



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಬಿಲೇಷ ರಾಜ್ಯ ಪತ್ರ

ಭಾಗ-IVA	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ನವೆಂಬರ್ ೨೯, ೨೦೧೭ (ಮಾರ್ಗಶಿರ ೮, ಶಕ ವರ್ಷ ೧೯೩೯)	ನಂ. ೧೦೯೫
Part-IVA	Bengaluru, Wednesday, November 29, 2017 (Margashira 8, Shaka Varsha 1939)	No. 1095

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 12 ETR 2017, Bengaluru, Dated: 29.11.2017

Whereas the draft of the Karnataka State Civil Services (Regulation of Transfer of Teachers) Rules, 2017 was published as required by section 13 of the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2007 (Karnataka Act 29 of 2007) in Notification No. ED 12 ETR 2017, dated 07.09.2017 in Part IVA No. 874 of the Karnataka Gazette (Extra Ordinary Gazette) dated 07.09.2017 inviting objections or suggestions from all persons likely to be affected within fifteen days from the date of its publication in the Official Gazette.

And whereas the said Gazette was made available to public on 7.9.2017.

And whereas the objections and suggestions received from the public have been considered by the Government.

Now, therefore, in exercise of the powers conferred by section 13 of the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2007 (Karnataka Act 29 of 2007), the Government of Karnataka hereby makes the following rules, namely: -

RULES

1. Title and Commencement.- (1) These rules may be called Karnataka State Civil Services (Regulation of Transfer of Teachers) Rules, 2017.

(2) They shall come into force from the date of their final publication in the official Gazette.

2. Definitions.- (1) In these rules unless the context otherwise requires,-

(a) 'Act' means the Karnataka State Civil services (Regulation of Transfer of Teachers) Act, 2007 (Karnataka Act 29 of 2007);

(b) 'Deployment' means deployment of posts to any school or college in accordance with norms specified by the Government;

(c) 'Section' means section of the Act;

(d) 'Vacant post' means a post of a teacher of a particular category or subject, as the case may be, which is vacant and is required as per norms specified by the Government.

(2) Words and expressions used but not defined in these rules shall have the same meaning assigned to them in the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2007 (Karnataka Act 29 of 2007).

3. Competent Authority.—The Competent Authorities for transfer of teachers including those occupying equivalent posts shall be as specified in the Table below, namely:-

TABLE

Sl. No.	Category of Teachers	Competent Authority	
		Transfer within the unit of seniority	Transfer outside the unit of seniority
(1)	(2)	(3)	(4)
1	Primary School Teacher including Head Master	Deputy Director of Public Instruction (Administration) of the concerned educational district.	I. For transfer within same Division: (a) Bengaluru Division: Joint Director of Public Instruction, Bengaluru; (b) Mysuru Division: Joint Director of Public Instruction, Mysuru; (c) Belgaum Division: Joint Director, Office of Additional Commissioner of Public Instruction, Dharwad; (d) Kalaburgi Division: Joint Director, Office of Additional Commissioner of Public Instruction, Kalaburgi. II. For transfer outside a Division: Director (Primary Education), Bengaluru.
2	Secondary School Teacher	(a) Bengaluru Division: Joint Director of Public Instruction, Bengaluru; (b) Mysuru Division: Joint Director of Public Instruction, Mysuru; (c) Belgaum Division: Joint Director, Office of Additional Commissioner of Public Instruction, Dharwad; (d) Kalaburgi Division: Joint Director, Office of Additional Commissioner of Public Instruction, Kalaburgi.	Director (Secondary Education), Bengaluru
3	Secondary School Head Master And Other posts of secondary education specified in Schedule to the Act	(a) Bengaluru and Mysuru Divisions: Director (Secondary Education), Bengaluru; (b) Belgaum Division: Director, Office of Additional Commissioner of Public Instruction, Dharwad; (c) Kalaburgi Division: Director, Office of Additional Commissioner of Public Instruction, Kalaburgi.	Director (Secondary Education), Bengaluru.
4	Pre-University College Lecturer and Principals	Director of Pre-University Education Department	Not relevant

Note:-

- (1) The Commissioner of Public Instructions or any other officer notified by the Government shall be the Transfer Process Controlling Officer for transfer of categories of teachers at serial numbers 1 to 3 of the Table above including those occupying equivalent posts.

