Policy.
  - iv) It would be helpful to administration.
- b) Adoption of a 'No Transfer' policy may be difficult in the existing circumstances because :
  - i) Transfers are invariably sought for and effected in every state.
  - ii) Most of the state governments have formed rules to regulate the transfer of teachers.
  - iii) As implied in the statement in the Programme of Action namely, (i) Provision of Transfers due to unavoidable exigencies, (ii) Need for formulating guidelines to ensure objectivity in the Transfer of Teachers.
  - iv) Adopting a policy of 'No Transfer' would involve making institution specific recruitment and relaxation of recruitment rules in case of areas where local teachers with adequate training and qualifications are not available.
- c) Although transfer of teachers would continue to remain an inescapable reality for an indefinite period it would still be desirable to keep the transfer of teachers at the minimum possible.

## 8.2 Relation with General Transfer Policy

The job requirement for the teaching profession are different from those of other services. The transfer norms for teachers therefore, cannot be the same as for other services. Separate transfer norms for teachers have therefore to be framed keeping in mind the fact that a teacher requires personal commitment as against impersonal commitment required for other services.

## 8.3 Coverage of Transfer Policy

Norms of transfer should be applicable to all managements (governmental, local bodies, non governmental) where provision of transfers from institutions to institutions exists and all teachers irrespective of the classes they are teaching.

## 8.4 Exigencies for Transfers

Briefly speaking the exigencies which make the transfer of teachers an inescapable reality can be grouped into (i) Administrative exigencies and Requests from Teachers.

### (a) Administrative Exigencies

- i) promotion, retirement, resignation, dismissal complaint
- ii) rationalisation of staff
- iii) staffing in the institutions in difficult areas
- iv) consideration for special categories like SC/ST Physical handicapped teachers, teacher union representatives, teachers on the verge of retirement, Unmarried/widow lady teachers

### (b) Request from teachers

- i) medical grounds
- ii) educational/professional improvements
- iii) mutual transfer
- iv) working couples
- v) other compassionate grounds

## 8.5 Norms for Transfer

### (a) Transfer Due to Promotion

Transfer on account of promotion be resorted to when there is no post available within the same institution. In such an eventuality it should still be ensured that such transfer causes no hardship to the promoted teacher.

### (b) Transfer Due to Complaint

Transfer due to complaint against a teacher should be resorted to only when the issue of complaint is fully established and the continuation of the teacher in the institution appears to be harmful to the institution.

(c) Transfer Due to Rationalisation of Staff

Transfer due to rationalisation of staff should be based on the principle of 'longest in longest out'.

(d) Transfer Due to Staffing in Difficult Areas

Transfer to difficult areas should be so regulated as to avoid discrimination and provide equal opportunities to every teacher for working in soft areas also. Such transfers should be based on the policy of 'longest in longest out'. Newly recruited teachers and teachers with complaint against them should not be posted to difficult areas. Posting of staff in the difficult areas should be solved by suitable changes in the recruitment and training policies, making it obligatory for every teacher to serve at least for a minimum period of time before promotion to the next higher grade. Teachers who are doing satisfactory work and are willing to continue in such areas should be allowed to continue in these areas. To encourage teachers for serving in rural/hard areas a tenure in rural areas should be a pre-requisite for any recommendation for the State or National award. Nature and extent of hard/difficult areas should be clearly defined, categorised and identified based on well recognised norms/indicators particularly the distance from an urban area/place after every Census.

(e) Relaxation in Case of Special Categories of Teachers

Special consideration needs to be given to lady teachers particularly the unmarried and widow lady teachers in matters of postings. They should, if needed, be transferred only to places which are connected by roads and have transport facilities. Similar concessions need be extended to handicapped teachers also. Factors like acceptable social environment should be given due consideration in the postings of teachers belonging to SC and ST. Special consideration should also be extended to State/National awardees and teachers who are on the verge of retirement and office bearers of teacher's union at the national level.

(f) Requests for Transfers on Medical Grounds

Request for transfer on Medical grounds should be supported by Medical certificate from competent authority recognised by the state government.

(g) Request for Transfer on Faculty Improvement Grounds

Instead of conceding to the requests for transfer on faculty improvement grounds, it would be better if special leave etc. are granted more liberally for this purpose besides making provision for education of the teacher's dependents. Teachers deputed for in-service training should be posted back to their institutions after completion of their training.

(h) Request for Mutual Transfers

Requests for mutual transfers should be accepted provided (a) both the effected teachers as well as institutions have given their formal consent, (b) both the teachers have completed the minimum tenure of their present posting, (c) there is no violation of distance criteria if any (d) the transfer does not adversely effect the interest of the school and (e) neither of the two teachers has been posted to the present place on administrative grounds.

(i) Transfer of Employed Couples

Efforts should be made to post the working couples at the same station even if either of them belongs to department other than education. However, this provision should not be allowed to be used to seek immunity from posting to hard/rural areas as per rules/conditions to this effect.

(j) Minimum Tenure Period

A minimum tenure period should be fixed and adhered to for working at a place of posting. The minimum period of service at a posting before transfer should not be less than three years.

(k) Maximum stay at a Posting

Where as there should be no maximum stay in difficult areas, some limit for maximum stay in soft/popular areas may also be fixed.

(l) Time for Effecting Transfers

Transfers should be effected during vacations before the starting of the academic year. The concerned teacher as well the institution should be informed well in time. Permission of the Consultative Committee through the Director of Education or D.P.I. should be necessary in cases of mid-session transfers if any (based on exceptionally strong reasons).

(m) Frequency of Transfers

Number of transfers in a Teacher's career should be limited and the overall consideration should be to avoid transfers to the maximum possible extent.

(n) Option of Teachers in respect of Postings

As far as possible, a teacher should be allowed to opt from 3/4 alternative places offered by the Administration for his postings. This option should be applicable in case of postings in the hard/difficult areas also. Transfer should be adjusted with in the choice matter given by the teacher.

(o) Jurisdiction for Transfer

The jurisdiction of transfer should be co-terminus with the jurisdiction/cadre of appointment in less it stands in the way of upward mobility for career development of a teacher.

8.6. Implementation Strategies

(a) Coverage of Transfer Norms

Transfer norms should cover the entire personnel management policy for teachers so that such norms do not adversely affect the career development and general welfare of the teachers. These rules should be applicable to all types of schools under various types of management and all the teachers irrespective of the class/grade they are teaching.

(b) Adequately Represented Consultative Committee

Every State should constitute an adequately represented Consultative Committee for Transfer of Teachers. This Committee should include representatives of the government, the public and Teacher Community. This Committee, besides advising in the preparation of Transfer Rules/Norms, should also look after the diffusion, and implementation of the transfer norms besides checking any deviation from transfer rules. This Committee should have mandatory powers/authority in the hearing of grievances/appeals by the effected teachers. All cases involving deviation from the principle of 'longest in longest out' should be referred to this Committee for final decision.

(c) Objectivity and Clarity

Objectivity and clarity should be ensured both in the formulation as well as implementation of transfer norms. Rules and conditions should be clearly spelt out. Similarly, transfer orders should also be self-explanatory and specific leaving no scope for ambiguity.

(d) Transfer Rules as Statutory Orders

Transfer norms/rules should be in the form of statutory order for the state as a whole. These rules should form an essential part of the State's Education Code and the observance of Transfer order should be introduced as a necessary condition in the service rules for teachers. Violation of the transfer rules/orders should invite strict disciplinary action against the concerned person.

(e) Consultation of the Head Master

The Head Masters of the effected institutions should be consulted in matters of transfers and their formal consent should be taken before issuing transfer orders. In case the opinion of the headmaster amounts to deviation from the principle of 'longest in longest out' such cases should be referred to the Consultative

Committee for final disposal. Disciplinary action should be taken against the Head Master found guilty of violating or delaying the implementation of transfer orders. The concerned Head Master should be bound to release and accept the transferred teacher. No post should be allowed to remain vacant beyond a specific period (two to four weeks). The Head Master should be empowered to fill such vacancy by temporary appointment (by necessary amendments in financial rules).

(f) Public representation involving transfer as well as cancellation of transfer orders should be given due consideration. Such cases, after a thorough scrutiny of facts and merits of the case, should be referred to the Consultative Committee for final decision. In case of consensus of opinion of the community should be honoured by the administration.

(g) Provision of adequate physical facilities in difficult areas

In the case of posting in difficult areas, ample allowances and other facilities should be provided and the effected teacher should be informed of such facilities. Provision of Housing facilities for Teacher in such areas should be given over-riding priority.

(h) TA/DA for Transfers

There should be a necessary provision in the budget for the expenditure on account of payment of TA/DA to teachers. Such TA/DA should preferably be paid in advance to the teachers effected by transfer.

(i) Joining Time for Transfer

Teacher under transfer should be provided appropriate time both for preparing himself to join the new postings as well as for an appeal in case of unwanted transfer/posting. Teachers should not however be allowed to abuse this provision and deliberately delay their joining the new posting.

(j) Precautions Against Delaying Tactics

Teachers served with transfer orders (a) should not be granted/allowed any extension in their joining time, unless warranted by exceptionally strong reasons accepted by the consultative committee, (b) should not be granted any leave except on the recommendations of the consultative Committee, (c) should not be allowed to be retained in the existing institution for any reason including for want of substitute teacher and (d) should not be allowed to receive salary from the institution from which he or she is transferred after a specific period.

(k) Trans-jurisdictional Transfers

In the case of inter-regional transfers within the state decision should be finalised and conveyed to the effected teachers within ten days of application. Teacher thus transferred should enjoy the benefit of their past service period, pay protection and consequent benefits.



(l) Check list of Teachers

With a view to ensure fair play in the implementation of transfer norms a computerised check-list of all teachers should be prepared and displayed. The check list should include all the relevant information data about the number, period, place and frequency of transfer of teacher. All teachers and their representatives should be allowed access to this register. Checking, updating and displaying of the check list should be an essential part of the duties of the inspection staff.

(m) Redressal of Grievances

The consultative committee responsible for transfers should also be empowered to hear appeals against the transfers. This committee should have mandatory powers.

To provide ample opportunity to the aggrieved teachers notification of the transfer list should be made at least one month before the issue of the transfer orders.

Cases of objections/appeals by teachers against their transfers should be disposed off within 15 days of the receipt of the objection/appeal by the Consultative Committee for the teacher transfers.

