

LOK SABHA DEBATES

LOK SABHA

Monday, August 20, 1990/ Sravana 29,
1912 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

[English]

Memorandum from Kendriya Vidyalaya Teachers

*143. DR. SUDHIRRAY: Will the PRIME MINISTER be pleased to refer to the reply given on 16 April, 1990 to Starred Question No. 451 regarding transfer of teachers in Kendriya Vidyalaya Sangathan and state:

(a) whether any probe has been made on the points detailed in the memorandum;

(b) if so, the details thereof; and

(c) the outcome of the probe and the action taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI CHIMANBHAI MEHTA): (a) to (d). A statement is laid on the table of the Sabha.

STATEMENT

Transfers and postings of teachers in KVS are done as per Guidelines approved by the Board of Governors. The transfer guidelines for the academic session 1989-90 (1.5.89 to 30.4.90) were approved by the Board of Governors at its 52nd meeting held on 27.12.1988. In the light of these transfer

Guidelines, the Sangathan had drawn up detailed operational guidelines for the academic session 1989-90, with the approval of the then Chairman, KVS.

The Guidelines specify, inter alia, the priorities which will be observed while effecting transfers. The priorities for 1989-90 were as follows:

- (i) Transfer on administrative grounds.
- (ii) Transfer on grounds of serious illness requiring treatment away from the place of posting.
- (iii) Transfers of spouses for joining the family and similarly transfers of unmarried girls to a place of their convenience.

The transfer guidelines were elaborated by the Sangathan in the form of operational guidelines as mentioned above. The priorities cited above were elaborated in the operational guidelines as follows:

- (1) Transfer on compelling administrative and compassionate grounds.
- (2) Transfer of teaching staff (PGT and above) who have completed three years in the North East Region (excluding those recruited in 1984 specially for this Region).
- (3) Transfer of teachers who have completed three years at the Hard Station as specified by KVS.
- (4) Transfer for reasons serious illness requiring treatment away from the place of posting.
- (5) Transfer of spouses for joining the family.
- (6) Transfer of unmarried girls to places

of their convenience.

- (7) Cases not covered in (1) to (6) above,—general category cases on completion of 3 years tenure at present place of posting.

The transfer guidelines may be seen at Annexure-I and the Operational Guidelines at Annexure-II.

As stated in the House in reply to supplementary questions to Starred Question No. 451 answered on 16th April, 1990, there were 181 cases in which transfers of teachers were ordered under the specific directions of the then Chairman of KVS. The matter has been locked in in pursuance of the assurance given at the time. The relevant facts have been ascertained by the KVS and are given below:—

The 181 transfers were ordered against clear vacancies i.e. without displacing any other teachers by the then Chairman of the KVS, on the grounds that they involved "extreme compassion and compelling administrative exigencies". On further examination of the records available in Kendriya Vidyalaya Sangathan the grounds mentioned by the applicants for seeking transfers could be identified as follows:

| | |
|--|----|
| (a) On spouses grounds | 47 |
| (b) Unmarried girls | 08 |
| (c) North-Eastern Region/ Hard Stations | 04 |
| (d) General Category cases | 18 |

of the 181 transfers ordered by the Chairman, KVS, 13 orders were subsequently cancelled on the request of the teachers concerned including 3 cases where vacancies were later reported to be not available. Regarding the reasons for transfer in the remaining 91 cases, no further details are available in the records of the office of the Commissioner, KVS.

The number of transfers effected during the last two years along with the total number of employees is also given below:—

| S.No. | Details of teachers | 1988-89 | 1989-90 |
|-------|--------------------------------------|---------|---------|
| 1. | No. of teachers | 22,874 | 24,528 |
| 2. | No. of applications transfer | 2,120 | 3,365 |
| 3. | Transfers effected (Till 20.12.1989) | 458 | 923 |

ANNEXURE-I

GUIDELINES FOR TRANSFER OF TEACHERS 1989-90

- (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.
- (3) Transfers will be made after offering promotions every year.
- (4) Transfers will generally be effected during the summer vacations. Transfers will not be effected after 31st October.
- (5) Transfers will be made keeping in view the number of vacancies expected to be filled up by promotions and direct recruitment.
- (6) Transfers will be effected by observing the following priorities:—
 - (a) Transfers on administrative reasons.
 - (b) Transfers for reasons of serious illness requiring treatment away from the place of meeting.
 - (c) Transfer of spouses for joining the family and similarly transfer of unmarried girls to a place of their convenience.

