

Andhra Pradesh Teachers (Regulation of Transfers) Rules, 2012

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-TEACHERS-REGULATION-OF-TRANSFERS-RULES of 2012

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Andhra Pradesh Teachers (Regulation of Transfers) Rules, 2012 Published vide Notification No. G.O. Ms. No. 38, Education (SE-Ser.III), dated 16.06.2012 Last Updated 10th September, 2019 No. G.O. Ms. No. 38. - In exercise of the powers conferred by Section 78 and 99 of A.P. Education Act 1982 (Act 1 of 1982) and under Article 309 of the Constitution of India and in super session of all the earlier Rules and guidelines on transfer of teachers, the Government of Andhra Pradesh hereby makes the following Rules regulating the transfers of the categories of Headmasters Gr.II Gazetted, School Assistants and S.G.T.s and their equivalent categories in the A.P. School Education Service and A.P. School Education Subordinate Service working in the Government Schools and Z.P.P. and MPP Schools in the State.

1. Short Title and Applicability.

(1) These rules may be called the Andhra Pradesh Teachers (Regulation of Transfers) Rules, 2012. (2) These rules shall be applicable to Headmaster Gr.-II Gazetted in Andhra Pradesh School Education Service and School Assistants / SGTs and other equivalent categories in Andhra Pradesh School Education Subordinate Service, herein after referred to as Teacher in these Rules. (3) These rules shall come into force with immediate effect.

2. Transfer counselling.

- All transfers shall be made by way of counselling through Transfer Committees constituted for each district / zone.

3. Schedule of transfers.

- The Commissioner and Director of School Education shall draw schedule and communicate the same to the competent authorities for effecting transfers from time to time.

4. Competent authority for issue of transfer and posting orders.

- The appointing authority concerned shall issue transfer and posting orders based on the recommendation of the committee constituted for the purpose

5. Criteria for transfers.

(1) The following categories of Headmaster Gr.II Gazetted / Teacher in the Government / ZPP / MPP shall be transferred : (a) Those who have completed 8 years service in a particular school as on 1st July of the year shall be compulsorily transferred. The service in all categories of posts rendered in a school prior to and after up-gradation/bifurcation in respect of upgraded/bifurcated schools shall be counted for the purpose of calculating the completion of 8 years of service. Provided those who are going to retire within two years from 1st July of the year shall not be shifted until and unless the incumbent requests for such transfer. (b) The male Headmaster Grade-II/Teacher aged below 50 years as on 1st July of the year and working in Girls High School. (c) The Headmaster Grade-II and the concerned subject Teacher of the school in which the pass percentage in the S.S.C. Public Exam (March) is less than 10% shall be transferred to the schools located in category IV habitations (2) If no women HMs / Teachers are available to work in Girls High Schools, then male HMs / Teachers who are over and above 50 years of age may be considered for posting to such schools. (3) Headmaster Gr.II Gazetted / Teacher who has completed a minimum period of two years service in a School as on 1st July of the year shall be eligible to apply for transfer

6. Entitlement points.

- Entitlement of points shall be awarded to the Headmaster Gr.II Gazetted / Teacher who applies for transfer in the following manner: (a) For service in the present school, basing on its location, as per the following scale, as on 1st July of the year: (i) Service in category IV areas: Five (5) points per every year of service. (ii) Service in Category III areas: Three (3) points per every year of service. (iii) Service in the Category II areas: Two (2) points per every year of service. (iv) Service in the Category I areas: One (1) point per every year of service. Note 1. - The Habitations / Towns shall be classified into the following categories namely: (i) Category I: All Habitations / Towns where 20% and above HRA is admissible. (ii) Category II: All Habitations / Towns where 14.5% HRA is admissible. (iii) Category III: All Habitations / Towns where 12 % HRA is admissible. (iv) Category-IV: All Habitations where 12% HRA is admissible, and which do not have connectivity through an all weather road as per the norms of Panchayati Raj (Engineering) Department. Note 2. - The District Collector shall publish the list of habitations in the district which do not have connectivity through an all weather road as per the norms of Panchayati Raj (Engineering) Department in consultation with the Superintendent Engineer, P.R. of the district for