LIST OF THE MEMBERS OF CABE COMMITTEE ON  
TRANSFER OF TEACHERS

- |    |   |                            |
|----|---|----------------------------|
| 1. | Shri L. P. Shahi<br>Minister of State for Education<br>and Culture<br>Government of India<br>New Delhi                    | Chairman                   |
| 2. | Shri Ram Meghe<br>Minister of Education<br>Government of Maharashtra<br>Bombay  | Chairman<br>till 24.6.1988 |
| 3. | Shri Khurshid Ahmed<br>Minister of Education<br>Government of Haryana<br>Chandigarh                                       | Member                     |
| 4. | Shri Kanti Biswas<br>Minister of Education<br>Government of West Bengal<br>Calcutta                                       | Member                     |
| 5. | Shri Brindaban Goswami<br>Minister of Education<br>Government of Assam<br>Secretariat Building<br>Gauwahati               | Member                     |
| 6. | Shri Mohd. Aslam<br>Minister of Education<br>Government of J & K State<br>Sri Nagar                                       | Member                     |
| 7. | Shri V.P. Raghavachari<br>2-1-408/3, University Road<br>Nallakunta<br>Hyderabad - 44                                      | Member                     |
| 8. | Shri Jagdish Mishra<br>Secretary General<br>All India Primary Teachers<br>Federation, Exhibition Road<br>Patna - 1, Bihar | Member                     |
| 9. | Shri M.R. Kolhakar<br>Adviser (Education)<br>Planning Commission<br>Yojana Bhavan<br>New Delhi                            | Member                     |

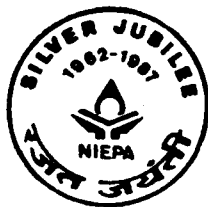
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|-----|--|------------------|
| 10. | Shri G.N. Misra<br>Director of Education<br>Government of Uttar Pradesh<br>Lucknow | Member           |
| 11. | Shri P.B. Mathur<br>Education Secretary<br>Government of Rajasthan<br>Jaipur       | Member           |
| 12. | Prof. Satya Bhushan<br>Director<br>NIEPA, New Delhi                                | Member Secretary |

**Special Invitees**

- |     |  |  |
|-----|--|--|
| 13. | Shri M.C. Dubey<br>Special Assistant to Minister<br>of Health and Civil Aviation<br>Government of India<br>New Delhi |  |
| 14. | Shri M.M. Kapoor<br>Sr. Fellow<br>NIEPA, New Delhi   |  |
| 15. | Shri R.K. Solanki<br>Senior Research Officer<br>NIEPA, New Delhi   |  |

# CABE COMMITTEE ON TRANSFER OF TEACHERS

## QUESTIONNAIRE



Sub-National Systems Unit  
NATIONAL INSTITUTE OF EDUCATIONAL PLANNING AND ADMINISTRATION  
17-B, Sri Aurobindo Marg, New Delhi-110016

-25-

**NATIONAL INSTITUTE OF EDUCATIONAL PLANNING AND ADMINISTRATION  
NEW DELHI**

**CABE COMMITTEE ON TRANSFER OF TEACHERS**

In order to examine the question of transfer of teachers and to prepare concrete proposals for action in this regard, the Union Minister of Human Resource Development has appointed a sub-committee of the Central Advisory Board of Education (CABE). The Ministry of Human Resource Development (Department of Education) has assigned the secretarial work of this Committee to the National Institute of Educational Planning & Administration. This questionnaire has been framed in order to collect basic information on criteria and system of transfer of teachers in various States and Union Territories. This information may please be sent to Prof. Satya Bhushan, Director, National Institute of Educational Planning and Administration, 17-B, Sri Aurobindo Marg, New Delhi - 110016.

- Note : i) In case the space provided in the questionnaire is not adequate, separate sheets may be attached with it for the different questions.
- ii) Where ever there are no separate cadre of teachers for different levels of education, information may please be given according to their pay - scales.

**IDENTIFICATION**

Name of the State/UT \_\_\_\_\_

Name and address of the Directorate/Department/Respondent.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**QUESTIONNAIRE**

**I. Information on Teaching Cadre and Transfer of Teachers  
in Schools under Government Management**

Name of the post	Pay Scale	Selection Agency	Appointing Authority	State/Division Distt./ Other Cadre	Transferring Authority	Jur wit tra can
1	2	3	4	5	6	

**Elementary  
Education**

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**Secondary  
Education**

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**Higher Secondary  
Education**

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1. Information on Teaching Cadre and Transfer of Teachers  
in School under Local Bodies

Name of the post	Pay Scale	Selection Agency	Appointing Authority	State/Division Distt./ Other Cadre	Transferring Authority	Jurisdiction within which transfers can be made
1	2	3	4	5	6	7

Elementary Education

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Secondary Education

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Higher Secondary Education

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**III. Information on Teaching Cadre and Transfer of Teachers  
in Non-Government Recognised Schools**

Name of the post	Pay Scale	Selection Agency	Appointing Authority	State/Division Distt./ Other Cadre	Transferring Authority	Jurisdiction within which transfers can be made
1	2	3	4	5	6	7

**Elementary Education**

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**Secondary Education**

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**Higher Secondary Education**

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#### IV. Norms for Creation of Teachers' Posts

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Level of Education	Norms for provision of	
	Minimum Staff	Additional Staff (for increase in enrolment/sections)
1	2	3

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1. **Primary**

2. **Middle**

3. **Secondary**

4. **Higher Secondary**

**V. Selection Procedure for Teachers**

- a) Kindly indicate procedure for selection of teachers at various levels/pay scales giving details about selection committees, methods and procedures of selection. Also kindly supply guidelines/criteria, if any, prepared for selection of candidates at various levels/pay scales : \_\_\_\_\_

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- b) Kindly indicate, if any, provision or consideration in making selection of teachers specific categories e.g. for rural and backward areas, SC/ST, woman etc. : \_\_\_\_\_

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- c) If yes, what are your experiences about getting enough candidates from such areas/categories : \_\_\_\_\_

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**VI. Criteria for Posting of Newly Selected Teachers**

- a) Kindly give details of guidelines/criteria for posting of newly selected teachers in schools at various levels. Also indicate, if any, special considerations shown to specific categories e.g. women, SC, STs., candidates belonging to backward areas etc. :

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- b) What are your experiences/difficulties in this regard?

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VII. Procedure for Selection of Teachers for Training

a) What are the criteria and procedures for selection of candidates for training in teacher training institutes at elementary and secondary stages of education? Kindly supply copies of orders/guidelines, if any, in this regard : \_\_\_\_\_

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b) If the selection of candidates for training institutes is made before recruitment, then what are the criteria for recruitment and posting of candidates as teachers after they complete training : \_\_\_\_\_

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c) If admission to training institutes is restricted to in-service teachers, what is the criteria of selection for training and whether any weightage is given to specific categories e.g. women teachers, teachers working in backward areas, SCs, STs etc. :

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d) In case of 'c' above, what arrangements are made to fill the posts of teachers sent for training? If substitute teachers are appointed, how are they adjusted when regular teachers return after completion of the training course : \_\_\_\_\_

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e) Also kindly indicate procedure/criteria followed for posting of such teachers after completion of their training :

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VIII. Norms for Transfers

a) In case norms have been prescribed for transfer of teachers, kindly supply the following information and relevant material separately for government, local body and non-government institutions with respect to teachers in different cadres/types of institutions :

i) Whether norms are in the form of statutory provision/ executive order or guidelines : \_\_\_\_\_  
\_\_\_\_\_

ii) Authority which prescribed the norms : \_\_\_\_\_  
\_\_\_\_\_

iii) Year in which norms were prescribed : \_\_\_\_\_  
\_\_\_\_\_

iv) Copy of Norms : \_\_\_\_\_  
\_\_\_\_\_

b) If not, kindly describe the basis/criteria for transfer of teachers in respect of government, local body and non-government institutions in respect of teachers in different cadres/types of institutions : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c) In case there are certain norms for transfer of government employees in general, a copy of the same may kindly be supplied : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d) If yes, how far are they applicable to teachers and vary from teacher transfer norms? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IX. Problems and Difficulties in Transfer of Teachers**

a) To what extent are the norms for transfer of teacher being observed? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

b) What is the procedure or mechanism to ensure observance of norms? In case of violation of norms, what action is taken?

\_\_\_\_\_  
\_\_\_\_\_

c) What are the problems/difficulties faced in observing norms for transfer of teachers in various types of institutions under government, local body and non-Government institutions?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d) Has any committee/group been constituted by the State/UT to study the problem of transfer of teacher? If yes, please send a copy of its report/findings. How far have its suggestions been implemented? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e) Is there any survey/research study conducted by the state government or any other agency in the state so far? If yes, please send a copy of its report/findings. Please also indicate as to how far their suggestions have been accepted by the Government? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**X. Suggestions**

Please give suggestions to solve the problem of transfer of teachers and also suggest norms for their transfer in various types of schools under different management :

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**XI. Any other Information**

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**Signature & Address  
of the Respondent**

**Date :**

LIBRARY & DOCUMENTATION CENTRE  
National Institute of Educational  
Planning and Administration,  
17-B, Sri Aurobindo Marg,  
New Delhi-110016  
DOC, No ..... D - 7669  
Date ..... 07-07-93

-35-

SOME SELECTED STATISTICS ON TEACHERS - 1987

Information on Number of Teachers as on \_\_\_\_\_

Name of the post	Pay Scale	Govt. Schools		Local Body Schools		Non-Govt. Recognised Schools		Total	
		Total	Women	Total	Women	Total	Women	Total	Women
1	2	3	4	5	6	7	8	9	10

Elementary Education

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Secondary Education

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Higher Secondary Education

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## CABE COMMITTEE ON TRANSFER OF TEACHERS

## Analysis of State Responses

In the first meeting of the committee, it was decided to collect relevant information from various managements/agencies through a structural proforma. In pursuance of this decision a detailed questionnaire was framed and sent to the various state Governments as well as to teachers organisations on 20.5.1987 & 15.6.1987 respectively. Responses, however, was received from the following States/UTs only -

## Full Response to the Questionnaire

1. Gujarat
2. Karnataka
3. Maharashtra
4. Mizoram
5. Rajasthan
6. Sikkim
7. Tripura
8. Chandigarh
9. Dadra & Nagar Haveli
10. Goa
11. Lakshadweep

## Only Copy of the Transfer Rules Received

1. Arunachal Pradesh
2. Jammu & Kashmir
3. Kerala
4. Orissa
5. Punjab
6. Delhi

2. The information sought for in the questionnaire may be listed under the following heads -

- A. Procedural aspects including the selection agency, the appointing and transferring authorities, the cadre area and jurisdiction for transfer;
- B. Norms for creation of teachers post including the norms for minimum as well as for additional staff;
- C. Selection procedure for teachers including information about special provision for specific classes for areas and the experience about getting enough candidates from these classes/areas;
- D. Criteria for posting of newly selected teachers including special considerations for specific categories like women, physically handicapped etc;
- E. Procedure for selection of teachers for in-service training including criteria for recruitment, posting, filling the vacancy during their training and their posting after training;



- F. Norms for transfer including the nature of the norms, the authority prescribing the norms, the year of their issue, their relationship with transfer norms for Government employees in general;
- G. Findings of research studies, if any;
- H. The problems in the implementation of the norms of transfer including the mechanism for ensuring observance of the norms; and
- I. Suggestions for improvement.

