



NAVODAYA VIDYALAYA SAMITI
(An Autonomous Organization under Ministry of HRD)
Department of School Education and Literacy),
Government of India
B-15, Institutional Area, Sector-62,
Noida, District Gautam Budh Nagar,
Uttar Pradesh – 201 309

No.F.2-2/2018(ATD)-NVS(Estt.)/17430

April 02 , 2018

NOTICE

TRANSFER GUIDELINES 2018

An in-depth analysis of provisions of Transfer Policy 2012 and Guidelines 2015 based on various issues and feedbacks, received from various corners on the outcome of Annual Transfer Drive 2016 and 2017, necessitates re-interpretation of important clauses of the policy and guidelines by the competent authority for better understanding the transfer issues, transparent execution of online processes in order to facilitate all employees for better opportunity of getting their preferred station either through normal transfer or under priority categories. The necessity of reinterpretation has also been realised with a view to stop availing undue advantage by an employee claiming transfer every year on priority grounds, thereby, creating adverse effect on the academic pace and administrative control within vidyalaya's premises. Also felt is the need to stop practice / scope of availing **undue transfer or undue exemption from transfer** on the basis of inappropriate / illegitimate certificates related to **disability, serious ailment and of working spouse of Govt. sector**. These practices, simultaneously, have been observed to restrict legitimate right of other eligible employees with similar priorities to get posted in JNVs of their choice, thereby, going against the prime issue of welfare of such employees.

NVS transfer Guidelines dated 22.12.2015 clearly states:

"The Commissioner, NVS is the sole competent authority to interpret provisions of transfer policy and pass such orders as deemed appropriate and essential to facilitate implementation of the transfer guidelines for the purpose of effective control and administration of NVS as a whole".

Therefore, interpretation of various clauses of the transfer policy and guidelines has been elaborated below in view of implementation of the provisions of transfer policy in an effective manner in subsequent transfer drives:

- 1. Transfer claimed under priority:** Employees covered under any priority category (disability, serious ailment, spouse ground) which prescribes no tenure for availing request transfer, can avail such facility once in 10 / 05 years, as applicable (cadre

wise). Other terms and conditions of request transfer including declaration of deemed vacancy will invariably be applicable in all cases.

2. **Members of family for claim of priority:** Only the employee (self), spouse and children form the basis of claiming transfer under any of the priority category. Father, mother, brother, sister and other relatives of the employee do not make the criteria for claiming transfer under priority despite being dependent on employee concerned.
3. **Certificate of priority (PH):** Certificate issued only by a valid medical board of a valid Govt. hospital will make the beneficiary entitled to avail priority under disabled category. Apart from date of issue, validity / expiry of the certificate (wherever applicable) must clearly be mentioned on the certificate.
4. **Certificate of priority (Serious ailment):** Only enlisted serious ailments as proposed in the transfer policy 2012 can be the basis of availing priority on medical grounds. Certificate issued only by the CMO / CMS / Civil Surgeon or countersigned by any of them will only be treated as valid document for the said purpose with a view to avoid misuse of priority grounds. Certificate must be produced on the proforma as contained in the Transfer Policy 2012 with clear mention of date of issue besides other information.

In case of claim of transfer on grounds of serious ailment, Transfer Policy 2012, vide its annexure 1, mentions length of period regarding detection of the ailment, its treatment / surgery performed prior to 1st January of the year of transfer drive. This varies from 03 years to maximum 05 years prior to cut-off date of transfer drive with regard to different ailments with a view to acquiring stability in status of the claimant involving detection / treatment / surgery / rehabilitation. Therefore, taking a pro-employee approach to this clause, a maximum of 05 years will uniformly be treated as valid period in all kinds of enlisted serious ailments for the purpose of availing transfer on medical grounds. Therefore, this interpretation facilitates that an employee can claim transfer on priority of medical grounds only if the date of detection /treatment / Surgery of valid serious ailment (enlisted in annexure 1 of Transfer Policy 2012) has been detected within 05 years prior to cut-off date of transfer drive. Ailment detected / Surgery involved after cut-off date can not make the basis of availing priority in year of transfer drive as there is no provision for uploading the certificate of priority from back end.

5. **Transfer on priority (spouse ground):** NVS, through provisions of its transfer policy and guidelines extends due priority in transfer for unification of spouse. However, in order to facilitate unification of NVS spouse for promoting better living and working atmosphere within organisation, the transfer on grounds of spouse unification may be governed in following order of priority:
 - i) NVS Spouse (to be given top priority for seeking transfer where both the employees are NVS employee). It will also cover the case of those spouse whose wife / husband has died while in service.

