

U.P. Aided Colleges Transfer Of Teachers Rules, 2005

UTTAR PRADESH

India

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Rule

U-P-AIDED-COLLEGES-TRANSFER-OF-TEACHERS-RULES-2005 of 2005

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U.P. Aided Colleges Transfer Of Teachers Rules, 2005 Published Vide Notification No. 363/70-2-2005-4(40)-2004, Dated 9.3.2005, published in the U.P. Gazette, Part 1-ka, Dated 9.4.2005. In exercise of the powers under Section 32 of the Uttar Pradesh Higher Education Services Commission Act, 1980 (U.P. Act No. 16 of 1980), the Governor is pleased to make the following rules, namely :-

1. Short title and commencement. -

(1) These rules may be called the Uttar Pradesh Aided Colleges Transfer of Teachers Rules, 2005. (2) They shall come into force at once.

2. Definitions. -

In these rules, unless there is anything repugnant in the subject or context -(a) "Act" means the Uttar Pradesh Higher Education Services Commission Act, 1980; (b) "Government" means the Government of Uttar Pradesh; (c) "Management" in relation to a College means the Committee of Management or person or authority vested with the power to manage and conduct the affairs of the College; (d) "Teacher" means a person appointed under the provisions of the Act for imparting instructions in a College and includes a Principal.

3. Provision arid transfer of teachers. -

The minimum qualifications and experience for transfer of a teacher shall be as given in the Uttar Pradesh Higher Education Service Act, 1980 referred to in the proviso to sub-section (1) of Section 12 of the Act.

4. Conditions of transfer. -

(1) Teachers appointed on regular basis and holding lien as permanent teachers shall be entitled to transfer after 10 years of service only once in the whole service period. (2) The transferred teacher shall become the employee of the College to which he has been transferred and his service conditions shall be governed by the statutes of the University concerned. (3) The protection of salary of the teacher shall be admissible but the service rules of the new employer shall be applicable to such teacher. (4) The transferred teacher, shall be the junior most teacher of his cadre working on the date of his joining in the College concerned. (5) [The teacher shall be transferred against such posts for which salary is paid from the salary payment account. The management of the College before giving it consent to any teacher, shall ensure that no enquiry or any proceeding is pending against the teacher concern and the post to which he has been considered to be appointed by transfer shall not be advertised by the Uttar Pradesh Higher Education Services Commission. The facility of single transfer shall also be available against such post which, till the date of commencement of the Uttar Pradesh Higher Education Aided Colleges Transfer of Teachers (First Amendment) Rules, 2006 have been advertised by the Uttar Pradesh Higher Education Services Commission by the selection on such post has not been made.] [Substituted by Notification No. 478/LXX-2-2006-4(40)-2004 Dated 15.2.2006 published in the U.P. Gazette, Part I.-ka. Dated 15.2.2006 (w.e.f.15.2.2006.)] (6) The transfer application for single/mutual transfers from one College to the other shall be submitted to the Director, Higher Education through the Management legally constituted and approved by the University along with the written consent of both the two management. The Director, Higher Education shall submit this recommendation to the Government within one month from the date of receipt of the application. The Government shall take decision either on the basis of recommendation of the Director or on its own. (7) No Travel Allowance shall be admissible to the teachers against such transfers. (8) The Manager of the former institution shall send in Service Book, Character Rolls, Leave Account, G.P.F., Group Insurance Account and last pay certificate countersigned by the District Inspector of Schools/Regional Higher Education Officer, as the case may be, to the Regional Higher Education Officer of the Region concerned and to the Director, Higher Education.