#### A. Procedural Aspects

##### Selection Agency

3. Duly constituted selection committee with representatives of the education department are reported to be the selection agency for teacher in all the states. For elementary level teachers the selection committee is constituted at the district or panchayat samiti level and for secondary level teacher, it is at the division level or at the state level in case of smaller states like Mizoram. At the higher secondary level, the selection committees are constituted at the state level. In case of Municipal and private management schools the selection committees are constituted for the concerned municipal area and the institute respectively. The main idea behind this information was to know the selection procedure in respect of ad hoc teachers, apprentice teachers and teachers appointed in Venture schools and the problems relating to transfer of teachers under these categories. However, none of the responding states replied to this aspect.

##### Appointing and Transferring Authorities

4. The appointment and transfer orders are either issued by the same level officer or one degree below the appointing officer. In Karnataka, for example, the appointing authority for secondary stage teachers is the D.P.I. and the transfer orders are issued by the Jt. D.P.I. Similarly, in Rajasthan, the appointing authority for secondary teachers is the Director of Education whereas the transferring authority is the Deputy Director of Education. Similar variations in appointing and transferring authorities exist in Goa and Mizoram also.

##### Cadre for appointment and jurisdiction for transfer

5. In all the responding States and UTs the cadre for appointment is the district at the elementary, the division at the secondary, and the State at the higher secondary level. The corresponding jurisdiction for transfer of teachers at elementary, secondary and higher secondary stage is also the same. Provision, however, also exists (with special permission of higher authorities) for intra-district transfers of elementary stage teachers.

## B. Norms for Creation of Posts

6. Requirement of teachers is generally assessed on the basis of: (a) starting of new classes/sections/subjects (b) enrolment and (c) work load on teacher per week.

## C. Selection Procedure for Teachers

7. It is reported that there are specific selection procedures (e.g. advertisement of posts, laying down of qualifications etc.) laid down in each State/UT for recruitment of teachers. As mentioned under selection agency, there are well represented selection committees for all types of teachers. In the selection of teachers, reservation is made for S.C., S.T., women, etc. However, no reservation or consideration is made for special areas like rural areas, tribal areas etc. It is also not clear whether special weightage is given to local/rural candidates or not particularly at the block level or autonomous district council area level. As far the availability of candidates from S.C., S.T. classes, it is reported that they are not available or forthcoming in sufficient number in Rajasthan, Karnataka, Maharashtra, and Goa. In case of other responding States/UTs there is no such problem.

## D. Criteria for Posting of Newly Selected Teachers

8. Newly selected teachers in Goa and Dadra & Nagar Haveli are posted in rural areas. In other responding States/UTs postings are done against available vacancies and merit list. However, in Karnataka the S.C., S.T., and ladies are posted at convenient places. It is, however, reported that in almost all the responding States/UTs, new teachers particularly ladies do not like to go to interior areas and manage to get their postings in rural/interior areas changed. Most of the newly selected teachers try either to be posted near their residence or at the Taluka or district Headquarters.

## E. Procedure for Selection of Teachers for Training

9. All the responding States/UTs have stated that they recruit only the trained teachers. In case of S.C., S.T. candidates, however, training qualification is relaxed on the undertaking that these teachers would get themselves trained within some specified period through correspondence courses.

## F. Norms for Transfer

10. Nature of Norms : In all the responding States/UTs, transfer norms are in the form of guidelines, except Maharashtra where the norms are statutory.

11. Authority for Prescribing Norms : In all the responding States/UTs (with the exception of Mizoram where norms are yet to be prepared), the transfer norms are issued by the concerned State/UT Government through Education Secretary/D.P.I./Director.

12. Year of Prescribing Norms : In all the responding States/UTs, the norms have been prescribed/revised after 1980.

13. Norms for Transfer of Teachers : The norms for transfer of teachers obtained from the responding States/UTs (with the exception of Mizoram) and as reported in the questionnaire as well as separately, may be summarised as under:

#### Common Points

- a. Minimum period at a place of posting before transfer can be considered (2 years in Rajasthan 3 years in J & K, 4 years in D.N.H. and 5 years in Andhra Pradesh, Haryana, Maharashtra, Orissa and Arunachal Pradesh.
- b. Special permission in case of transfers before this period is required in all the responding States/UTs.
- c. Special consideration for physically handicapped, widows, unmarried female teachers, teachers on the verge of retirement, national or state awarders, relatives of working defence personnel (all states) with a view to post them at convenient places is also provided for in all States.
- d. Mutual transfer is acceptable in all States provided (a) the teachers completed the tenure/minimum period, (b) distance criteria, if any (c) if it is in the interest of the institution and (d) either of them is not transferred earlier on administrative grounds.
- e. Husband and wife to be posted at one place provided there is vacancy and their posting does not interfere with distance or urban posting criteria in all responding States/UTs.
- f. Teachers with 4/5 years service in urban areas are to be posted to rural areas (Haryana, Punjab and Dadra & Nagar Haveli) and teachers with 3/4 years service in rural areas to be posted in urban areas. Two years service in tribal areas qualify for one year posting in native place (in Andhra).
- g. Transfers to be effected in the beginning of the session. Exceptions in case of disciplinary action or promotion.

#### Individual Points

- a. No teacher to be posted within some specified distance from their native place (Maharashtra, Punjab and Andhra Pradesh).
- b. Newly appointed teachers to be posted in rural areas (Dadra & Nagar Haveli, Punjab, Maharashtra, Gujarat, Haryana).
- c. Total transfers should not exceed particular percentage of total teachers strength (Maharashtra Teachers' Organisation).

- d. Option of teachers to be considered (Maharashtra).
- e. No transfers due to complaints (J&K and Arunachal Pradesh Teachers' Organisations).
- f. Teachers serving in rural area satisfactorily should not be disturbed (Dadra & Nagar Haveli and Punjab).
- g. Teachers should not be transferred frequently (Haryana and Punjab Teachers' Organisations).
- h. Precaution against delay in joining transferred place are to be taken (Orissa) e.g.
  - i) No leave after transfer order nor any extension of joining period may be allowed.
  - ii) No retention of the transferred teacher is to allow for want of substitute, and
  - iii) Institutions should be bound to accept the transferred teachers.

#### G. Problems and Difficulties in Observing the Norms

14. Whereas in the case of Maharashtra, Chandigarh, and Dadra & Nagar Haveli, it has been stated that there are no difficulties, the replies from Karnataka and Rajasthan speak of external pressure and pressure from political and union leaders respectively in the way of strict implementation of norms. Similarly in Goa and Gujarat the main problem is reported to be the unwillingness/reluctance of teachers to work in rural/interior areas and their efforts to flout the norms.

15. None of the responding states/UTs have ever appointed a group or committee to study the problem of transfer of teachers. However, in Maharashtra, a study is reported to have been conducted during 1980 to study the problem.

#### H. Suggestions from the State Governments/UTs

16. The suggestions made by the responding states/UTs to solve the problems relating to transfer of teachers may be summarised as under:

- (a) Teachers should not be disturbed if working satisfactorily and if working in rural/interior areas unless;
  - i) they seek for it or on administrative grounds (Rajasthan, Punjab and Sikkim)
  - ii) It is in the interest of the School (Haryana)
- (b) Frequent transfers should be discouraged (Haryana)
- (c) Transfers should be made only after some minimum period of stay (3-5 years) and first appointment to be made only after

rural areas (D.N.H., Maharashtra, Gujarat and Haryana). In Arunachal Pradesh, first appointment is to be made near the road only.

- (d) No transfers in mid session should be effected during the mid session (All States/UTs).
- (e) External influence should be discouraged (Karnataka and Rajasthan).
- (f) Preference (seniority wise) should be given to teachers working in interior areas for transfer to urban areas (Haryana, Punjab and Arunachal Pradesh).
- (g) Preference also be given on medical grounds and to ladies for posting to convenient places (except in Rajasthan no concession on medical grounds) (Kerala teacher organisation no relaxation to ladies)
- (h) Husband and wife to be posted at one place (subject to first appointment in rural areas (Haryana and Rajasthan in favour of discouraging this facility).
- (i) There should be a clear cut transfer policy based on
  - a) Equity grounds (Haryana)
  - b) length of service in rural areas (Rajasthan)
  - c) Exam results "
  - d) A.C.R. "
  - e) Compassionate grounds "
  - f) Regular and at fixed period and distance criteria (Arunachal Pradesh, Teachers' Organisation from Goa)
- (j) Teachers should be posted in their native place (Mizoram and Maharashtra and teachers should not be transferred within 5 kms. of their residence - Delhi).
- (k) Points to be considered at the time of transfer
  - a) Academic interest (Goa)
  - b) Interest of teacher's children (Dadra & Nagar Haveli and Goa)
  - c) Subject-wise (Dadra & Nagar Haveli and Goa)
  - d) Only one transfer in one year (Rajasthan)
- (l) Transfer norms should be in the form of a Statutory provision (Teachers' Organisation from Rajasthan)
- (m) There should be a well represented committee for transfer of teachers (Teachers' Organisations from Goa).

CABE Committee on Transfer of Teachers-Recommendation  
of the Meeting with the Representatives of National  
Level Teacher Organisations  
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1. In pursuance of the decision taken in the first meeting of the CABE Committee on Transfer of Teachers held on April 14, 1987 two meetings of the National level Teacher Organisations were convened by NIEPA on 29th and 30th January and 26th March, 1988 at NIEPA. A list of those participated in these meetings is given in the appendix.
2. The main purpose for calling these meetings was to elicit the views of the representatives of National level Teacher Organisations on the various issues involved in the Transfer of teachers. After three days deliberation and detailed discussions on various aspects and the issues involved in the problem of Transfer of Teachers at the school stage, the participants made several unanimous recommendations as summarised below :

POLICY CONSIDERATION

3. Appreciating the special emphasis given on the issue of transfer in the National Policy on Education and the programme of Action, the participants unanimously supported and endorsed the statement made in the Programme of Action : "we should move towards a situation where, by and large a teacher does not get transferred till he/she is promoted or there are some unavoidable exigencies".
4. Accordingly, it was unanimously recommended that it was not only desirable but also absolutely essential to adopt a policy of 'no Transfer' among teachers and to accept it (No transfer) as an essential part of their personnel management. It would a) help develop in him a sense of belongingness to the institution and dedication to the community )b) enable him to concentrate in his efforts to improve the school environment and healthy partnership between teachers and community to achieve the national goals (c) improve the standard of education imparted in the school/institution and (d) improve his own academic and professional standards. Such a policy was also expected to be helpful for the administration as it was easy to deal with the contented and satisfied teachers.

