

Andhra Pradesh School Education (Regulation of Transfers) Rules, 2005

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-SCHOOL-EDUCATION-REGULATION-OF-TRANSFERS **of 2005**

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Andhra Pradesh School Education (Regulation of Transfers) Rules, 2005Published vide Notification No. G.O. Ms. No. 104, Education (Ser. 1), dated 05.08.2005Last Updated 12th September, 2019Notification No. G.O. Ms. No. 104. - In exercise of the powers conferred by sub-section (2) of Section 5 and sub-section (1) of Section 12 of the Andhra Pradesh School Education Teachers and other Employees (Abolition of existing service cadres and Regulation of recruitment and conditions of service) Ordinance. 2005 (Andhra Pradesh Ordinance 12 of2005) and in suppression of the Rules to regulate the transfer of officers of Andhra Pradesh Educational Service (Regulation of Transfers) issued in G.O.Ms. No. 59, Education, dated the 5th May, 2003. the Governor of Andhra Pradesh hereby makes the following rules regulating the transfer of Head Masters Grade II, Mandal Educational Officers and Lecturers in District Institutes of Education and Training in the Andhra Pradesh School Educational Service.

1. Short title.

- These rules may be called the Andhra Pradesh School Education (Regulation of Transfers) Rules, 2005.

2. Competent authority to make transfer.

- Regional Level Committee(1)The Regional Level Committee consists of the following members namely:-(i)A senior officer of the Department nominated by the Director of School Education not below the rank of a Joint Director as the Chairman of the Committee.(ii)One officer not below the

rank of a Joint Director from another Regional Office nominated by the Director of School Education as a Member.(iii)The Regional Joint Director of School Education of the concerned zone as the Member-Secretary.(2)The Committee shall be the competent authority for transfer and posting of Head Masters Grade II, Mandal Educational Officers and Lecturers in District Institute of Education and Training of Andhra Pradesh School Educational Service within the Zone.(3)The Member-Secretary shall be authority to issue posting and transfer orders after due approval of the Regional Level Committee.(4)The member secretary shall receive the transfer application as per the schedule communicated by the Director of School Education.

3. The Criteria for Transfers.

- The following criteria shall be observed in making transfers of Head Masters Grade II, Mandal Educational Officers and Lecturers in District Institute of Education and Training.(1)All the Head Masters Grade II and Lecturers in District Institute of Education and Training who have completed more than 8 years of service in a particular School/Office/ Institution as on 1st July of the year shall be transferred.(2)All the Mandal Educational Officers who have completed more than 4 years of service in the Office/Institution as on 1st July of the year shall be transferred.(3)All male Head Masters Grade II working in Girls Schools/Institutions shall be transferred. If such male Head Master is above 50 years of age and no female incumbent is available and if the Head Master has not completed 8 years of service in that School/Institution he can be continued in that School/ Institution.Provided that if the Head Master Grade II/Mandal Educational Officer/Lecturer District Institute of Education and Training is retiring within 2 years, he shall not be transferred without his request.(4)Head Masters Grade II found surplus due to rationalization of schools and posts shall be transferred.(5)The Head Masters Grade II, Mandal Educational Officers and Lecturers District Institute of Education and Training who are retiring within 2 years shall not be transferred without their request.(6)No Head Master Grade II, Mandal Educational Officer and Lecturer District Institute of Education and Training who has not completed 2 years of service in a particular School/ Office/Institution as on 1st July of the year shall be transferred.(7)The Head Master Grade II shall not be transferred and posted to a Office/ Institution in the same Gram Panchayat/town/city if he had completed 8 years service in a Office/ Institution located in same Gram Panchayat / Municipality /Municipal Corporation. This will not apply to the incumbent working in Hyderabad District.(8)No Head Master Grade II, Mandal Educational Officer and Lecturer in District Institute of Education and Training shall be transferred on mere allegations either oral or written; unless the allegations have been duly enquired into and prima facie case is established.(9)No Head Master Grade II/Lecturer District Institute of Education and Training rejoining duty after leave, shall be posted to any other new School/ Institution. He shall be posted only in the school/institution from where he has gone on leave.(10)The transfer applications of spouses will not be accepted under spouse case if both of them are working in a same Gram Panchayat.(11)Head Master Grade II/Mandal Educational Officer can be transferred and posted to their native Mandals to facilitate their stay at the place of posting in order to devote themselves more intensely to the task of imparting quality education.(12)The transfers shall be effected through counselling once in a year.