Note:-

- (2) The Director of Pre-University Education or any other officer notified by the Government shall be the Transfer Process Controlling Officer for transfer of categories of teachers at serial number 4 of the Table above including those occupying equivalent posts.

4. Review and rationalization of deployment of teachers.- (1) The norms for optimum deployment of teachers post to various schools and colleges shall be reviewed by the Government once in every two years based on recommendations of the Transfer Process Controlling Officers, and the revised norms shall be specified by the Government preferably not later than the month of April.

(2) The norms shall include requirement of teacher's post with reference to the student strength in each school or college during the previous academic year as recorded in Shikshana Kirana (Student Achievement Tracking System), sanctioned strength of teachers, working strength of teachers, availability of subject teachers including those for physical education, music, craft, vocational education, etc, prescribed workload for various categories of teachers, and provisions of the Right of Children to Free and Compulsory Education Act 2009 (Central Act No. 35 of 2009).

(3) Based on the norms specified by the Government, the Transfer Process Controlling Officer shall carry out redeployment of sanctioned posts in schools or colleges respectively once in every two years.

(4) The Transfer Process Controlling Officer shall make recommendations to the Government in case overall revision in the total strength of various categories of teachers and lecturers required at the state level.

(5) Based on the redeployment of sanctioned posts and existing posting of teachers, the Transfer Process Controlling Officer shall cause identification of excess teachers, and identification of schools or colleges with deficiency of teachers.

(6) The vacant posts in the schools and colleges with deficiency of teachers identified in sub-rule (5), shall be filled by the Government as per sub-section (1) of section 5 of the Act.

(7) The re-deployment and transfer of excess teachers to vacant posts or to schools or colleges where there is deficiency of teachers including those identified in sub-rule (5), shall be the first activity once in every two years before taking up other types of transfers.

(8) The excess teachers transferred as per sub-rule (7), shall have an option to participate in the counseling process of transfers of other types during the same year based on their seniority in the relevant priority list for transfers.

5. Limits on various types of transfers.- (1) A request for transfer as per section 3B of the Act or a transfer outside unit of seniority shall be permitted only when the total vacant posts of the category of the concerned teacher in the taluka of his existing posting does not exceed twenty percent of the total sanctioned strength of the concerned category of post in that taluka.

(2) Out of the overall limit of fifteen percent specified in section 4 of the Act, sub-limits as detailed in the Table below shall be applied for various types of transfers.

TABLE

Sl. No.	Type of Transfer	Sub-Limit (percentage of the sanctioned strength of concerned category of teachers in the relevant unit of seniority)
1	Transfer of excess teachers as per rule 4;	Five percent
2	Optional transfers as per sub-section (3) of section 3A and section 3B of the Act	Five percent
3	Compulsory transfers as per sub-sections (1) and (2) of section 3A of the Act	Five percent
4	Transfers outside a unit of seniority;	Three percent
5	Transfers based on complaints	No limit

Provided that the sub-limits for the types of transfers at serial numbers 2, 3 and 4 in the Table above shall be four percent, four percent and two percent respectively in alternate years when transfer of excess teachers as per rule 4 is taken up.

Provided further that, the mutual transfers within and outside a unit of seniority shall not be counted for the purpose of the sub-limits.

6. Preparation of time table for transfer.- (1) The transfers shall normally be taken up in months of April and May every year.

(2) The Government, on recommendations of the Transfer Process Controlling Officer and on recording of reasons, may permit the transfers to be taken up even after the time limit specified in sub-rule (1) above.