#### SEPARATE TRANSFER POLICY FOR TEACHERS

5. In case there was no escape from transfers, it was felt that transfer of teachers should not be governed by general transfer rules for other departments. As such it was felt that the teachers should have a separate Transfer Policy. A separate Transfer Policy for teachers was desirable in view of the fact that teachers' job required dedication, closer association with local community and personal attention to students as individuals. Besides, teaching is a profession which requires personal commitment and dedication.

#### COVERAGE OF TRANSFER POLICY

6. It was also recommended that a Transfer Policy for Teachers should cover all teachers irrespective of the type of school management. Thus there should be a common policy for teachers working in Government, local bodies and non-government schools and every teacher provided equal opportunities and facilities. Besides, it was also recommended that there should be a uniform transfer policy for all levels (Primary, Middle, Secondary and Higher Secondary) of schools and the same transfer policy should also be applicable to teachers, heads of institutions, and educational field supervisory staff.

#### GROUND'S FOR TRANSFER

7. Although the policy of 'No Transfer' was considered to be the most desirable policy on an overall consideration, transfers some time become unavoidable and inescapable reality due to certain exigencies, which were spelt-out as under :
- A. Request by the Teacher
- i) Medical or Health grounds of his own and/or dependents.
  - ii) Educational and professional improvement of his own and/or his dependents.
  - iii) Posting of working couples at the same station, where in case of husband and wife both belonging to educational department should, as a rule, be posted at the same station, efforts should also be made to help their posting at the same station in case one of them is working in department other than the education department.

- iv) Request for mutual transfer- National/State/District level. Such transfers should however only be permissible provided (a) both the teachers have given their consent , (b) they belong to the same subject area and (c) the concerned authority of both the teachers give consent and issue orders of transfer to that effect.
- v) Requests on other compassionate grounds.

B. Administrative Exigencies

- i) Promotion, retirement, resignation of a teacher. It was however felt that a transfer due to promotion should be necessary only on account of non-availability of vacancy in the same institution/school. In that case he should be given option to select school of his/her own choice wherever vacancy exists.
- ii) Need for rationalisation of staff as per prescribed norms.
- iii) Necessity arising out of special consideration required in matters of posting of special categories like SC/ST lady teachers, physically handicapped, caretakers of working defence personnel, awardees and teachers on the verge of retirement.
- iv) Necessity arising out of compulsory transfer to hard difficult areas. In this connection, it was felt that although teachers should essentially be posted/transferred at or near his/her native place, the need for transfers to difficult areas was also equally pressing. It was therefore agreed that transfers to such areas should be for a period of three years and that too by providing adequate financial incentives and other facilities. It was also unanimously felt that such areas should be properly defined classified into difficult, very difficult and extremely difficult areas on the basis of some important indicators like transport and communication facilities, availability of civic facilities etc. etc. New recruits or person on complaint basis should not be posted/transferred to such areas. Rather it should be made obligatory for teachers (male below 45 years and female below 40 years) to complete one effective posting in these areas during their service period provided they are given 50% additional salary for working in difficult areas, 75% for very difficult areas and 100% additional salary for working in extremely difficult areas.



Necessity arising out of the posting/transfer of office bearers of branches of the recognised state/national level teachers organisations at the local level during their period of tenure as office bearer.

#### OPERATIONAL MODALITIES

With a view to streamline the process of transfers and eliminate chances of irregularities, the following recommendations were also unanimously made :<sup>2</sup>

The norms of 'Transfer Policy' should be in the form of statute and wherever already there is a statute they should be modified as per recommendations.

It should be made obligatory to specify the administrative, academic and other reasons in every transfer order for teachers, It is also desirable that 'medical' Compassionate, and other special grounds permitting transfers should be properly defined and clearly spelt out at the time of formulation of Transfer norms.

A Standing Committee for redressal of grievances on account of transfer of teacher should be constituted with adequate representation from teachers organisation public representatives at all levels of administration. It should have mandatory powers/authority to redress the grievances of teachers effected by transfers.<sup>2</sup>

No transfers should be allowed during the mid term/ mid-session

It was also suggested that a teacher should not be subjected to more than one transfer during his service career on the same post except in case of exigency transfers and 'difficult area' transfers. However it would not apply to initial posting in the first three years of his appointment.

The options of the teachers for their transfers in respect of places in difficult areas should be obtained by the transferring authorities in advance. Besides formal consent of the teacher should also be obtained before effecting their transfer to difficult areas. This option should not be treated as request for transfer from the teacher for deciding the TA/DA payment.

The transfer of any teacher should be effected only with the formal consent of the Head of the concerned school/institution.

It was also suggested that no post in a school should remain vacant for more than fifteen days. The Headmaster of the school be given necessary power to fill such posts by temporary appointment till permanent arrangements are made.

With a view to improve his working conditions, teacher should be made to stay at the place of their work by providing housing and other necessary facilities.

There should be a necessary provision in the budget for the expenditure on account of payment of transfer TA/DA to teachers. This should be paid in advance to the teachers who are transferred.

The application for inter regional transfers with in state should be disposed off within ten days of the date of the application. It is also suggested that such transferred teachers should enjoy the benefits of their past service period, pay protection and consequent benefits.

As a long term measure to solve the problem relating to the transfer of teachers, it was suggested that their recruitment should be area specific based on projected requirements. Untrained teachers may be selected particularly from backward and the so called difficult areas and after training, they should be posted to their respective areas. During their period of training they should be given stipend equivalent to their salary.

#### EFFECTIVE IMPLEMENTATION

With a view to ensure effective implementation of the recognised norms, the following recommendations were made :

A computerised checklist/register should be prepared and displayed compulsorily at the concerned level;

Free access to the representatives of teachers organisations to the transfer register should be ensured.

...

A notification of transfer list should be made atleast , one month before the issue of transfers order during which the teacher should have the privilege to raise any objection which should be disposed off within fifteen days of the application by the concerned authority which should be held responsible for any deviation from the norms

It is expected that the state governments shall implement the recommendations and if need be, further involve the teacher organisations in their state for their adaptation.

Teacher organisations at the national level be given due representation in the meeting of the CABE for adopting the transfer policy norms.

APPENDIX TO ANNEXURE IV

LIST OF PARTICIPANTS

1. Shri Ayodhya Prasad Awasthi  
Working President  
All India Federation of Elementary Teachers  
Organisation  
Alambagh, Lucknow
2. Shri Bibekanand Dash  
Vice-President  
AISTF, Mhantypara  
Cuttack - 753035
3. \* Shri A.M. Donde  
President  
All India Primary Teachers' Federation  
101, Guimohar, Anxillium Convent Road  
Pali Hill, Bandra  
Bombay - 400050
4. \*\* Mukund Kulkarni  
President  
AISTF
5. \* Shri V.K. Manchanda  
Secretary-General  
AISTF, C-6/30, Lawrence Raod,  
Delhi - 110035
6. Shri Jagdish Mishra  
Secretary General  
All India Primary Teacher Federation  
Exhibition Road, Patna
7. \* Shri R.K. Mohta  
Secretary  
All India Science Teachers' Association  
Sardar Patel Vidyalaya, Lodhi Estate  
New Delhi - 110014

8. \* Shri Brahmadeo Narayan  
General Secretary  
All India Federation of Elementary  
Teacher Organisation  
Shikshak Bhavan, Arya Kumar Road, Patna
9. Shri Rana Pratap  
Vice-President  
AISTF, 51 Satya Niketan  
New Delhi - 110021
10. \* Shri V.P. Raghavachari  
2-1-408/3, University Road  
Nallakunta  
Hyderabad
11. \*\* Shri K. Janardhan Rao  
President  
AIPTF
12. \*\* Shri A. Syam Sunder Rao  
General Secretary  
AISTF

NIEPA Faculty

13. Prof. Satya Bhushan  
Director
14. Prof. K.M. Bahauddin  
Dean (Training)
15. Shri M.M. Kapoor  
Senior Fellow
16. Dr. R.S. Sharma  
Fellow
17. Dr. S.C. Nanda  
Fellow

18. Shri R.K. Solanki
19. Mrs. Jayshree Jalali  
Associate Fellow
20. Dr. A. Nathew  
Associate Fellow

\* - Those who attended only the first meeting held  
on January 29-30, 1988

\*\* - Those who attended only the second meeting held  
on March 28, 1988

The second meeting of the CABE Committee on Transfer of Teachers was held under the Chairmanship of Shri L.P. Sahi, Minister of State for Education and Culture, Shastri Bhawan, New Delhi on 26th Oct., 1983.

Names of the participants are given below:-

- |    |   |                  |
|----|---|------------------|
| 1. | Shri L.P. Sahi, Union Minister of State for Education and Culture                   | Chairman         |
| 2. | Shri Khurshid Ahmed, Education Minister, Haryana                                    | Member           |
| 3. | Shri V.P. Raghvachari, Journalist, Hyderabad  | Member           |
| 4. | Shri Jagdish Mishra, Secretary General, All India Primary Teacher Federation, Bihar | Member           |
| 5. | Shri M.R. Kolhatkar, Adviser (Education) Planning Commission New Delhi              | Member           |
| 6. | Prof. Satya Bhushan, Director NIEPA, New Delhi                                      | Member Secretary |
| 7. | Shri G.N. Mishra, OSD, Govt. of UP, Lucknow   | Member           |

In addition, the meeting was also attended by Shri M.M. Kapoor, Head, SNS Unit, NIEPA, Shri R.K. Solanki S.R.O., NIEPA and Shri S.S. Kaushal, Education Department, Haryana.

The meeting started with a warm welcome of the participants by the Chairman. Thereafter, Prof. Satya Bhushan, introduced the Draft Report of the Committee (which was the main agenda for the meeting) to the

participants and apprised them of the procedure and process followed in the preparation of the draft report. He also highlighted the important recommendations included in the Draft Report and requested the participants to offer their comments/suggestions.

After detailed discussion on various recommendations made in the Draft Report, the following points emerged for further action:-

#### I. Involvement of local Community

— It was pointed out that the role to be played by the community in the formulation as well as implementation of Transfer rules should be adequately emphasized and clearly spelt out in the Report. In this connection, the example of U.P. was cited where consensus opinion of the local Panchayat is accepted by the Govt. in matters of transfer of teachers. The issue regarding type and nature of community i.e. through village panchayat or parent-teacher association were also raised in this connection.

