

100461(C)
07/05/2024



To
The Commissioner,
West Bengal Information Commission
11 A, Mirza Galib Street, Khadya Bhaban,
Kolkata-700087.

Sub- Complain against "No reply of query under RTI Act 2005"

Sir,

I would like to draw your kind attention that I sought for to provide my simple query of

1) Whether the Special Rules vide G.O. 404-Edn(s) dt. 19.03.1973 is exist/active or not at present.

2) Whether an employee of teaching ^{and} non-teaching staff of that Special Rules can avail of General transfer through UTSASHREE portal or not

to the SPIO & Joint Secretary, School Education Department, Govt. of West Bengal, Bikash Bhawan 5th Floor, Kolkata-700091 dated 12.11.2021. No response from his end about my above cited query is pending till now but give me only information vide Memo No. 789-SE(RTI)/BS-329/2021 dated 30.11.2021 which is enclosed. I contact the Department about this matter but Department give me a Xerox copy of Memo No 345.SP/RTI dated 10.12.2021 which is enclosed for your reference.

So I appeal to you to take necessary steps for the same under RTI Act 2005.

Thanking you,

Yours faithfully,

Date-~~27/06/2022~~

03/05/2024

Dilip Kumar Rana

(Dilip Kumar Rana)

Vill- Hoglasi, P.O- Deoly,
Dist Howrah, PIN-711301

Mob.No—9609086721/9433671357

E-mail – DILIP.KR.RANA@GMAIL.COM

Encl:1) Xerox copy of RTI application

2) Xerox copy of Memo No. 789-SE(RTI)/BS-329/2021 Dt.30.11.2021

3) Xerox copy of Memo No 345.SP/RTI dated 10.12.2021

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Secretary
H
Hogla

Right to Information Act 2005

To
The SPIO
School Education Department,
Government of West Bengal
Bikash Bhawan 5th Floor,
Kolkata 700091.

Sub:--Seeking Information under RTI Act 2005

Re:--Special Rules 404 Edn(S)dt 19.03.1973

Respected Sir,

With due respect I, Dilip Kumar Rana residing at Vill -Hoglassi P.O – Deoly, PS-Shyampur, Dist-Howrah , Pincode -711301 State -West Bengal, a citizen of India , would like to request you to provide me the following information under RTI Act 2005.

1. Whether the Special Rules vide G.O-404- Edn(S) dt.19.03.1973 is exist/active or not at present?
2. Whether an employee of teaching & non-teaching staff of that Special Rules can avail of General Transfer through UTSASHREE Portal or not?

A court fees/revenue stamp of Rs.10/- (Rupees Ten Only) is attached here.

Thanking you.

Dt - 12/11/2021

Yours faithfully,

Dilip Kumar Rana
(Dilip Kumar Rana)
12/11/2021

Vill- Hoglassi, P.O- Deoly,
Dist Howrah, PIN-711301

Mob.No--9609086721

Government of West Bengal
School Education Department
R.T. I. Branch
Bikash Bhavan, Salt Lake, Kolkata- 700 091.

Memo No. : 789-SE(RTI)/BS-329/2021

Dated :30.11.2021

From: S. P. I. O.& Joint Secretary
School Education Department

To: The Commissioner of School Education
Bikash Bhavan 7th Floor,
Salt Lake, Kolkata -700091.

Subject: Furnishing information in respect of query raised by Sri. Dilip Kumar Rana.

Sir/ Madam,

In enclosing a copy of R. T. I. application dated 12.11.2021, received on 16.11.2021 from Sri. Dilip Kumar Rana and in pursuance of Section(6)(3) of the captioned Act., I am directed to request you to provide information as desired therein directly to the applicant with an intimation to this Department at the earliest. Prima facie it appears that the matter is related to your Office.

Encl: As stated

Yours faithfully

sd/-

S.P.I.O & Joint Secretary
School Education Department

Memo No. :789/1(2)-SE(RTI)/BS-329/2021

Dated : 30.11.2021

Copy forwarded for information to :

- ✓(1) Sri. Dilip Kumar Rana, Vill- Hogleasi, PO- Deoly, PS- Shyampur, Dist- Howrah,
Pin-711301, West Bengal.
(2) File Copy

(10)

S.P.I.O.& Joint Secretary
School Education Department

BS-329/2021

Government of West Bengal
Directorate of School Education
Bikash Bhawan, 7th Floor
Salt Lake, Kolkata-700091



Memo No. 354.SP/RTI
SPIO/RTI/ASST/03/2021

Dated, Kolkata, 10th December, 2021

From: The Deputy Director of School Education (IEDSS), W.B & SPIO
Directorate of School Education, Bikash Bhawan, 7th Floor
Salt Lake, Kolkata-70009

To: Deputy Director (Grant In Aid), Directorate Of School Education, Bikash Bhawan, 7th Floor.

Sub: Seeking Assistance under section 5(4) of the RTI Act 2005 , of Sri Dilip Kumar Rana, dated 12/11/21.

Enclosed Kindly find a copy of RTI application placed by Sri Dilip Kumar Rana, dated 12/11/21, the content of which is self explanatory.

He is requested to provide information to the applicant directly in terms of section 5(4) of the said Act, under intimation to this office, as the matter is related to his office.

Encl: as stated

S.P.I.O.
S.P.I.O &

Deputy Director of School Education(IEDSS) , W.B
Dated, Kolkata 10th December, 2021

Memo No. 354.1(1).SP/RTI
SPIO/RTI/ASST/03/2021

Copy forwarded for information to:

1. SPIO & Joint Secretary, School Education Department, R.T.I. Branch, Bikash Bhawan, Salt Lake, Kolkata- 700091.

S.P.I.O.
S.P.I.O &

Deputy Director of School Education(IEDSS) , W.B

R.T.I. M.
22/11/21
SAP/10
17/12/21

Hearing on 05-03-2026

State Chief Information Commissioner West Bengal < scic-wb@nic.in >

Tue, 10 Feb 2026 1:23:47 PM +0530

To "spiodsewb2020"<spiodsewb2020@gmail.com>

Cc "dilipkrrana"<dilip.kr.rana@gmail.com>

Please find the attachment, for further details visit our website

West Bengal Information Commission

1 Attachment(s)

WBIC-RTI-C-100461-1250-202...
16.7 KB

ATR REGARDING RTI APPEAL NO. 100461 OF 2025 APPELLANT: DILIP KUMAR RANA.

Hearing Date: 05/03/26 SK, SIC

Nilay Roy < spiodsewb2020@gmail.com >

Wed, 25 Feb 2026 3:51:28 PM +0530

To "scic-wb"<scic-wb@nic.in>

Cc "Appellate Authority 1"<1stappellateauthoritydsewb@gmail.com>

KINDLY FIND THE ATTACHMENT
THANKS AND REGARDS.

1 Attachment(s)

ATR REGARDING RTI APPEA...
11.5 MB

Government of West Bengal
Directorate of School Education
Bikash Bhawan, 7th Floor
Salt Lake, Kolkata-700091

Memo. No. 57 .SP/RTI
SPIO/RTI/WBIC/03/2026

Dated- 25 .02.2026

From: The SPIO & Deputy Director of School Education (IEDSS), W.B.

To: The Law Officer,
West Bengal Information Commission, Khadya Bhawan, 11 A, Mirza Ghalib Street,
Kolkata-700087

Sub: ATR Regarding RTI Appeal No. 100461 of 2025 Appellant: DILIP KUMAR RANA.

Ref: WBIC Notice of Hearing Memo No. 700-WBIC/RTI/C/100461/1250/2025, Dated-
10.2.2026.

Sir,

With respect to the Memo and subject under reference, my humble submission to the Hon'ble West Bengal State Information Commission that the actions taken in connection with the above referred appeal is as follows:

1. The Appellant applied for information to the public authority of SCHOOL EDUCATION DEPARTMENT by an application dated-12.11.2021.(ANNEXURE-1)
2. The SPIO of the SCHOOL EDUCATION DEPARTMENT transferred the RTI Application to this Directorate vide memo no. 789-SE (RTI)/BS-329/2021, Dated-30.11.2021. (ANNEXURE-2)
3. The undersigned sought the assistance U/S 5(4) of the RTI Act 2005 from the Deputy Director of School Education (GA) Vide memo no. 354.SP/RTI, Dated-10.12.2021.(ANNEXURE-3)
4. The Assisting Officer, vide Memo. No. 178-GA dated-17.2.2026 furnished information to the SPIO of this Directorate. (ANNEXURE-4)
5. The undersigned forwarded the information vide Memo No. 56.SP/RTI dated-23.02.2026 to the Applicant. (ANNEXURE-5)

This is for your kind information.