(3) The Transfer Process Controlling Officer shall cause publication of timetable for various types of transfers to be taken up in the following order,-

- (i) transfer of excess teachers as per rule 4;
- (ii) compulsory transfers as per sub-rule (3) of rule 21;
to Taluka as where vacancies are more than 20% of the sanctioned strength
- (iii) optional transfers as per sub-section (3) of section 3A and section 3B of the Act:
 - (a) Transfer from Zone B to Zone A;
 - (b) Transfer from Zone C to Zone A in case of available vacant post;
 - (c) Transfer from Zone C to Zone B.
- (iv) compulsory transfers as per sub-rule (4) of rule 21;
- (v) compulsory transfers as per sub-sections (1) and (2) of section 3A of the Act:
 - (a) From Zone A to Zone B in case of available vacant post;
 - (b) From Zone A to Zone C.
- (vi) transfers in cases of teachers upon whom criminal proceedings or disciplinary proceedings are pending;
- (vii) mutual transfers within a unit of seniority;
- (viii) transfers outside a unit of seniority; and
- (ix) mutual transfers outside a unit of seniority.

(4) No compulsory or request transfer shall be allowed outside the unit of seniority from the Taluka where the vacancy in any particular category of teacher has gone more than twenty percent of the sanctioned cadre strength.

(5) The time table shall specify the required process activities and the timeline for completing those activities.

7. Identification of deemed vacant posts arising from compulsory transfers as per section 3A of the Act.- (1) A category wise draft list of teachers who have completed maximum period of service in Zone A, excluding the elected office bearers of a recognized teachers' or employees' association, unmarried female teachers and widow female teachers, and persons with disability, shall be prepared by each competent authority responsible for transfer within a unit of seniority.

(2) A draft list of teachers undergoing Disciplinary proceeding or criminal proceeding and those who are under going penalty shall also be prepared and published by each competent authority, irrespective of the period of service in Zone A.

(3) The draft lists shall be published on the notice board of the competent authority and on the Teacher Transfer Portal inviting objections within five days.

(4) After consideration of the objections received, if any, and the sub-limit envisaged at serial number 3 in the Table under rule 5, the final lists of teachers for the compulsory transfer to Zone C shall be published on the notice board of the competent authority and on the Teacher Transfer Portal.

(5) The lists as per sub-rule (5), shall be arranged in descending order of period of service put in Zone A.

(6) The posts held by the teachers in each such list shall be treated as deemed vacant posts for purpose of optional transfers as per sub-section (3) of section 3A and section 3B of the Act:

Provided that the post shall not be treated as the deemed vacant post in case the concerned teacher has been identified as excess teacher already as per sub-rule (5) of rule 4 above.

8. Publication of list of vacant posts.- (1) The category wise draft lists of vacant posts including deemed vacant posts identified as per sub-rule (6) of rule 7 above shall be published on the notice board of the competent authority and on the Teacher Transfer Portal inviting objections within five days.

(2) After consideration of the objections received, if any, the final lists shall be published on the notice board of the competent authority and on the Teacher Transfer Portal.

9. Application for optional transfers.- (1) A teacher desiring transfer within or outside his unit of seniority shall submit an application on the Teachers Transfer Portal in the manner specified by the Transfer Process Controlling Officer.

(2) A copy of the filled-in application printed from the portal and signed by the teacher shall be submitted to the concerned competent authority.

(3) The signed application shall be submitted through the concerned Block Education Officer, in case of a primary school or secondary school teacher or Head Master including those working in specified equivalent posts, and through the concerned Deputy Director of Pre-University Education in case of pre-university lecturer or principal.

(4) The concerned Block Education Officer or Deputy Director of Pre-University Education, as the case may be, shall examine the application particulars with reference to the service records, update the application, as required, in the Teacher Transfer Portal, and send a printed copy of the updated application with recommendation regarding the eligibility and his signature to the concerned competent authority before the time table specified for transfer.

10. Eligibility norms for optional or mutual transfers.- The eligibility norms applicable for requests for optional or mutual transfers shall be as detailed in the Table below.