- (7) No request for transfers will ordinarily be entertained unless a teacher has completed three academic session except in the cases mentioned in (6) above.
- (8) PRTs, TGTs and other category of teachers in the identical scales will not normally be posted outside the region in which they were selected.
- (9) Teachers of all categories on appointment will be posted as far as possible to schools in the interior areas.
- (10) Subject to availability of vacancy, PGTs/Vice-Principals/Principals/Education Officers/Assistant Commissioner on promotion or on direct recruitment will be posted to a different State 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 at least 5 years unless there are compelling reasons.
- (11) PGTs/Vice-Principals/Principals/Education Officers/Assistant Commissioners who have 3 years or less to retire would be posted out on promotion/direct recruitment if already working in home State, subject to availability of vacancies.
- (12) Teachers/Vice-Principals/Principals posted to hard stations as identified by the department of Personnel would be given station of their choice subject to availability of vacancies after completion of 3 years stay at the hard station. This would be, however, not applicable to teachers specifically recruited for North-Eastern Region.
- (13) No transfer TA will be paid for request transfers on whatever grounds unless the teacher has completed five years in his existing place of posting.

ANNEXURE -II
OPERATIONAL DETAILS OF TRANSFER-
GUIDELINES OF TEACHING STAFF
FOR 1989-90

The operational details of transfer-guide-

lines of teaching staff of KVS for 1989-90, as discussed in a meeting with PS to MOS and Commissioner, KVS on 15.5.89 are listed below:

Board of Governors of KVS in its 52nd meeting held on 27.12.88 approved guidelines for transfer and posting of teachers, Vice-Principals and Principals. Under these guidelines transfers are broadly categorised under two heads:—

A. Transfer in public interest.

B. Transfer on request.

A. *Transfer in public interest.*

Under the category, following types of transfers are contemplated.

(i) Transfer on compelling administrative and compassionate reasons.

(ii) Transfer of Post graduate teachers, vice-Principals and Principals who have completed three years in North-Eastern region (comprising the States of Assam, Meghalaya, Manipur, Nagaland, Tripura, Arunachal Pradesh and Mizoram). This is in accordance with the Government of India Policy. (this, however, excludes PGTs, TGTs and PRTs recruited especially in 1984 for North-East region).

(iii) transfer of teachers/vice-Principals/principals who have completed three years at a hard station. Three years to be reckoned from the date of joining the hard stations. (Hard stations as identified by the earlier KVs Committee, as the Department of Personnel does not maintain such a list).

B. *Transfer on Request:*

The guidelines approved by the BOG provide the following:

(a) Transfer for reasons of serious illness requiring treatment away from the place of posting.

- (b) Transfer of spouses for joining the family and similarly transfer of unmarried girls to a place of their convenience.

In order to implement the above, the following hierarchy of priorities and details are suggested:—

- (i) Transfer on serious illness requiring treatment away from the place of posting. Under this head we may give consideration to cardiac problems, paralysis, renal failure, cancer, TB, etc. and may include cases of physically handicapped requiring medical treatment/attention. However, only these cases of physical handicap may be considered where the handicap has developed after joining KVS. The list is illustrative only and not exhaustive. The medical certificates in support of serious illness should be from CMD/Civil Surgeon of Distt. hospitals or from Medical Superintendents of Government hospitals or Head of Hospital attached to medical colleges/institutions or from CMO of project hospitals for project schools/officer incharge of Defence Sector hospitals for Defence Sector schools. While transferring, the point to be considered would be facilities for treatment not available at the existing station and their availability at the station where transfer is requested. No minimum stay at a particular station may be required for considering such requests.
- (ii) Transfer on spouse basis:
Under the aforesaid category following hierarchy is suggested:
- (a) Spouses of a KVS employees. This is suggested as it will ensure smooth functioning of the Vidyalayas.
- (b) Spouse of a Central Government Defence department employee and the employee of the Autonomous bodies and the undertaking of the Central Government and spouses of State Governments and undertakings of State Governments, the

length of stay at the existing station being the determining factor.