Yours faithfully,



S.P.I.O &

Deputy Director of School Education (IEDSS), W.B.

Memo No. 57.1(2) .SP/RTI
SPIO/RTI/WBIC/03/2026

Dated- 25 .02.2026

Copy forwarded for information to:

1. The Appellate Authority & Joint Director of School Education, W.B, 7th floor, Bikash Bhawan, Salt Lake, Kol-700091.
2. Dilip Kumar Rana, VIII-Hoglas, PO-Deoly, PS-Shyampur, Dist-Howrah, Pin-711301, WB.



S.P.I.O &

Deputy Director of School Education (IEDSS), W.B.

Right to Information Act 2005

To
The SPIO
School Education Department,
Government of West Bengal
Bikash Bhawan 5th Floor,
Kolkata 700091.

Sub:--Seeking Information under RTI Act 2005

Re:--Special Rules 404 Edn(S)dt 19.03.1973

Respected Sir,

With due respect I, Dilip Kumar Rana residing at Vill -Hoglassi P.O - Deoly, PS-Shyampur, Dist-Howrah, Pincode -711301 State -West Bengal, a citizen of India, would like to request you to provide me the following information under RTI Act 2005.

1. Whether the Special Rules vide G.O-404- Edn(S) dt.19.03.1973 is exist/active or not at present?
2. Whether an employee of teaching & non-teaching staff of that Special Rules can avail of General Transfer through UTSASHREE Portal or not?

A court fees/revenue stamp of Rs.10/- (Rupees Ten Only) is attached here.

Thanking you.

Dt - 12/11/2021

Yours faithfully,

Dilip Kumar Rana
(Dilip Kumar Rana) 12/11/2021

VIII- Hoglassi, P.O- Deoly,
Dist Howrah, PIN-711301

Mob.No--9609086721

Government of West Bengal
School Education Department
R.T. I. Branch
Bikash Bhavan, Salt Lake, Kolkata- 700 091.

Memo No. : 789-SE(RTI)/BS-329/2021

Dated :30.11.2021

From: S. P. I. O. & Joint Secretary
School Education Department

To: The Commissioner of School Education
Bikash Bhavan 7th Floor,
Salt Lake, Kolkata -700091.

ANNEXURE
2

Subject: Furnishing information in respect of query raised by Sri. Dilip Kumar Rana.

Sir/ Madam,

In enclosing a copy of R. T. I. application dated 12.11.2021, received on 16.11.2021 from Sri. Dilip Kumar Rana and in pursuance of Section(6)(3) of the captioned Act, I am directed to request you to provide information as desired therein directly to the applicant with an intimation to this Department at the earliest. Prima facie it appears that the matter is related to your Office.

Encl: As stated

Yours faithfully

sd/-

S.P.I.O. & Joint Secretary
School Education Department

Memo No. :789/1(2)-SE(RTI)/BS-329/2021

Dated : 30.11.2021

Copy forwarded for information to :

✓(1) Sri. Dilip Kumar Rana, Vill- Hognasi, PO- Deoly, PS- Shyampur, Dist- Howrah,
Pin-711301, West Bengal.

(2) File Copy

(A)

S.P.I.O. & Joint Secretary
School Education Department

BS-329/2021

Government of West Bengal
Directorate of School Education
Bikash Bhawan, 7th Floor
Salt Lake, Kolkata-700091



Amey...

Memo No. 354.SP/RTI
SPIO/RTI/ASST/03/2021

Dated, Kolkata, 10th December, 2021

From: The Deputy Director of School Education (IEDSS), W.B & SPIO
Directorate of School Education, Bikash Bhawan, 7th Floor
Salt Lake, Kolkata-70009

To: Deputy Director (Grant In Aid), Directorate Of School Education, Bikash Bhawan, 7th Floor.

R.T.I. M.
22-12-21

Sub: Seeking Assistance under section 5(4) of the RTI Act 2005 , of Sri Dilip Kumar Pana, dated 12/11/21.

Enclosed Kindly find a copy of RTI application placed by Sri Dilip Kumar Pana, dated 12/11/21, the content of which is self explanatory.

He is requested to provide information to the applicant directly in terms of section 5(4) of the said Act, under intimation to this office, as the matter is related to his office.

SPIO
17/12/21

Encls: as stated

[Signature]
S.P.I.O &

Deputy Director of School Education (IEDSS) , W.B

Dated, Kolkata 10th December, 2021

Memo No. 354.1(1).SP/RTI
SPIO/RTI/ASST/03/2021

Copy forwarded for information to:

- 1 SPIO & Joint Secretary, School Education Department, R.T.I. Branch, Bikash Bhawan, Salt Lake, Kolkata- 700091.

[Signature]

S.P.I.O &

Deputy Director of School Education (IEDSS) , W.B

Government of West Bengal
Directorate of School Education
(Grant-in-Aid Section)
Bikash Bhawan, 7th floor, Salt Lake, Kolkata- 700 091

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Memo No: 178-GA
OM-26/2010

Dated: 17/02/2026

From : Deputy Director of School Education (GA),
West Bengal

To : SPIO & DDSE (IEDSS),
West Bengal

Sub : Information regarding the Complain against "No reply of query under RTI Act 2005" of
Dilip Kumar Rana

Ref. : Complain against "No reply of query under RTI Act 2005" of Dilip Kumar Rana

In reference to the above this is to inform you that according to the complain of Dilip Kumar Rana the following information may be provided:

For Query No. 1.

Please find enclosed herewith

1. One order of the Department vide No. 1914-Edn(S) dated 10.11.1976.
2. Notification No. 465-Edn(S) dated 28.04.1983.
3. One order passed by the Hon'ble Supreme Court in CMP 26311/CO in Transfer Case (Civil) No 24/90
4. One order passed by the Hon'ble Supreme Court in transferred case (Civil) No. 26 of 1990 on 25.03.2003.

For Query No. 2.

Please find enclosed herewith

1. Notification no. 159-SE/S/1S-4/95(Part) dated 27.02.2015
2. Notification no. 707/SE/S/1S-04/95(Pt) dated 08.09.2021

Thanking you

Enclo: As stated

Deputy Director of School Education (GA),
West Bengal

Debo Prasad, A1
17-2-26

Annexure "1" CP-4

Annexure "1" referred to in Para 30.

Government of West Bengal

No. 1914-Edn(S)
50 - 14

Dated Calcutta 10-11-76

Notification

In exercise of the power conferred by part 26 and 30 of the Constitution of India read with rule 33 of the management of recognised Non-Govt. Institution (aided and unaided) Rules, 1959, the Government's planed hereby to reorganise the "Special Rules" of management of Secondary Schools established and run by Arya Dava and or Gurukul Vidyalaya Trust under the auspices of Arya Pratinidhi Sabha of the State (representative body of Arya Samajies in the State) published with this Department Notification No. 404-Edn(S) dt. 19-3-73, in Part I of the Calcutta Gazette Extra-Ordinary of 19th March, 1973, pages 723-730.

By order of the Governor
Sd/- B. H. Chatterjee

Jt. Secy. to the Govt. of West Bengal

Copy forwarded to :-

- The D.P.I., West Bengal
Director of Secondary Education.
- Secretary, West Bengal, Board of Secondary Education.
- General Secretary, Arya Pratinidhi Sabha
42, Shankar Ghosh Lane, Calcutta-6.