this purpose, and the same shall be final. Note 3. - For the purpose of calculating entitlement points in respect of service in a Category-IV habitation prior to academic year 2012-13, Category-IV habitations shall be the habitations notified as Category- IV by the competent authority during the transfer counselling held in May /June 2011 as per the classification and definition in the rules issued in G.O.Ms.No. 65, Education (Ser-III), dated 19.05.2011.(b)For entire Service: One point for every Five (5) years of service in the total service in all categories as on 1st July of the year.(c)The President and General Secretary of the recognized Teachers Unions at the State and District Levels are eligible for ten (10) points.(d)Ten (10) points for the Headmaster Gr.II Gazetted / Teacher, who is retiring with in 2 years as on 1st July of the year.(e)Ten (10) points for un-married Headmistress Gr II / female Teacher.(f)Ten (10) points for Headmaster Gr.II Gazetted / Teacher, whose spouse is working in State Government or Central Government or Public Sector undertaking or Local Body or Aided Institution in the same District and opted for transfer nearer to and towards the place of working of his/her spouse, This is applicable only once in 8 years and in respect of one of the spouses and an entry shall be made in this regard in SR. A copy of certificate issued by the competent authority shall be enclosed to the check list to consider cases under this category.(g)In case the entitlement points two or more applicants are equal, the inter-se seniority shall be determined as below.(i)Applicants having disability of more than 40% but less than 70% (Or the-handicap. / Visually challenged/ Hearing Impaired) shall take priority.(ii)Subject to the above, the seniority in the cadre shall be taken into account.

7. Performance related entitlement points.

(1)For promoting co-curricular/extra Curricular activities in the previous Academic year in School Games organized by SGF and Science Fairs organized by the Department:(a)Participation. - (i) Participated and sponsored not less than Five (5) children for District Level Competitions 2 points.(ii)Participated and sponsored not less than Three (3) children for State Level Competitions 2 points.(iii)Participated and sponsored not less than Two (2) children for National Level Competitions 2 points.(b)Achievement. - (i) At least Two(2) students receive awards at district level 3 points.(ii)At least One (1) student receive award at State level 3 points.(iii)At least One(1) student receive award at National level 3 points.(2)For Achievement in SSC Public Exams: -(i)50-60 % of students secure GPA 10 4 points.(ii)61-70 % of students secure GPA 10 6 points.(iii)71-90 % of students secure GPA 10 8 points.(iv)91-100 % of students secure GPA 10 10 points.(3)The above points will be awarded to HM and the teacher concerned in the school, provided that:(a)The attendance of the teacher is 80% and above and covered the syllabus as per schedule.(b)Any Teacher who has been awarded / confirmed a punishment/warning for grave irregularities will not get any entitlement points for 4 years.(c)The competent authority shall record all such facts in the SRs of the concerned HM/Teacher.(d)The teacher who furnishes false information and HM who attests it, shall be liable for disciplinary action and Criminal proceedings, apart from being transferred to category IV vacancies.Note. - The Deputy Educational Officers in respect of High Schools and the Mandal Educational Officers in respect of Primary and Upper Primary Schools shall attest the performance of the teachers of Government and ZPP/ MPP Schools respectively which shall be submitted with attestation of Headmaster concerned.

8. Preferential categories.

- The following categories shall take precedence in the seniority list, in the order given below, irrespective of their entitlement points. (a) Physically handicapped i.e., those with not less than 70% orthohandicap/ Visually challenged/ Hearing Impaired (b) Widows. (c) Legally separated women. (d) Headmaster Gr.II Gazetted / Teacher who is suffering with the following diseases and so certified by the competent medical officer of the hospital recognized by Government of A.P. under A.P. Integrated Medical Reimbursement Rules, in which he/she is undergoing treatment: I. Cancer. II. Open Heart Surgery. III. Neuro-Surgery. IV. Bone T.B. V. Kidney Transplantation. (e) Applicants with dependant children who are mentally retarded and are undergoing treatment. (f) Applicants with dependant children suffering from Juvenile Diabetes and children suffering with holes in the heart by birth and undergoing medical treatment available only at specified places to which they are seeking transfers. Note 1. - For this purpose, a copy of the certificate issued by a competent authority i.e., District Medical Board / State Medical Board should be enclosed to the application for consideration of preferential categories. Note 2. - The benefit of preference shall be given once in 8 years to the preferential categories and an entry be made in SR. (g) The Headmaster Gr.II Gazetted / Teacher who is working as NCC officer should be continued in the same school on his/her request if no vacancy is available in other schools having NCC unit.

