

GOVERNMENT OF WEST BENGAL
SCHOOL EDUCATION DEPARTMENT
(SECONDARY BRANCH)
BIKASH BHAVAN, SALT LAKE CITY, KOLKATA-91

No. 1393(34)-SE (S)/1S-04/95

Date: 29. 10. 2013

From: Shri A.K. Bhattacharya,
Joint Secretary to the Govt. of West Bengal.

THE W.B.C.S.S.C.
Diary No... 5.11.9.....
Date..... 4.11.13.....
File No.....

To:

- 1) The Commissioner of School Education, Bikash Bhavan, 7th floor, Salt Lake, Kolkata-91.
- 2) The State Project Director, Paschim Banga Sarva Siksha Mission, Bikash Bhavan, 2nd floor, Salt Lake, Kolkata-91.
- 3) The Chairman, West Bengal Central School Service Commission, Acharya Sadan, Bidhannagar, Sector-II, EE11 & 11/1, Kolkata-91.
- 4) The Chairman, RSSC, South Eastern Region, Zilla Parishad Bhavan (Annexe Building), 1st floor, Rishi Bankim Sarani, Barasat, N 24Pgs, Pin-700 124.
- 5) The Chairman, RSSC, Western Region, Bankura, Acharya Bhavan, Machantala, Post + Dist. - Bankura, Pin- 722 101.
- 6) The Chairman, RSSC, Southern Region, 84 Sarat Bose Road, Kol-700 026.
- 7) The Chairman, RSSC, Northern Region, 17/18 Rabindra Avenue, P.O + Dist. - Malda, Pin-732 101.
- 8) The Chairman, RSSC, Eastern Region, M. B. C Institute of Eng & Tech, P.O + Dist. - Burdwan, Pin-713 101.
- 9) The President, west Bengal Council of higher Secondary Education, Vidyasagar Bhavan, 9/2, Block DJ, Sector-II, Salt Lake, Kolkata-91
- 10) The President, West Bengal Board of Secondary Education, 77/2, Park Street, Kolkata-16.
- 11) The Sr. Scientist, NIC, Bidyut Bhavan, Salt Lake, Kolkata-700 091.

..... He is requested to upload it in SE D.S. website.

- 12) The Joint Secretary, Administrative Branch, School Education Department.
- 13) The Joint Secretary, Elementary Education Branch, School Education Department.
- 14) The Joint Secretary, Planning & Budget Branch, School Education Department.
- 15) Nodal Officer of this Department.
- 16) OSD to Hon'ble MIC of this Department.
- 17) The P.S. to Secretary, School Education Department.
- 18) The District Inspector of School (SE).....

*Secretary and Asstt. Secretary
Please take necessary action*
*Chairman
W.B.C.S.S.C.*

08/11/2013

Sub: The West Bengal School Service commission (General Transfer) Rules, 2013.

Sending herewith a copy of the notification No. 1325-SE/S/1S-4/95 dt. 03.10.2013 for necessary information and action.

Encl: As stated above.



Joint Secretary

Kolkata



Gazette

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TUESDAY, OCTOBER 8, 2013

[SAKA 1935

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

Government of West Bengal
School Education Department

NOTIFICATION

No.1325-SE/S/IS-4/95 dt. 03.10.2013— In exercise of the power conferred by section 17, read with sub-section (1) and sub-section (2) of section 10B, of the West Bengal Central School Service Commission Act, 1997 (West Ben. Act IV of 1997), as subsequently amended, the Governor is hereby pleased to make the following rules, namely:—

Rules

1. **Short title and commencement.**—(1) These rules may be called the West Bengal School Service Commission (General Transfer) Rules, 2013.

(2) They shall come into force on the date of publication in the *Official Gazette*.

2. **Definitions.**—(1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the West Bengal School Service Commission Act, 1997 (West Ben. Act IV of 1997);
- (b) “Central Commission” means the West Bengal Central School Service Commission constituted under clause (a) of sub-section (1) of section 3 of the Act;
- (c) “Confirmed” means confirmation in service by the School Managing Committee or the Administrator of a school of an employee who has rendered satisfactory service after being appointed in a normal vacancy and in the case of an additional post, if the Managing Committee of the school or the Administrator confirms the service of the employee after receipt of retention order of the post from the district inspector of school (SE) or the Director of School Education, West Bengal;
- (d) “Form” means a Form appended to these rules;
- (e) “General Transfer” means transfer of an employee of a school from his present place of posting in a school to another place in same category of vacancy, subject and post in another school;
- (f) “incumbent” means a teacher or a non-teaching staff of a school of any category including librarian of a school;
- (g) “non-teaching staff” means, an employee who is not directly involved in teaching but, acts as a part of supporting system to the teaching and includes librarian;