Signature
 For
 Sd/-
 Joint Secretary
 to the Government
 of West Bengal

NOTIFICATION

No. 462-Edn(S)(S)1A-1182.—25th April 1983.—In exercise of the power conferred by sub-section (1), and, in particular, by clause (ii) of sub-section (2), of section 45 of the West Bengal Board of Secondary Education Act, 1963 (West Ben. Act V of 1963), read with rule 33 of the Management of Recognised Non-Government Institutions (Aided and Unaided) Rules, 1969, the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the Special Rules for the Management of Secondary Schools established and run by a Christian Church Missionary Society (Board) [Religious Society] Subsidiary Trust or their successors in law, in the State of West Bengal (hereinafter referred to as the said rules), published with this department notification No. 641-Edn(S), dated the 23rd May 1974, at pages 1164(1)-1164(S) of Part I of the "Calcutta Gazette, Extraordinary", of the 31st May 1974:—

Amendments

In rules 3, 6, 7 and 11 of the said rules, for the words "Director of Public Instruction, West Bengal", wherever they occur, substitute the words "Director of Secondary Education, West Bengal".

2. These amendments shall be deemed to have come into force on the 7th day of June 1976.

By order of the Governor,

L. CHAKRAVORTY,
Secy. (School Education) to the Govt. of West Bengal.

NOTIFICATION

No. 463-Edn(S)(S)1A-1182.—28th April 1983.—In exercise of the power conferred by sub-section (1), and, in particular, by clause (d) of sub-section (2), of section 45 of the West Bengal Board of Secondary Education Act, 1963 (West Ben. Act V of 1963), read with rule 33 of the Management of Recognised Non-Government Institutions (Aided and Unaided) Rules, 1969, the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the Special Rules for the Management of Ramkrishna Sarada Mission (Dakshinewar) Schools (hereinafter referred to as the said rules), published with this department notification No. 864-Edn(S), dated the 23rd July 1974, at pages 1449-1454 of Part I of the "Calcutta Gazette, Extraordinary", of the 30th July 1974:—

Amendments

In rules 3, 6, 11 and 23 of the said rules, for the word "Director of Public Instruction, West Bengal", wherever they occur, substitute the words "Director of Secondary Education, West Bengal".

2. These amendments shall be deemed to have come into force on the 7th day of June, 1976.

By order of the Governor,

L. CHAKRAVORTY,
Secy. (School Education) to the Govt. of West Bengal.

No. 464-Edn(S)(S)1A-1182.—28th April 1983.—In exercise of the power conferred by sub-section (1), and, in particular, by clause (d) of sub-section (2), of section 45 of the West Bengal Board of Secondary Education Act, 1963 (West Ben. Act V of 1963), read with rule 33 of the Management of Recognised Non-Government Institutions (Aided and Unaided) Rules, 1969, the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the Special Rules for the Management of Bharat Sevashram Sangha Schools (hereinafter referred to as the said rules), published with this department notification No. 2193-Edn(S), dated the 4th December 1972, at pages 2303-2309 of Part I of the "Calcutta Gazette, Extraordinary", of the 4th December 1972:—

Amendments

In rules 2, 6, 18, 22 and 23 of the said rules, for the words "Director of Public Instruction, West Bengal", wherever they occur, substitute the words "Director of Secondary Education, West Bengal".

2. These amendments shall be deemed to have come into force on the 7th day of June 1976.

By order of the Governor,

L. CHAKRAVORTY,
Secy. (School Education) to the Govt. of West Bengal.

NOTIFICATION

No. 465-Edn(S)(S)1A-1183.—26th April 1983.—In exercise of the power conferred by sub-section (1), and, in particular, by clause (d) of sub-section (2), of section 45 of the West Bengal Board of Secondary Education Act, 1963 (West Ben. Act V of 1963), read with rule 33 of the Management of Recognised Non-Government Institutions (Aided and Unaided) Rules, 1969, the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the Special Rules for the Management of Secondary Schools established and run by ARYA Samaj and/or Gurukul Sabha of the State (Representative Body of Arya Samaj) in the State, published with this department notification No. 404-Edn(S), dated the 19th March 1973, at pages 723-728 of Part I of the "Calcutta Gazette, Extraordinary", of the 19th March 1973:—

Amendments

In rules 3, 6, 7, 12 and 16 of the said rules, for the words "Director of Public Instruction, West Bengal", wherever they occur, substitute the words "Director of Secondary Education, West Bengal".

2. These amendments shall be deemed to have come into force on the 7th day of June 1976.

By order of the Governor,

L. CHAKRAVORTY,
Secy. (School Education) to the Govt. of West Bengal.

FILE NO. 1

DATE: 22/07/98

APPEAL NO. 38327

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

38327

C.P. 33311/90 In
Transfer Case (Civil) No. 24/90
AREA MULTIMEDIA SABDA & ANR.

Petitioner (s)

VERSUS

STATE OF WEST BENGAL & ORS.

Respondent (s)

(With address) for directions)

Date: 22/07/98. This petition was called on for hearing today.

PRESENT: MR. JUSTICE H.K. MALINI
MR. JUSTICE K.T. THOMAS

For petitioner (s)

Mr. H.R. Choudhary, Adv.

For Respondent (s)

Mr. H.K. Airl, Mr. Rangan Srinivasa and
Mr. Ujjwal Banerjee, Adv.

UPON hearing counsel the Court made the following
O R D E R

Mr. H.K. Airl, learned counsel for the State of West Bengal says that the State would have no objection to the petitioner appointing a Managing Committee to run the affairs of the Institution but without prejudice to the rights of the State in maintaining that the petitioner is not a minority institution. C.M.P. is disposed of accordingly.

Signature of Mr. H.K. Airl

Signature of Mr. Ujjwal Banerjee
Court Master

14
GOVERNMENT OF WEST BENGAL
SCHOOL EDUCATION DEPARTMENT
SECONDARY BRANCH
BIKASH BHAWAN, SALT LAKE,
CALCUTTA - 700 91

349-SE(5)
10A-1703 (PT)

Dated: Calcutta, the 31.05.1990.

From: Sri D. K. Chakraborty
O.S.D. & Ex-Officio Dy. Secy.

To: The Director of School Edn., West Bengal,
Bikash Bhawan, 7th Floor Salt Lake, Calcutta - 91.

Sub: C.M.P. No. 25311/88 of 1987 with
referred case No. 26 of 1990 - came
in the Supreme Court.

Arya Prathinidhi Sabha - Vs - State
of West Bengal & Ors.

Reg: Placement of Govt. Nominee in the Manag-
ing Committee of the Schools controlled
by the Arya Prathinidhi Sabha, Bengal.

Ref: His Memo No. 382-SC/G Dt. 30.3.90.

The undersigned is directed to refer to the matter noted
above and to request him to place the Govt. Nominee in the
Managing Committee of the Schools listed in the G.O. No. 404-
Ed. (S) dt. 19.03.1973 or in any School listed in any subsequent
G.O. in compliance with the Hon'ble Supreme Court's direction
in the above mentioned matter.

He is also requested to send to this Deptt. a copy of
the application by the petitioner in case No. 25311 of 1987 filed
before the Hon'ble Supreme Court along with copies of earlier
Writs Petitions/appeals filed by/on behalf of the Arya Prathinidhi
Sabha, if any, in the High Court.

Sd/- D. K. Chakraborty
O.S.D. & Ex-Officio
Deputy Secretary

Memo No. 1145(19)-SC/G Dated, Calcutta, the 23/7/90.

Copy forwarded to District Inspector of Schools (SE),

P.O.

Dist.

with the request to place the Departmental Nominee on the Manag-
ing Committee of the Schools as listed herewith in the other
enclosed file in order.

For Director of School Education,

West Bengal,

Memo No. 1145(19)-SC/G Dated, Calcutta, the 23/7/90.

Copy to Mr. Radheshyam Mishra, Advocate, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

LIST OF SCHOOLS DISTRICTWISE

Annexure

BURDWAN

- 1) D.A.V. High (H.S.) School, Asansol.
- 2) Dayanand Vidyapeeth, Asansol.
- 3) Arya Kanya Uchha Vidyalaya, Asansol.

HOOCHLY AT CHINSURA

- 4) Champdani Arya Vidyapith.

MIDNAPUR

- 5) Chuta D.A.V. High School, P.O. - Dhuta, Dist. Midnapur.

TANLAK (MIDNAPUR)

- 6) Kaurchandi Gurukul Vidyalaya.
- 7) Kaurchandi Muktamala Arya Kanya Vidyalaya, P.O. - Amalanda, Dist. - Midnapore.
- 8) Sasudebpur Kanya Gurukul, P.O. - Nandakumar, Dist. - Midnapore.
- 9) Rajarajpur Sagar "Smiti" Vidyapith, P.O. - Khakda-Veer Gram, Dist. - Midnapore.

