

**GOVERNMENT OF ODISHA
SCHOOL & MASS EDUCATION DEPARTMENT**

No. 21908 /S&ME Dated 1-10-18
SME- GHS-GHS-0015-2018

NOTIFICATION

Sub: Guidelines for Transfer of Headmasters and Teachers of Secondary Schools in the State.

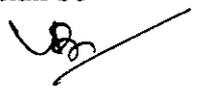
The issue of rationalisation of teachers in Secondary schools has been demanding urgent attention of Government for a long time. Grievance redressal forums both at District level and State level are overburdened with the task of disposing of petitions alleging arbitrariness, discrimination relating to transfer of different category of employees. Genuine cases of terminal diseases and other critical personal difficulties of employees deserve sympathetic consideration and also need attention of authorities while undertaking transfers. In order to ensure that the transfers are taken up in a transparent and rational manner with utmost priority to public interest, and appropriate consideration of human difficulties as far as practicable, Government after careful consideration have been pleased to formulate the following guidelines for transfer of Headmasters and teachers of Secondary Schools in the State.

1. Applicability:

These guidelines shall be applicable to employees working in Government Secondary Schools under School and Mass Education Department.

2. General Principles:

- a) Transfers shall be mainly on two grounds such as, Administrative requirement, Personal representations. Personal representation shall be on health grounds or other personal grounds. Administrative Transfer shall include transfer on rationalisation. Similarly transfer on personal ground shall include mutual transfers.
- b) All transfers except in case of rationalisation shall be conducted in online mode on a computer based Programme.
- c) The competent authorities shall issue transfer orders only after approval of the same by the State Level or District Level Committee as the case may be.
- d) Employees shall not be transferred from deficit districts. Deficit Districts shall be identified on the basis of Vacancy-Sanction-Ratio as explained in Para 3 A (b) of these guidelines. This restriction shall not apply to cases of mutual transfer or transfer on the ground of terminal illness of self.
- e) The Trained Graduate teachers who have completed 15 years of service (including contractual engagement period if any) shall only be considered for Inter district transfer. This restriction shall not apply to cases of administrative transfer, mutual transfer and transfer on the ground of terminal illness of self.
- f) District cadre employees such as Sanskrit Teachers, Hindi Teachers, PETs, Trained Intermediate Teachers, Trained Matric Teachers are not transferrable from one district to another district but Inter-District Transfer of such employees may only be considered on Mutual Ground or ground of terminal illness of self, subject to conditions laid down in this guideline herein after.
- g) In case a district cadre employee described in para 'f' is transferred from one district to other on the ground of terminal diseases, he/she shall be the junior most in his/her cadre on the date of joining in the new district and his/her name shall be



placed at the last place in the gradation list of his/ her cadre. The teaching staff representing for Inter-District Transfer are required to submit an undertaking to this effect with the application for transfer. The same shall also be recorded in the transfer orders and also in his/ her Service Book.

- h)** Contractual Teaching employees shall not be considered for transfer except on mutual ground and on ground of suffering from Terminal Diseases.
In case of inter-district transfer of contractual employees, the contract signed with the District Education Officer before engagement or renewal of engagement of the employee shall be deemed to end on the date he/she is relieved on transfer. The employee shall sign a new contractual agreement with the District Education Officer of the District in which he/she is posted on transfer before he/she joins a School in the new district.
- i)** The transfer cases on terminal diseases shall be determined and selected on the basis of principle and procedure outlined in the Annexure-1 of Notification No 936, dated, 26.5.2016, issued by the Health & FW Department. The above guideline of the Health & Family Welfare Department is annexed at **Annexure-1**.
- j)** The transfer cases of Person with Disabilities (PWD) shall be considered on the basis of certification of disability by the State Medical Board.
- k)** Cases of employees applying for transfer to spouse's working district, shall be considered only in case the spouse is working under a Government Establishment or Government/Aided School and this shall be determined on the basis of certificate of nature of service and place of posting from the employer of the working spouse. However, no such transfer shall be considered from a deficit district.
- l)** The mutual transfer of teachers will be made only against same nature and posts with same designation/nomenclature e.g. Headmaster against Headmaster, regular against regular, contractual against contractual, TG Science Teacher PCM against TG Science Teacher PCM, Sanskrit Teacher against Sanskrit Teacher etc. In case of inter-district transfers of District cadre Teachers and contractual Sanskrit/Hindi/Physical Education/ Intermediate Teachers/ Trained Matric Teachers both the counterparts should also be of same social category.
- m)** The inter-district transfer can be availed by an employee only once in his/her total service period. Any person, who has already availed inter-district transfer earlier, will not be considered for any such transfer again. The DEO of the district shall be responsible for making this check using service book and other related documents of teachers while validating the transfer applications online.
- n)** In case of mutual transfer of teachers between KBK and Non-KBK districts the teacher working in Non-KBK district shall be relieved first and after his/her joining the teacher of KBK district will be relieved.
- o)** In case of Transfer on personal representation, no TA/DA shall be admissible.



