

entire nation the necessary resolve to achieve this goal and help in harnessing the resources required for this purpose. The pros and cons of the proposal were deliberated upon in the Conference of State Education Ministers on 10th August, 1996. While recognising the significance of the proposed Constitutional Amendment, the Conference felt that widespread consultations at the political level were necessary to carefully consider the legal, financial, administrative and academic implications of the matter. Accordingly, it has been decided to set up a Committee of Ministers to examine the various (legal, financial, administrative and academic) implications of this proposal. The composition of the Committee would be as follows :

1. Shri Muhi Ram Saikia, Minister of State for Human Resource Development, Government of India - Chairman
2. Shri Jayaprakash Narayan Yadav, Education Minister, Bihar
3. Shri Kanti Biswas, Minister-in-charge, School Education West Bengal.
4. Hon'ble Prof. K. Anbazhegan, Education Minister, Tamil Nadu.
5. Shri P.J. Joseph, Education Minister, Kerala.
6. Shri R.S. Govinda Gowda, Minister for Primary and Secondary Education, Karnataka.
7. Shri Sudhi Joshi, Minister for School Education Maharashtra.
8. Shri Mukesh Naik, Minister for School Education, Madhya Pradesh.
9. Shri Ram Bilas Sharma, Education Minister, Haryana.
10. Shri Gulab Chand Kataria, Education Minister, Rajasthan.
11. Shri Jai-Dev Jena, Minister for School & Mass Education, Orissa.
12. Ksh. Irabot Singh, Education Minister, Manipur.
13. Shri B Durge Prasada Rao, Minister for Primary & Secondary Education, Andhra Pradesh.
14. Smt. Chitra Naik, Member, Planning Commission.
15. Shri A. Mohandas Moses, Advisor, Jammu & Kashmir.
16. Shri Abhimanyu Singh, Joint Secretary (EE) Department of Education (Ministry of Human Resource Development) Member - Secretary.

Special Invitees

17. Law Secretary or his nominee not below the rank of Joint Secretary.

18. Dr. R.V. Vaidhyanatha Ayyar, Additional Secretary.
19. Shri R.S. Pandey, Joint Secretary (DPEP).
20. Shri S. Satyameerthy, Financial Adviser, MHRD.

2. The Terms of reference of the Committee are as follows :

- (i) to examine and consider the legal, academic, administrative and financial implications of the proposal to amend the Constitution to make the right to free and compulsory education a fundamental right.
- (ii) to suggest suitable statutory measures to enforce this fundamental right.
- (iii) to suggest guidelines indicating facilities, which if not provided, would be justiciable.

3. The Chairman of the Committee will have powers to coopt members and to set up sub-committees to assist it in its task;

4. The Committee is expected to submit its report within a period of two months from the date of its first meeting;

5. E.E. Bureau would provide necessary secretariat assistance for the Committee's work.

6. The non-official members coopted members or members of sub-committees will be entitled to travel and daily allowance as per Government of India rules.

Sd/-

(Atul Bagai)

Deputy Secretary (EE)

Tel. 3387781

Copy for information & action to :

1. Members of the Committee.
2. Education Secretaries of All States & Union Territories.
3. Directors of Education of all States & Union Territories.
4. I.F.D./E-I/PPS to ES.
5. Education Secretary, Government of India.

Transfer of Teachers of KV's

2301. SHRI MURALIDHAR JENA : Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state :

(a) the criteria laid down for the transfer of teachers of Kendriya Vidyalayas;

(b) whether some complaints have been received on account of lapse of the rules; and

(c) if so, the details thereof and the action taken thereon?

THE MINISTER OF STATE IN THE DEPARTMENT OF EDUCATION IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI MUHI RAM SAIKIA):

(a) As per statement enclosed.

(b) and (c). Information is being collected from the Regional Offices and will be placed on the Table of the House.

STATEMENT

Guidelines for transfer of teachers including Vice-Principals, Principals and above from the academic Session 1990-91 as approved by the Board of Governors in its 54th meeting held on 22.08.90.

The Board of Governors in its meeting held on 22.8.90 has approved the following guidelines of transfer of teachers including Vice-Principal, Principal and above. These will be effective from the academic year 1990-91.

1. The general policy will be not to transfer teachers including Principals frequently. The normal transfers will be effected only for organisational reasons or on request or on medical grounds.
2. There will be no fixed tenure after which it may be necessary to transfer a teacher/Vice-Principal/Principal/Education Officer/Assistant Commissioner (from next year a tenure of 5 years for Vice-Principals and above).
3. The following sequence will generally be followed in respect of promotional postings, transfers etc.
 - (i) Posting on promotion
 - (ii) Inter-regional transfers
 - (iii) Intra-regional transfers
 - (iv) Posting of direct recruits.
4. Annual transfers may be done during summer vacation as far as possible. However, no transfers except :
 - (i) On administrative grounds and;
 - (ii) Transfers on the basis of serious medical illness including death of spouse will be effected after 31st October.
5. Transfers will be made keeping in view clause 3 of the guidelines.
6. Transfers will be effected by observing the following priorities :
 - (a) Transfer on administrative grounds : (as in para 4 above)