24-PARGANAS (NORTH AT BARASATI)

- 10) Kankinarah Arya Vidyalaya.
- 11) Titagarh Arya Vidyalaya.

CALCUTTA

- 12) Raghunull Arya Vidyalaya, 33/C, Madan Mitra Lane, Calcutta - 700 006.
- 13) Arya Kanya Mahavidyalaya, 22, Bidhan Sarani, Calcutta - 700 006.
- 14) Dakshin Calcutta Arya Vidyalaya, 37/1A, Garcho Road, Calcutta - 700 019.
- 15) Arya Bikash Vidyalaya, 23/1F, D. T. Road, Calcutta - 700 002.
- 16) Arya Vidyamandir, 16, Madanpukur Road, Calcutta 700 020.
- 17) Sri Bhana Sha Arya Vidyalaya, 25, ... Road, Calcutta - 700 017.

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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFERRED CASE (CIVIL NO. 28 OF 1990)

Arya Pratinidhi Sabha & Anr.

State of West Bengal & Ors.

Verified to be true copy
In civil Petition
Ambalal Republic India
Versus 27-01-11
Respondents

O R D E R

This transferred case is disposed of in terms of the decision of a Constitution Bench of this Court in Writ Petition No. 317 of 1993 - T.M.A. Pai Foundation & Ors. etc. vs. State of Karnataka & Ors. and connected batch decided on 31st October, 2002.

[S. RAJENDRA BABU]

[G.P. MATHUR]

New Delhi,
March 25, 2003.



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WEDNESDAY, MARCH 11, 2015

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PART I - Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
School Education Department
Secondary Branch

NOTIFICATION

No. 159-SE/S/IS-4/95 (Part) - 27th February, 2015 — In exercise of the power conferred by section 17, read with sub-section (1) and sub-section (2) of section 10B, of the West Bengal School Service Commission Act, 1997 (West Ben. Act IV of 1997), and in supersession of the West Bengal School Service Commission (General Transfer) Rules, 2013, issued with this Department notification No. 1325-SE/S/IS-4/95, dated the 3rd October, 2013, published in the Kolkata Gazette, Extraordinary, PART-I, dated the 8th October, 2013, the Governor is pleased hereby to make the following rules, namely:—

Rules

1. **Short title and commencement**—(1) These rules may be called the West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and Reallocation) Rules, 2015.
 (2) They shall come into force on the date of publication in the *Official Gazette*.
2. **Definitions**—(1) In these rules, unless the context otherwise requires,—
 - (a) “Act” means the West Bengal School Service Commission Act, 1997 (West Ben. Act IV of 1997);
 - (b) “Central Commission” means the West Bengal Central School Service Commission constituted under clause (a) of sub-section (1) of section 3 of the Act;
 - (c) “Confirmed” means confirmation in service by the School Managing Committee or the Administrator of a school of an employee who has rendered satisfactory service after being appointed in a normal vacancy and in the case of an additional post, if the Managing Committee of the school or the Administrator confirms the service of the employee after receipt of retention order of the post from the District Inspector of Schools (Secondary Education) or the Director of School Education, West Bengal;

- (d) "Distance" means radial distance in kilometers from the place of residence and to the place of posting recorded in the recommendation letter issued by the West Bengal School Service Commission or recorded in the Service Book;
- (e) "Form" means a Form appended to these rules;
- (f) "General Transfer" means transfer of an employee of a school from his present place of posting in a school to another place in same category of vacancy, subject and post in another school;
- (g) "Incumbent" means a teacher or a non-teaching staff of a school of any category including librarian of a school;
- (h) "Non-teaching staff" means an employee who is not directly involved in teaching but, acts as a part of supporting system to the teaching and includes librarian;
- (i) "Reallocation of service" means withdrawal of service on special ground for transfer and to place the service with or without post in a new school;
- (j) "Regional Commission" means the West Bengal Regional School Service Commissions constituted under clause (b) of sub-section (1) of section 3 of the Act;
- (k) "Same category of post" means same post like Assistant Teacher or the Librarian or Clerical Staff and includes Clerk or Group-D or Peon or Laboratory Attendant or Night Guard or Matron, as the case may be;
- (l) "Same Category of vacancy" means vacancy in same type of posts like reserved for women (only for girls' school) and includes the same group under the staff pattern or same subject and same qualification, such as, Pass Graduate or Honours/Post Graduate post etc., and also medium of instruction;
- (m) "Teacher" means an Assistant Teacher of a school recognized as such by the Board or Council, as the case may be, and includes the Headmaster or Headmistress, Assistant Headmaster or the Assistant Headmistress for the purpose of these rules. However Assistant Headmaster/Assistant Headmistress may seek transfer as Assistant Teacher.

(2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as respectively assigned to them in the Act or in the said rules thereunder.

3. **Primary condition of General Transfer** – (1) An incumbent shall be eligible for General Transfer only if he/she is confirmed in service and completed 5 (five) years of satisfactory service in that particular school and in particular post from which he/she seeks General Transfer. Experience, if any, in the previous school and in the previous post except the experience in the post and school from which he/she is applying, shall not be considered while counting the experience in terms of score.

(2) No application under General Transfer shall be entertained if he/she intends to get transferred to a school within a distance of 25 KMs from the present school.

(3) Where an incumbent refuses to join his/her preferred school after due recommendation by the Commission, such incumbent concerned shall not be allowed to submit application for three subsequent terms of General Transfer including intra-regional and inter-regional transfer :

Provided that an incumbent whose name has been recommended for General Transfer before coming into force of these rules, the application of such an incumbent for General Transfer shall not be disallowed under these rules.

(4) The General Transfer under these rules shall be available once in a year and a list shall be published in the website of the Central Commission and the remaining vacancies due to non-joining after publication of the list shall not be included in the list of the General Transfer under these rules for the next year and such vacancies may be considered for the purpose of General Transfer afresh.

4. **General Transfer on Special ground** — (1) An incumbent belonging to the following categories may apply for transfer on any of the special grounds, namely:-

- a) Any teacher or non-teaching staff or his/her son/daughter or spouse suffering from malignant diseases, heart diseases, renal failure, thalassaemia, replacement of organ, serious gynecological disorder or physically disablement of 40% or more or to assist in proper treatment of self or his/her son/daughter or spouse;
- b) Any women teacher or non-teaching staff whose husband died prematurely or divorced or is a victim of crime;
- c) Teachers or non-teaching staff serving in Aided/Sponsored schools where the serving places of the spouses are away beyond 50 KMs.

(2) In respect of special ground mentioned in clause (a) of sub-rule (1), the State Government may cause medical enquiry for satisfaction on urgency of transfer of a teacher.

(3) In respect of special ground Victim of crime mentioned in clause (b) of sub-rule (1), the application may be considered, where FIR has been lodged and case has been instituted.

(4) In respect of special ground mentioned in clause (c) of sub-rule (1), 10% of the applications on this special grounds shall be considered by the West Bengal School Service Commission for recommendation in a year on receiving applications after publication of notice of General Transfer and Only one member of the spouse may apply for general transfer under this special ground and priority shall be given to the senior most applicant serving maximum period in the present place of posting at a maximum distance to the proposed place of posting in comparison to others.

5. **Eligibility for General Transfer** – (1) Any Teacher or non-teaching staff qualified as per provision of rule 3 of this Rules may be eligible for transfer to a post of Teacher or non-teaching staff of another school of same category of post and for a Teacher of same subject under same category of reservation (Honours/ Post Graduate or Pass) and Post, as the case may be.

(2) An incumbent opting for General Transfer shall be transferred to the same category of schools having Bengali or English or Hindi or Nepali or Oriya or Santhali or Telugu or Urdu, as the medium of instruction, as the case may be.

(3) A male incumbent shall not be eligible for General Transfer in a female vacancy and a female incumbent can prefer male/Co-ed/female vacancy.

(4) No incumbent shall be eligible to apply for a General Transfer who is left with less than two years of service from the date of his/her retirement on superannuation.