4. Entitlement Points.

- The points shall be awarded to each applicant (Head Masters Grade II, Mandal Educational Officers and Lecturers District Institute of Education and Training) who applied for transfer as follows. (1) For service in the Present School/ Office/ Institution located in the areas as on 1st July of the year: - (i) For service in Category IV areas: 10 (ten) points per every year of service. (ii) For service in Category III areas : 5 (five) points per every year of service. (iii) For service in the Category II areas : 3 (three) points per every year of service. (iv) For service in the Category I areas : 1 (one) point per every year of service. Note. - The Habitations/Towns shall be classified into the following categories namely: - (a) Category-I: All Habitations? Towns where 20% HRA is admissible. (b) Category-II: All Habitations/ Towns where 12.5% HRA is admissible. (c) Category-III: All Habitations/ Towns where 10% HRA is admissible but having Bus/Train facilities. (d) Category-IV: All Habitations/ Towns where 10% HRA is admissible, but not having Bus/ Train facilities within a radius of 3 Kms from the school point to the bus stop/Railway station. (2) For service as a Head Master Grade II, Mandal Educational Officer and Lecturer District Institute of Education and Training: - (1) One point for 5 years of service in the present cadre as on 1st July of the year. (3) Special Categories: - (i) 10 (Ten) Points for the Head Master Grade II/Mandal Educational Officer/Lecturer District Institute of Education and Training who are retiring with in Two Years from 1st July of the academic year. (ii) 10 (Ten) points for un-married female Head Master Grade 11/ Mandal Educational Officer/ Lecturer District Institute of Education and Training. (iii) 10 (Ten) points for Head Master Grade II/Mandal Educational Officer/Lecturer District Institute of Education and Training whose spouse is working in Government or Public Sector or Local body or Aided Institutions. (iv) 10 (Ten) points to the President and the General Secretary of District Units and the State Level President and General Secretary of recognized Associations.

5. Preferential Categories.

- (i) Physically handicapped i.e., those with not less than 70% Orthopaedically handicapped. (ii) Widows (iii) Legally separated single Women. (iv) The Head Masters Grade II, Mandal Educational Officers and Lecturers District Institute of Education and Training who are suffering with the following diseases certified by Specialised Institutions for the concerned diseases as specified by the Director of School Education in consultation with the Director of Medical Education. (a) Cancer (b) Heart Operation (c) Neuro-Surgery (d) Bone T.B. (e) Kidney Transplantation (v) Others Note. - 1. The benefit of preference to the above category shall be given once in a period of 8 years in respect of Head Master Grade II/Lecturer in District Institute of Education and Training and once in a period of 4 years in respect of Mandal Educational Officers. Note. - 2. A copy of certificate issued by a competent authority and also the medical claim should be submitted along with the transfer application to consider their cases under preferential category on medical grounds. Note. - 3. The originals of the copies mentioned at Note 2 shall be verified at the time of counseling.

6. Forwarding Applications.

(1) All applications seeking transfers shall be sent to the member secretary of the committee in the prescribed form appended to the rules. (2) If the applicant happens to be the Head Master Grade II, then the inspecting officer of his school shall forward the application. (3) The Head Master Grade II/Mandal Educational Officer/Lecturer District Institute of Educational and Training requesting transfer as per Rule (3) read above to the place of his choice as per the entitlement points earned by him, he shall submit request application to the concerned authority and attend to the counseling for opting places of his choice. If he does not attend to the counseling, he may be transferred to any post as per the administrative necessity. (4) The concerned Heads of the Institutions/Inspecting Officers shall verify and certify the correctness of the particulars furnished in the application form. (5) Any application not received through proper channel will be summarily rejected and disciplinary action will be taken against the applicants who do not submit their transfer application through proper channel.