#### II. Compulsory Tenure in Hard/Non-popular areas

In addition to the existing criterion it was suggested that distance from an urban place should also be considered as one of the major factor for defining 'hard areas' for purpose of Transfer of Teachers. In this connection, the example of Malaysia was given.



where the hard areas have been defined on the basis of their distance from the urban areas.

### III Comments from State Govt.

It was pointed out that so far we have received comments on the draft report only from four states. It was decided that steps should be taken to get the comments of other states also. While getting comments of other States on the draft report, the suggestions made in this meeting should also be conveyed to them.

The meeting ended with a vote of thanks to the chair.

COMMENTS FROM ASSAM GOVERNMENT

In Assam, teachers in government schools and provincialised schools constitute a large bulk of the government employees of the State. Three factors:

- (i) Selection and recruitment
- (ii) Posting and transfer and
- (iii) Training of teachers very important for implementation of the national policy of education in proper perspective. While training may be compulsory for all; policies in respect of selection, recruitment and transfer need to be formulated with great caution taking into consideration the entire field and purpose of educational activities in the State. One cannot be considered in isolation of the other. Transfer is linked with recruitment, and recruitment with selection. As such the policy of selection and recruitment must be formulated on a sound basis so that deficiencies and difficulties at the subsequent stages can be brought down to the minimum.

A. Procedural aspects: Selection and Transfer :

Posting and transfer of teachers upto secondary level is linked with the process of recruitment. It is, therefore, necessary to determine an objective recruitment policy

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A. Procedural aspects: Selection and Transfer :

Posting and transfer of teachers upto secondary level is linked with the process of recruitment. It is, therefore, necessary to determine an objective recruitment policy

and to evaluate the process with a view to streamlining the system in the interest of the general socio-academic development. In an ideal environment, the Heads of institutions or the Managing Committees should be the proper authority for selection of teachers. Ideally attractive as it may be, however, under the prevailing situation such a policy seems to be rather premature in the context of implementation of the national policy of education in proper perspective.

Regarding recruitment of teachers it is desirable to have:

(a) For Elementary Education:- Block Level Advisory Board comprising of educationists, social workers, language representatives and officials. The Board will constitute a Selection Committee consisting of (i) Three retired Headmasters/and (ii) Two officials.

The Selection Committee will prepare a merit list based on specific guidelines and forward the same to the Advisory Board which will see whether the list has been prepared as per the guidelines provided. The Deputy Inspector of Schools will, then, appoint teachers from the approved list.

(At present in Assam, however, there are such Boards only at the Sub-divisional Level, which is intended to be decentralised to the Block Level)

(b) For Secondary Education:- District Level Board in the line of the above, will constitute a Selection Committee consisting of

(i) Three retired reputed teachers/Principals/ educationalists and

(ii) Two Officials

(c) For Higher Secondary teachers selections should be made by a state level selection committee.

For Secondary teachers the appointing and transferring authority should be the District Education Officer (Inspector of Schools) in case of junior teachers (that is, teachers in the under-graduate scale); and the Director of Secondary Education in case of senior teachers (that is teachers in graduate and post-graduate scale).

Appointments on compassionate grounds will be made by the Director of Public Instruction/Director of Secondary Education/Director of Elementary Education as the case may be:

Cadre for appointment and jurisdiction for transfer

(i) For elementary teachers it should be in the Block Level.

(ii) For secondary teachers it should be in the District level

(iii) For higher secondary teachers it should be in the state level.

B. Norms for creation of posts:

It should be on the basis of

(i) Starting new classes/sections/subjects

(ii) Enrolment strength, and

(iii) Workload of teachers per week

C. Selection procedures for teachers

(i) Selection should be made by the Selection Committee as enumerated in 'A' above.

(ii) Merit should be the main criteria with usual reservation for SC/ST/women candidates

(iii) Teachers with training like BT etc. should be given due preference

(iv) Selection on political consideration should be strictly avoided.

D. Procedures for selection of teachers for training

As is usually expected teachers should be sent up for training just after his appointment. But at present this is not possible in Assam, where there is a huge backlog Teachers are, therefore, selected for training on the basis of seniority. When the backlog will be sizeably reduced, a percentage of fresh teachers should also be sent up for training to overcome fresh backlog.

E. Norms for transfer :

It may not be possible as well as desirable to have one set pattern of norms for transfer of teachers to be applicable throughout the country. A 'no transfer' policy

for teachers is ideally acceptable. Such a policy would demand competence and responsibility from teachers

However, whenever it is not possible to avoid transfer the following points may be given for consideration.

- (i) Minimum period of service at least before transfer should not be less than three years
- (ii) Mutual transfer should be acceptable.
- (iii) Provision for special consideration be made for physically handicapped lady teachers teachers on the verge of retirement, National/ State award recipients for transfer to places convenient to them.
- (iv) Husband and wife should be posted in/transferred to the same place but different schools.
- (v) All transfers should usually be effected at the beginning of the session.
- (vi) For disciplinary action or when required under special circumstances teachers may be transferred at any time provided there is sufficient ground for such transfer.

- (vii) Transfer and if necessary strict measures should also be made and taken on the receipt of any complaint duly looked into by a Grievance Cell constituted for the purpose by the Advisory Board.

#### Individual Points

- (i) There should be special consideration for women teachers for long leave after delivery for bringing up children. However, in such cases the additional funds that will be necessary for the substitute must be provided by the centre.
- (ii) There should also be provision for housing accommodation for teachers.
- (iii) —Sons and daughters of teachers serving in difficult areas should be given special scholarship for higher education.
- (iv) There should be cash incentive for teachers working in backward/interior/border areas.

For all these arrangements full financial responsibility should be borne by the Centre.



COMMENTS FROM GOA GOVERNMENT

To,

Prof. Satya Bhushan,  
Member-Secretary,  
CABE Committee on transfer of teachers,  
C/o, National Institute of Educational  
Planning and Administration,  
17/B, Sri Aurobindo Marg,  
New-Delhi 110016.

Ref:-Your letter No.F.No. NIEPA(SNS)/  
G-6/88 dated 19-12-1988,  
addressed to the Secretary  
(Education), Education Department  
Government of Goa.

Sir,

With reference to above, I am to inform that the CABE Committee draft report forwarded to this Govt. under your letter referred to above has been carefully examined by us alongwith the issues raised by the participants in the 2nd Meeting of CABE Committee held at New Delhi on 26-10-1988.

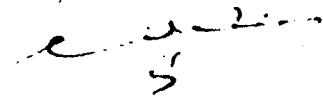
The draft report drawn by the CABE Committee is comprehensive enough and deals with almost all the issues involved in transferring teachers from one school to another or from one place to another. Though we do not have much to say over and above the conclusions drawn/recommendations made in the draft report as they will be acceptable to any State/Union Territory;

1) It is pointed out that stability/continuance of a teacher in rural/remote/hard areas has always been a problem even in this small State of Goa, not to speak of other big States like Maharashtra, Madhya Pradesh, etc. As rightly pointed out in the draft report even in our State we find it quite difficult to transfer teachers, specially Primary Teachers from the popular/urban areas to a rural and remote area as a result of which quite a good

number of schools in remote areas remain either closed due to absence of the teacher or function with inadequate number of teachers for a long period or even sometimes the whole academic year. It is therefore necessary to transfer the teachers in such a way that every teacher has to spend at least two terms of 5 years each in such remote/hard areas.

Other problems have been properly dealt with by the CABE Committee and we agree to the recommendations proposed by the Committee.

Yours faithfully,

  
( V. M. Dessai )  
Director of Education & Ex-  
Officio Addl. Secretary to Govt.

## COMMENTS FROM HARYANA STATE GOVERNMENT

### NATIONAL POLICY ON EDUCATION

#### 1. Importance of Satisfactory Working Conditions for Teachers

A teacher has a vital role in the performance of his duties and his status in the society is to be given due weightage. They are the nation builders of our coming generation. It is the duty of the Government and the community to create conditions and help them in performing their duties properly so that they may be encouraged/inspired for the constructive and creative work in the sphere of their duties.

#### 2. Guidelines for postings and transfers

The transfers and postings policy of teachers is the main criteria which reflects the life of a teacher as well as duties of a teacher. With a view to ensure genuine demands of the teaching personnel for their postings and transfers, the Department has submitted a proposal for transfers during the year 1988-89 in the State of Haryana. According to the proposed transfer policy, the following terms and conditions have been laid down for their postings and transfers in the State of Haryana.

(i) The teaching personnels are not to be transferred unless there is any exigency to transfer them in the public interest or in the interest of the education of the children. While transferring such teaching personnel, the minimum transfers are to be effected.

(ii) There is a criteria that the teacher who wants his transfer from his present place of posting, his stay at this place of posting should not be less than 3 years and the teacher who has more than 3 years stay, his application for transfer may be considered. The teachers who are working in urban areas or within 8 kms. of the periphery of the city are not to be considered for transfer as they are availing house rent allowance at the present place of posting.

(iii) In case a teacher wants his transfer and his stay at his place of posting is 3 years or more, his transfer can be considered against a longer stay teaching personnel having a longer stay but no teaching personnel is to be dislodged from his present place of posting, unless he fulfills the condition of 3 years stay at his present place of posting. Further this condition does not apply in the case of handicapped, deserted, divorced, widows and wives of defence personnel.

(iv) The teachers who have been trained in NCC, Telugu, JBT (Urdu), and others trained in an integration of education with culture and computer literacy should not be transferred. However, as a special case such teachers can be transferred mutually. The teachers working under IED scheme are also not to be transferred.

(v) The following criteria or guidelines are to be adopted while effecting transfers:-

a) On Complaint basis (on administrative grounds)

If there is any complaint against a teacher and the charges levelled against him are proved, then he is to be shifted from his place of posting.

b) On medical grounds

The teachers who are suffering from any sort of disease and produce a medical certificate in support of their illness from the GI, Medical College, Rohtak and All India Medical Institute, Delhi are only to be considered for transfer. The medical certificates issued by the Chief Medical Officers are not acceptable in such cases.

c) Handicapped

The teachers who are availing handicapped allowance and are putting up their applications for their transfers with a medical certificate in support of their disability from the CMO concerned their transfers are to be considered.

(d) On Compassionate grounds

The teaching personnel are also transferred on compassionate grounds and such categories include deserted cases, widows, death cases, unmarried girls and wives of defence personnel.

(e) Rationalisation

There is an administrative demand that the teachers are posted in primary, middle, High and Higher Secondary Schools on the basis of enrolment of students and the strength of the students in such institutions increase or decreases. The teachers are shifted from one institution to the another institution where there is an increase of workload according to the pupil teacher ratio during the period from 15th of May to 15th of June. While rationalising the surplus posts, the lady teachers are also adjusted in girls schools. The male teachers who are more than 50 years old can also be posted in Govt. Girls-Schools. This condition does not apply in the case of posting of science and Math masters provided lady mistresses of age is not given any consideration so that the instructional work may not suffer.