3. A. Inter-District Transfer

a) Grounds of Transfer & Employees Transferrable under different grounds

The employees of different category may be transferred from one district to another on the grounds mentioned against each in the following table:-

Sl No	Category of the Employee	Grounds	Conditionality
1.	Sr. SES Headmaster & TG Teachers	Administrative & Personal	As mentioned in para 2(d) and (e)
2.	Regular District Cadre Employees (Sanskrit Teachers, Hindi Teachers, PETS, Trained Intermediate Teachers, Trained Matric Teachers.)	Only mutual cases and cases of terminal diseases of self	As mentioned in para 2(g) ,(l)& (m)
3.	Contractual Teachers	Only mutual cases and cases of terminal diseases of self	As mentioned in para 2 (h) ,(l)& (m)

b) Determination of Deficit Districts

Deficit district shall be identified on the basis of the ratio of vacancy position of the district of a particular category of post to that of sanctioned strength of the same post in the district taking regular teachers and contractual teachers together as on the last date of the last calendar year. The districts having more Vacancy Sanction Ratio than that of the state as a whole shall be treated as a deficit districts. Before commencement of the transfer season Director, Secondary Education, Odisha shall prepare the list of such deficit districts and the list shall be made available in the web site.

c) Procedure

- i. The transfers shall be processed through NIC at State level in a computer based programme.
- ii. The guidelines for transfer shall be published in the website of the Department and the form of application for transfer shall also be available in the website. The District-wise, Block-wise and school-wise vacancies available shall be displayed in the application so as to enable the employee to choose a vacancy.
- iii. The teachers desirous of inter district transfer and Headmasters desirous of Inter-District or Intra District Transfer shall apply on line and choose vacancy/vacancies in order of preference to be indicated in the instructions to be published along with the application.
- iv. The District Education Officer shall validate the applications and upload the same.
- v. Besides, the District Education Officer or the Director as the case may be shall feed the proposals of administrative transfers in an online format.
- vi. The applications shall be scrutinised through the computer programme on the basis of principles contained in the guideline and ineligible cases shall be rejected.



vii. Eligible applications shall be listed on the basis of following order of priority

Order of Priority

➤ **Administrative Ground.**

➤ **Personal Grounds**

- Mutual
- Terminal Disease of self
- Persons with Disabilities
- Widow
- Divorcee
- Working spouse
- Spouse of Defence Personnel
- Female applicants normal transfer
- Male applicants normal transfer

Within the above Priority cases, the employees will be listed in order of their

- Date of joining as regular teacher (Joining Senior to Joining Junior)
- Age of teacher

viii. The Draft eligible list prepared in order of priority as in **para vii** above and the rejection list as mentioned in **para vi** above shall be generated and placed before the State Level Transfer Committee constituted in following manner:

- Director Secondary Education, Chairman
- State Project Director, OMSM, Member
- Deputy Director, Government Schools in Directorate of Secondary Education, Odisha, member convenor
- One Deputy Director dealing with transfers in Directorate of Secondary Education, Odisha, member

ix. The Transfer Committee shall verify the eligible list prepared through computer based programme and approve the same.

x. The approved list of employees for transfer shall be published in the website.

xi. The Director, Secondary Education, Odisha shall issue orders for inter-district transfer.

xii. After the issue of order of transfer, the concerned DEO shall relieve the employee.

B. INTRA-DISTRICT TRANSFERS

I. Personal & Administrative (other than rationalisation) Transfers

a) Grounds of Transfer & Employees Transferrable under different grounds

The employees of different category may be transferred within the district on the grounds mentioned against each in the following table:-

Sl No	Employee Category	Grounds	Conditionality
1.	Sr. SES Headmaster	Administrative & Personal	No employee shall be transferred a) from a deficit school to surplus school
2.	All Regular Teaching Employees	Administrative & Personal	
3.	Contractual Teachers	Only mutual cases and cases of terminal diseases of self	This restriction shall not apply to mutual & terminal diseases cases

b) Determination of Surplus & Deficit School:

Surplus & Deficit School will be determined on the basis of assessment of requirement /availability of teachers in a school as described in below:

i) For a school having no additional section/no need for additional section, existing state yardstick will be followed to determine requirement of teachers for all types of schools.

ii) the number of students for a Section may be taken as 50 and a class having more than 59 students may be considered for section duplication. Similarly a third section may be considered if the roll strength exceeds 119.

iii) In 2 class High Schools, for duplication of class IX one more Trained Graduate Teachers (Arts) shall be retained. For duplication of Class X one more Trained Graduate Teacher {Science (PCM)} shall be retained. For the 3rd Section in class IX one Trained Graduate Teacher (Arts) and 3rd section in class X another Trained Graduate Teacher (Trained Graduate Teacher) (CBZ) may be retained.

In 5 class and 7 class High Schools, the existing Yard Stick prescribed shall be followed.

c) Other Principles for Intra-District Transfer

i) If at present a teacher is working full time on deputation against a vacant post and as per actual need in such cases deputation shall be cancelled and she/he will be posted there on transfer. If any teacher is working on deputation beyond the sanctioned strength such deputation shall be cancelled before issue of new transfer orders for the academic session. In case of Up-Graded High Schools this shall not be applicable.

ii) Transfer on personal representation shall not be normally considered if the teacher has not completed 6 years of service in a school. This 6 years restriction shall not apply to administrative, mutual or terminal disease cases.

iii) The teachers having less than two years of service for superannuation shall not be transferred except in administrative, mutual or terminal disease cases.

iv) For transfer of Sr. SES Headmasters within the district the principle, procedure contained in the section '**Inter-District Transfer**' shall be followed but the restriction of transfer from a deficit school to surplus school in case of intra-district transfer of teachers shall be applicable to this.

II. Transfers on Rationalisation

Teachers found excess/redundant due to delinking of Class VIII from Secondary Schools or fall in roll strength in recent years need to be transferred to schools where there is vacancy and need of teachers. The posts of teachers earlier sanctioned against additional sections may not be justifiable as per yard stick keeping in view the present roll strength. So a fresh assessment of the requirement of teachers and rationalisation of teachers shall be made. The process of rationalisation shall be undertaken in the following manner:

a) Determination of requirement of teachers per school, assessment of surplus teachers and deficit teachers will be done as per para B-I (b).

b) While assessing the need, minimum requirement of subject teacher and roll strength of a class should be considered only. For example in a school, there are two sanctioned posts of Trained Graduate Teacher-PCM teacher and one post is vacant but as per roll strength of class IX & X at present there is no need for

another PCM teacher. In this case the vacancy of one Trained Graduate Teacher (PCM) post should be ignored.

- c) After such assessment, rationalisation transfers shall be conducted by District Transfer Committee. Teachers will only be transferred from surplus school to deficit school.
- d) Transfer on rationalisation must be done on the basis of school seniority. While rationalising attempt should be made to adjust the surplus teachers within the Block/Corporation/Municipality/NAC as the case may be, as per need. After adjustment of teachers in this manner, if the teachers are still surplus, they shall be transferred outside the Block/Corporation/ Municipality/NAC.
- e) In the process of rationalisation, priority should be given for posting of teachers in Upgraded High Schools. Transfer of teachers to Upgraded High Schools may not be possible as the posts in Upgraded High Schools are contractual posts and transfer of contract teachers is not permissible. So in case of Upgraded High Schools need based deployment of teachers shall be made.

III. Procedure

- i. All transfers on personal and administrative ground except rationalisation transfers shall be processed through NIC at District level through a computer based programme.
- ii. In case of rationalization, transfers will be conducted manually by DLTC using computer generated surplus and deficit school and teacher reports.
- iii. The guidelines for transfer shall be published in the website of the Department and the form of application for transfer shall also be available in the website. The Block wise and school-wise vacancies available shall be displayed in the website so as to enable the employee to choose a vacancy.
- iv. The teachers desirous of transfer shall apply on line and choose vacancy/vacancies in order of preference to be indicated in the instructions to be published along with the application.
- v. The District Education Officer shall validate the applications and upload the same.
- vi. Besides, the District Education Officer shall feed the proposals of administrative transfers in an online format.
- vii. The applications shall be scrutinised through the computer programme on the basis of principles contained in the guideline and ineligible cases shall be rejected.
- viii. Eligible applications for non-rationalisation transfers shall be listed on the basis of following order of priority;

Order of Priority

➤ Administrative Ground.

