
DRAFT GUIDELINES OF TRANSFER/POSTING OF NON-
GAZETTED EMPLOYEES OF THE TECHNICAL
EDUCATION DEPARTMENT
(POLYTECHNIC & ITI SECTORS)

The Government of Jammu & Kashmir has notified the policy for the transfer of all categories of Officers and Employees vide Govt. Order No. 861-GAD of 2010 dated 28-07-2010. The policy provides broad guidelines for the transfer of all Government Employees in the State. In view of the notification of the policy it has become imperative for the Department to prepare the detailed guidelines of transfer of its employees subservient to the broad guidelines of the State Policy. Accordingly, In supersession of all previous Government Orders on the subject, the following Transfer guidelines applicable to the members of 'J&K Technical Education Department Subordinate Employees' is hereby issued with immediate effect :

1. These guidelines shall be called 'J&K Technical Education Department Subordinate Employees Transfer Guidelines, 2010'.
2. These guidelines shall be applicable with immediate effect.
3. Definitions: In these guidelines unless the context otherwise requires:
 - i. **Department:** means; *Technical Education Department of Jammu & Kashmir Government;*
 - ii. **Dependent Son/Daughter:** *Son will be deemed to be dependent till he starts earning or attains the age of 25 years, whichever is earlier or suffers from permanent disability of any kind irrespective of age limit. Daughter will be deemed to be dependent till she starts earning or gets married, whichever is earlier, irrespective of age limit or is suffering from permanent disability of any kind which makes her unfit for marriage;*
 - iii. **Employees** means: *All Non-Gazetted Employees of the Technical Education Department, in the Polytechnic & ITI sectors of the Department;*
 - iv. **Employee spouse** means *a spouse who is a paid employee in the Department and does not include a self-employed spouse;*

- v. **Home town** means: Village, Block, Tehsil or Subdivision, mentioned as the place of residence in the Service Book of the employee;
 - vi. **Station** means any place where a post of Technical Education Department exists or created from time to time;
 - vii. **Stay** means service at a station excluding the period or periods of continuous absence from duty exceeding 30 days at a stretch other than on training or vacation;
 - viii. **Tenure** means a continuous stay for a specified period at different stations in the State;
 - ix. **Transfer Policy**: The transfer policy of the government of Jammu & Kashmir declared by the state government vide Govt Order No 861-GAD of 2010 Dated. 28-07-2010 including subsequent changes, if any.
4. All employees shall be liable to be transferred and posted anywhere in the State, at any time, and for any period, as per requirements either of the public service or of the department or both. Transfers and postings are a right of the department which it would endeavour to exercise in the best interest of the trainees, with due regard to the principles of equity and transparency vis-a-vis its employees.
5. These guidelines regarding transfers are meant essentially for the internal use of the Department and do not vest any employee with any right whatsoever.
6. Objectives of the Department's Transfer Guidelines are:
- i. To deploy available staff in an optimum manner so that, inter-alia, employees are evenly distributed across regions and institutions, with special regard to the interest of trainees in the remote areas.
 - ii. To maximize the overall satisfaction level of its employees, subject always to the paramount need to protect academic interests of trainees/students and the administrative efficiency of the department.
7. **Unless the context otherwise indicates:**
- i. words importing the singular number shall include plural number and vice-versa;
 - ii. words importing the masculine gender shall include the feminine gender.

8. Authorities competent to effect transfers:

Transfer of various categories of officials shall only be made by the authority empowered to make transfer of the official of the particular category as envisaged in Transfer Policy of the State Government and subject to the directions of the State Government from time to time.

9. To the best possible extent, the Non-Gazetted employees shall not be transferred out of their respective division except either under compelling administrative circumstances or in extraordinary situations.

10. Home town mentioned in the service book of employee shall be considered final declaration of his or her home town for the purpose of transfers. However, any change in the hometown should be communicated to the Department through the Director, Technical Education within 30 days of notification of this rule. An employee shall be given to change his hometown only once in his service life.

11. For the purpose of effecting transfers the **stations of postings** for employees over their service career have been categorised as per following criterion:

Category A:

- i. Stations falling within Home town and Home district.*
- ii. Jammu, Samba, Srinagar & Budgam towns.*
- iii. State Directorate of Technical Education.*

Category B:

Stations falling at District HQs, irrespective of their distance and stations other than District HQ within 150 kms from home town of an employee, but not falling in category A.

Category C:

Stations other than at District HQs at more than 150 kms from the home town and not falling in A, B or D categories.

Category D:

Stations falling in the following Blocks/Areas, for non home town district employees of these areas:

- i. Ladakh region.*
- ii. Gool block of Ramban District*
- iii. Mahore Tehsil of Reasi Distts.*
- iv. Bani Subdivision of Kathua District*
- v. Bhallessa block of ...District*
- vi. Dacchan, Marwah, Warwan, Paddar, Chhatroo areas of District Kishtwar.*
- vii. Gurez & Tulail areas of Bandipora District.*
- viii. Karnah, Keran and Macchil areas of Kupwara District.*

12. The minimum tenure of a an employee at one station shall be two years and a maximum of three years except for the stations falling in category 'D' where maximum tenure shall be of 2 years. But the cumulative length of service at the stations falling in a particular category shall not be more than the period specified against each category in following table:

Categories as at Para 11	Maximum Cumulative Tenure in whole service life (in number of years)
A	09
B	12
C	06
D	04

Provided an employee whose home town falls in category 'D' may voluntarily stay at his home town for any longer period.