9. Notification of vacancies.

(1) The following vacancies shall be notified for the purpose of counselling. (a) All the exiting clear vacancies except the vacancies mentioned in clauses (2) & (3) below. (b) All the vacancies arising due to compulsory transfers as per Rule 5. (c) Resultant vacancies arising during Counselling. (2) The leave vacancies shall not be notified. (3) While notifying the vacancies of SGTs it shall be ensured that equal number of vacancies are left vacant in all the Mandals, medium wise. Example:

Total number of vacancies in the district	: X
Total number of Mandals in the district	: A
Total number of vacancies to be blocked in a mandal	: X/A

After arriving at the number of vacancies to be blocked in each mandal as above, if the total vacancies in the mandal are more than the number to be blocked, blocking shall be done keeping in view the enrolment and position of working teachers in the schools concerned. (4) The following vacancies shall not be blocked: (I) Vacancies in the schools where no teacher /single teacher is working. (II) Vacancies in Category IV schools, notwithstanding any other provision in this Rule. (5) The competent authorities shall notify the vacancies with the approval of District Collector (District Cadres) or Commissioner and Director of School Education (Zonal Cadre), as the case may be.

10. Publication of vacancies and seniority list.

(1) The following lists shall be published in the website specified for the purpose and also displayed at the O/o Regional Joint Director of School Education and District Educational Officer

concerned:(i)The lists of category wise schools (category I, II, III and IV),(ii)The School wise vacancy position of Headmaster Gr.II Gazetted / School Assistant / Secondary Grade Teacher and equivalent categories for counselling.(iii)Subject to the procedure prescribed in clause (2) below, the list of names of the Headmaster Gr.II Gazetted / Teacher who applied for transfer with entitlement points.(2)After the last date for applying for transfers as per schedule, the seniority list shall be prepared, using software for generating the entitlement points, management wise, category wise, subject wise, medium wise and the seniority list with entitlement points shall be published in the website specified for the purpose and also on the notice board of District Educational Officer / Regional Joint Director of School Education

11. Online Application.

(1)The Headmaster Gr.II Gazetted / Teacher who is eligible as per the criteria prescribed in Rule 5 may apply online through website specified for the purpose in the prescribed proforma and the particulars furnished in the proforma shall be final and no modification shall be allowed.(2)The applicants shall thereafter obtain the printout of the application from the specified website and submit the same duly signed to their respective authorities, viz., Mandal Educational Officer/Headmaster High School/Deputy Educational Officer, as the case may be.(3)An applicant seeking to apply under Preferential categories / spouse category shall also submit along with application the latest certificate from the competent authority in that regard.(4)If any Headmaster Gr.II Gazetted / Teacher who is compulsorily transferable under Rule 5 does not apply online or having applied does not attend the counselling (physical or online), he/she will be transferred to the available left over vacancies.

12. Receipt and disposal of objections.

(1)Objections if any in respect of the seniority list and entitlement points published as per Rule 10(2) may be filed online or in writing before the District Educational Officer / Regional Joint Director of School Education, as the case may be, by any applicant together with evidence in support of such objection with in the time specified for this purpose in the schedule.(2)The District Educational Officer / Regional Joint Director of School Education, as the case may be, shall cause verification of all objections and pass orders disposing of the same. In cases where objections are upheld, the District Educational Officer/ Regional Joint Director of School Education shall cause the necessary corrections in the seniority list and publish the same on the website.

13. Committees for conducting counselling and transfers.

- The following committees are constituted for the purpose of conducting counselling and transfers.(I)For Transfer of Head Master Gr. II Gazetted in Government High Schools(a)Senior Officer of the Department nominated by the Director of School Education, not below the rank of a Joint Director.(b)The Regional Joint Director of School Education concerned or his nominee as the Member Secretary.(c)The District Educational Officer concerned as a Member.Note. - (i) The senior most officer shall be the Chairman of the Committee.(ii)The Committee shall be the competent authority for transfer of all Headmaster Gr.II Gazetted in the Government High Schools in the

respective Zone. The transfer shall be effected within the Zone by way of counselling.(iii)The Regional Joint Director of School Education concerned shall be the competent authority to issue posting and transfer orders of the Headmasters Gr.II Gazetted working in Government High Schools, after the approval by the Committee.(II)For Transfer of Head Master Gr. II Gazetted in Zilla Parishad High Schools