(5) The General Transfer shall be allowed to an incumbent, against whom no Judicial or Disciplinary proceeding is pending or contemplated and, who is not under suspension.

- (6) The school authority of a particular school shall not forward applications received from more than 10% (rounded up to next higher digit) of total number of teachers of that school. Priority shall be given first to the teachers senior in age.

6. Procedure for submission of application for General Transfer in respect of a teacher under rule 3 and 4(1)(c) – (1) The Central Commission shall publish a region-wise list of vacant posts once in a year mentioning the category, subject and medium of instruction for every particular post and other particulars in the website of the Central Commission and simultaneously, by way of notice in the Offices of the Central Commission and the Regional Commissions for the purpose of General Transfer and General Transfer on Special ground mentioned under 4(1)(c).

- (2) An incumbent desirous of General Transfer/General Transfer on Special Ground within the meaning of these rules shall apply in the Form (containing Part A and Part B) as appended to these rules. The filled up form with requisite fees of Rs. 2,000/- payable in favour of "The West Bengal Central School Service Commission", within the period as will be notified by the School Service Commission by submitting application Form. One incumbent may submit only one application for maximum 03 (three) of such vacant posts as per his/her priority of choice in application forms as prescribed. Handwritten or online applications may be accepted. Application submitted without fees shall be rejected. Change of preference/preferences after making application by the incumbent, shall not be entertained.
- (3) The Head of the Institution, the Secretary of Managing Committee or the Administrator, as the case may be, of the concerned school, shall issue No Objection Certificate to an incumbent to be recommended for General Transfer under these regulations. The No Objection Certificate will not exceed the number as stated under Rule 5(6) of these rules.
- (4) The application shall be submitted to the concerned District Inspector of Schools (Secondary Education) through the Head of the Institution or Secretary, Managing Committee or the Administrator, as the case may be, of the concerned school. In case of online application, extract of application so filled up shall be printed and the same shall be submitted to the concerned District Inspector of Schools (Secondary Education) through the Head of the Institution or the Secretary, Managing Committee or the Administrator, as the case may be, of the concerned school.
- (5) The District Inspector of Schools (Secondary Education) shall, after verification of all particulars given in the application form by an applicant, forward the same to the concerned Regional Commission within a period of fifteen days from the last date of receipt of such application.
- (6) On receipt of such forwarded applications, the Regional Commission shall, first take up the cases within the category mentioned in rule 4(1)(c) and thereafter the category mentioned in rule 3 of these rules in the following manner:-
- (a) in case of inter-regional General Transfer, the Regional Commission shall, after careful consideration of the applications, propose to recommend for transfer of the incumbent to the Central Commission within 30 days from the date of receipt of the application from the District Inspector of Schools (Secondary Education), in accordance with the provisions of Section 10B of the Act and the Central Commission shall be the final authority to decide upon the matter;

- (RT 1)
- (b) in case of intra-regional General Transfer, the Regional Commission shall, after careful consideration of the applications, be the final authority to decide upon the matter in accordance with the provisions of sub-rule (8) and shall send Intra Regional transfer applications to the Central Commission within 30 days from the date of receipt of the application from the District Inspector of Schools (Secondary Education) to obtain formal recommendation in accordance with the provisions of Section 10B of the Act;
- (c) In case of both, the applications of the left out candidates under rule 4 (1) (c) shall be considered for General Transfer with other candidates under rule 3.
- (7) In case of inter-regional General Transfer on the basis of recommendation of the Regional Commission, under sub-rule (6) (1) (c), the Central Commission shall be the final authority to decide upon the matter and may either reject such recommendation of the Regional Commission by passing an order and after giving reasons to be recorded in writing, or issue recommendation letter to the school concerned.
- (8) In case of intra-regional or inter-regional General Transfer as mentioned in sub-rule (6), the Regional Commission or the Central Commission, as the case may be, shall dispose the matter in the following manner:-
- (a) if there is one application for one vacant post mentioned in the list as published under sub-rule (1) of rule 6, -
- (i) in case of intra-regional transfer, the Regional Commission shall finally decide the matter and forward the name of the incumbent to the Central Commission for formal recommendation, to such vacant post opted by such incumbent,
- (ii) in case of inter-regional Transfer, the Central Commission shall finally decide the matter and recommend for transfer of the incumbent to such vacant post opted by such incumbent;
- (b) if there is more than one application for one vacant post mentioned in the list as published under sub-rule (1) of rule 6,-
- (i) in case of intra-regional transfer, the Regional Commission may consider all such applications and finally decide the matter in favour of that applicant who will secure highest marks amongst the applicants for that particular vacant post and the marks shall be allotted in the manner mentioned in column (3), in case of Teacher, or in column (4), in case of non-teaching staff, of the Table below and forward the name of the incumbent to the Central Commission for formal recommendation, to such vacant post opted by such incumbent,
- (ii) in case of inter-regional transfer, the Central Commission shall finally decide the matter of transfer in favour of that applicant who will secure highest marks amongst the applicants for that particular vacant post and the marks shall be allotted in the manner mentioned in column (3), in case of Teacher, or in column (4), in case of non-teaching staff, of the Table below and recommend for transfer of the incumbent to such vacant post opted by such incumbent :-

Sl. No.	Particulars	Teacher	Non-teaching Staff
(1)	(2)	(3)	(4)
1.	Seniority of each completed year (a) in case of Teacher, experience in present school and post till last date of application; or (b) in case of non-teaching staff, experience in present school and post till last date of application;	2(two) marks for each completed year till 31-12-2005 not exceeding 20 marks and 1(one) mark for each completed year after that. Fraction of 6 months will be awarded by half of the marks allotted for the year.	2(two) marks for each completed year till 31-12-2012 not exceeding 20 marks and 1(one) mark for each completed year after that. Fraction of 6 months will be awarded by half of the marks allotted for the year.
2.	Female Teacher or non-teaching staff without children bellow 10 years of age; or Female Teacher or non-teaching staff having child below the age of 10 years (age till last date of application)	3(three) marks in addition to the marks awarded in serial No.1 5(five) marks in addition to the marks awarded in serial No.1	3(three) marks in addition to the marks awarded in serial No.1 5(five) marks in addition to the marks awarded in serial No.1
3.	Physically handicapped (disability 40% or more) Teacher or non-teaching staff	05 (five) marks in addition to the marks awarded in above categories (Certificate to be attached with the Application Form)	05 (five) marks in addition to the marks awarded in above categories (Certificate to be attached with the Application Form)
4.	Distance from present Posting for a Teacher or non-teaching staff	Distance in kilometers from the place of residence and to the place of posting recorded in the recommendation letter issued by West Bengal School Service Commission or recorded in the Service Book will be taken into account for awarding 1 (one) marks for every 50 KMs distance. However, total marks will not exceed more than 6(six) marks. Any change in the Service Book in this regard will be required to be supported with any one of the following documents in the name of the teacher or his/her spouse. 1) EPIC (Voter Card) 2) Aadhaar Card 3) Passport	Distance in kilometers from the place of residence and to the place of posting recorded in the recommendation letter issued by West Bengal School Service Commission or recorded in the Service Book will be taken into account for awarding 1 (one) marks for every 50 KMs. distance. However, total marks will not exceed more than 6(six) marks. Any change in the Service Book in this regard will be required to be supported with any one of the following documents in the name of the teacher or his/her spouse. 1) EPIC (Voter Card) 2) Aadhaar Card 3) Passport

Sl. No.	Particulars	Teacher	Non-teaching Staff
(1)	(2)	(3)	(4)
		4) Landline or postpaid bill of mobile telephone 5) Electricity bill 6) Bank Passbook 7) Driving License Distance calculated by the West Bengal School Service Commission will be final and no appeal for fresh calculation will be entertained.	4) Landline or postpaid bill of mobile telephone 5) Electricity bill 6) Bank Passbook 7) Driving License Distance calculated by the West Bengal School Service Commission will be final and no appeal for fresh calculation will be entertained.
5.	In case of two or more Teachers or non-teaching staff securing same marks under the above-mentioned serial Nos.	Senior in age shall get priority over seniority in service.	Senior in age shall get priority over seniority in service.