- (c) All other spouses.
- (iii) Transfer of unmarried girls to a place of convenience. Minimum stay of one year at the existing station may be required for consideration of transfer. (i.e. for spouse cases/cases of unmarried girls).
- (iv) Transfer of Principals/Vice-Principals/PGTs who have less than 3 years to retire. No minimum stay at a particular station is required. This is suggested because guidelines provide posting a promotee to the same place if promoted within three years of retirement.

The other important part of the guidelines is the sequence to be followed in effecting postings and transfers. In this connection para 3 of the guidelines lays down that "Transfers will be made after offering promotions every year".

From the above, the following sequence of promotional postings, transfers and posting of directly recruited teachers, Vice-Principals and Principals follows:—

- (1) Promotional postings in respect of teachers promoted as TGTs, HMs, PGTs and Vice-Principals may be done first. Similarly the vacancies of Principals are to be filled first by offering the posts of Principals to the promoted Vice-Principals.
- (2) (i) Inter-regional transfers of teachers of all categories, Vice-Principals and Principals.
- (ii) Intara-regional transfer of teachers of all categories.
- (3) Posting of directly recruited teachers and Principals.

May kindly see the above operational details of transfer guidelines for formal approval, so that steps are taken to implement the same accordingly.

A separate note regarding time-sched-

ule of direct recruitment/promotion of posting of teaching staff, determination of staff strength, as discussed with PS to MOS and Commissioner, KVS on 15.5.89, is being put up.

Sd/-
(D.R. Nangia)
16.5.89

May kindly see for any further directions from MOS

Sd/-
(L.R. Mal)
16.5.89

MOS

The proposals from NSP-1 to 3 are approved subject to the following observations:—

- I. The words "including death of spouse" occurring in A (i) at NSP-i may be deleted.
- II. In B (i) at NSP-2, sentence may be added to the effect that only those cases of physically handicapped will be considered wherein the physical handicap has developed after the employee has joined KVS. Accordingly, any handicap which existed before a person joins KVS should not be made a ground for seeking transfer. In the same clause the Certificate from the Head of the Hospital attached to Medical College/Research Institution should be made acceptable instead of requiring the Certificate from the Head of the College or the Research Institution.

KVS Sd./-
(L.P. SHAHI)

Sd./-
(Y.N. CHATURVEDI)
30.5.89

DR. SUDHIR RAY: Sir, last year, a large-scale illegal and irregular transfers were made in regard to teachers in Kendriya Vidyalayas. Now, this has been reported. The Additional Secretary, Shri A.S. Gopalan himself noted this thing. But the Minister concerned forgot that advice and he is going on transferring many teachers. Now, the

Minister himself assures that he would be looking into this matter. I would like to know from the hon. Minister whether there was a probe into this illegal transfer and what is the result of that?

SHRI CHIMANBHAI MEHTA: Sir, there was a promise or an assurance that the matter will be looked into. Now, whether you call it a probe or looking into, it depends on the situation. *Prima facie* we have looked into this and then if there is a necessity that probe can be done if required by other agencies also, we have looked into the whole thing and we have found that certainly some irregularities have taken place and there were certain transfers, around 181, which were ordered by the then Chairman himself and, looking to the record, it seems that 77 transfers may be considered eligible. But there were 91 remaining cases of transfer about which there is no detailed record available except that names were sent by the then Chairman to the Sangatan. The reasons were given as compulsory grounds and compelling administrative reasons. But there were no applications from these persons at all and therefore we considered that whatever is available first should be put.

DR. SUDHIR RAY: Sir, the JCM has been called to meet on 22nd of August and the hon. Minister promised that the representative organisations of the teachers would be asked to join the JCM. So, I would like to know from the hon. Minister now, whether they would be asked to join the JCM.

SHRI CHIMANBHAI MEHTA: Sir, we have told the teachers; organisations that we were prepared to discuss and consult with them and therefore, some steps are being taken. There are three or four organisations, not only one. But things are not moving. Even then, to sort out the whole thing, we have requested their office bearers like President and General Secretary to come and talk with our officers on all these matters. We want their cooperation on transfer guidelines also because it affects them and it is basically their question.

