NVS TRANSFER POLICY 2021

|  |  |
| --- | --- |
| Date of Notification | 28.01.2022 |
| Introduction | Transfer policy of any organisation (having pan-India presence), a dynamic in character and reviewing and revision are inherent in its making. The existing transfer policy and system of transfer in NVS aim to offer equitable opportunity to all employees of NVS to opt stations of their choice for seeking transfer as per their eligibility / priority and provide sufficient man power for smooth functioning of its units/offices. The transfer system in NVS is governed by a well-defined Transfer Policy and subsequent guidelines / clarification which were issued from time to time with a view to facilitate the employees avail transfer with utmost transparency and  accuracy. |
| Lock in Period | A period of 02 years as lock-in shall remain applicable on all kinds of transfer and posting for new recruitee on direct recruitment (on  probation) as well as posting of old (existing) employee on promotion |
| Period not counted for determining the eligibility for Transfer | Leave/absence of any kind of more than 60 days in a single span or 120 days in an academic year counted from April to next March (except due to Maternity Leave) in a single span, availed by the official, shall not be counted for determining total period of stay for deciding eligibility towards seeking transfer. However, such absence shall not make any difference in declaring status of an employee/official deemed or compulsory deemed. The provision is equally applicable on  all cadres of employees including Regional Language Teachers. |
| Posting of employee in Home District | No employees of the Vidyalayas, except Driver, Electrician-cumplumber, Laboratory Attendant, Cook, Mess Helper, Chowkidar  and Chowkidar-cum-sweeper shall be posted or transferred to his/her home district. In case of NVS Spouse, neither of the members  of spouse shall be allowed for posting to a station which is a home town of either of the spouse counterparts of such spouse. |
| Due for Retirement | Employees “Due for Retirement” within two succeeding years as on cut-off date of the transfer year, hitherto termed as DFR, shall be allowed to continue at their present station till retirement unless such employee requests for transfer. |
| Request Transfer: | The transfer shall be brought into effect from  one station to the other based on the request of the eligible employee. Such transfer is applicable to all cadres of employees.  For availing transfer-on-request, participation in transfer drive is mandatory. |
| Displacement Transfer: | Transfer of an employee (who has completed prescribed maximum tenure as per guidelines) from the present place of posting to a new station/place shall be brought into effect for the purpose of accommodating another incoming eligible employee-on-transfer in his/her place. Such transfer shall be a consequence of usual/normal transfer drive wherein employee primarily gets intimated about his/her displaceable (deemed) status and even after given opportunity for request transfer, does not get transfer to choice station. Therefore, displacement transfer shall not be considered as administrative transfer. All cadres of employees shall be liable to displacement subject to fulfillment of the eligibility criteria of displacement. This transfer shall be applicable to all cadres of employee except Driver, Lab. Attendant,  Electrician-cum-plumber, Cook, Mess Helper, Chowkidar, Chowkidar-cum-sweeper. Displacement transfer is subject to declaration of employee status as deemed and hence it may commence irrespective of participation of employee |
| Administrative Transfer: | The transfer which is effected by the Samiti suo moto in the exigencies of service and administration as well as in public interest. Through such transfer NVS shall ordinarily:  i) Redeploy surplus staff at a location against sanctioned vacancies or due to abolition of post at that location. Such redeployment shall be effected in the very first instance against the available vacancies within in the region and in case no vacancy is available within the same Region then in adjoining Regions. While redeploying the surplus staff, administrative / academic requirement and proper utilization of the human resource shall, above all, be the predominant criteria.  ii) Redeploy an employee from his present station to any other station in public interest in exigency of the services as may deem fit by competent authority of NVS.  iii) Transfer of an employee whose continuation at particular station is a not conducive from administrative point of view. Such transfer may be executed based on certain enquiry (preliminary/detailed) as considered deemed fit in the case and after recording reasons of such transfer. Therefore, such transfer shall be of two types:  a) Administrative Transfer with Disciplinary Proceedings.  b) Administrative transfer without Disciplinary Proceedings. |