Couple Cases

Most of the teaching personnel are posted at one place who have couple cases and this criteria is given due consideration while dislodging any such case.

Stay at the place of posting

The teaching personnel serving in urban areas for a period of more than 3 years or within a periphery of 8 kms. from the urban areas and are getting house rent allowance and are transferred to urban areas keeping in view their longer stay, they will not be considered for their re-posting provided they have not served for a period of 5 years in a rural area. It is also worthwhile to add here that a teaching personnel should not be posted for a period of more than 10 years of his service in urban areas during his tenure of service and during the remaining service, he will have to serve in rural areas.

The applications for mutual transfers of the teaching personnel may be considered only if such applications are received through proper channel and these applications should be considered only when the mutual transfer has been consented by the other teacher by giving his clear-cut consent and the consent should be countersigned by his Head of Institution. No action should be taken on the applications which are received direct.

The directives received from the Government for the transfer of teaching personnel will also be disposed off in accordance with the above policy.

## II. PROGRAMME OF ACTION

### 3. Minimum Tenure at a place of posting

It has already been mentioned that a teaching personnel is shifted from one place to another provided his stay at the present place of posting should be at least 3 years or more. This condition is also kept in view when the teaching personnel are transferred if their promotion is involved or there is exigency on administrative grounds. Other conditions of shifting a teacher from one school to another have been mentioned in the preceding note.

### 4. Special consideration for Women Teachers

The couple cases are given due consideration and are posted at one place if there is possibility to do so. The question of transferring those couples who are only serving in desert, hilly, tribal or remote schools is not involved as the State Govt. is giving due consideration in respect of all the couple cases irrespective of the desert, hilly, tribal or remote areas.

So far as providing of facility of creches to women teachers is concerned, the Education Department cannot provide such facility as there is no such provision of creches in the Education Department. However, this facility can be made available by the Social Welfare Department provided the Govt. of India reimburses all the expenditure involved in providing this facility.

It is not possible to grant long leave to women teachers for bringing up their children. However, other facilities of long leave, maternity leave are already available to them. In case of those women teachers who are facing any difficulty in providing facilities with regard to the treatment of their children who are suffering from disease etc. long leave is granted provided they produce medical certificate to the effect. But there is no provision to provide long leave for bringing up their children. In case the Govt. of India considers it possible, to provide long leave to the women teachers for bringing up their children, this can only be done provided the Govt. of India may provide funds for such a scheme. It is also worth-while to add that there is no possibility to provide such teachers part-time jobs who are already in service as it will create a hinderance in proper performance of their normal duties assigned to them as a teacher. In this way such teachers may not devote full time to their duties in case they are provided part time jobs. Rather they will be interested to employ themselves in part time jobs after getting long leave with the excuse of bringing up their children. They can also manage their affairs to look after their children. Hence the facility of providing creches is not a good proposal.

#### Placement in difficult areas

This is a new question that the teachers working in schools at an elementary schools of education and are serving in desert, hill, tribal and remote rural areas should be given encouragement in the shape of scholarship to their children and residential houses for their habitation. Parawise comments are under:-

a) It is a good scheme that the teachers who are willing to live in difficult areas and whose wives can also be a teacher should be given an assurance to their long-term of posting in rural areas of their choice and their children should be provided with scholarships. In case the Govt. of India may provide such a facility, it may attract many couple cases to serve in difficult areas which will help in the development of education in such areas and will also lessen undesirability on the part of teachers not to go in serving difficult areas. Rather it will encourage them and it will be a good step for the children of these areas.

b) There is already a scheme in the 7th Five Year Plan under which the residential quarters are being constructed in rural areas as well as in urban areas under the RLEGP/NREP schemes. During the 7th Five Year Plan, administrative approval for the construction of 30 teachers quarters in rural areas and 3 in urban areas at a cost of Rs. 35,81,610 and Rs. 3,51,000/ Out of these 30 quarters in rural areas, 7 quarters have been completed and the remaining quarters have not been completed due to paucity of funds/or the construction has not been started there. The construction work will be completed or started after providing funds during the year 1988-89.

#### Placements and Teachers Training

Under the New Education Policy the Govt. of India is giving financial assistance for setting up of a Distt. Institute of Education and Training in each District of the State. Under the scheme, Govt. of India is to give all financial assistance for setting up of such Institutes and the State Govt. is only to provide 10 acres of land for setting up of District Institute of Education and Training in each District. During the year 1987-88, two



D.I.E.Ts have been sanctioned by the Govt. of India -- one at Gurgaon proper and the other at Biswan Meel (Sonepat). Five such Institutes will be set up during the year 1988-89 and the remaining 5 such institutes will be set up during the last year of the 7th Five Year Plan. Such institutes will also run training institutions in which pre-service and inservice training will be given.

(d) In regard to para (d), it is submitted that there is no scheme under the consideration of the State Govt./University to start integrated condensed courses after upgradation of educational qualification and there is no proposal to give teachers training to local village women to prepare them as teachers and non-formal/adult education instructors. However, it is a good proposal because this scheme if introduced will be beneficial for non formal/adult education instructors. In case such instructors are given training or trained through Integrated Condensed Courses, their services can be utilised in socially useful manners. In case such instructors are also given training in integrated condensed courses, their services would not be useful for the tiny children studying in primary schools and this will deteriorate the facilities available in primary schools for the teaching of children because they do not possess the required minimum qualifications for admission in primary teachers training courses.

(e) It is an admitted fact that the village youth who do not possess the prescribed qualifications for the post of teachers are appointed voluntary instructor in non formal/adult education centres. Such instructors are appointed from the same village/area or from a nearby village and they are appointed through employment exchanges. However, such instructors are required to possess the minimum educational qualification of matric and they are employed as voluntary instructors for 2-3 hours a day to run a non-formal/adult education centre. However, such

instructors will not be useful to run a primary school. There is no scheme under the consideration of the State Govt. to make arrangement for the training of such instructors. The services of such instructors may be utilised in a better way if they acquire higher qualifications during their spare time by getting admissions in a regular institution so that they may get admission in Diploma in Education (JBT) institutions which are to be run in District Institute of Education and Training for which minimum qualification for admission is +2 with atleast 50% marks and they also serve as voluntary instructor in those programme which are being run with the cooperation of S.C.E.R.T., D.I.E.Ts, voluntary agencies, Panchayati Raj and the Local community.

#### 7. Recruitment and Training

At present, the primary school teachers are given the pre-service training before employment. It is true that a large number of such teachers are unemployed after the pre-service training. It is also correct that some District are deficient in such trained teachers where as many teachers are available with the employment exchange in several districts without any opportunity for employment.

It may be of some interest that the teachers should first be recruited and then trained. This will ensure an assured career. This is also likely to remove the imbalances in employment opportunity. But this question has to be settled keeping in view the pre-service training programme in the D.I.E.Ts and other training institutions. Case will have to be given thought regarding the balance between the intake and output in these training institutions. It may be worth mentioning here that the number of teachers at present is as follows :-

1.	J.B.T.	3376
2.	C&V	1917

8. It is a fact that there is scarcity of those teachers who are willing to work in rural areas but this problem can only be solved if the teachers are required to serve in rural areas for a period of three years at the time of their first appointment. However, there is no ban to appoint such teachers from the local areas if such trained teachers are available with the employment exchanges. In case the qualifications are relaxed for recruitment to the teachers to serve in rural areas, this will be a bad precedent for appointment in rural areas. The question of relaxation in minimum qualifications is also not desirable. However, it is added here that the problem of scarcity of teachers who are willing to work in rural areas where the trained teachers are not available, the Department is well aware to remove the problem by starting such training in the areas where there is requirement of trained teachers. These candidates who do not fulfill minimum qualifications for admissions should be employed in part-time jobs which are available in non formal education and adult education centres. They can also acquire higher qualifications by joining correspondence courses so that they may be able to get admission in these courses where higher qualification is required for admission.

9. With regard to excellence and quality in the field of education and management of Government schools, it is pointed out that the Government is endeavouring to delegate the powers of appointment to the field officers so that the institutions can be controlled properly. We have also requested the Panchayati Raj Deptt. to supervise and help in the running of Government schools and in case the Heads of Institutions are not co-operating with them or vice-versa, Government is making all sort of efforts to bring the situation under control for the proper functioning of the institutions.

10. At present the Primary School teachers are recruited at the district level. Their appointing authority is the District Education Officer. The institutional cadre has got its own advantages and disadvantages.
11. There is no such proposal under the consideration of the State Govt. where those women can be employed who are having 7 or 8 years schooling and who are willing to teach in rural areas. This will also not be desirable to employ a women teacher having 7-8 years schooling.
12. There are already schemes for the constructions of teacher quarters in rural areas with the assistance of Panchayati Raj or Development Department. 50% of the expenditure is borne by the Govt. of India, 25% by the Panchayats or Development Deptt. and 25% by the Education Department from the School Building Fund with the sanction of the proper authorities. However, such quarters can also be given to those lady teachers who are serving in rural areas.
13. With regard to providing proper housing and medical facilities in rural and remote areas, it is added here that the State Government is trying to open Aurvedic Dispensaries in rural areas for the benefit of the rural population/ employees of those areas and the Government employees are already availing the benefit of medical re-imbusement or medical allowance opted by them. There is no such problem in rural areas where housing and medical facilities are not available. To get these facilities one has to go at a little distance. Some of the schools are located in such places where such facilities are available and all the institutions are linked with roads etc. Other points have already been elucidated in the fore-going note.

14. There is no ban that the Heads of Institutions may not be given any say in the transfers and postings of their staff. When the general transfers of teachers are made, they are required to give their comments for the transfer and posting of the staff under their control. No teacher is transferred/posted from the Institution without the consent/recommendation of the Head of the Institution. He has every authority to ask the Department to transfer the teachers upto any extent from his Institution. There is no doubt that if he complains against any member of his staff, the Department is required to take immediate action. Only those transfers are made where the charges made against the officials are proved. But for this purpose he will have to establish the charges levelled against any member of his school and he can also direct the employee concerned to report to the Distt. Education Officer concerned of his area. It is not denying the fact that in the State of Haryana, all the Distt. Education Officers are empowered to transfer teachers from one school to another within their jurisdiction and according to the needs of the schools. The directorate only lays down the general guidelines for transfers of teachers and leave the implementation of the general policy to the District Education Officers. However, it is made clear that the teachers cadre cannot be made Institution-wise and it is not possible in the present circumstances because it will create other problems. In case the Head of Institution is made appointing authority, the teacher cannot be transferred to another Institution without the consent of both the appointing authorities. All the Institutions where the teachers are working are at a very little distance and there is no such problem that teachers may suffer due to the fact that their cadre is not Institution-wise.