[Translation]

PROF. PREM KUMAR DHUMAL: Mr. Speaker, Sir, I would like to bring it to the notice of the Hon'ble Minister that in spite of

clear cut guidelines in respect of the transfer of a KVS employee, some cases have come to our notice that when the spouse of a woman teacher working in a Kendriya Vidyalaya is transferred, she is not transferred to the place of her husband's posting for long, say even upto one year. Also at the time of next transfer the Ministry comes out with the argument that she has not yet completed the period of 3 years' stay. I would, therefore, like to know from the Hon'ble Minister whether he proposes to issue directions to the Ministry that the spouses of army or air force officers should also be transferred to the place of their husbands' posting at the earliest so that they can live together. In the second part of my question I had asked whether the representations received by the Ministry from those posted in the North-East region will be sympathetically considered on a priority basis by them.

SHRI CHIMANBHAI MEHTA: Mr. Speaker, Sir, I admit that the issue of transfer of a woman employee to the place of her husband's posting is very delicate and it should be sympathetically considered and they should be given an opportunity to stay at the same place. It is our policy also to post them at the same place at the earliest. However, a Kendriya Vidyalaya should be there at the place, where the husband has been transferred and a vacancy should also be there in that school, otherwise it becomes very difficult to post them at the same place and the case gets delayed. But it is our policy not to separate them for long and let them live together at the earliest. In 1984, we paid attention to the people posted in the North-east region. Posting in the north-east region is not considered as transfer. But in other cases the people are required to complete the period of three years' stay. People do not want to be posted in the north-east region as it is a tribal area and there is no social life. In such cases even the 3 years' period is not completed, and pulls and pressures from VIPs are brought on us for transfer. However we try to consider their cases sympathetically.

SHRI JANARDAN TIWARI: It is a serious matter and is related to my State...

MR. SPEAKER: Please take your seat. All your questions are always very serious.

[English]

SHRI LOKANATH CHOUDHURY: These questions were raised in this House in April last and now the Minister says that there are some cases where the guidelines have been violated. In majority of the cases, guidelines have been violated. I want to know whether the Minister is only "looking into it" as we generally get such reply, and not taking speedy action to correct it if the guidelines are violated. What are the difficulties in correcting them?

Is it a fact that there are persons within the organisation who are not allowing them to take any action or creating complications to carry out the necessary correction, or the Minister himself is unable to do it?

SHRI CHIMANBHAI MEHTA: This is a right suggestion because the list was sent without reasons, without applications and on telephone, orders were given and carried out. We will formulate guidelines and amend some of them and we are meeting on 22nd of this month. Such requests from the Ministry or such orders or instructions should not be carried out unless the Minister himself takes the responsibility to write it down in such an exigency. But the application must follow. Otherwise, it is for the officers to carry it out or not. I personally feel that even if Ministers give oral orders, at least the officers must have that much courage to put it on the file that it is not the correct instruction, if that violates the guidelines. Now that is not available here. It may be the old practice of the last 20 years. Perhaps these courageous officers should put their views on the file. We do not encourage such things. Therefore, in this House, I am committing that we tell our officers that kindly write down the instructions and tell us about the right procedure so that such mistakes do not occur. This has to be correctly mentioned.

SHRI K.S. RAO: The hon. Member who preceded me has already put a question to certain extent. I wish to have the attention of the hon. Prime Minister also.

We have been promising a lot of things to the women in this country. But even yesterday I read in the newspaper, in the compartment three post-graduate girls had been

raped by eight anti-social elements in the train itself. I am not finding fault with anybody. Such is the case, in spite of our promise that we are going to give 30% reservation in Parliament, this and that.

The hon. Minister himself says that there are guidelines existing not only now but even earlier also that whenever a spouse, particularly lady is posted to a different place, her transfer to the place of her husband should be given priority. It is our experience even as Members of Parliament that when it is referred to the concerned Ministry, including the Ministry of Human Resource Development, for years, no action has been taken. The spouse is suffering very badly socially by being away from her husband for years, and economically by having a separate family elsewhere which they cannot afford. I wish to know from the hon. Minister and the Prime Minister in specific terms and not just general guidelines. "As far as possible" should not be there. I wish to have from the hon. Minister a clear cut guideline not "as far as possible" and also from the Prime Minister, to consider all those ladies who are working.