| Actual Vacancy: | All clear-cut vacancies as on date including  retirement cases as on cut-off date (as notified by Samiti through its guidelines from time to time) shall be taken as actual vacancy. |
| Deemed Vacancy: | The status of employee completing prescribed Maximum tenure of service (as per guidelines) at his/her present station in present post, shall be declared as “Deemed to be vacant” or “Deemed Vacancy” or simply “Deemed”. Deemed vacancy being a vacancy, such declared place shall be allotted to an eligible employee, if opted by him/her. |
| **ELIGIBILITY CRITERIA FOR SEEKING TRANSFER**  **(Normal/non-priority category** | |
| (i)Principal / Vice Principal / Office  Superintendent | 05 years |
| (ii)PGT / TGT (Hindi, English,  Mathematics, Science, Social  Science)/ Misc. Teachers (Art, Music, PET, Library, SUPW)/ Staff Nurse / Catering Assistant / Senior Secretariat Assistant / Junior Secretariat Assistant | 07 years |
| (iii)Driver / Electrician-cum-plumber / Lab. Attendant / Cook / Mess Helper / Chowkidar / Chowkidar-cumsweeper | No specific/mandatory tenure. However, lock  in period of 02 years shall remain applicable  on these employees. |
| Priority Category for seeking transfer | 1. PH Category 2. Serious Ailment (Medical Category) 3. Serious Ailment (Medical Category) 4. Spouse Category 5. Single Lady Category (Widow (lady), Unmarried Lady, Divorced Lady) 6. Due For Retirement (DFR) Category |
| **The tenure of eligibility for different priority categories** | |
| PH Category | 02 years at present station. |
| Serious Ailment (Medical Category) | 02 years at present station. |
| Spouse Category (NVS/Central  Govt./State Govt. Spouse including PSU) | 02 years at present station. |
| Single Lady (Widow Lady /Unmarried Lady / Divorced  Lady) | 02 years at present station. |
| DFR Category | No mandatory tenure. Lock-in shall be applicable, once transfer is availed under DFR category. |
| Tenure facilitating transfer of employee into or out of Very  Hard / hard / Semi hard station, special tenure | |
| Transfer from Normal/Plain  station to Very hard / Hard / Semi Hard station on  Willingness. | 02 years at present Normal / Plain station. |
| 02 years at present Normal /  Plain station. | 02 years at present very hard station. |
| Transfer from Hard Station. | 03 years at present hard station. |
| Transfer from Semi Hard Station. | 04 years at present hard station. |
| The eligibility criteria for declaring a post of serving employee (of a station/place) as “Deemed Vacancy” | |
| (i) Principal / Vice Principal / Office Superintendent | 05 years |
| (ii) PGT / TGT (Hindi, English,  Mathematics, Science, Social  Science)/ Misc. Teachers (Art, Music, PET, Library, SUPW)/ Staff Nurse / Catering Assistant / Senior Secretariat Assistant / Junior Secretariat Assistant | 10 Years |
| RULES OF ALLOTMENT (OF STATION) IN REQUEST TRANSFER: | |
| a. Allotment in Priority Category Transfer: | i. Among same level of priority Category, the station seniority shall be the deciding factor for allotment of station.  ii. In case of tie, employee possessing multiple priorities shall get preference over other employee possessing single priority or multiple priorities in the way explained under  “Provisions of Weightage to Multiple Priority”.  iii. Methodology of giving weightage to multiple priority (in case of tie in priority cases): Giving due weightage to type of priority and its order in the preferential sequence, NVS facilitates employees possessing multiple priority while comparing with the other employee possessing single /multiple priority provided only if there is a tie between similar higher order of priority. Accordingly, if there is a tie, the allotment shall go in favour of employee possessing multiple priorities in its preferential order at  subsequent levels.” [Refer to clause of “Order of priority for executing transfer” in this document, to know the preferential order of various priority categories]. The provision shall include all priority categories which are undertaken in transfer system i.e., PH, Medical, Hard & Difficult stations (H/VH/SH), Spouse or Single Lady and DFR cases. The comparison statement below shall explain  the provision:  1. Case-01: If there is a comparison between a PH case and a Medical+H/VH/SH+NVS Spouse case, the allotment shall in favour of PH Case despite the fact that one possesses multiply priorities. This is because there is no tie between higher order (PH level) of priority. Thus, PH will get preference, as usual.  