- (h) "Regional Commission" means the West Bengal Regional School Service Commissions constituted under clause (b) of sub-section (1) of section 3 of the Act;
- (i) "Same category of post" means same post like Assistant Teacher or the Librarian or Clerical Staff and includes Clerk or Group-D or Peon or Laboratory Attendant or Night Guard or Matron, as the case may be;
- (j) "Same Category of vacancy" means vacancy in same type of posts like Scheduled Caste, Scheduled Tribe, Other Backward Class, General, Physically Handicapped or Reserved for women (only for girls' school) and includes the same group under the staff pattern or same subject and same qualification, such as, Pass Graduate or Honours/Post Graduate post etc., and also medium of instruction;
- (k) "Teacher" means an Assistant Teacher of a school recognized as such by the Board or Council, as the case may be, and includes the Headmaster or Headmistress, Assistant Headmaster or the Assistant Headmistress for the purpose of these rules.

(2) Words and expressions used and not defined in these rules but defined in the Act or in the West Bengal School Service Commission (Selection of Persons for Appointment to the Post of Teachers) Rules, 2007 or in the West Bengal School Service Commission (Selection of Persons for Appointment to the Post of Non-Teaching Staff) Rules, 2009, shall have the same meanings as respectively assigned to them in the Act or in the said rules.

3. Primary condition of General Transfer.—An incumbent shall be eligible for General Transfer only if he/she is confirmed in service and completed 5 (five) years of satisfactory service in that particular school from which he/she seeks General Transfer.

4. Eligibility for General Transfer.—(1) Any Teacher or non-teaching staff qualified as per provision of rule 3 of this Rules may be eligible for transfer to a post of Teacher or non-teaching staff of another school of same category of vacancy, same category of post and for a Teacher of same subject (Honours/Post Graduate or Pass), as the case may be.

(2) An incumbent opting for General Transfer shall be transferred to the same category of schools having Bengali or English or Hindi or Nepali or Oriya or Santhali or Telugu or Urdu, as the medium of instruction, Junior High/Secondary/Higher Secondary level, as the case may be.

(3) A male incumbent shall not be eligible for General Transfer in a girl's school.

(4) No incumbent shall be eligible to apply for a General Transfer who is left with less than two years of service from the date of his/her retirement on superannuation.

(5) The General Transfer shall be allowed to an incumbent against whom no Judicial or Departmental proceeding is pending or contemplated.

(6) The school authority of a particular school shall not forward applications received from more than 25% of total number of teachers of that school seeking General Transfer against each notification. Priority shall be given to the senior teachers first.

5. Procedure for submission of application for General Transfer in respect of a teacher.—(1) The Central Commission shall publish a region-wise list of vacant posts once in a year mentioning the category, subject and medium of instruction for every particular post and other particulars in the website of the Central Commission and simultaneously, by way of notice in the Offices of the Central Commission and the Regional Commission for the purpose of General Transfer.

(2) An incumbent desirous of General Transfer within the meaning of these rules, shall apply in the For (containing Part A and Part B) as appended to these rules together with requisite fees of Rs.2, 000/- payable in favour of the West Bengal Central School Service Commission, within 15 days from the date of such publication of vacant post by submitting application Form. One incumbent may submit only one application for maximum 05 (five) of such vacant post as per his/her priority of choice in application forms as prescribed. Handwritten or online applications will be accepted. Application submitted without fees shall be rejected.

(3) The application shall be submitted to the concerned District Inspector of Schools through the Head Master or Secretary, Managing Committee or the Administrator, as the case may be, of the concerned school. In case of on line application extract of application so filled up shall be printed and the same shall be submitted to the concerned District Inspector of Schools through the Head Master or Secretary, Managing Committee or the Administrator, as the case may be, of the concerned school.

(4) The District Inspector of Schools shall, after verification of all particulars given in the application form by an applicant, forward the same to the concerned Regional Commission within a period of fifteen days from the last date of receipt of such application.

(5) On receipt of such forwarded applications, the Regional Commission shall, after careful consideration of the applications, recommend for transfer of the incumbent to the Central Commission for approval and necessary order within 30 days from the date of receipt of the application from the District Inspector of Schools.