TABLE

Sl. No.	Type of Transfer	Eligibility Norm
1	Optional Transfer within a unit of seniority	Minimum period of service must have been completed.
2	Optional Transfer outside a unit of seniority in case the applicant teacher is married to an employee of the Government or a public-sector company or a Government promoted society or a nationalized bank. (Note: This type of transfer will include a teacher married to an employee of the Government of India or that of the above-mentioned organizations of that Government.)	Minimum period of service is not applicable.
3	Optional Transfer outside a unit of seniority in case the teacher other than those covered at sl. no. 2 above.	Minimum period of service must have been completed.
4	Mutual Transfer within a unit of seniority	(i) Minimum period of service is not applicable. (ii) Must not have completed more than seven years of continuous service in Zone A in the present posting. (iii) Must have a minimum balance service of three years.
5	Mutual Transfer outside a unit of seniority	(i) Must have completed minimum three years of service in their current posts. (ii) Must have minimum balance service of three years before retirement. (iii) Must be eligible to be transferred to the Zone of the requested post. (iv) Must not have completed more than seven years of continuous service in Zone A in the present posting. (v) Must not have availed mutual transfer outside the unit earlier.

11. Transfer to posts of Principals in specified Pre-University Colleges.- For transfer as principal to any college with student strength of 750 in PUC classes and any other college specified by the Government by notification, following additional eligibility requirements shall be applicable, namely:-

- (i) The principal seeking transfer to such college must have worked in other colleges with student strength of 250 or above for a minimum period of three years; and
- (ii) The three-year average result of those colleges must be above 60 percent.

12. Supporting Documents for priority claims.- (1) The documents as specified in the Table below shall be required in support of the claims for priority in the transfers or exemptions from the transfers.

TABLE

Sl. No.	Priority or Exemption Claim	Supporting Documents
1	Teacher being married to a Government or PSU or a society established by the State or central Government (Section 6(2)(1) and 6(2)(6))	Certificate from the appointing authority of the spouse.
2	Teacher or spouse or child suffering from terminal illness	Certificate from the District Medical Board
3	Teacher or spouse or child suffering from serious illness for which treatment is not available within the unit of seniority (Proviso to Section 6(2)(5))	Certificate from the District Medical Board
4	Teacher having undergone open heart operation or organ transplant	Certificate from the District Medical Board
5	Person with more than 40 percent disability (Proviso to Section 3A(1) and Section 6(2)(4))	Certificate from the District Medical Board
6	Elected office bearer of recognized teachers' or employees' association (Proviso to Section 3A(1))	Certificate from the State President of the recognized association.
7	Widow female teacher (Proviso to Section 3A(1) and (Section 6(2)(3))	Death Certificate of the spouse
8	Teacher with spouse being current or former soldier in Indian Defence Forces or Para Military Forces	Certificate from the Commanding Officer or the Director, Sainik Welfare Board

13. Priority list for excess teachers.- The inter-se seniority for transfer of excess teachers identified as per sub-rule (5) of rule 4 shall be based on their seniority in Zone. A teacher who has put more number of years in a Zone shall be treated as senior to a person who has put less number of years in that Zone.

14. Priority for optional transfers.- The eligible requests for optional transfers within or outside a unit of seniority, as the case may be, shall be taken up in following order of priorities,-

- (i) teacher or spouse or child suffering from terminal illness for which treatment is not possible within the unit of seniority; and
- (ii) teacher having undergone open heart operation or organ transplant;
- (iii) teacher with more than 40 percent disability;
- (iv) female widow or divorcee teacher with dependent children;
- (v) teacher with spouse being a retired or permanently disabled or deceased soldier of Indian Defence Forces or Para Military Forces (the priority for this category shall be given once only);
- (vi) teacher with spouse being a working soldier of Indian Defence Forces or Para Military Forces;
- (vii) teacher with spouse being a Government or PSU or a Government established society employee;
- (viii) teacher with spouse being an aided educational institution employee;
- (ix) pregnant teacher or a female teacher with a child of less than one year age;
- (x) other female teachers;
- (xi) elected office bearers of recognized teachers' or Government employees' associations;
- (xii) other male teachers.