Note – If one candidate shall secure highest marks in case of two or more vacant posts, he/she shall be allowed transfer only for one post as the Commission may decide strictly as per his/her priority of choice for vacant posts given in his/her application. In this case, his/her right of transfer in rest cases where he/she may get highest marks shall be ceased automatically.

- (9) The recommendation/order of rejection of the Central School Service Commission, as the case may be, mentioned in sub-rule (7) of rule 6, shall be communicated by the Central Commission to the incumbent concerned, to the Regional Commission, to the Secretaries of the Managing Committees of the Schools concerned or the Administrators of the Schools concerned, as the case may be, and to the concerned District Inspector of Schools (Secondary Education) with a copy to the Director of School Education.
- (10) The Secretary of the Managing Committee or the Administrator of the concerned school, as the case may be, shall, on receipt of recommendation of the Central Commission through the District Inspector of Schools (Secondary Education) with specific instruction to release the incumbent in whose favour the recommendation has been made, preferably within a period of 30 (thirty) days from the date of receipt of such recommendation and shall communicate to the Central Commission and the Regional Commission about such release within one month of such release.
- The concerned District Inspector of Schools (Secondary Education) may, under any unavoidable circumstances, extend the joining time for further 30 days. The Central Commission shall have the power to extend the joining time for a further period on receiving application from the candidate who is under approved leave or deputation since before the issue of recommendation of General Transfer.
- (11) When the teacher is released and the joining time has been extended, the teacher shall submit one communication for joining, report of leave status and other documents required for joining in the new school. Otherwise, the salary will remain stopped till the teacher joins physically.
- (12) After release of a teacher or non teaching staff the concerned releasing school shall intimate the nature of the vacancy to the concerned District Inspector of Schools (Secondary Education)

within 15(fifteen) days maintaining 100 point roster and District Inspector of Schools (Secondary Education) shall inform the vacancy to the Director of School Education within 30(thirty) days. The West Bengal School Service Commission shall arrange for recruitment of Teacher/ Non-teaching staff as per recruitment rules. There shall not be any lien in the previous post.

- (13) A leave with pay for a maximum period of 5 (five) days including holiday, if any, shall be granted by the school concerned where the incumbent will join on General Transfer. The new school will issue appointment letter to the teacher and will inform the West Bengal School Service Commission within 15(fifteen) days of joining. The salary for the leave period will be drawn by the new school if it was not drawn by the old school.
- (14) No claim whatsoever for financial assistance towards traveling allowance or cost of transportation etc., shall be made by the incumbent in whose favour a recommendation of transfer has been made by the Commission.
- (15) The District Inspector of Schools (Secondary Education) concerned shall, after obtaining papers of General Transfer from the School Managing Committee or the Administrator of the school, as the case may be, issue fresh approval of appointment to the incumbents who join in the post of the respective school. The joining time shall be recorded in the approval memo issued by the District Inspector of Schools (Secondary Education).
- (16) The School Education Department shall issue order clarifying procedure for adjustment of leave, salary and other service matters in relation to the General Transfer.

7. Procedure for General Transfer on Special ground under rule 4(1)(a) and rule 4(1)(b) —

- (1) The teacher shall submit application with sufficient documents for consideration of the Managing Committee in connection with the transfer on medical ground.
- (2) The Managing Committee may, after examination of the prayer and after receiving views of the Medical practitioner of the committee, forward the prayer with resolution to the District Inspector of Schools (Secondary Education) who will forward after verification of vacancy as per option submitted by the teacher and non-teaching staff where he/she may desire to be transferred, to the School Education Department.
- (3) The School Education Department may, after proper examination, recommend the prayer to the West Bengal School Service Commission and in case of inter-district reallocation of service, the Department shall cause necessary enquiry on vacancy report.

8. **Area/region for General Transfer**—A General Transfer of a candidate may be intra-region, or inter-region, or intra-district, or inter-district, as the case may be, covering the whole of the State of West Bengal.

9. **Admissibility of General Transfer**—Every teacher and non-teaching staff will get the benefit of General Transfer/Mutual Transfer once in his/her entire service period.

10. **Procedure of submission of application of General Transfer in respect of non-teaching staff including librarian**—In case of non-teaching staff and librarian desirous of General Transfer under the provisions of these rules, the provision of this rule shall apply, *mutatis mutandis*.

11. **Report of General Transfer to be maintained by Central Commission** – A status report of such General Transfer will be maintained by the Central Commission and an annual statement will be forwarded by the Central Commission to the School Education Department, Government of West Bengal.

12. **Incorrect, false or fabricated application** – If at any point of time it is found by any of the concerned authorities that the particulars given in the application is/are not correct or false and fabricated, appropriate action against the concerned applicant(s) shall be taken by any of the authorities relating to his/her service and his/her service can also be terminated as a result of such action.

13. **Application of the rules** – The rules for Managing of Recognized Non- Government Institution (Aided and Unaided) 1969 and rules for Management of Sponsored Institutions (Secondary) Rules, 1972 for the Teachers and non-teaching staff of a school shall be deemed to have been amended in respect of the matter covered under these rules from the date of commencement of these rules.

14. **Non-compliance of these rules by School Managing Committee or Administrator of the school concerned, as the case may be** – It shall be mandatory for the Managing Committee or the Administrator, as the case may be, of the concerned schools to issue No Objection Certificate to eligible applicant and to allow an incumbent to be released and join in the concerned school once a recommendation of transfer has been made by the Commission. Under non-compliance of the order the Department may direct the Head of the Institution to comply the order. Failure in compliance may cause removal of the Head of the institution from the membership of the Management Committee of the school for a period, as may be specified.

15. **Interpretation** — Any dispute in this regard shall be referred to School Education Department by the West Bengal School Service Commission and decision of Government of West Bengal in the School Education Department, shall be final.

By Order of the Governor.

ARNAB ROY

Secretary to the Government of West Bengal

FORM

[See sub-rule (2) of rule 6]

PART- A
Application for General Transfer
Intra Regional/Inter Regional

1. (i) Name of the applicant :
(in block letters)
- (ii) Mobile No. :
2. (i) Name of the post, in which he/she is now working :
(Head- Master/Head Mistresses / Assistant Teacher
/ non-teaching staff) [As per Approval of DIS(SE)]
- (ii) Scale of pay :
- (iii) Basic Pay on the date of application :
3. (i) Name of the school where :
he/she is employed at present
(in block letters)
- (ii) Address of the school :
(in block letters)
with PIN code
- (iii) Telephone no. of the school with STD Code :
- (iv) Category of Post :
(whether General/S.C./S.T./O.B.C./ PH)
[As per approval of DIS(SE)]
- (v) Nature/ type of the school (Boys'/Girls'/Co-education) :
- (vi) Status of the school (Jr. High/High/ Higher Secondary) :
- (vii) Medium of instruction against which appointment :
was made
(In the Present Post)
- (viii) Working Shift (Morning/ MIDDAY) :

RT II

- (ix) Office name of DI of Schools(SE) :
(Under whose jurisdiction the present School is situated)
4. (i) Date of Birth of the applicant as per official records :
(ii) Date of retirement on superannuation :
5. Whether appointed through the recommendation of the W.B. School Service Commission
(i) if yes, mention the year of Regional Level Selection
Test in which he/ she was selected :
(ii) if yes, mention the Memo. No. of Recommendation
Letter of Regional Commission :
6. Subject In which posted (In Present Post) :
(in case of Assistant Teachers)
7. (i) Date of joining in the present post at present School :
(ii) Gender of the applicant : Male Female
(tick the right option)
(iii) Whether physically handicapped : Yes No
(tick the right option and if yes
enclose copy of certificate)
(iv) Children (in case of Female) below 10 years of age : Yes No
(a) Date of Birth of the children under the age of 10 Years :
(enclose copy of birth certificate if applicable)
8. (i) Distance between Present School and Permanent
Address as noted in Service Book :
(Certificate to be produced from Govt. authority)
(ii) Any refusal under General Transfer before : Yes No
(a) If yes, mention Nature :
(Intra / Inter regional)
(b) Year :

Date:

Declaration of the applicant :

I, the applicant of above-named do, hereby, declare that all particulars given in this Application Form are true and correct and if at any point of time it is found by any of the authorities that the particulars given in this application is not correct or false and fabricated, appropriate action against me can be taken by the appropriate authority relating to my service and my service can also be terminated as a result of such action against me by the appropriate authority.