(6) On the basis of recommendation of the Regional Commission, the Central Commission shall be the final authority to decide upon the matter and may either reject such recommendation of the Regional Commission by passing an order and after giving reasons to be recorded in writing, or issue recommendation letter to the school concerned in the manner—

- (a) if there is one application for one vacant post mentioned in the list as published sub-rule (1) of rule 5, the Central Commission may issue recommendation of transfer of such incumbent to such vacant post opted by such incumbent;
- (b) if there is more than one application for one vacant post mentioned in the list as published sub-rule (1) of rule 5, the Central Commission may consider all such applications and issue recommendation of transfer in favour of that applicant who will secure highest marks amongst the applicants for that particular vacant post and the marks shall be allotted in the manner mentioned in column (3), in case of Teacher, or in column (4), in case of non-teaching staff, of the Table below:—

Table

Sl. No.	Particulars	Teacher	Non-teaching staff
(1)	(2)	(3)	(4)
1.	Seniority of each completed year after the date of introduction of procedure of counselling— (a) in case of Teacher, after 1.1.2006; or (b) in case of non-teaching staff, after 1.1.2013	1(one) mark for each completed year	1(one) mark for each completed year
2.	Seniority of each completed year the date of introduction of procedure of counseling— (a) in case of Teacher, before 1.1.2006; or (b) in case of non-teaching staff, before 1.1.2013	2(two) marks for each completed year	2(two) marks for each completed year
3.	Female Teacher or non-teaching staff	3(three) marks in addition to the marks awarded in serial No. 1 or serial No. 2, as the case may be	3(three) marks in addition to the marks awarded in serial No. 1 or serial No. 2, as the case may be
4.	Female Teacher or non-teaching staff having first or second child below the age of 10 years	5(five) marks in addition to the marks awarded in serial No. 1 or serial No. 2, as the case may be	5(five) marks in addition to the marks awarded in serial No. 1 or serial No. 2, as the case may be

5.	Physically handicapped (disability 40% or more) Teacher or non-teaching staff	3 (three) marks in addition to the marks awarded in above- mentioned serial Nos., whichever is applicable	3 (three) marks in addition to the marks awarded in above- mentioned serial Nos., whichever is applicable
6.	Female physically handicapped (disability 40% or more) Teacher or non-teaching staff	3 (three) marks in addition to the marks awarded in above- mentioned serial Nos., whichever is applicable	3 (three) marks in addition to the marks awarded in above- mentioned serial Nos., whichever is applicable
7.	In case of two or more Teachers or non-teaching staff securing same marks under the above-mentioned serial Nos.	senior in age shall get priority	senior in age shall get priority

Note.—If one candidate shall secure highest marks in case of two or more vacant post, he/she shall be allowed transfer only for one post strictly as per his/her priority of choice for vacant post given in his/her application. In this case, his/her right of transfer in rest cases where he/she may get highest marks shall be ceased automatically.

(7) The recommendation of the Central Commission or its order of rejection, as the case may be, mentioned in sub-rule (6) of rule 5, shall be communicated by the Central Commission to the incumbent concerned, to the Regional Commission, to the Secretaries of the Managing Committees of the Schools concerned or the Administrators of the Schools concerned, as the case may be, and to the concerned District Inspector of Schools.

(8) The Secretary of the Managing Committee or the Administrator of the concerned school, as the case may be, shall, on receipt of recommendation of the Central Commission through the District Inspector of Schools, release the incumbent in whose favour the recommendation has been made, preferably within a period of 15 (fifteen) days from the date of receipt of such recommendation and shall communicate to the Central commission about such release within one month of such release.

(9) After receiving such communication from the school as mentioned in sub-rule (8), the Central Commission shall recommend for appointment of a newly recruited candidate for such school and post preferably within 6 (six) months from the date of receipt of such communication from the school.

(10) A leave for a maximum period of 3 (three) days including holiday, if any, shall be granted by the school concerned where the incumbent will join on General Transfer.

(11) The Head Master, the Secretary of Managing Committee or the Administrator, as the case may be, of the concerned school, shall allow an incumbent to be recommended for General Transfer under these regulations.

(12) No claim whatsoever for financial assistance towards traveling allowance or cost of transportation etc., shall be made by the incumbent in whose favour of a recommendation of transfer has been made by the Central Commission.

(13) The salary for the joining leave shall be claimed by the concerned Head of the Institution of the respective school, where incumbent joins on General Transfer.