➤ Personal Grounds

- Mutual
- Terminal Disease of self
- Persons with Disabilities
- Widow
- Divorcee
- Working spouse
- Spouse of Defence Personnel



- Female applicants normal transfer
- Male applicants normal transfer

Within the above Priority cases, the employees will be listed in order of their

- Date of joining as regular teacher (Joining Senior to Joining Junior)
- Age of teacher

- ix. The Draft eligible list prepared in order of priority as in **para viii** above and the rejection list as mentioned in **para vii** above shall be generated and placed before the **District Level Transfer Committee (DLTC)** constituted in following manner:
- Collector: Chairperson
 - District Education Officer: Member-Convenor
 - 2 BEOs of the District Including the senior most BEO: Members
- x. The Transfer committee shall verify the eligible list prepared through computer programme and approve the same.
- xi. In case of Sr.SES Headmasters, the State Transfer Committee will scrutinise approve the eligible and reject list
- xii. The approved list of employees for transfer shall be published in the website.
- xiii. The District Education Officer shall issue orders for intra-district transfer.
- xiv. After the issue of order of transfer, the concerned Headmasters / DEO shall relieve the employee.
- xv. After issuance of orders of transfer on personal and administrative(other than rationalisation) , District Level Transfer Committee (DLTC) will convene to conduct rationalization process.
- xvi. The DEO will prepare the Rationalisation Transfer Proposals on the basis of Deficit & Surplus Report & Teacher List.
- xvii. The Transfer committee will approve transfers due to rationalization and the District Education Officer will issue orders for transfers.

4. Calendar of Activities:

A. Transfer on Administrative (other than rationalisation) & Personal Ground

Sl.No	Activity	Last Date
1	Receipt of Applications	28 th February
2.	Validation & Uploading of applications by DEOs	31 st March
3	Reference of cases to State Medical Board by Director/DEO	10 th April
4.	Receipt of Medical Board Reports	10 th May
5.	Release of Draft Eligible List by NIC	25 th May
6.	<ul style="list-style-type: none"> • Scrutiny & Approval of Eligible List for Transfer of Headmasters /Inter-District Transfer of Teachers by the Transfer Committee at State Level. • Scrutiny of Eligible List for transfer of other teachers by the Transfer Committee at District Level and Approval 	5 th June
7	Issue of Transfer Orders	10 th June

B. Transfer on the ground of Rationalisation

Sl. No.	Activity	Last Date
1.	School wise assessment of Teacher Requirement and preparation of school wise surplus teacher list	31 st May
2.	Preparation of Rationalisation Transfer Proposals by DEO	15 th June
3.	Scrutinisation of rationalization and approval of transfers	25 TH June
4.	Issue of Transfer Orders	30 th June

The above Calendar of Activity prescribed for inter district transfer; intra-district transfer can be modified by Government during a particular year depending on the situation and requirement and if modified, the same shall be published during the said year.

5. Competent Authorities

An authority competent to transfer a teacher can transfer the employee within 16th April to 15th June or the last date fixed in calendar contained herein or notified by Govt in a year whichever is later. During the rest period of the year, the teacher can be transferred only by the order of next higher authority but in such a case the principles for transfer as described in these guidelines shall be followed although the procedure may be changed.

6. Appeal and Review:

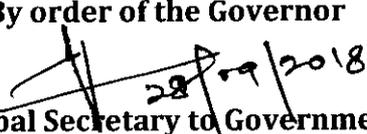
The Director of Secondary Education, Odisha shall be the Appellate Authority to dispose of the grievances related to Intra-district transfer of teachers finalized by the District Level Transfer Committee. The Director shall have also the powers to review & modify the inter-district transfers

7.Repeal & Savings:

These guidelines shall not be applicable to teaching and non-teaching employees of Aided schools. This notification supersedes all notifications / resolutions/circulars issued by Govt. relating to transfer of teachers & headmasters of Secondary Schools earlier.

This notification will take effect from the calendar year,2019.

By order of the Governor


Principal Secretary to Government

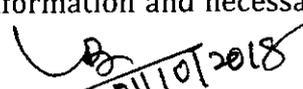
Memo. No. 21909 / SME Date 1-10-18

Copy forwarded to the Private Secretary to the Hon'ble Chief Minister, Odisha / Private Secretary to the Principal Secretary to Govt., S & ME Department for kind information of Hon'ble CM/ Principal Secretary respectively.


Under Secretary to Government

Memo. No. 21910 / SME Date 1-10-18

Copy forwarded to the all Directors under School and Mass Education Department /All Collectors / All the DEOs /All BEOs for information and necessary action.


Under Secretary to Government