- ii) Central Govt. Spouse (to be given priority after NVS Spouse where one employee is in NVS while the other is in Central Govt).
- iii) State Govt. Spouse (to be given priority after NVS and Central Govt. spouse where one employee is in NVS while the other is in State Govt).
- iv) All spouses having served a full tenure (10 years / 05 years as applicable to their cadre or 10 year if one member is of 10 year tenure and other member is if 05 year tenure) under unified status may be treated as deemed vacant and are liable to be displaced in order to maximise opportunity for other employees to serve there. However, due care may be taken to keep the spouse unified, if displaced, in any other JNV subject to availability of vacancy. In case of displacement of State / Central Govt Spouse, care will be taken to post the displaced employee within state boundary subject to availability of vacancy.
- v) Employee posted on a station outside the State boundary (of spouse) may not be protected from displacement claiming spouse ground.
- vi) Employee opting transfer, on spouse ground, to JNV outside state boundary will not be allowed transfer on spouse ground. However, they can claim such station as a normal transfer (plain area) without availing any priority.
- vii) **Certificate of spouse:** Certificate of working spouse must be issued by the competent authority within one month prior to the date of filing of online application form. The certificate must clearly mention whether the organisation is purely a Central / State Govt. / Autonomous / Private Organisation and whether the employee concerned is a permanent / contractual employee.
- viii) The Principal shall act as the authority to examine the validity / legitimacy of the certificates of priority and to approve / reject such certificate along with the request of transfer claimed on such basis.

6. Request application for transfer of new employees will invariably be entertained only after completion of probation period at his/her first place of posting.

7. Interpretation on clause of transfer policy of Rotational Transfer:

a. NVS, vide its clause 13.1.(v), categorically states, without insisting on other priority clauses, that **“The Rotational Transfer shall be made in accordance with the length of service rendered in their native state / outside native state”**. Therefore, rotational transfer (outside native state to native state and vice-versa) will be governed exclusively by cumulative length of service rendered in the current spell **without adhering to any priority clause**. However, this will not apply on transfer within Native State as transfer within native is not covered under “Rotational Transfer”.

b. The clause 13.2.(i) facilitates exemption of Regional Language Teachers from transfer on rotation from native to outside native state on attaining age of 50 years on cut-off date i.e., 1st January of the year of transfer drive.

c. The clause 13.2.(ii) states that **“In case of husband and wife both working in JNVs in their native state, special exemption will be accorded from rotational transfer, in case of non-availability of vacancies at one station to accommodate the both officials”**. Therefore, provision of exemption will be applied in letter and spirit.

d. The clause 13.2.(iii) facilitates exemption of Regional Language Teachers from transfer on rotation from native to outside native state **on extreme medical ground**. Therefore, claim of exemption from transfer on medical grounds will be done in accordance with the provision of **“Serious Ailment”** of transfer policy 2012 and Guidelines 2015.

e. The Rotational Transfer Policy is a separate and self contained entity of Transfer Policy 2012 in which all the JNVs have been categorised in two broad groups i.e., **“JNVs OF NATIVE LINGUISTIC STATE”** and **“JNVs OUT SIDE NATIVE LINGUISTIC STATE”**. The nativity of JNV is based on main language spoken in non-hindi speaking states. Thus, identification of JNVs of hard areas or plain areas does not apply here. Therefore, Assam, being Native Linguistic State for Assamese, the Regional Language Teachers working in the JNVs of Assam may not claim transfer after 03 years of service on grounds of Assam being a hard area state.

8. **Vacancy & its status:** Transfer policy envisages two types of vacancy for transfer drive viz. **“Actual Vacancy”** and **“Deemed Vacancy”**. It is categorically stated that **vacancy displayed in vacancy module of transfer portal is tentative**. Its status is liable to be changed due to administrative exigencies like transfer on administrative ground, resignation, posting on suspension/revocation of suspension, termination from services, superannuation etc. Allotment of places on transfer will be done on the basis of available vacancy on the day of raising transfer list through a system of automation.

