

Andhra Pradesh Teachers (Regulation of Transfer) Rules, 2000

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-TEACHERS-REGULATION-OF-TRANSFER-RULES of 2000

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Andhra Pradesh Teachers (Regulation of Transfer) Rules, 2000Published vide Notification No. G.O. Ms. No. 118, Education (Ser. VI), dated 20.09.2000Last Updated 27th August, 2019No. G.O. Ms. No. 118. - In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India read with Clause (a) of sub-section (1) of Section 78 of the Andhra Pradesh Education Act, 1982 (Act 1 of 1982) read with subsection) of Section 169 and sub-section (4) of Section 195 of the Andhra Pradesh Panchayat Raj Act, 1994 (Act No. 13 of 1994) and in supersession of Andhra Pradesh Mandal Praja Parishad and Zilla Parishad Teachers (Regulation of Transfers) Rules, 1998 issued in G.O.Ms.No. 205, dated 06-07-1998 and orders issued in G.O.Rt. No. 495, Education (Ser.VI) Department, dated 20-9-2000 and others orders issued on the subject, the Governor of Andhra Pradesh hereby makes the following rules, namely: -

1. Short title.

- These rules may be called the Andhra Pradesh Teachers (Regulation of Transfer) Rules, 2000.

2. Mandal Level Committees.

(1)The Mandal Level Committee comprising of -(i)President, Mandal Parishad as Chairman,(ii)Mandal Parishad Development Officer as Member,(iii)Mandal Educational Officer as Member-Secretary.(2)The committee shall be the competent authority for posting and transfer of teachers in Primary Schools and Secondary Grade Teachers in Upper Primary Schools within the Mandal.(3)The Member-Secretary shall be the competent authority for issue postings and transfer orders.

3. District Level Committees.

(1)The District Level Committee comprising of, -(i)Chairman, Zilla Parishad as Chairman of the committee,(ii)Chief Executive Officer as member,(iii)District Educational Officer Member-Secretary.(2)The committee shall be the competent authority for posting and transfer of all teachers in High Schools and all teachers except Secondary Grade Teachers in Upper Primary Schools.(3)The Committee in also competent authority for posting and transfer of the teachers in Primary Schools and Secondary Grade teachers in Upper Primary Schools from one Mandal to another Mandal.(4)The member-secretary shall be the competent authority to issue transfer and posting orders.

4. Regional Level Committee.

(1)The regional level committee consists of the following members namely: -(i)The Regional Joint Director of School Education of the respective Zone-Member-Secretary;(ii)One officer not below the rank of Joint Director from another Regional office nominated by Commissioner and Director of School Education-Member;(iii)A senior officer in the office of the Head of the Department nominated by the Commissioner and Director of School Education-Member.(2)The Committee shall be competent authority for posting and transfer of class IV officers of Andhra Pradesh Educational Service within the zone.

5. Process of counselling.

- All the Teachers working in surplus posts shall be arranged for counselling on the basis of seniority in the following order of priority:(i)Widows;(ii)Physically Handicapped;(iii)Spouse working in Government/Zilla Parishad/Mandal Parishad schools.(iv)Spouse working in Government/Local Bodies.(v)the Principal Office Beaurers (State/ District President and one Secretary) of the Recognized Teacher's Unions;(vi)Other Teachers.Note. - Under the husband and wife category, one spouse shall be transferred to the place of another if vacancy exists. If such vacancy does not exist, they may be asked to choose the vacant post available within 15 Kms. from the place of any of spouses.

6. The Criteria for Transfers.

- The following criteria shall be observed in making transfers of teachers.(i)The transfers shall be considered for clear vacancies only.(ii)All deputations in the Districts shall be cancelled. All the posts against which deputed persons are working shall be taken as vacancies.(iii)No teachers may be considered for transfer on mere allegations either oral or written, unless the allegations have been duly enquired into and prima facie case is established.(iv)No teacher rejoining duty after long leave, shall be posted to any other place except to the place of his or her posting prior to such leave i.e. from which place or station, he or she proceeded on leave.(v)the teachers shall not be posted to their native mandals. This restriction will not apply to the following categories:(i)Physically Handicapped.(ii)Unmarried ladies.(iii)Widows.(iv)Only Women teachers shall be posted in Girls

High Schools. Men teachers shall be replaced by women teachers. If women teachers are not available then only male teachers who are 50 years of age and above shall be posted in Girls High Schools.

7. Entitlement of Points.

- The points shall be awarded to each applicant (teacher) based on service in the interior areas as follows: - (i) For service in Category IV areas: 1 point per year of service subject to maximum of 5 points. (ii) For service in Category III areas : 0.5 points per year of service subject to maximum of 4 points. (iii) For service in the Category II areas: 0.25 point per year of service subject to maximum of 3 points. Note. - For Service in interior areas (applicable for the present place of working only) the postings in interior places in the past will not be counted. Category-1 will not get any points.

8. Classification of Habitations/ Towns.

- 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.

9. Service as Teacher.

- One point for each 6 years of service subject to a maximum of 5 points.