15. Norms for inter-se seniority for optional transfer of teachers.-

(1) For each of the priority categories listed at rule 14, the list for transfer shall be prepared on the basis of a seniority score derived by applying weightages to the number of completed years of service in zones A, B and C in schools or colleges or in posts specified in the Schedule to the Act in the entire career in the following manner,-

- (i) Weightage of 1.0 for completed years of service in Zone A;
- (ii) Weightage of 1.5 for completed years of service in Zone B; and
- (iii) Weightage of 2.0 for completed years of service in Zone C.

(2) A teacher who has put in more number of years in any Zone shall be treated as senior to a person who has put in less number of years in that Zone.

(3) The derived seniority score for the purpose of transfer of teachers including those working in posts specified in the Schedule to the Act but excluding principals of pre-university colleges shall be the sum of the products of the weightage and the completed years of service in the relevant zones.

(4) In case of principals of pre-university colleges, additional score as per following scale of performance of the colleges where they have worked as principals during the previous three years shall be provided.

- (a) Additional score of 15 in case of three-year average result of PUC 2nd year being 70 percent or above;
- (b) Additional score of 10 in case of three-year average result of PUC 2nd year being above 60 percent but lower than 70 percent;
- (c) Additional score of 5 in case of three-year average result of PUC 2nd year being above 50 percent but lower than 60 percent.

Provided that the additional score shall be reduced proportionally if any principal has not worked as a principal during the previous three years.

(5) The inter-se seniority of principals shall be the sum of the score as per sub-rules (1) and (2) and additional score as per sub-rule (3).

(6) The inter-se seniority lists for each category of priorities, excess teachers and compulsory transfers shall be arranged in descending order of the derived seniority score, service seniority and period of service in Zone A respectively, i.e., a teacher higher in the list shall get preference over others in selecting a post of his choice.

(7) In case of tie of the scores, the service seniority of concerned teachers shall be taken into consideration. In case of tie in service seniority also, the teacher older in age shall be placed above the teacher younger in age.

16. Preparation and publication of priority lists for optional transfers.- (1) The competent authority shall prepare a list of eligible teachers out of the applications received as per sub-rule (4) of rule 9.

(2) The competent authority shall prepare the provisional priority lists with seniority scores as per rules 13 and 14, and publish the same on his Notice Board and on the Teacher Transfer Portal inviting objections, if any, within five days.

(3) On expiry of the five-day period, the competent authority shall consider the objections received, and publish the final priority lists with seniority scores on the Notice Board and on the Teacher Transfer Portal.

17. Priority list for compulsory transfers.: (1) For compulsory transfers, the lists prepared as per sub-rule (6) of rule 7 in the descending period of service in Zone A in the current post shall form the basis for selection of vacant posts in Zone C. A Taluk having more than twenty percent of vacancy shall be filled first on priority.

(2) The teachers in Zone A undergoing major penalty or facing criminal charges or disciplinary proceedings shall be given option to select posts in Zone C after selection of posts by all teachers transferred compulsorily under sub-section (1) of section 3A of the Act.

18. Procedure for mutual transfers: (1) Both teachers seeking mutual transfer shall apply on the Teacher Transfer Portal in the manner specified by the Transfer Process Controlling Officer using their respective credentials and linking their applications through KGID numbers of each other.

(2) The concerned teachers shall submit printed and signed copies of their applications to the concerned competent authority through the concerned Block Education Officer, in case of a primary school or secondary school teacher or Head Master including those working in specified equivalent posts, and through the concerned Deputy Director of Pre-University Education in case of pre-university lecturer or principal.