I sign PART A of this Application Form and the above declaration, being conscious about the particulars mentioned in this Form and the effect of the above declaration.

(Signature with full name of the applicant)

9. Declaration for transfer on Special Ground under Rule 4(1)(c) —

I Sri/Smt do hereby declare that my husband/wife Sri/Smt is serving in the post of at and the distance between our service places is K M (Certificate be attached from any Government authority for distance and from appointing authority for spouse regarding service).

(Signature with full name of the applicant)

NO OBJECTION AND DECLARATION OF SCHOOL

This school has no objection if Sri/ Smt.
 designation Subject taught
 is transferred as prayed for and the undersigned: 1. Secretary of Managing Committee/ Administrator of the
 School and 2. Headmaster/ Headmistress/ Teacher-in- Charge of the School declare that the particulars mentioned
 above of PART A of this application Form in Sl. No 1 to Sl. No 7 are true and correct as per the records
 maintained by the school and no such particulars are incorrect.

*Signature with full name and official seal of the
 Headmaster/ Headmistress/ Teacher-in-Charge of the
 school or Secretary of the Managing Committee or
 Administrator of the school.*

The particulars of the incumbent as above has been verified with official records available at this office
 and found correct, hence, forwarded for due consideration of appropriate authority.

*Signature with official seal of the District
 Inspector of Schools.*

Forwarded for due consideration after verification of the particulars of the incumbent.

SECRETARY/ASST. SECRETARY
 WBRSCC
 (OF CONCERNED REGION)

PART B

For the use of Applicants, in connection with General Transfer for their preference of choice of posting on transfer. Application No. (Please write the Application No. of PART-A)

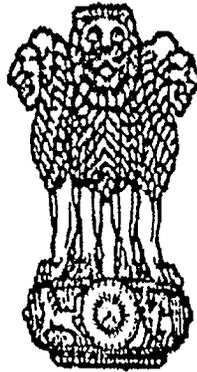
Name: Present school name: [Pass/ H/PG)], Category (Gen/SC/ST/OBC/PH):
 Post: Subject: Medium of school: If Girls school please indicate: Name of the office of the DIS(SE)

Perference of Choice	School Name	School Address	Subject Name	DI Office Name	Pass or H/PG	Medium of School	Nature of School (Boys/Girls/Co-ED)	Status of School (Jr. High/High/H.S.)	Working Shift	Category (Gen/SC/ST/OBC/PH)	Unique No. of vacancy as per Advertisement	Remarks
1 st Perference												
2 nd Perference												
3 rd Perference												

I do hereby declare that the preference in above given by me is absolute and final. I shall be strictly abide by the decision of WBCSSC, if any, given for me as per above preference and shall not raise any dispute or question in this regard in future to any authority including Court of Law.

(Signature of the Applicant)

The



Kolkata

Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

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WEDNESDAY, SEPTEMBER 8, 2021

[SAKA 1943

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

School Education Department

Secondary Branch

Bikash Bhabun, Saltlake, Kolkata-700091

NOTIFICATION

No. 707/SE/S/IS-04/95(Pt) Dated 8th September, 2021— In exercise of the power conferred by section 17, read with sub-section (1) and sub-section (2) of section 10B, of the West Bengal School Service Commission Act, 1997 (West Ben. Act IV of 1997), the Governor is pleased hereby to make the following amendment in the West Bengal School Service Commission (General Transfer, Transfer on Special Grounds and Reallocation) Rules, 2015, published by this Department notification No. 159-SE/S/IS-4/95 (Part), dated the 27th February, 2015 (hereinafter referred as the said rules).

Amendments

In the said rules,—

(1) In rule 2, omit clause (j) of sub-rule (1).

(2) In rule 3,—

(a) for sub-rule (3), substitute the following sub-rule:—

“(3) Where an incumbent refuses to join his/her preferred school after due recommendation by the Commission, such incumbent concerned shall not be allowed to submit application before completion of 7 years from the above refusal.”;

(b) Omit sub-rule (4).

(3) For rule 4, substitute the following rule:—

“4. **Grounds for transfer.**— An incumbent may apply online in the designated portal for transfer on following grounds:

(a) Any incumbent or his/her son/daughter/spouse suffering from malignant disease/severe heart disease/renal failure/thalassemia, replacement of organ/serious gynecological disorder causing serious problem in attending the school;

- (b) Physically disablement of 40% or more as certified by competent authority;
- (c) Female incumbent facing serious problem in attending the school due to divorce or death of husband;
- (d) Incumbent of age 57 years and more and willing for home district posting;
- (e) Any other reasons."

(4) In rule 5, in the sub-rule (4), for the words "two years", substitute the words "one year".

(5) For rule 6, substitute the following rule:-

"6. Procedure for submission and consideration of the application.- (1) An incumbent, may apply for transfer on grounds and manner mentioned in rule 4. The respective authorities involve in the process of transfer i.e. School Managing Committee (SMC), District Inspector of Schools of Secondary Education (DI), Central Commission (CSSC), West Bengal Board of Secondary Education (Board) shall consider such transfer application within such time as may be specified by the State Government by guidelines.

(2) Upon submission of application, the authority of SMC shall -

- (a) verify the service records and other details of applicant;
- (b) examine whether departmental/judicial proceeding is pending or being contemplated, or suspension order is issued against applicant or not. In any such affirmative case, the school authority shall not forward the application;
- (c) consider the number(s) of subject teacher(s) and roll strength. If resultant vacancy of school in particular subject become zero, or not commensurate with roll strength, the authority of SMC shall not forward the application;
- (d) consider the total application(s) from school is not more than 10% (ten) of total teachers' strength of school;
- (e) dispensed with the provision of clause (c) and (d) of this sub-rule for applications made on grounds mentioned in rule 4 (a) to (d):

Provided that while considering such applications, if resultant vacancy of school in particular subject become (0) zero, or not commensurate with roll strength, the SMC shall approach the CSSC through DI/S (SE) for filling up the vacancy:

Provided further that the CSSC may take endeavor to fill such resultant vacancy(s), by any incumbent whose application for transfer is fit for the aforesaid resultant vacancy or under provision of the section 10C of the Act with the approval of the State Government:

Provided also that the Commissioner of School Education shall supervise the process and ensure filling up of such vacancies with utmost priority and send progress report fortnightly to the School Education Department.

- (f) cause to examine the applicant by the doctor of the SMC in case of transfer application made on medical grounds mentioned in clause (a) of rule 4 and must indicate the disease of the applicant, which caused serious problem in attending the school.
- (g) issue "No Objection Certificate" (NOC) in fit cases and shall forward transfer application to District Inspector concerned.

(3) District Inspector concerned upon receipt of application with the NOC from school, shall:

- (a) verify the service records and other information as furnished by the incumbents;
- (b) take the views of the Chief Medical Officer of Health(CMOH) on transfer application related to medical grounds as reported by the doctor of the SMC;
- (c) forward transfer application to Central Commission along with his/ her view.