COMMENTS FROM KERALA STATE GOVERNMENT



GOVERNMENT OF KERALA

No. 6117/J3/89/G.Edn.  
General Education 'J' Dept.  
Trivandrum, Dated: 28.2.89.

From  
The Commissioner & Secretary to Government.

To  
Professor Satya Bhushan,  
Member Secretary,  
National Institute of Educational Planning and  
Administration,  
17 -B, Sri Aurobindo Marg,  
NEW DELHI - 110016.

Sir,  
Sub: Education - Transfer of Teachers - Draft report  
of C.A.B.E.  
Ref: Your letter No. F.No. NIEPA (SNS)/G-6/88  
dated 12.12.88.

...

With reference to the letter cited, I am directed to inform you that the suggestions are generally acceptable to us. However, the State Government had to adopt a General Transfer policy in order to satisfy the large number of applicants against fewer number of vacancies in selected regions/areas/centres/campuses/cities/Towns, etc. Our norms have been fixed so as to facilitate a uniform, rational and equitable distribution of Teachers, both in Urban and Rural Centres, and also, to give a fair chance to every one to get transfer to a place of his choice; by rotation.

Yours faithfully

A handwritten signature in cursive script, likely belonging to G.R. Mony.

G.R. MONY,  
UNDER SECRETARY,  
for Commissioner & Secretary to Govt.

COMMENTS FROM MAHARASHTRA GOVERNMENT

Analysis of transfer of teachers

Analysis on State responses

C) Selection procedure for teachers.

7) It is mentioned that SC/ST candidates are not available in sufficient number in Maharashtra. As far as the availability of SC candidates is concerned they are forthcoming in sufficient number. Whoever ST candidates are not available in sufficient number in some districts, ST candidates from adjacent district are allowed to be appointed as primary teachers.

D)

E) Criteria for posting of newly selected teachers:-

In Maharashtra, newly selected teachers are posted according to the availability of vacancies. In such cases their request for suitable postings can not be considered. They have to join their new posting even if the case is in hill and tribal area. Only in case of unmarried lady teachers, efforts are made to post them at a convenient place accessible by public transport.

F) Norms for transfer :-

10) In the State of Maharashtra, Guidelines have been issued by the Rural Development on 30th December 1985 regarding transfer of teachers. However, they are not statutory.

Common points:-

A) In the State of Maharashtra, transfers are normally effected after a period of 5 years at the place of posting from the date of his reporting at the place. Transfers are not effected on mass scale. The teachers who have complete the tenure of 5 years at one place normally transferred in a phased manner.

Individual points:-

A) Normally teachers who are due for transfer due to long stay are transferred anywhere in the district excepting to schools within 35 kms. from their native place. There are exceptions to this rule in respect of transfer on compassionate grounds.

B) Newly appointed teachers are posted in rural areas wherever vacancies exist.

C) At district and taluka level 8% transfers are effected every year, out of these, 6% transfer are general transfers and 2% transfers are effected as per need and merits of individual cases during the academic session.

D) Options given by teachers due for transfer are considered excepting in cases when transfers are effected on grounds of administrative convenience.

E) Suggestions from the State Government.

16(d) Normally transfers of teachers are effected at the end of the academic session or before the beginning of new session. Transfers are sometimes effected even during Oct/Nov i.e. before Diwali holidays. Normally transfers are not effected during rainy season.

(g) Formal requests for transfers by teachers are not encouraged. The request for transfer on grounds of serious illness (TB, Cancer etc.) are considered on merit of each case. Un married lady teachers and widows are generally considered for transfer to places nearer to residence of their relatives and or to the place where exist communication and residential facilities.

(h) While effecting transfers, husband and wife are normally posted at same place.



(j) As far as possible, according to the present norms a teacher is not posted at his native place. He is posted atleast 35 Kms. away from his place of residence.

Effective Implementation :

As per Government Circular dated 6th April, 1977 issued by the Rural Development Department containing guidelines for transfer of primary teachers, Chief Executive Officers of Zilla Parishads and Block Development Officers have been asked to prepare a checklist in the proforma and to send to the Government through the respective Divisional Commissioners on or before 30th June every year.

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REMARKS

Accompaniment of Government Circular Rural Development Department  
No. ENG 1377/IX dated the 6.4.1977

Total No. of teachers in Z.P.	No. of transfers effected in academic year	No. of transfers effected in April May Z.P. level      Block level		No. of transfers effected in rainy season	No. of transfers effected by bringing husband wife together	No. of transfers effected within 10 miles radius from the place of posting
1	2	3	4	5	6	7
No. of transfers effected before completion of 6 years in the particular place of posting with reasons thereof	No. of transfers on mutual consent			No. of transfers effected on special grounds	No. of teachers completing more than 7 years but not transferred	REMARKS
8	9			10	11	12

COMMENTS FROM ORISSA GOVERNMENT

1. The Primary and Middle School teachers should be borne on the district cadre. Generally a person of the same village, if available should be posted to that village. Transfer should be within the block and not before 10 years unless administrative grounds exist. The Block Development Officer will submit the proposal to the District Inspector of Schools who with sufficient justification, will then take approval of the sub-divisional Officer before effecting such a transfer. As regards inter-block transfer the same may be effected only in case of very serious administrative considerations or on grounds of compassion, but the justifications must be placed before the Collector through the Inspector of Schools.
  
2. As regards High School teachers, they should be transferable within a district. Again the teacher should not be disturbed before completing 10 years unless serious administrative considerations of grounds of compassion exist. Inter-district transfers should be subjected to scrutiny at Government level in very hard cases.
  
3. We are not in favour of a no transfer policy as suggested by the teachers organisation.

4. The transfer policy should not be given a statutory back-up.
5. It is seen that even during the academic session large number of transfers are effected inspite of ban. it is suggested that any transfer during the academic session should be subjected to scrutiny by a Committee consisting of Secretary and all the Directors so that transfers of even primary teachers during the period of ban is minimised.
6. Construction of quarters for women teachers from primary school to colleges should be made a central plan scheme and Government of India should dully fund the scheme.
7. We do not accept the suggestion regarding temporary appointment to be made by the Head masters for vacancies of more than 15 days.

COMMENTS OF THE GOVT. OF RAJASTHAN ON RECOMMENDATIONS OF  
CABE COMMITTEE ON TRANSFER OF TEACHERS.

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Comments of the Govt. of Rajasthan on summary recommendations  
of the CABE Committee ad-zeritum are as under.

(1) 8.1 POLICY ISSUES

It would be an ideal situation if the policy of "no transfer" is adopted. The recommendation is that a teacher does not get transferred till he/she is promoted or there are some unavoidable exigencies. However this would mean that those teachers who are in rural or difficult areas, will have to be kept there for quite a long time and this may create dis-satisfaction amongst such teachers. The rational view would be to have a policy for the movement of teachers after a fixed period from difficult areas to comfortable areas.

(2) 8.2 RELATION WITH GENERAL TRANSFER POLICY

The State Govt. agrees for a separate transfer policy for teachers.

(3) 8.3 COVERAGE OF TRANSFER POLICY

The transfer policy should cover the teachers working in Govt. and Local bodies. It would not be possible to enforce any transfer policy for non Govt. schools because each of these institutions have separate entities and jobs of teachers in these autonomous institutions are not under Govt. and are also not transferable from one institution to the other.

(4) 8.4 EXIGENCIES FOR TRANSFERS.

We generally agree with the exigencies and grounds for transfers as recommended by the Committee. The grounds are quite reasonable and comprehensive in coverage. However under Administrative exigencies following points may also be taken into consideration:-

3. There should be a policy of compulsory transfers to remote and difficult areas. Such areas should be defined and one effective posting in these areas for 3 years should be a must for every teacher. However the additional incentive recommended may not be possible to give to teachers only, because similar demands could be raised by other Govt. functionaries working in those areas.
4. Office bearers of recognised teachers organisations may be generally given postings at the places, the organisations function.

(5) 8.5 NORMS OF TRANSFERS.

We also agree with the recommendations of committees regarding various norms of transfers as laid down in the reports. However in case of transfer of employed couples the State Govt. feels that although it is desirable to post all the working couples at the same place of posting but this can also prove to be inequitable in case of larger cities where most of the people want to stay. In such cases if either the husband or wife is permanently posted in one of the large cities, the other marriage-partner will be able to enjoy immunity from transfer to a smaller place for the whole of his or her career. This will definitely be unfair to most of the other teachers most of whom would also like to have opportunities to be posted in bigger cities for at least some time.

In view of this the efforts to keep the working couples should be applied <sup>only to stations</sup> with population of less than 1 lakh. This criteria should not apply to larger cities.

(6) 8.6 IMPLEMENTATION STRATEGIES

(a) Coverage of Transfer Norms

Transfer norms and policy for teachers can be made applicable to the schools under the State Govt. and Local bodies this cannot be extended to the schools controlled by the Non-Govt. organisations.

(b) Adequately Represented Consultative Committee.

The idea of constituting a Consultative Committee for transfer of teachers it is not agreeable because such Committee is likely to

likely to un-necessarily politicise ever transfer order for no reason. Transfer of the employees is always a prerogative of the employer and unless this remains so it will lead to a lot of indiscipline and politicking by the teachers which would be undesirable. In case it is decided to form some sort of consultative committees for this purpose to review hard cases, such committees should wholly consist of officials and/or members of the political executive functioning with the Education Department.

(c) Objectivity and Clarity

There cannot be two opinions regarding objectives and clarity in the formation and implementation of transfer norms.

(d) Transfer Rules as Statutory Orders.

The State Govt. does not agree to the suggestion of the / Committee that the transfer Rules should be in the form of Statutory order. If this is done, a very high percentage of transfer cases will go to courts with the result that a lot of time of the Education Department and the teachers would be wasted in fighting cases in the Courts. This is likely to vitiate the climate at present prevailing in the educational institutions ~~climate at present prevailing in the educational institutions~~ and the Education Department. For following certain norms for ~~xxxxxxEducationDepartmentxxxxxx~~ transfers the State should formulate only certain guidelines and no Statutory orders for this purpose should be framed.

(e) Consultation of the Head Master.

We also disagree with the suggestion that the Head Masters of the effected institutions should be consulted in the matters of transfer and their formal consent should be taken before issuing transfer orders. This suggestion is totally impractical and cannot be followed in practice.

(f) PROVISION OF ADEQUATE PHYSICAL FACILITIES IN DIFFICULT AREAS

The recommendation of the committee that in case of posting in rural areas ample allowances be given will also not be agreeable to the State Govt. We feel that the State Govt. cannot provide such facilities only to teachers. If such facilities are to be provided they would have to be provided to all the State Govt. employees. This will greatly increase the cost of education and may prove to be beyond the present financial resources of many of the States.