(3) The concerned Block Education Officer or Deputy Director of Pre-University Education, as the case may be, shall examine the application particulars with reference to the service records, update the application, as required, in the Teacher Transfer Portal, and send a print copy of the updated application with recommendation regarding the eligibility and his/her signature to the concerned competent authority.

(4) In case of more than one application for mutual transfer with different pairing teacher, such applications shall be rejected.

(5) The competent authority shall examine the eligibility and publish a draft list of eligible cases on the notice board and on Teacher Transfer Portal inviting objections within five days.

(6) After expiry of five days and on considerations of the objections, if received, the final eligibility list shall be published by the competent authority on the notice board and on Teacher Transfer Portal.

(7) At the time of the counseling by the concerned competent authority on the specified date, both teachers shall have to be present personally before the competent authority for approval of their request.

19. Requests transfers outside the unit of seniority through counseling.- (1) The transfers outside a unit of seniority shall be allowed as per the relevant provisions contained in sub section (1) and (2) of section 6 of the Act.

(2) The transfers to another unit of seniority shall be affected only if number of vacant posts of the relevant category or subject in both the unit and the taluka of the teacher are less than twenty percent of the total number of sanctioned post of the relevant category or subject, and the unit to which the transfer is requested does not have surplus teachers.

(3) A separate application form shall be provided for the inter-unit transfer on the Teacher Transfer Portal.

20. Transfers on the basis of complaints.- The teachers against whom disciplinary or criminal proceedings are pending and the appointing authority is of the opinion that instead of placing the Government servant concerned under suspension, he/she could be transferred; shall be transferred to a post in Zone C even if he/she has not completed minimum period of service.

21. Transfer of teachers working in specified posts.- (1) The teachers working in posts specified in sub-section (2) of section 5 of the Act shall be compulsorily transferred during the general transfer on completion of five years.

(2) The teachers working in posts specified in sub-section (2) of section 5 of the Act for a period of three years may also be transferred in case the performance is found to be sub-par.

(3) The teachers to be transferred as per sub-rule (1) and (2) above shall be given preference ahead of the optional transfer, subject to sub-rule (4).

(4) In case any teacher to be transferred as per sub-rule (1) and (2) above has completed ten years of continuous service in Zone A, such teacher shall be given preference only after the optional transfers and shall be posted to Zone C.

(5) For the posts specified in sub-section (2) of section 5 of the Act, the Government shall prescribe by a notification, syllabus and nature of the examination.

(6) The prescribed examination shall be conducted by Karnataka Secondary Education Examination Board during last quarter of a calendar year.

(7) A minimum score of 60 percent in the prescribed examination shall be necessary to be treated as eligible for posting to the specified posts.

(8) The result of the examination shall be valid for a period of three years.

22. Conduct of transfers.- (1) All transfers shall be carried out only through the online computerized counseling through Information Technology on Teacher Transfer Portal.

(2) The applicants on the priority list shall be intimated about the dates for counseling through press notes, radio and TV announcements. On the date for counseling the applicants shall be called in order of their priority and shall then be asked to choose any one of the vacant posts available at such a session as displayed on the computer screen.

23. General Instructions regarding Transfers through computerized counseling.- (1) Optional and mutual transfers of teachers shall be done only after satisfactory completion of their probationary periods.

(2) Subject to provisions of section 6, inter-unit transfers including mutual transfers shall be considered as specified in rule 16-A of the Karnataka Civil Services (General Recruitment) Rules, 1977 and rule 6 of the Karnataka Government Servants (Seniority) Rules, 1957.

(3) Rules and provisions of Article 371 J shall apply mutatis-mutandis to the Teacher transfers.

(4) Transfers shall be carried out to vacant posts only, except in the cases relating to transfers in public interest.

(5) The posts held by excess teachers shall be redeployed only with prior approval of the Transfer Process Controlling Officer.