7. Computerization.

- On receipt of applications for transfers, the data shall be computerized by the member secretary of the committee.

8. Arrangement of Applications.

- All the applications received shall then be arranged category-wise, subject-wise and media-wise. Head Master Grade II. Mandal Educational Officer and Lecturer District Institute of Education and Training with highest entitlement points will be placed first in the list and others in the descending order. In case of a tie, between two candidates or more, the seniority of individual shall be taken into consideration and the older person shall be placed above the junior. The list shall be displayed on the notice board 7 days before the date of commencement of transfer counseling and the lists shall also be made available to the concerned, on payment of the cost of the list.

9. Notification of Vacancies.

- (I) The list of Vacancies i.e. (1) Clear vacancies. (2) Vacancies that may arise due to transfer of Head Master Grade II/ Lecturer District Institute of Educational and Training who have completed 8 years of service. (3) vacancies that may arise due to transfer of Mandal Educational Officers who completed 4 years of service. (4) vacancies that may arise due to transfer of male Head Masters Grade II working in Girls Schools/ Institutions. (5) The post found surplus due to rationalization and (6) The posts of Head Masters Grade II/Mandal Educational Officers who have been transferred to other districts by the Government. (II) The vacancies that may arise during the counseling shall also be announced and displayed on the notice board immediately, the leave vacancies shall not be notified. (III) No vacancy shall be added to the list after the list is displayed. The Member-Secretary shall be held responsible for any vacancy added/deleted after the list is displayed.

10. Process of Counseling.

(1)After displaying the vacancy list and the applicants' list in the prescribed manner, the concerned committees shall call the applicant Head Master Grade II, Mandal Educational Officer and Lecturer District Institute of Educational and Training with higher points in the order of preference as stated in Rule (5) above. The names of persons who have not applied for transfer will be placed at the end of the list.(2)The transfers Counseling of Head Master Grade II/Mandal Education Officer/Lecturer District Institute of Educational and Training shall be conducted in 3 spells in the following order.First Spell. - The Head Masters Grade II found surplus due to rationalization and the male Head Masters Grade II working in girl's schools.Second Spell. - 1. The Head Master Grade II/Lecturer District Institute of Education and Training who have completed 8 years of service and who have applied for transfer.

2. The Mandal Educational Officer who have completed 4 years of service and who have applied for transfer.

Third Spell: The Head Masters Grade II who have been transferred from other Districts by the Government.(3)In all the three spells, the order of counselling shall be again as per preferential categories, stated in Rule (5) above.

11. Selection of vacancies by the Applicant.

- The applicant appearing for counseling will be asked to choose any one of the vacant posts available at that point of time.

12. Issue of Orders.

- On exercising such a choice by the applicants, the Member-Secretary, shall issue a transfer order then and there duly deleting that vacancy from the list of vacancies displayed.

13. Completion of Counseling.

- Counseling shall be continued till all the applicants are covered as per the time frame/ Schedule communicated by the Director of School Education.

14. Display on the Notice Board.

- The list of the candidates indicating the places of transfer against their names shall also be displayed on the notice board on the day of counseling. This list shall be made available to the Head Masters Grade II, Mandal Educational Officers and Lecturers in District Institute of Education and Training, on payment of the cost of the list. No transfer shall be made after the list is displayed. If any transfers are made after display of the list, the Member-Secretary concerned will be held personally responsible and severe action will be taken against them.

15. Relief.

- The Head Master Grade II/Mandal Educational Officer/Lecturer in District Institute of Education and Training who get transfer orders, shall be relieved by the competent authority on the next day of counseling.

16. Responsibility of the Officers.

- The Member-Secretary shall ensure that the above norms and procedures are observed while effecting transfers and he will be personally held responsible for any deviations.

17. Schedule for Transfers.

- The Director of School Education, Hyderabad may draw the schedule once a year and communicate to the competent authority to effect the transfers.

18. Appeal.

- (i) An appeal against any order of the Regional Level Committee shall lie to the Director of School Education within 10 days from the date of receipt of such order.(ii)All such appeals shall be disposed off within 20 days from the date of representation of appeal.