The State Government generally agree with the other recommendations of the Committee para 8.6 of the report.



COMMENTS FROM SIKKIM GOVERNMENT

To

Prof. Satya Bhushan,  
Director, NIEPA,  
17-B, Sri Aurobindo Marg,  
New Delhi - 110 016.

RE : TRANSFER OF TEACHERS - CABE.

Sir,

This has reference to your no. NIEPA (SNS)/G-6/88  
of 12.12.1988.

2. I am directed to inform that most of the  
suggestions enshrined in the report are being followed.

3. It is hoped this information will suffice.

Thanking you,

Yours faithfully,

 14/6

( G.K. Bakshi )

Joint Director of Education.

COMMENTS FROM ANDAMAN & NICOBAR ISLANDS

1. The total adoption of "No Transfer Policy" may not be possible in this territory in view of the fact that schools are situated in far-flung and remote localities. The incidence of malaria in the southern group of islands (Nicobars) is also on the high especially when a teacher continues to be there for a number of years. Therefore teachers are required to be transferred from the southern group of islands after a fixed tenure. At present the General Policy is to transfer a teacher from Nicobar group of islands after the completion of 2 years. However, such of the teachers who are willing to continue in those islands are not disturbed.

There is another reason which compels the Department to transfer a teacher from southern group of islands and other remote areas for want of desired medium of instruction in such areas/localities where the teacher is posted. Lack of communication also

makes the teacher request for transfer from non-popular remote areas to popular areas of the land.

There is acute shortage for teachers quarters in this territory and 60% of the teachers working at the primary level are ladies. The education in this territory has not reached such an extent that each village and locality could be self-sufficient for coping up with the requirement of teachers for each village. Therefore, teachers recruited from mainland or from other areas will have to be posted to such schools and they will have to be provided accommodation. However, within the coming years it is expected that we will be able to post those teachers to the schools who belong to the village/area.

2. It has been recommended that teachers may be transferred on promotion after obtaining their willingness. This policy also may not be workable in this territory in view of the fact that the teachers even on promotion are not generally willing to go and serve in remote areas due to geographic situation obtaining in this territory. Therefore, we may have to adopt it as a policy to transfer the teachers on promotion to the remote schools and fix a certain tenure preferably 2 years in southern group of islands and 5 years in Andaman group of islands.

3. It has been observed in the recommendation that the request for transfer on faculty improvement grounds may not be considered as a rule. This territory has facilities for education through almost all the media in all sub-divisional head quarters depending upon the availability of linguistic groups in those areas/stations. Facility for education in arts stream and science stream have also been provided in almost all the Senior Secondary Schools. Yet, Port Blair,

teacher on the grounds of higher education of their children. Hostel facilities are also lacking in Port Blair to provide for and satisfy the aspirations of teacher-parents. Hence, we will have to accommodate such of the teachers in schools of Port Blair in the interest of higher education of their children to the extent necessary and possible.

At present, incentive in the form of increased percentage of Special Allowances exist for the teachers posted in southern group of islands, middle and north Andamans. The quantum of incentive provided is not capable for attracting teachers to go and work in these parts of the islands. It is worthwhile and may induce teachers to work in remote areas if 25% increase in their pay is given to the teachers posted to rural/remote areas as an attractive incentive.

In consideration of the unique situation with regard to the topography/geography of these islands it may not be possible to declare the transfer policy a statutory one but formulate guide lines for transfer of teachers to be followed while transferring teachers from one school to another. The other recommendations are quite acceptable and are being followed in this territory.

COMMENTS FROM DELHI ADMINISTRATION

Annexure -V (10)

C.F. Bhattacharya

श्री श्री सी. ए. भट्टाचार्य

(Education, Languages, Art & Culture)

Commissioner (and Secretary)

(Education, Languages, Art & Culture)

श्री श्री भट्टाचार्य,

प्राधान्य सचिव, शिक्षा, भाषा, कला एवं साहित्य

Delhi Administration,

Old Secretariat, Delhi-110054

दिनांक

Dated... 17 March, 1989

अ. पा. पत्र सं.

D.O. No. PA/SE/89/2492

Dear Prof. Satya Bhushan,

Kindly refer to D.O. letter No. NIEPA(SNS)/G-6/88, dated 12/19.12.88 enclosing a copy of the decision taken in the second meeting held on 26.10.88 of the Committee of the Central Advisory Board of Education for seeking comments of the State Government/U.T. on the draft report.

The recommendation made in the draft report were examined. Generally, most of the recommendations made by the Committee are already in operation (copy of the guidelines is attached).

Views on some of the recommendations such as no transfer policy, formation of Consultative Committee, consultation with the Head of Institution, transfer rules should be of statutory in nature, housing facilities to be made available to teachers and a check list of teachers before issuing transfer orders etc. are as follows.

The Administration will like to adhere to the ideal situation of a 'no transfer policy', but in the interest of enforcing discipline among the teaching staff and doing away with complaints of teachers absenting themselves or taking less than adequate interest in academics, it will be essential to retain some administrative rules for transfer, as at present. We can link the concept of 'no transfer' with a maximum stay of 10 years and also to the results achieved. This will provide the staff an incentive to achieve excellence in results

The recommended concept of consultation with Head of Institution, however, may lead to a situation where the Heads of the Institutions may feel that the process of consultation is a mere formality since it may not be possible to always go by their suggestions. This is likely to cause frustration and hence may not be desirable.

The guidelines already in existence in the Administration with regard to the tenure are proposed to be modified. At present, a tenure of 2 years in rural areas/resettlement colonies is fixed for newly promoted/recruited teachers which is being considered for modification to one year only. The teachers on appointment and promotion are to be allowed to take an option for a posting from amongst a cluster of schools

of his or her choice after a rural posting. Similarly, for transfers done on administrative grounds, the tenure of such transfers is also being considered for one year. This would mean only a temporary dislocation for a teacher and therefore, he may not resist the transfer. The shorter tenure may also curtail delay in implementing the transfer orders.

The Administration is also thinking to limit transfer orders to one-time exercise, during the summer vacations. To adhere to this policy specific orders are proposed to be issued that the teachers should be treated as relieved and he or she will not receive salary from the institution from where he or she is transferred after a particular date.

So far as normal relaxations such as medical grounds, women teachers, handicapped teachers etc. are concerned, these are already in existence as per the guidelines.

The recommendation for a Consultative Committee enlisting teachers' representatives may not be feasible in the context of Union Territory of Delhi, because of multiplicity of Teachers Associations. However, the Administration has constituted a committee comprising District Officers and officers of the Head Quarters, for inter-district transfers. So far as the transfers within district is concerned, the same are considered at the district level by a Committee of Officers.

We are also of the view that generally a tenure in rural area should be a pre-requisite for any recommendation for the State Award.

*The delay in reply is regretted*  
With kind regards,

Yours sincerely,

  
(G.K. Bhattacharya)

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CABE COMMITTEE ON TRANSFER OF TEACHERS-ANALYSIS OF  
THE COMMENTS FROM THE STATE GOVERNMENT ON THE DRAFT  
RECOMMENDATIONS

1. The draft recommendations of the Committee were circulated to state governments for their comments. Comments have however been received so far from the state governments of Assam, Haryana, Goa, Kerala, Maharashtra, Orissa, Sikkim, Rajasthan, and Delhi and A& N Islands Administration only.

2. A close scrutiny of the comments offered by the state government would reveal that by and large the suggestions made by the state government are already contained in the draft recommendations. However, the following observations made in the state comments have been suitably incorporated in the recommendations and would need further consideration by the committee:-

2.1 No Transfer Policy: The Assam state governments have opined that a 'No Transfer' Policy is ideally acceptable under ideal environment and would require commitment by teachers. However, implementation of this policy may not be feasible under the existing environment. The <sup>responding</sup> state governments on the other hand have stated that they are not in favour of 'No Transfer' Policy as suggested by the representatives of the Teachers' Organisations. Rajasthan Govt. and Delhi Administration have also raised doubts about the feasibility of adopting the policy in view of enforcing discipline among the teaching staff. It has been suggested that the concept of 'No transfer' can be linked with a maximum stay of 10 years and also to the results achieved.

2.2 Scope of Transfer Policy: The Assam state Government have stated that Transfer Policy being linked with policy relating to recruitment and appointments, cannot be considered in isolation. However, it is stated (as by the Haryana Governments also) that adoption of Institution based recruitment policy is fraught with difficulties.

2.3 Transfer due to complaint: Both the Assam as well as the Haryana State Governments have justified transfer in complaint cases provided the charge is conclusively proved.

2.4. Transfer on Medical Grounds: The Haryana state government does not give credence to the medical certificate from District Level Medical Authority. A certificate from Govt. Medical college, Rohtak or All India Institute of Medical Sciences, New Delhi is required for transfer on medical grounds.

2.5. Minimum Period: Whereas the minimum period of service at a place of posting required for Transfer is generally 3.5 years, Orissa state government have suggested a minimum period of 10 years for this purpose.

2.6. Maximum Stay: The Haryana state government have suggested that posting in urban area should not exceed 10 years at a stretch. Delhi Administration, besides suggesting a maximum Tenure of 10 years have also suggested that the tenure for Transfer on Administrative grounds may be reduced to one year so that it would mean only temporary dislocation and therefore resistance to transfer from teachers would be minimised.



2.7 Distance from Native Place: In Maharashtra, teachers cannot be posted within 35 Kms of their native place.

2.8. Temporary Appointments by Headmasters: The Orissa state government does not accept the suggestions regarding temporary appointment of teachers by the Headmasters. The Rajasthan Govt. have also pointed out that the suggestion relating to the consultation and formal consent of the headmaster of the effected institution in matters of <sup>transfers is totally</sup> ~~un-~~ ~~un-~~ practicable and cannot be followed in practice.

2.9 Transfer Norms as Statutory Orders: The Orissa and Rajasthan state government have also stated that the transfer policy should not be given statutory backup as it would lead to taking the transfer orders to court involving unnecessary waste of time.

2.10. Adequately represented consultative Committee:

The Rajasthan government have suggested that with a view to avoid unnecessary politicisation of Transfer orders, such a committee should wholly consist of officials and/or members of the political executive functionaries with the Education Department.

2.11. Postings in Rural Areas: The Haryana and Maharashtra state government have suggested that first posting in case of fresh appointments should be in rural areas. Delhi Administration have suggested that tenure in rural areas should be a pre-requisite for any recommendation for the state awards. Rajasthan government have suggested that one effective posting for 3 years in remote and difficult areas should be a must for every teacher. However, the State Govt. have raised doubts about the advisability of additional incentive for such posting as other govt. functionaries working in such areas would also claim for similar incentives. -93-