



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

VOL - L Aizawl, Wednesday 14.4.2021 Chaitra 24, S.E. 1943, Issue No. 209

NOTIFICATION

No. C. 31030/11/2020-DC&MA(L), the 9th April, 2021. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Rules duly approved by the Hon'ble Governor, Mizoram on 26.03.2021 is hereby published for general information, namely :

“ The Lai Autonomous District Council (Transfer and Posting of Elementary School Teachers) Rules 2020”

K. Lalrinzuali,
Spl. Secretary to the Govt. of Mizoram,
District Council & Minority Affairs Deptt.

THE LAI AUTONOMOUS DISTRICT COUNCIL (TRANSFER AND POSTING OF ELEMENTARY SCHOOL TEACHERS) RULES, 2020.

To provide for Transfer and Posting of Elementary Teachers within the Lai Autonomous District Council.

Whereas it is expedient to provide for rules of Transfer and Posting of Elementary School Teachers under Education and Human Resources Department to solve the problem of transferring and posting teachers in different parts of the district and to check and ensure that teachers are posted at their respective postings.

And whereas by virtue of the powers conferred by sub-paragraph (1) and (2) of Paragraph 6 of the Sixth Schedule to the Constitution of India, read with the Governor of Mizoram's Notification No.B.20013/3/94-EDN of 1st August/94 (Transfer of all Government and Non-Government Middle Schools in existence as on 1st April 1994 in Chhimtuipui District to the three respective Autonomous District Councils), the Lai Autonomous District Council is empowered to make rules in the manner in which education may be regulated, managed and conducted in the Lai Autonomous District Council.

PRELIMINARY

1. Short title, context and commencement:
 - (i) These Rules may be called the Lai Autonomous District Council (Transfer and Posting of Elementary School Teachers) Rules, 2020.

- (ii) They shall extend to the whole area of Lai Autonomous District Council.
- (iii) It shall come into force from the date of notification in the Mizoram Gazette.

2. Definitions.

In these Rules, unless the context otherwise requires-

- (i) "Appropriate Authority" means Education Officer of either Middle School or Primary School, Lai Autonomous District Council.
- (ii) "District Council" means the Lai Autonomous District Council.
- (iii) "Domicile" means a person's place of residence.
- (iv) "Education Officer" means the Education Officer in Education & Human Resources Department, authorized by the Lai Autonomous District Council to perform all or any of the functions of the Education Officer under these Rules.
- (v) "Elementary School" means Primary Schools and Middle Schools.
- (vi) "Executive Committee" means the Executive Committee of the Lai Autonomous District Council.
- (vii) "Middle School" means an educational institution imparting education in a course of studies in Upper Primary School.
- (viii) "Primary School" means an educational institution imparting primary education and it may have pre-primary state or class attached to it.
- (ix) "Sanctioned strength" means the number of posts of teachers at a particular school as sanctioned by the District Council.
- (x) "Schedule" means a schedule appended to these rules.
- (xi) "Teacher" means all categories of teachers employed by the Lai Autonomous District Council in schools.
- (xii) "Transfer" means a change which implies shifting of a person from one place of posting to another.

3. Posting of Teachers:

- (i) The concerned department may issue an order of transfer of teachers periodically as per sub-rule 1 of rule 4.
- (ii) The minimum sanctioned strength of teachers in primary school and middle school is as below:

1. Primary School	-	5 teachers including Headmaster.
2. Middle School	-	7 teachers including Headmaster.
- (iii) The sanctioned strength of teachers in a school may vary from time to time as decided by the Executive Committee of the Lai Autonomous District Council.
- (iv) No teacher shall be deployed in a school in excess of the sanctioned strength.

4. Tenure of Posting:-

- (i) A different minimum tenure is fixed for each schedule as listed below:

Schedule	Tenure
I	5 years
II	4 years
III	3 years
IV	2 years

- (ii) The list of villages and towns in each category may be as listed in schedule I to IV given in the Annexure attached herewith.
- (iii) In the event of omission of a particular village in the grading as per the schedule, the Executive Committee of Lai Autonomous District Council shall have the power to

categorise that particular village as one of the categories as may be considered appropriate by the Executive Committee of Lai Autonomous District Council.

5. Consideration of Transfer:

- (i) A teacher in a school under schedule I category may be considered for transfer to a school located under schedule IV or III or II category, as the case may be, according to the necessity as decided by the appropriate authority, after completion of minimum tenure in a school located in schedule I category and subject to availability of a vacant post.
- (ii) A teacher posted in a school located under schedule IV category may be considered for transfer to a school located under schedule I or II or III category, after completion of minimum tenure in a school located in schedule IV category and subject to availability of a vacant post.
- (iii) A teacher posted in a school under schedule III category may be considered for transfer to a school under schedule I or II category on his own application or to a school under schedule IV category according to the necessity as decided by the appropriate authority, after the teacher has completed his minimum tenure in a school located in schedule III category and subject to availability of a vacant post.
- (iv) A teacher posted in a school under schedule II category may be considered for transfer to a school under schedule I category on his own application or to a school under schedule III or IV category according to the necessity as decided by the appropriate authority, after the teacher has completed his minimum tenure in a school located in schedule II category and subject to availability of a vacant post.