2. Case-02: If there is a comparison between a PH case and a PH+Medical case, the allotment will go in favour of PH+Medical case (here, tie is at PH level i.e., higher order of priority).  3. Case-03: The same methodology will operate for another instance of tie between two multiple priority cases, one Medical+H/VH/SH and the other Medical+Spouse/Single Lady. In this case allotment of station will go in favour of Medical+H/VH/SH case as 1st level of priority is in tie and at 2nd level of H/VH/SH is in higher preferential order of priority (here, tie is at Medical level, the higher order of  priority).  4. Case-04: If there is a comparison between a Medical+NVS Spouse+DFR and Medical+H/VH/SH+NVS Spouse, the allotment will go in favour of Medical+H/VH/SH+NVS Spouse as 1st level of priority is in tie and at 2nd level of H/VH/SH is in higher preferential order of priority (here, tie is at Medical, the higher order of priority).  5. Case-05: If there is a comparison between a PH+Medical+DFR and PH+H/VH/SH+NVS  Spouse+DFR, the allotment will go in favour of PH+Medical+DFR as PH at 1st level of priority is in tie and at 2nd level, Medical is in higher preferential order of priority (here, tie is at PH level, the higher order of priority).  It is to make clear that counting of number of  priorities does not make difference, rather it is the higher order of priority at subsequent levels that makes difference in allotment in case of comparison of employees having multiple priorities  6. Case-06: If there is a tie between two employees having exactly similar multiple priorities, the allotment will go by the station seniority, the general rules of allotment. [Refer to “Rules of Allotment” and  “Rules of Tie Breaking”]. |
| Allotment in Non priority (Plain) Category Transfer: | i. Irrespective of tenure at present station, the eligible employee working at Plain (normal) Stations (non-priority cases) having served at least one tenure in hard stations (in any cadre in past) shall get preference in allotment over one who did not serve at hard station in past. In case of comparison between two or more Plain stationed employees having served a tenure hard station, the allotment shall be based on the station seniority counted at present plain station.  ii. In other all non-priority category, Station Seniority is the sole rule of allotment of a station.  [Refer to provision of “Displacement Transfer  (Eligibility/provisions)” for allotment of station to displaced  employee]. |
| RULES OF TIE-BREAKING: | a. If there is tie in choice station, station seniority shall be preferred.  b. If there is a tie in station seniority, Female (gender) shall get preference in allotment.  c. If there is a tie in gender, the old aged employee shall get preference.  [Rule of tie breaking shall not apply in case of allotment of station to displaced employee for the reason that allotment is random and not  on the choice station] |
| ROTATIONAL TRANSFER POLICY FOR REGIONAL LANGUAGE  TEACHERS (an independent transfer module within the  framework transfer policy): | |
| Eligibility criteria for seeking rotational transfer: | Completion of 05 year’s tenure shall be the mandatory criteria for Regional Language Teachers seeking transfer from Outside Native State to Native State or vice-versa. Merely completion of 05 years of tenure shall not entitle any Regional Language Teacher for his/her compulsory transfer towards native state or outside native state as it is subject to request of the employee, station seniority and availability of the vacancy. |
| Cumulative tenure for eligibility and station seniority: | For all rotational transfers, stay in different JNVs of the Native States in a row in the current spell, shall be counted/cumulated  for deciding eligibility and station seniority of the Regional Language Teachers of Native State. Similarly, stay in different JNVs of Outside Native State in a row in the current spell, shall be counted/cumulated for deciding eligibility and station seniority of the Regional Language Teachers working Outside Native State. |