13. No posting within first 8 years of service shall be considered for stations falling in category 'A'. However, this rule shall not prevent for posting of an employee to the stations listed in category 'D' even if that particular station is a category 'A' station for the particular employee. However, during the last 2 years of service of an employee

every possibility shall be explored to post the employee to the stations falling in Category 'A'.

14. One tenure each in stations falling in Category 'D' and in Category 'C' shall be compulsory for every employee within first 8 years and 10 years of service respectively.
15. Transfer to Ladakh region will be done as per transfer policy of Ladakh notified by the Government and as modified from time to time.
16. An employee may opt voluntarily for continuing his service for full tenure of 4 years or more in one go at category 'D' stations.
17. No employee shall be posted in Category 'D' stations after attaining 55 years of age.
18. Having rendering his or her tenure in Category 'D', the employee shall be considered for posting at stations falling in Category 'A' in the first instance and in failuar to do so he or she will be posted to the stations falling in Category 'B' at the most.
19. Distribution of cumulative service in various categories has been done by taking average service life of 31 years. If an employee renders more than 31 years of service efforts shall be made to post him or her to a place of his choice.
20. If no post is available in the due category of the employee to be transferred, relaxation of category and tenure will be given.
21. If two or more employees are due for posting to the same station against lesser available vacancy than the aspirants, preference shall be given to the employee who has served least in the category in which the particular station falls. Even if all persons have rendered similar cumulative length of service in particular category or the category of that particular station is different for both or all the employees, a draw shall be made.

22. Not more than 30% employees will be transferred during a given Financial Year.
23. Transfers will be done preferably in the month of July- August i.e close of academic session. No midterm transfer shall be done except in the extraordinary situations. However, nothing in this guideline shall prevent to make transfer for the year 2010 within one month of issue of this Guideline.
24. **Posting with an Employee Spouse:** As far as practicable, request for transfer to join an employee spouse, either at the same station or at a nearby station, shall be considered. In the event of a tie among the same category of employee spouses, lady employee would be given preference over male employee.
25. **Transfer on Own Request:** The Consideration Committee shall also consider the requests for transfer for extraordinary reasons. Before making the recommendations, the Committee shall satisfy itself about the genuineness of the reasons on which the transfer is sought and append its report as such with its recommendations. Transfer TA shall not be admissible in such transfers. Application for **Mutual Transfer** shall also be treated at par with the application for 'Transfer on Own Request'.

26. Medical Cases:

- 1) *Only following diseases shall be considered as grounds for medical cases for the purpose of transfer:*
 - a) *Cancer*
 - b) *Paralytic Stroke*
 - c) *Renal Failure*
 - d) *Coronary Artery Disease where Bypass Surgery has been done.*
 - e) *Thalassaemia*
 - f) *Parkinson's Disease*
 - g) *Motor-Neuron Disease*
 - h) *Any other disease with more than 50% physical and /or mental disability duly examined and recommended by respective Medical Boards.*
- 2) *Physically Challenged employees as well as parents of physically or mentally challenged (50% or above) shall not be posted in D category except voluntarily. They will also get a relaxation of 2 years from normal cumulative tenure in B & C category.*

- 3) *The competent authority to refer the cases, to Medical Board, of the employee seeking transfer on medical ground, shall be Administrative Department. No medical certificate obtained otherwise shall be entertained.*
- 4) *Decision on Medical Cases will be taken as per direction given in the Transfer Policy of the State Government.*

27. **Applications for transfer**, in duplicate, shall be given by those employees, who have completed their maximum tenure of posting, in the month of April in prescribed Performa, given at Schedule-I of this guideline. The applications shall be submitted to the Director, Technical Education through their respective Controlling Officers.

28. The applications should indicate three choices of postings in conformity with the provisions of the Transfer Policy & Transfer Guidelines. However, exercising option does not give any right to the employee for his posting to any particular station or post. If no application is given by the employee due for transfer or no or less than three options are given, the department shall take a decision at its own.

29. The **Consideration Committee** of following officers shall scrutinise the applications and make its recommendations to the Competent Authority to order the transfers by 15th of June every year:

Polytechnic Sector

i. Jammu Division

- a) *Joint Director Polytechnic*
- b) *Two senior most Principals of Jammu Division*

ii. Kashmir Division

- a) *Joint Director Polytechnic*
- b) *Two senior most Principals of Kashmir Division*

ITI Sector

i. Jammu Division

- a) *Joint Director/Deputy Director, Jammu*
- b) *Joint Director/Deputy Director, Central*

- a) *Principal ITI Jammu.*
- b) *Senior most Principal of the division other than Principal ITI Jammu*

ii. Kashmir Division

- a) *Joint Director/Deputy Director, Kashmir*
- b) *Joint Director/Deputy Director, Central*
- c) *Principal ITI, Srinagar*
- d) *Senior most Principal of the division other than Principal ITI Srinagar*

30. The Consideration Committees will also consider the applications for mutual transfers besides any other representation pertaining to the transfers received by the department. The employee once transferred on mutual basis from one station to the other shall not be eligible for transfer back to the same previous station on mutual transfer. The Committee will give its recommendations on the requests/ representations in conformity with the procedure hereby laid out, to the Competent Authority by 15th of June of the given year.