9. **Cut-off date for various Parameters:**

a) **Actual Vacancy:** Cut off date for compilation of **“Actual Vacancy”** of all cadres will, as usual, be 31st of March of the year of transfer drive (taking into account retirement of employees on attaining age of superannuation up to 31st of March of the year of transfer drive).

b) **Deemed Vacancy:** Cut off date for compilation of **“Deemed Vacancy”** of all cadres will be 1st of January of the year of transfer drive.

c) **Due for Retirement (DFR):** Cut off date for exemption from transfer of employees due for retirement will be within two years counted from 1st of January of the year of transfer drive.

d) No request / grievance will be entertained regarding cancellation / modification of transfer with regard to cut-off dates even if there is delay in notification of transfer list or issue of transfer orders due to unavoidable administrative / technical reasons.

10. Role of the Employee: Registration on transfer portal and filling up of basic information by every employee of Samiti is essential irrespective of his / her will to opt for transfer. Non filling of basic information is bound to attract disciplinary proceedings.

11. Role of the Principal (JNV concerned):

a) Principal has to ensure that every employee of his vidyalaya has got registered on the portal and filled up basic information online. Non compliance is bound to attract administrative consequences towards the person responsible for the lapse.

b) Principal is the sole authority to examine the information filled up by the employee and do necessary correction, if needed, with the help of service book. However, he can not bring out any modification in preferences (choice stations) opted by the employee for transfer as the preference page is kept non-editable due to security reasons.

c) Role of the Principal for giving approval to certificate of priority has already been explained in point 5.(viii) on prepage.

d) Multiple application / fake application / fake and improper certificate of priority, if any, must be rejected by the Principal of the JNV concerned.

e) Approval / rejection of the online application form of the employee at vidyalaya level by the concerned Principal is mandatory as approval of applications by the concerned Regional office is not feasible until the same is approved by the Principal concerned.

12. Role of the Regional office:

a) The Regional office, through the Principal of JNVs, has to ensure that every employee of his region has got registered on the portal.

b) The Regional office, through the Principal of JNVs, has to ensure the correctness of the data and validity of certificate of priority.

c) It is also to be ensured that Principal has accomplished approval / rejection of application forms prior to approval of application forms at RO level.

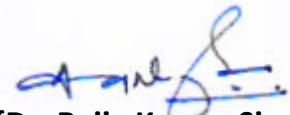
- 13. Redressal of grievances / representations:** The NVS, Head quarter is on way to devise an “**Online Grievance Redressal Sytem**”, rather than offline system (through representation / emails) in order to streamline the grievance redressal system and also to minimise the time taken in redressal of such grievances.

However, In case of admissibility of offline system of grievance redressal, the employees must submit their representation to the Deputy Commissioner of the concerned Regional offices within a time frame. The compiled data of the representations, along with remarks of the Deputy Commissioner will be submitted to the NVS, Head Quarters for perusal and disposal. Representation / email submitted to the Regional Office before display of final list of transfer (after round 02) will not be entertained, in any case. No advance copy / direct representation will be submitted to the NVS, Head Quarters.

14. Proposed time schedule for various activities:

S. No.	Activities related to annual transfer drive 2018	Target Date
01.	Issue of communication / letter to RO regarding Transfer Guidelines 2018 for onward transmission to employees by the concerned Regional Offices. Notice to be uploaded on website.	2 nd of April 2018
02.	Issue of communication/letter from NVS (Hqrs.) to ROs and regarding uploading of actual & deemed vacancies / editing of the same.	10 th of April 2018
03.	Issue of communication / letter to RO regarding online data capture through application module for onward transmission to employees by the concerned Regional Offices. Notice to be uploaded on website.	15 th of April 2018
04.	Filling up / editing of transfer application (online) by all employees and submission of the hard copy to the Principal along with relevant documents, if any.	17 th of April 2018 to 27 th of April 2018
05	Approval of the transfer application by the Principal of concerned JNVs on daily basis	17 th of April 2018 to 30 th of April 2018
06.	Approval of the transfer application by the Regional offices on daily basis	17 th of April 2018 to 5 th of May 2018
07.	Processing of data and display of transfer lists on website (including round 02 of transfer for all cadres)	6 th of May to 5 th of June 2018
08.	Inviting grievance, if any.	8 th of June 2018 to 12 th of June 2018.
09.	Issue of final transfer order by NVS (Hqrs.)	25 th of June 2018 to 30 th of June 2018
10.	Relieving and Joining of employees at the transferred place	1 st week of July 2018.

This is for information to all concerned and issued with the approval of the Competent Authority.



[Dr. Rajiv Kumar Singh]
Assistant Commissioner [Estt.II]