| Priority Elements for seeking rotational transfer: | As rotational transfer involves transfer of employee from a language based JNV to another JNV of the same language and based  purely on tenure basis, priority elements such PH/Medical/Hard & difficult station/Spouse/Single Lady, shall not have bearing on deciding eligibility and claim for taking transfer under rotational transfer (from Outside Native State to Native State and vice versa). |
| Priority to DFR (Due for Retirement) employee: | “Eligibility” and “Priority” shall be accorded in the similar way (as defined through general transfer policy) to Regional Language Teachers (DFR) serving exclusively in JNVs of Outside Native State [Inclusion 2021]. Accordingly, teachers working outside native state and under DFR (as on cut-off date), shall have priority for seeking transfer over teachers other than DFR. This provision shall not be applicable to Regional Language Teachers serving in JNVs of Native State. |
| Provision for Protected Deemed: | Regional Language Teachers shall be declared as “Protected Deemed” and thus, accorded exemption from displacement under following conditions;  i) Regional language Teacher serving in native state and completing 53 years of age as on cut-off date shall invariably be protected from displacement under rotational transfer beyond prescribed tenure of stay there [Inclusion 2021].  ii) Regional Language Teacher serving either in native state or outside native state and covered under valid priority category of PH, Serious Ailment (Medical), Spouse, Single Lady, DFR (as defined through general transfer policy) shall avail protection from displacement beyond prescribed tenure of stay subject to submission of valid certificate satisfying all clauses of priority as applicable in general transfer policy. |
| RULES FOR ADMISSIBILITY OF TRANSFER TA: | a. Transfer TA shall be admissible in cases of transfer made on “administrative grounds” including transfer in public interest and administrative redeployment of surplus staff.  b. Transfer TA shall be admissible in cases of “rotational transfer” of Regional Language Teacher from outside native state to native  state or vice versa after completion of prescribed mandatory tenure.  c. Transfer TA shall be admissible in cases of transfer staff from Plain (normal) station to Very Hard/Hard/Semi Hard stations on willingness after completion of prescribed mandatory period.  This provision of Transfer TA shall remain applicable to employees like Driver, Electrician-cum-plumber, Lab. Attendant, Cook, Mess Helper, Chowkidar and Chowkidar-cumsweeper at par with other employees.  d. Service in hard and difficult stations being region specific, transfer TA shall be admissible only in cases of transfer of staff from hard and difficult (Hard/Very Hard/Semi Hard) station of a region to outside hard and difficult station i.e., either any Plain (normal) station or Hard/very hard/Semi Hard station of the other region after completion of prescribed mandatory tenure. This provision of Transfer TA shall remain applicable to employees like Driver, Electrician-cum-plumber, Lab. Attendant, Cook, Mess Helper, Chowkidar and Chowkidar-cumsweeper at par with other employees.  e. Transfer TA shall be admissible to all cases of transfer of deemed employee on displacement.  f. Transfer TA shall not be admissible under following cases:  i. Transfer within plain stations on request.  ii. Transfer within Hard & difficult stations (within a region) on request.  iii. Administrative or displacement transfer ultimately modified into a request transfer by considering request of the employee.  iv. If an employee is allotted a station vide disposal of his grievance (not necessarily his choice station) and he/she joins at the allotted station, the case of such transfer shall be treated as transfer on request and Transfer TA shall not be admissible in such transfer unless specified otherwise in the transfer order.  g. In case of transfer availed by taking advantage of the provision of “Cumulative Tenure Count due to administrative transfer”,  the admissibility of transfer TA shall be restricted to completion of requisite tenure at present station. |