(14) The District Inspector of Schools (Secondary Education) concerned shall, after obtaining papers of General Transfer from the School Managing Committee or the Administrator of the school, as the case may be, issue fresh approval of appointment to the incumbents who join in the post of the respective school. The joining time shall be recorded in the approval memo issued by the District Inspector of Schools (Secondary Education) and salary for the transit period shall be allowed by the District Inspector of Schools (Secondary Education).

6. **Area/region for General Transfer.**—A General Transfer of a candidate may be intra region, or inter region, or intra district, or inter district, as the case may be, covering the whole of the State of West Bengal.

7. **Admissibility of General Transfer.**—Such General Transfer shall be effected only once during the entire service period of an incumbent.

8. **Procedure of submission of application of General Transfer in respect of non-teaching staff including librarian.**—In case of non-teaching staff and librarian desirous of General Transfer under the provisions of these rules, the provision of this rule shall, mutatis mutandis, apply.

9. **Report of General Transfer to be maintained by Central Commission.**—A status report of such General Transfer may be maintained by the Central Commission and an annual statement may be forwarded by the Central Commission to the School Education Department, Government of West Bengal.

10. **Incorrect false or fabricated application.**—If at any point of time it is found by any of the concerned authorities that the particulars given in the application is/ are not correct or false and fabricated, appropriate action against the concerned applicant(s) shall be taken by any of the authorities relating to his/her service and his/ her service can also be terminated as a result of such action.

11. **Application of the rules.**—The rules for Managing of Recognized Non- Government Institution (Aided and Unaided) 1969, for the Teachers and non-teaching staff of a school shall be deemed to have been amended in respect of the matter covered under these rules from the date commencement of these rules.

12. **Non-compliance of these rules by School Managing Committee or Administrator of the school concerned, as the case may be.**—It shall be mandatory for the Managing Committee or the Administrator, as the case may be, of the concerned schools to allow an incumbent to be released and join in the concerned school once a recommendation of transfer has been made by the Central Commission, non-compliance of which may render action as laid down under section 9A of the Act.

By Order of the Governor,

ARNAB ROY

Secretary to the Govt. of West Bengal

FORM

[See sub-rule (2) of rule 5]

PART-A**Application for General Transfer**

1. Name of the applicant :
(in block letters)
2. (i) Name of the post, in which he/ she is now working :
(in case of both the Assistant Teacher & non-teaching staff)
- (ii) Scale of pay :
- (iii) Basic Pay on the date of application :
3. (i) Name of the school where :
he/she is employed at present
(in block letters)
- (ii) Address of the school :
(in block letters)
- (iii) Telephone no. of the school with STD Code :
- (iv) Category of Post (whether General/S.C./S.T./O.B.C./ PH) :
- (v) Nature/ type of the school (Boys'/Girls'/Co-education) :
- (vi) Status of the school (Jr. High/High/ Higher Secondary) :
- (vii) Medium of instruction against which appointment was made :
- (viii) Working Shift (Morning/ Midday) :
4. (i) Date of Birth of the applicant as per official records :
- (ii) Date of retirement on superannuation :
- (iii) Academic qualifications as considered by the RSSC :
5. Whether appointed through the recommendation of the W.B. School Service Commission
- (i) if yes, mention the year of Regional Level Selection Test in which he/ she was selected) :
- (ii) if yes, mention the Memo No. of Recommendation Letter of Regional Commission :
6. Subject taught at present :
(in case of Assistant Teachers)
7. The reason in brief for seeking such a transfer :
8. (i) Date of joining at the present school :
- (ii) Gender of the applicant : male female
(tick the right option)

PART B

For the use of Applicants, in connection with General Transfer for their preference of choice of posting on transfer. Application No. _____
(Please write the Application No. of PART-A)

Name: _____, Present School Name: _____, Post: _____, Subject: _____, Category (Gen/SC/ST/OBC/PH) : _____, Medium of school: _____, If Girls school please indicate: _____

Preference of choice	School Name	School Address	Subject Name	Pass or H/PG	Medium of school	Nature of school (Boys/ Girls/ Co-Ed)	Status of school (Jr. High/ High/ H.S.)	Working Shift	Category (Gen/SC/ST/OBC/PH)	Unique No. of vacancy as per Advertisement	Remarks
1 st Preference											
2 nd Preference											
3 rd Preference											
4 th Preference											
5 th Preference											

I do hereby declare that the preference in above given by me is absolute and final. I shall be strictly abide by the decision of WBCSSC, if any, given for me as per above preference and shall not raise any dispute or question in this regard in future to any authority including Court of Law.

(Signature of the Applicant)