(4) Central Commission upon receipt of applications for transfer from District Inspector shall consider the same only against the vacancy available at the time of consideration on following basis:-

- (a) It shall populate the reason wise transfer list forwarded by District Inspectors;
- (b) Vacancy already reported to it for direct recruitment, shall not be filled by transfer;
- (c) Transfer shall be made in the same category of post, as specified in sub-rule (1), (2), (3) of rule 5.
- (d) In case of application for transfer in the category of rule 4(a) to (d) by a teacher of a particular subject to a school which is already having sufficient or excess teacher in that subject, Central Commission shall not consider the application for transfer to opted school. In the event when all options exercised are not found suitable, the incumbent may be considered for transfer to a school (having requirement of that subject teacher) nearby to opted school(s).
- (e) Applications submitted against a single vacancy with more than one reasons, will be considered in order of preference from grounds mentioned in rule 4(a) to (e).
- (f) In case of applications under rule 4(c) submitted against a single vacancy, divorcee/Widow Lady incumbent having child below the age of 10 years (on date of application) shall get preference over applicant having child above 10 years of age.
- (g) In case of applications under rule 4(d) submitted against a single vacancy, incumbent who submitted application earlier shall get preference.
- (h) In case of application for transfer in the category of Rule 4(e) by a teacher of a particular subject to a school which is already having sufficient or excess teacher in that subject, CSSC shall not consider the application for transfer to opted school. In the event when all the options exercised are not found suitable, the transfer application will be rejected by CSSC.
- (i) In other grounds transfer under rule 4(e), if more than one application for a single vacancy is received, consideration shall be made on the basis of marks obtained on points as follows:

Sl. No.	Particular	Marking
1	2	3
1.	Service rendered in present school and post till last date of application	2 (two) marks for each completed year till 31-12-2005 not exceeding 20 marks and 1 (one) mark for each completed year after that. For 6 months and above but below 1 year will be awarded by half of the marks allotted for the year.
2.	(i) Female applicant having child below 10 years of age; (ii) Female applicant having child above the age of 10 years (age till last date of application)	5 (five) marks in addition to the marks awarded in serial No. 1. 3 (three) marks in addition to the marks awarded in serial No. 1
3.	Present serving school of applicant is away from the spouse working place	(i) above 50 km upto 100 kms : 1 mark (ii) Above 100 Kms to 200 Km: 2 marks (iii) Above 200 kms : 3 marks
4.	Distance from present Posting of applicant	While considering the distance in kilometers from the place of residence and to the place of posting, the address recorded in the Service Book shall be taken into account. For every 50 KMs distance, 1 (one) marks shall be awarded. However, total marks will not exceed more than 6(six) marks. Any change in

Particular	Marking
2	3
	<p>the Service Book in this regard will be required to be supported with any one of the following documents in the name of the applicant or his/her spouse, namely:</p> <p>1) EPIC (Voter Card) 2) Aadhaar Card 3) Passport 4) Landline or postpaid bill of mobile telephone 5) Electricity bill 6) Bank Passbook 7) Driving License.</p> <p>Distance calculated by the CSSC will be final and no appeal for fresh calculation will be entertained.</p>
<p>N.B. In case of two or more incumbent securing same marks, application submitted earlier shall get priority.</p>	

- (j) After considering the applications so forwarded to the Central Commission in the manner provided hereinbefore, it may issue recommendation of transfer to the Board, in fit cases.
- (k) In case of rejection, the Central Commission shall inform reason to incumbent, District Inspector and School Management Committee.
- (5) (a) The Board being appointing authority, after receipt of such recommendation, issue transfer order mentioning the joining time, with copy to CSSC, DI and SMC (of present and proposed school of posting) and keep the vacancy report updated caused due to transfer.
- (b) After receipt of the transfer order, SMC of releasing school shall take action for release and issue LPC.
- (c) The SMC/ HM of joining school, as the case may be, shall join the teacher within the given time.
- (d) After receipt of copy of the transfer order, release order and joining report, concerned DI will take action for updating service record of incumbent.
- (6) The Board may, on basis of application or otherwise transfer any female teacher who is of victim of crime with the concurrence of the State Government in the School Education Department. It shall maintain due confidentiality in regard to identity of such victim."
- (6) Omit rule 7.
- (7) Omit rule 8.
- (8) For rule 9, substitute the following rule:--

"9. Admissibility of General Transfer. - Incumbent, if otherwise eligible, may again apply for general transfer after completion of five (5) years of service from last transfer."
- (9) For rule 11, substitute the following rule:--

"11. Report of General Transfer to be maintained by Central Commission and Board. - A status report of such General Transfer will be maintained by the Central Commission and Board and an annual statement will be forwarded by the Central Commission and Board to the School Education Department, Government of West Bengal."
- (10) For rule 14, substitute the following rules:--

"14. Non-compliance of these rules by the School Managing Committee or Administrator or Head of Institution of the school concerned, as the case may be. -- It shall be mandatory for the Managing Committee or Administrator or Head of Institution of the school concerned to issue No Objection Certificate

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Sl. No.	Particular	Marking
1	2	3
		<p>the Service Book in this regard will be required to be supported with any one of the following documents in the name of the applicant or his/her spouse, namely:</p> <p>1) EPIC (Voter Card) 2) Aadhaar Card 3) Passport 4) Landline or postpaid bill of mobile telephone 5) Electricity bill 6) Bank Passbook 7) Driving License.</p> <p>Distance calculated by the CSSC will be final and no appeal for fresh calculation will be entertained.</p>

N.B. In case of two or more incumbent securing same marks, application submitted earlier shall get priority.

- (j) After considering the applications so forwarded to the Central Commission in the manner provided hereinbefore, it may issue recommendation of transfer to the Board, in fit cases.
- (k) In case of rejection, the Central Commission shall inform reason to incumbent, District Inspector and School Management Committee.
- (5) (a) The Board being appointing authority, after receipt of such recommendation, issue transfer order mentioning the joining time, with copy to CSSC, DI and SMC (of present and proposed school of posting) and keep the vacancy report updated caused due to transfer.
- (b) After receipt of the transfer order, SMC of releasing school shall take action for release and issue LPC.
- (c) The SMC/ HM of joining school, as the case may be, shall join the teacher within the given time.
- (d) After receipt of copy of the transfer order, release order and joining report, concerned DI will take action for updating service record of incumbent.
- (6) The Board may, on basis of application or otherwise transfer any female teacher who is of victim of crime with the concurrence of the State Government in the School Education Department. It shall maintain due confidentiality in regard to identity of such victim."
- (6) Omit rule 7.
- (7) Omit rule 8.
- (8) For rule 9, substitute the following rule:-
- "9. Admissibility of General Transfer. - Incumbent, if otherwise eligible, may again apply for general transfer after completion of five (5) years of service from last transfer."
- (9) For rule 11, substitute the following rule:-
- "11. Report of General Transfer to be maintained by Central Commission and Board. - A status report of such General Transfer will be maintained by the Central Commission and Board and an annual statement will be forwarded by the Central Commission and Board to the School Education Department, Government of West Bengal."
- (10) For rule 14, substitute the following rules:-
- "14. Non-compliance of these rules by the School Managing Committee or Administrator or Head of Institution of the school concerned, as the case may be. - It shall be mandatory for the Managing Committee or Administrator or Head of Institution of the school concerned to issue No Objection Certificate

to eligible applicant or to allow an incumbent to be released and join in the concerned school as per order of the Board. Any delay or non-compliance in releasing or joining of the teacher on transfer shall be viewed as disobedience of order of the Board and Board may take appropriate action against the School authority. DIS/Board may also call for explanation and may take appropriate action for delay or non-compliance in issuing No Objection Certificate to eligible applicant.

14A. Appeal. - An incumbent aggrieved by disposal of transfer application may, within 30 days of the date of receipt of such disposal order, prefer an appeal to the Commissioner of School Education. However, such aggrieved incumbent shall before preferring any appeal against an order of transfer, be required to comply with the order of transfer.”;

(II) In the FORM, -

- (a) below the heading “FORM”, for the words, figures and number, “[See sub-rule (2) of the rule 6]” substitute the words figures and numbers “[See rule 6(1)-As per entry in Transfer Portal]”.

By order of the Governor,

MANISH JAIN

Principal Secretary to the Government of West Bengal

Government of West Bengal
Directorate of School Education
Bikash Bhawan, 7th Floor
Salt Lake, Kolkata-700091

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Memo No. 56 SP/RTI
SPIO/RTI/DR/01/2026

Dated, Kolkata, Feb 23, 2026

From: The Deputy Director of School Education (IEDSS), W.B & SPIO
Directorate of School Education, Bikash Bhawan, 7th Floor,
Salt Lake, Kolkata-700091.

TO: Dilip Kumar Rana, Vill-Hoglas, PO-Deoly, PS-Shyampur, Dist-Howrah, Pin-711301, WB.

Ref: 1. Memo No.178-GA, Dated-17.2.2026 of DDSE (GA) DSE, WB.

2. Memo No.354.SP/RTI, Dated-10.12.2021 of this SPIO Cell.

Sub: Regarding the RTI Application of Dilip Kumar Rana, Dated-12.11.2021.

With respect to the memo under reference 2, the SPIO Cell has received memo under reference 1 which is hereby forwarded to him for information.

This is for your kind information.



S.P.I.O &

Deputy Director of School Education (IEDSS), W.B.