31. **Interpretation:** If any difficulty arises in giving effect to these Guidelines, the Secretary, Technical Education will be competent to pass such orders as appear necessary to him for the purpose of removing such difficulty.

32. **Code of Conduct:** All employees are expected to observe the J&K Civil Services Conduct Rules and the Transfer Guidelines notified hereby. Any deviation in this regard will be viewed seriously and disciplinary action, as warranted under rules shall be taken.

33. Summary of the Guidelines has been provided at schedule-II.

SCHEDULE- I

APPLICATION FORM FOR TRANSFER

(DEPARTMENT OF TECHNICAL EDUCATION, J&K)

Part:A

1. Type of Application
(Tick the correct option)
 - I. Due Transfer
 - II. Mutual Transfer¹
 - III. Transfer on own Request
 - IV. Transfer on Medical Ground²
 - V. Spouse Employee Transfer
2. Detail of Official / Officer
(Full Name in capital letters) _____
3. Designation of the Official / Officer: _____
4. Name of Present Station
(Place of Posting) _____
5. Category of the present station _____
6. Duration of stay at present station _____
7. Period of absence from present station
 - i. Leave (Give details of type & duration of leave) _____
 - ii. Attachments(Give details of place & duration of attachment) _____
 - iii. Other absence i.e. training/deputation/tour/unauthorised absence
(Give details of type & duration of absence) _____
8. Date of birth and age: _____
9. Date of retirement: _____
10. Any special consideration: _____

11. Details of previous postings*:

S.No	Designation with Posting	From	To	Category of the station

* Insert rows if needed.

¹ In case of Mutual Transfer applications of both the teachers must be attached with each other

² In case of Transfer on Medical Ground, Medical Board Certificate with order of Administrative department referring for the Medical board must be attached.

11. Choices of new posting:

S.No	Options for station where transfer is sought	Designation & Post	Category of the station indicated in col-2
1.			
2.			
3.			

List of documents attached:

1. _____
2. _____
3. _____
4. _____

I solemnly affirm and declare that the above information is correct and nothing has been concealed therein. It is also verified that I have not given any other application for transfer. If above information is found incorrect at any stage, I shall be liable for disciplinary action

Signatures of the Applicant with date

Part:B**Recommendation of Head of Institution/Controlling Officer (as the case may be):-**

Certified that the information given by the teacher has been checked from the official record and is correct. The request of the teacher is found genuine/not genuine.

Recommended / Not Recommended:

Reason

Head of Institution/CO with seal and name in capital letters

Endst. No.

Dated:

Part:C**Recommendation of the Consideration Committee:**

Certified that the application has been examined as per Transfer Policy & Guidelines. The application is strictly according to the transfer policy of the Department/ Government. The following are the comments:-

Recommended for Transfer/ Not-recommended

Station for transfer recommended: _____

Note:- If it does not fall in the policy it should not be recommended but the application must be forwarded to the Directorate.

Signature of the Consideration Committee members:

Sl No	Name & Designation in Capital Letters	Signature
1.		
2.		
3.		
4.		

Note:

- This form is to be used only for the employees of the Technical Education Department.
- The employee will be eligible to submit the application only if he has completed/completes minimum 2 years on the present post on 1st of August.

Shchedule-II
Summary of transfer rules of Non-Gazetted Employees:

Category	Areas	Max Cumulative Tenure	Max tenure at one stretch	Remarks
A.	Home town, Home district (Service Record will be the base), Jammu, Srinagar, Directorate	9 years	3	1.No posting within 1 st 8 years 2.Last 2 years of service will be considered
B.	District HQs other than A category; Other than district HQ within 150 kms from Home town	12 years	3	
C.	Stations other than at District HQ more than 150 kms away from home town	6 years	3	1.One tenure must within 10 years
D.	<ul style="list-style-type: none"> ix. Ladakh region. x. Gool block of Ramban District xi. Mahore Tehsil of Reasi Distts. xii. Bani Subdivision of Kathua District xiii. Bhallessa block of ...District xiv. Dacchan, Marwah, Warwan, Paddar, Chhatroo areas of District Kishtwar. xv. Gurez & Tulail areas of Bandipora District. xvi. Karnah, Keran and Macchil areas of Kupwara District. 	4 years	2	<ul style="list-style-type: none"> 1. Transfer in Ladakh will be done as per transfer policy of Ladakh. 2. One tenure compulsory within 8 years of service. 3. No posting after 55 years of age. 4. Voluntarily a person can continue for whole tenure of 4 years or more in one go. 5. After this he will be considered for preferably 'A' category but not beyond the 'B' Category.