19. Powers of the Director of School Education.

(1)The Director of School Education may either suo-moto or on an application received from any person aggrieved by the orders of the Regional Level Committee may call for and examine the records in respect of any proceedings, of transfer of Head Master Grade II, Mandal Education Officer and Lecturers District Institute of Educational the Training to satisfy himself about the regularity, legality or propriety. If, in any case, it appears to the Director of School Education that any such proceedings should be modified, annulled or reversed or remitted for reconsideration, he may pass orders accordingly or remand the case with any direction as to rectify any violation of rules or discrepancy. Such orders shall be implemented by the authority concerned.(2)The Director of School Education may stay the implementation of any such proceedings pending exercise of their powers under sub-rule (1) above.(3)The Director of School Education may either suo motu or on an application from any person interested, made within forty five days of the passing of an order under sub-rule {1} review any such order, if it was passed by him under any mistake, whether of fact or of law, or in ignorance of any material fact.

20. Punishment for furnishing false information.

- The Head Master Grade II/Mandal Education Officer/Lecturers District Institute of Educational and Training who have submitted false information and certificates and the Officers who have counter signed the information shall be liable for disciplinary action as per rules in addition to filing

of criminal cases against them.

21. Punishment for violating the rules.

- The Member-Secretary, who issues orders in violation of the rules and instructions issued from time to time in the matter shall be liable for disciplinary action as per rules.

22. Ensuring that transfer process doesn't result in a tribal and backward area being left with out Head Master Grade II/Mandal Educational Officer.

- While effecting transfers, the Committee should ensure that the schools in the tribal and backward areas not left without Head Masters Grade II/Mandal Educational Officers.

23.

All the transfers shall be strictly in conformity with the Presidential Orders, 1975.

24.

All the transfers and promotions issued under these rules shall be subject to the final out come of S.L.P.No. 9469-82 of 2004 and 13922/2005 pending in the Hon'ble Supreme Court of India. W.P.No. 14585/ 2005 pending in Hon'ble High Court of Andhra Pradesh and any other cases pending with Hon'ble A.P.Administrative Tribunal, Hyderabad.

25.

A copy of the G.O. is also available on www.aponline.gov.in.

26.

This order issues with the concurrence of Finance (ESE) Department vide their U.O.No. 7473/358/ESF./05, dated 4-8-2005.Department of School Education Transfer Application.

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| 1. Name | : |
| 2. Designation | : |
| 3. Subject | : |
| 4. Medium/ Language | : |
| 5. Date of Birth | : |
| 6. Date of joining in the Present Cadre/post | : |
| 7. Present place of working | : |
| 8. Date from which the individual is working inthe present School/Institution/located in the | : |

villagePanchayat/Town

9. % HRA drawn in the present School/Institution :
10. in the case of drawing 10% HRA, the distancebetween school and the nearest Bus stage/
Railway Station :
11. Whether he/she is president of GeneralSecretary of the District/State Recognized Association :
12. Whether spouse is employee of State Govt./Local body/Aided Institution :
13. State Whether the teacher is :
- (i) Widow :
- (ii) Legally Separated Single women :
- (iii) If he/she is suffering with the following diseases viz. :
- (a) Cancer
- (b) Heart Surgery
- (c) Neuro-Surgery
- (d) Bone-TB
- (e) Kidney Transplantation
- (iv) Physically Handicapped (not less that 70% handicapped on thelegs of Orthopedically
handicapped) :
14. Whether spouse is employee of StateGovernment,/Local body/Aided institution :

Note. - Certificates against the points 11, 12 and 13 (ii) (iii) (iv) shall be enclosed.

Signature of the Applicant Designation

CertificateCertified that the particulars furnished by the applicant are verified with reference to certificates, records of the School/Institution and Service Register of the individual and found correct.Signature of the Head Master Designation with SealNote. - The teachers who have submitted false information, and certificates and the officers who have counter signed the information will be liable for disciplinary action as per rules in addition to filling of Criminal cases against them.