- (a) Chairman, Zilla Parishad /Special Officer – Chairman
- (b) Collector/ Joint Collector – Member
- (c) RJDSE or his nominee – Member Secretary
- (d) Chief Executive Officer- Z.P. – Member

Note. - (i) The Committee shall be the competent authority for transfer of all Headmaster Gr.II Gazetted in the ZP High Schools in the District.(ii)The Regional Joint Director of School Education concerned shall be the competent authority to issue transfer orders of the Headmasters Gr.II Gazetted working in ZP High Schools, after the approval by the Committee.(III)For Transfer of Teachers in Government High Schools

- (a) Collector / Joint Collector – Chairman
- (b) Chief Executive Officer Z. P. – Member
- (c) District Educational Officer – Member Secretary

(IV)For Transfer of Teachers in Zilla Parishad / MPP Schools

- (a) Chairman, ZP /Special Officer – Chairman
- (b) Collector / Joint Collector – Member
- (c) Chief Executive Officer Z. P. – Member
- (d) District Educational Officer – Member Secretary

Note. - The District Educational Officer concerned shall be competent authority to issue transfer orders to all the teachers working in the Government Schools and ZPP / MPP Schools after the approval by the Committee.

14. Issue of transfer orders.

(1)Based on the recommendations of the respective committees, the appointing authorities concerned shall issue posting orders to all the HMs / Teachers of one category in one proceedings only, duly enclosing the names of the teachers transferred and places of postings on transfer in one annexure. No individual transfer orders shall be issued.(2)The teacher / HM who are to be compulsorily transferred and who do not attend for counselling, shall be given posting orders in absent to the left over vacancies at the end of the counselling of that particular category of teachers, in the presence of Committee and in the counselling hall without fail.(3)Headmaster Gr.II Gazetted / Teacher shall not be posted in the Schools located in the same Gram Panchayat, If they completed 8 years of service.(4)Once transfer orders are issued by the competent authority with the approval of the committee, review or modification of orders shall not be considered, either by the committee or by the competent authority.(5)In all the orders of the transfer the condition is to be included that the orders shall be subject to outcome of SLP in Supreme Court of India and other pending cases.(6)The transfers effected shall be displayed on website and also at the office of Regional Joint Director of

School Education, District Educational Officer and ZP after completion of counselling.

15. Date of relief and joining.

- The Headmaster Gr.II Gazetted / Teacher who are on transfer shall be relieved from the present place of working on receipt of the transfer orders and he / she shall join in the new school where they are posted on the next day of the counselling. A Headmaster Gr.II Gazetted / Teacher who does not so join can not claim compulsory wait under any circumstances for any reason.

16. Appeal.

(1)An appeal against the orders of the District Educational Officer shall lie with the Regional Joint Director of School Education concerned, and an appeal against the orders of the Regional Joint Director of School Education shall lie with the Commissioner and Director of School Education. Such appeal should be submitted within 10 days. (2)All such appeals shall be disposed off by the Appellate authorities concerned within 30 days from the date of receipt of the appeal.

17. Revision.

(1)The Commissioner and Director of School Education may either suo-moto or on an application received from any person aggrieved by the orders of the Transfer Committee may call for and examine the records in respect of any proceedings of transfer to satisfy himself about its regularity, legality or propriety. If, in any case, it appears to him that any such proceedings should be revised, modified, annulled or reversed or remitted for reconsideration, he may pass orders accordingly or remand the case with any direction so as to rectify any violation of rules or discrepancy. Such orders shall be implemented by the authority concerned. (2)The Commissioner & Director of School Education may stay the implementation of any such proceedings, pending exercise of its powers under sub-rule (1) above.

18. Punishment for furnishing false information / violation of rules.

(1)Anybody who has submitted false information and certificates, and the officers who have countersigned such false information, shall be liable for disciplinary action in addition to prosecution, as per rules. (2)The Member-Secretary who has issued orders in violation of these rules or instructions issued by Director of School Education from time to time in the matter shall be liable for disciplinary action as per rules.