6. Commencement of Tenure:

On the commencement of these rules, the minimum tenure or otherwise shall be counted from the date of posting of a teacher in his/her existing category of school.

7. COMPULSORY POSTING:

In a cycle of 14 years from the date of commencement of these rules, a teacher may be required to serve at least one spell of minimum tenure at a school located in schedule III and schedule IV.

Provided that after completion of the required minimum tenure, preference may be given to a teacher whose domicile is under schedule II or III or IV to remain at the school of his or her domicile.

Provided further that those teachers having less than 3 years before superannuation pension or who have rendered 30 years of service may be exempted from these rules.

8. APPROPRIATE AUTHORITY:

For the purpose of rules 5 and 7, the following Officers shall be the appropriate authority for consideration of transfer and posting of teachers, namely: -

- (1) In transfer and posting of Middle School teachers, the Education Officer (Middle School) shall be the appropriate authority.
- (2) In transfer and posting of Primary School teachers, the Education Officer (Primary School) shall be the appropriate authority.
- (3) Transfer and posting of Headmaster on completion of the prescribed tenure, shall be made by the Chief Executive Member on the recommendation of the concerned Executive Member.

9. PROCESSING OF APPLICATION:

- (1) Any application for transfer must be submitted by a teacher himself/herself through proper channel only. The concerned officer shall scrutinize the application with reference to the teacher's service particulars and category under which the transfer application has been made. Any application for transfer from other persons on his/her behalf shall summarily be rejected.
- (2) Application for transfer made through the Headmaster shall be forwarded to the appropriate authority for consideration.
- (3) Application for transfer shall generally be made two months before the end of each academic session.

10. DUE PREFERENCE:

- (1) Due preference may be given to teachers who have completed their tenure at schools located at schedule IV or III or II (in the order) for transfer and posting to schools located at schedule III or II or I (in the order).
- (2) In the Annual Confidential Reports of Teachers, the fact that they have completed their minimum tenure in schools located at schedule IV and III Categories shall be specially mentioned.

11. SPECIAL PROVISION:

Notwithstanding anything contained in these rules, the Education Officer may, in consultation with the Executive Committee, Lai Autonomous District Council, deploy a teacher in any school, if the exigencies of circumstances so demand:

Provided that, the reasons for deploying such teacher shall be recorded in writing.

ANNEXURESCHEDULE - I

- | | | |
|-----------------|----------------------|------------------|
| 1. College Veng | 2. Chandmary | 3. Bazar |
| 4. Council Veng | 5. Electric Veng | 6. Lawngtlai-III |
| 7. Bethel Veng | 8. Lawngtlai Vengpui | 9. Vengpui – II |
| 10. AOC Veng | 11. Chawnhu | 12. Thingkah |

SCHEDULE - II

- | | | |
|--------------------|--------------------|-------------------|
| 1. Sangau | 2. Pangkhua | 3. Cheural |
| 4. Rawlbuk | 5. Lungpher | 6. Siachangkawn |
| 7. Bualpui 'Ng' | 8. Lungzarhtum | 9. Sentetfiang |
| 10. Thaltlang | 11. Vawmbuk | 12. Lungtian |
| 13. Saikah (Upper) | 14. Saikah (Lower) | 15. Chawntlangpui |
| 16. Sihtlangpui | 17. Kawlchaw-W | 18. Paithar |
| 19. R. Vanhne | 20. Rulkual | 21. Saizawh 'E' |
| 22. Vawmbuk-II | 23. Diltlang | 24. Chawngte 'P' |
| 25. Bungtlang 'S | 26. Mampui | 27. Liapha |

SCHEDULE – III

- | | | |
|----------------|--------------------|--------------------|
| 1. Ngengpuikai | 2. Chawngtelui | 3. Mualbu |
| 4. Hmunlai | 5. Hmunnuam | 6. Sekulh |
| 7. M. Kawnpui | 8. Nghalimlui | 9. Vaseikai |
| 10. Damlui | 11. Kawrthindeng | 12. Darnamtlang |
| 13. Lungchauka | 14. Zochachhuah | 15. Hmawngbuchhuah |
| 16. T. Dumzau | 17. Ngengpuitlang | 18. Tuithumhnar |
| 19. Saibawh | 20. Hmawngbu | 21. Sabualtlang |
| 22. Archhuang | 23. Tialdawngilung | 24. Vartek |
| 25. Vartekkai | | |

SCHEDULE – IV

- | | | |
|---------------------|---------------------|----------------------|
| 1. Tuikhurlui | 2. Sumsilui | 3. Sakeilui-I |
| 4. Sakeilui-II | 5. Saikhawthlir | 6. Pandawnglui |
| 7. Ngunlingkhua | 8. Tuichawngtlang | 9. Tuisentlang |
| 10. Mautlang | 11. Laitlang | 12. Kawnkhua |
| 13. Karlui-I | 14. Karlui-II | 15. Jognasury |
| 16. Kakichhuah | 17. Hruitezawl | 18. Fangfarlui |
| 19. Dumzautlang | 20. Chikhurlui | 21. Chamdurtlang-I |
| 22. Chamdurtlang-II | 23. Chamdur 'P' – I | 24. Chamdur 'P' – II |
| 25. Vathuampui | 26. Hlimzawl | 27. Tuidangtlang |
| 28. Tuidangchhuah | 29. Bolisora | 30. Sedailui |