10. Performance in Examinations.

(1) The performance is defined in terms of percentage of passes in the subjects taught by him or her in the final examinations of the previous academic year. But in case of Head of Institutions percentage of passes of all the classes in the final examination of the previous academic year. Each applicant shall get points as detailed below: Public Examinations

Percentage	10th Class	7th Class	6th, 8th & 9th Class	Class 1 to 5
40% - 45%	10 Points	7 points	4 points	2 points
45% - 50%	11 Points	8 points	5 points	3 points
50% - 60%	12 Points	9 points	6 points	4 points
60% - 70%	13 points	10 points	7 points	5 points
70% - 80%	14 Points	11 points	8 points	6 points

80% - 90% 15 Points 12 Points 9 Points 7 Points

90% - 100% 16 Points 13 Points 10 Points 8 Points

(2)The statement of passes shall be certified by the Head of Institution who will be held responsible for the accuracy of the date and he is liable for disciplinary action for any false or inaccuracy in awarding points. Note. - For this purpose "pass" is defined as getting at least 35% of marks obtained in final examination whether the student is detained or not. (3)One more additional point shall be added to the S.G.T./Pandits Grade-11 handling higher classes i.e., 8th to 10th.

11. Forwarding Applications.

(1)All requests for transfers shall be sent through the concerned Heads of Institutions/ Inspecting Officer in the application form to be prescribed by Commissioner and Director of School Education for the purpose. (2)The concerned Heads of the Institutions/Inspecting Officers shall verify and certify the correctness of the particulars furnished in the application form. (3)Any application received directly from the applicant entails summary rejection and disciplinary action will be taken against such teacher under conduct rules.

12. Procedure for transfer to other Mandal.

- All requests for transfers to other Mandals shall be counter signed by the concerned Mandal Education Officer after verifying the correctness of the particulars. If it is found that the teacher has furnished incorrect information for transfer, he/she is liable for disciplinary action along with the certifying/counter-signing officer.

13. Computerization.

- On receipt of applications for transfers, the date shall be computerized.

14. Arrangement of Application.

- All the applicants shall then be arranged category wise within the applicant teachers with highest points placed first in the list and others in the descending order. In case of tie, the seniority of individual shall be taken into consideration. In case of tie in seniority also, the older person shall be placed first. The list shall be displayed on the notice board and the lists shall also be made available to the teachers, on payment of the cost of the list.

15. Notification of vacancies.

- The list of vacancies that are to be filled on transfer as per need and subject requirement, shall be arrived at and displayed on the notice board. The copies of the list of vacancies shall be made available to the teachers, on payment of the cost of the list. The vacancies that will arise at the time of counseling shall also be announced and displayed in the notice board immediately after such vacancies arise.

16. Process of counselling.

- After displaying the vacancy list and the applicants list in the above prescribed manner, the concerned committees shall call the applicant teachers, with higher points, in person as per the pre drawn program (Specified below), in the following order of priority:(a)Widows.(b)Physically Handicapped.(c)Spouse working in Government/Zilla Parishad/Mandal Parishad Schools.(d)Spouse working in Government/Local Bodies/Public sector Institutions.(e)The Principal office Bearers (State/ District President and one Secretary) of the recognized Teacher's Union.(f)Other Teachers.Note. - Under the husband and wife category, one spouse shall be transferred to the place of another if vacancy exists. If such vacancy does not exist, they may be asked to choose the vacant post available within 15 kms. from the place of either of the spouses.

17. Selection of Vacancies by the applicant.

- The applicant will then be asked to choose any one of the vacant posts available at such a session.

18. Issue of Orders.

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

19. Completion of counselling.

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

20. Display on the Notice Board.

- The list of teachers transferred, indicating the places of transfer against their names shall also be displayed on the notice board. This list shall also be made available to the teachers, 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 action will be taken against them.

21. Relief.

- The teachers, who got transfer orders shall be relieved by the competent authority only after the substitute is posted and reports in his/her place.

22. Responsibility of the officers.

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

23. Schedule for Transfer.

- Commissioner and Director of School Education. Hyderabad is permitted to draw the schedule and communicate to the competent authority to effect the transfers.

24. Powers of Commissioner and Director of School Education.

- Commissioner and Director of School Education is permitted to effect the transfer of the Cass-III Officers of Andhra Pradesh Educational Service.

25. Exception.

- All transfers shall be effected as per the schedule to be communicated by Director of School Education and no transfer of teachers may be made thereafter, during the academic year except in the following cases, namely:(1)in the event of disciplinary action;(2)consequent on promotion;(3)consequent on the re-adjustment of surplus posts, if any; and(4)inter-district transfers where the DEO's concerned of both the Districts agree, under orders of Government.

26. Appeal.

- (i) An appeal shall lie with the District Level Committee against an order of transfer passed by the Mandal Level Committee within 15 days from the date of receipt of such order;(ii)All such appeals shall be disposed off within 30 days from the date of appeal.(iii)An appeal against any order of the District Level Committee or Regional Level Committee shall lie with Secretary to Government, Education Department within 15 days from the date of receipt of such order.(iv)All such appeals may be disposed off within 30 days.

27. Power of the Government.

(1)The Government may either suo-moto or on an application from any person, aggrieved by the orders of the Mandal Level Committees or the District Level Committee or Regional Level Committee call for and examine the records in respect of any proceedings of transfer of teachers to satisfy themselves as to the regularity, legality or propriety. If, in any case, it appears to the Government that any such proceedings should be modified, annulled or reversed or remitted for reconsideration, they 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 Government may stay the implementation of any such proceedings, pending exercise of their powers under sub-rule (1) above.(3)The Government may either suo-moto 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 them under any mistake, whether of fact or of law, or in ignorance of any material fact.