THE PRIME MINISTER (SHRI VISHWANATH PRATAP SINGH): The attempt is as "near as possible" but not "as far as possible."

SHRI K.S RAO: I want a clear cut answer. I can understand their inability to post where the women employees are in large numbers in that particular line. But, in education particularly the teaching profession is one where we can encourage women in good number to come to that line. The best incentive or initiative is not reservation. If confidence can be infused among the women, that they will be posted where their husbands or family are living, that itself is a good encouragement. I request the hon. Prime Minister that wherever such case is referred by Members of Parliament at least, it should be immediately effected and ladies should be posted at a place of their choice, particularly where their husbands are working.

SHRICHIMANBHAI MEHTA: The larger part of the observation is such that no one

would disagree with it. The question is of availability of vacancy in the station where the spouse is stationed. The moment we get the vacancy, we will consider that case on a sympathetic ground and also on a priority basis. There is no harm in accepting the suggestion. This is correct.

PROF. SAVITRI LAKSHMANAN: I myself am an employed housewife. I know the problems of employed mothers. I am very happy the Prime Minister is also here to know the problem. I am sorry to notice that there is no provision for the employed mothers with small kids in considering the transfer cases. My humble question is will you please consider the cases of employed mothers with small kids so that the children will feel the care of the mother. There is provision for unmarried girls but there is no provision for employed mothers. The cases of employed mothers are not being considered.

SHRI CHIMANBHAI MEHTA: I agree with her observation.

[*Translation*]

SHRI JANARDAN TIWARI: The reply is not correct. There is still a lot of corruption in this regard. Shri Laliteshwar Prasad Shahi who hailed from my State, was formerly Education Minister. During his tenure, 181 persons were illegally transferred after taking bribes. I would like to know whether it is a fact or not? It is the height of corruption. These transfers have been done illegally. Besides this, is it also a fact that there have been such cases of transfers even in my State.

MR. SPEAKER: Are you asking about the Kendriya Vidyalayas only?

SHRI JANARDAN TIWARI: Yes, Sir.

SHRI CHIMANBHAI MEHTA: Mr. Speaker, Sir, if there is a specific complaint or a specific case, we will look into it. But unless there is a specific complaint, it is very difficult to do anything in regard to these 181 cases. (*Interruptions*)

MR. SPEAKER: The hon. Minister is saying that specific cases, if any, may be brought to his notice.

[English]

SHRI BALGOPAL MISHRA: One specific case has been brought to your notice.

SHRI CHIMANBHAI MEHTA: The hon. Member is saying that one specific case has been brought to notice. I will go into the record and definitely look into that matter. That will also be taken into consideration.

Forest Cover

*144. DR. VENKATESH KABDE: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) the extent of geographical area covered by forest or vegetation in the country;

(b) whether it has declined or increased in the last five years;

(c) if the area has declined the causes of decline in vegetation cover during the last five years in the country; and

(d) the steps taken to restore the proper land and forest ratio in India?

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI NILAMANI ROURAY): (a) to (d). A statement is laid on the Table of the House.

STATEMENT

FOREST COVER IN INDIA

(a) According to the studies conducted by Forest Survey of India using Lands at Imagery, the extent of forest cover in the country during the period 1985-87 was 64.01 million hectares.

(b) The forest cover has declined from 64.20 million hectares in 1981-83 to 64.01 million hectares in 1985-87. However, the area under dense forest cover with a crown density of over 40% has increased from 36.14 million hectares to 37.84 million hectares.

(c) The causes of decline of forest cover are:—

(1) Higher demand for fuelwood and timber due to increased population.

(2) Overgrazing leading to degradation of forest land.

(3) Requirement of wood based industries.

(4) Insufficient financial outlays for regeneration of degraded forest land.

(5) The problem of shifting cultivation in tribal areas especially the North-Eastern Region.

(d) Steps to restore proper land and forest ratio in India involve forest protection measures and massive afforestation. These include:—

(1) The National Forest Policy, 1988, lays more emphasis on conservation of forests. There are specific provisions for protection of forests from grazing, fires and encroachment.

(2) Forest (Conservation) Act, was amended in 1988 to make it more stringent.

(3) A Centrally sponsored scheme is under implementation to help the States for development of infrastructure for protection of forests.

(4) Alternative sources of energy are