(b) Transfer on request :

- (i) Transfer for reasons of serious illness which, on the satisfaction of the Commissioner, KVS according to procedure prescribed by him, necessitates, such a transfer, for treatment away from the place of present posting.
 - (ii) Transfer from hard stations and NER (PGTs and above) on completion of tenure.
 - (iii) Spouse Cases :
Transfer of spouse for joining the family after completion of a cut-off period of one year.
 - (iv) Transfer of unmarried ladies/divorced ladies/widows to a place of their convenience after completion of a 3 cut-off period of one year.
 - (v) Transfer of physically handicapped provided the handicap has developed during the course of KVS service on completion of a cut-off period of one year.
 - (vi) General cases
 - (vii) Mutual transfer provided there is no other claimant of higher priority for both the stations.
7. No request for transfer will ordinarily be entertained unless a teacher has completed three academic sessions except in the cases mentioned in (6) (i) (iii) (iv) (v) & (vii) above.
 8. PRTs, TGTs and other category of teachers in the identical scales will not normally be posted outside the region in which they are selected.
 9. Teachers of all categories on appointment will be posted as far as possible to schools in interior areas.
 10. Subject to availability of vacancy Vice-Principals/Principals/Education Officers/Asstt. Commissioners on promotion or on direct recruitment will be posted to a different state other than the one where they are posted or are domiciled as the case may be and he/she will, normally, not be moved out of that state for atleast 5 years unless there are compelling reasons.
 11. Vice-Principals/Principals/Education Officers/Asstt. Commissioners who have 3 years or less to retire would not be posted out on promotion/direct recruitment if already working in home state, subject to availability of vacancies. Similarly, those who have 3 years or less for superannuation and are working outside their

home state may be allowed on promotion priority for their home state subject to availability of vacancy.

12. No transfer TA will be paid for request transfer on whatever grounds unless the teacher has completed five years in his existing place of posting (read 5 years for request transfers and 3 years for North-Eastern Region and hard stations).
13. Asstt. Commissioner will be competent to change the headquarter of a teacher on administrative grounds to any place within the region as deemed fit and direct him to discharge his duties there. The Asstt. Commissioners shall report forthwith the case with full facts to the Commissioner for confirmation or directions as may be considered necessary by the Commissioner.
14. Not-with-standing any provision in the above guidelines, the Commissioner will be competent to make such departure from the guidelines as he may consider necessary in the interest of the Sangathan.

Sd/-

(V.K. Jain)

Assistant Commissioner (HQ)

Copy to :-

All Asstt. Commissioner, Regional Offices, Kendriya Vidyalaya Sangathan, for information and guidance.

Sd/-

(V.K. Jain)

[Translation]

Central Bed Bureau in Big Cities

2302. SHRI JAI PRAKASH (Hardoi) : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether the Government have studied the new interpretation of Section 21 of the Constitution, given by the Supreme Court recently, regarding giving compulsory treatment to a patient in the primary health centres as well as in the big hospitals;

(b) if so, the steps taken by the Government in this regard;

(c) whether the Government propose to set up Central Bed Bureau in the big cities; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SALEEM IQBAL SHERVANI) : (a) Yes, Sir.

(b) to (d). In the light of the judgement in the case of Writ Petition (Civil) No. 796 of 1992 Paschim Banga Khet Mazdoor Samity and others versus State of West Bengal and others, the matter is being taken up with the State/UT Governments to take suitable steps for implementing the judgement.

[English]

Under Ground Water in Delhi

2303. SHRI B.L. SHARMA PREM : Will the Minister of WATER RESOURCES be pleased to state :

(a) whether the Government aware that a large requirement of water for the people of Delhi is met from the underground water resources;

(b) whether the Government are also aware of the fact that the level of underground water in Delhi is going down very rapidly since last 15-20 years;

(c) whether any steps have been taken or are proposed to be taken for Ground Water Development in Delhi, in consultation with WAPCO or other agencies; and

(d) if so, the details thereof?

THE MINISTER OF WATER RESOURCES (SHRI JANESHWAR MISHRA) : (a) Some portion of the requirement of water of Delhi is met from the underground water resources.

(b) A decline of 4 to 8 meters in the level of ground water has been observed in certain pockets of Delhi during the last 15-20 years.

(c) and (d). No step has been taken or is proposed to be taken in consultation with Water and Power Consultancy Services (India) Limited for development of ground water in Delhi. However, Central Ground Water Board has prepared a report titled "Development and Augmentation of Ground Water Resources in NCT of Delhi". A copy of this report has been made available to the Government of NCT of Delhi for taking follow up action.

Bridge over Ganga near Calcutta

2304. SHRI AJOY MUKHOPADHYAY : Will the Minister of SURFACE TRANSPORT be pleased to state :

(a) whether it is a fact that a decision was taken to construct third bridge over Ganga near Calcutta;

(b) whether it is also a fact that announcement was made by the former Prime Minister during inauguration of Second Hooghly Bridge in Calcutta;

(c) whether any further steps have been taken in this direction;

(d) if not, the reasons therefor; and