(6) The exemption to an elected office bearer of a recognized Government teachers' association or Government employees' association from compulsory transfer as per section 3A of the Act shall be provided only for two terms only. For this purpose, the Association shall submit a list of its elected office-bearers to the competent authorities as soon as they are elected to the association. A copy of the list shall also be submitted to Transfer Process Controlling Officers for incorporation in the Teacher Transfer Portal.

(7) Subject-wise posts shall be filled by posting teachers of the concerned subject only.

(8) Subject to availability of teachers, it shall be ensured by all competent authorities that teachers of following subjects are posted to the schools and colleges.

- (a) at least one teacher for languages and one teacher for Mathematics and Science in lower primary schools;
- (b) at least one teacher for languages and one teacher for Mathematics and Science in higher primary schools upto class 7;
- (c) at least one teacher for languages, one teacher for Mathematics and Science, and one teacher for Social Studies in higher primary schools upto class 8;
- (d) one teacher each for PCM, English, Kannada, CBZ, Social Studies, Hindi and Physical Education in high schools;
- (e) one lecturer each for the subject taught in the concerned pre-university college.

(9) In the event of low student strength and in the event of shortage of subject teachers, sharing of workloads in nearby schools and pre-university colleges shall be organized by the competent authority.

(10) The carrying out of transfers through manual counseling is prohibited. If transfers are done through manual counseling they shall be considered as null and void and officers who are responsible for such transfers are liable for disciplinary action.

24. Issue of orders.- The competent Authority shall issue a transfer order on the choice of the applicant then and there, duly deleting that vacancy from the list of vacancies. Copy must be sent to concerned authority and a copy shall be given to the applicant.

25. Relief.- The teachers, who got transfer orders, shall be relieved by the competent authority only after verifying their service particulars.

26. Completion of counseling.- (1) This exercise of transfer shall be continued till the upper limit of number of transfers be reached or till all the applicants are exhausted within the time frame communicated by Transfer Process Controlling Officer.

(2) The transfer from a taluka shall be allowed only if the total vacant posts of the relevant teacher category or subject teacher are less than 20 percent of the sanctioned number of concerned posts in that taluka.

27. Display on the Notice Board.- The list of the teachers transferred, indicating the places of transfers against their names shall also be displayed on the notice board. No transfer shall be made after the list is displayed. If any transfers are made after display of the list, the Competent Authority concerned shall be held personally responsible and disciplinary action shall be taken against them.

28. Responsibility of the Officers.- The Competent Authority concerned shall ensure that the above rules are observed while effecting transfers and they shall be personally held responsible for any deviations and disciplinary action shall be taken to impose major penalty against such officers.

29. Transfers after the general transfers.- (1) The Heads of Department are empowered to effect the transfer of teachers during the academic year only in the following cases,-

- (a) transfer in lieu of suspension when disciplinary action are pending;
- (b) transfer consequent to promotion; and
- (c) transfers consequent to redeployment of surplus posts and teachers after the process prescribed in rule 4.

(2) After completion of general transfers if any of the posts specified in sub-rule (2) of rule 5 remains vacant, the Government may post an eligible teacher who has passed the prescribed examination.

(3) In case of an eligible teacher who has passed the prescribed examination not being available, another teacher may be placed in-charge temporarily for a period not exceeding one year till the examination is conducted once again.

(4) The posts in offices of The Commissioner of Public Instructions, Additional Commissioner of Public Instructions, head offices of SSA and RMSA, other state level offices of Public Instructions Department such as DSERT, KTBS, KSEEB, and Directorate of Pre-University Education shall be selection posts outside the counseling process.

30. Repeal and Savings.- (1) The Karnataka State Civil Services (Regulation of transfer of Teachers) Rules, 2007, are hereby repealed.

Provided that such repeal shall not affect,-

- (a) the previous operation of the said rules or anything duly done or any action taken under the said rules; or
- (b) any right, privilege, obligation or liability already acquired, accrued or incurred under the said rules.

By order and in the name of the Governor of Karnataka

V. NAGESHA RAO

Under Secretary to Government (Primary)
Department of Primary and Secondary Education.