

NUEPA Research Reports Publications Series

Teachers in the Indian Education System

**Working Conditions of Teachers
in Rajasthan**

Nagendra Nagpal

Centre for Education Research and Practice (CERP), Jaipur



**National University of Educational
Planning and Administration**
New Delhi

NRRPS/001(3/9)/2016

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June 2016 (PDF)

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Acknowledgements

On behalf of Centre for Education Research and Practice (CERP), I am thankful to Prof. Vimala Ramachandran, Professor, NUEPA and the research committee of NUEPA for associating us with the national study on “Working Condition of Teachers in India” and to undertake Rajasthan part of the study. It was indeed a pleasant experience to work under her leadership. Thanks to Ms. Anupam and Prerna Goel Chatterjee, consultants at NUEPA for all kind of support.

We are grateful to Mr. Tobias Linden, Ms. Sangeeta Dey, Ms. Sangeeta Goel, and Ms Tara Beteille education experts and member of World Bank associated with the study as technical advisor. In the national workshops held for the study we learned a lot from them.

Ms. Tara Beteille was more closely associated with the Rajasthan study, we are thankful for her overall support and especially for the valuable suggestions we received on the draft of the report.

We are deeply indebted to the state government for providing us sanction to take up the study in the state. It was remarkable experience to interact with officials at state Secreterate, Directorates (Elementary, Secondary, Sanskrit education, Panchayat Raj) and district level for the purpose of the study. Everywhere we got full hearted support with openness. It was indeed beyond our expectation and deserves all round appreciations.

We are thankful to teachers (regular and contract teachers of both elementary and secondary setup) with whom we interacted for the purpose of the study. We got many valuable insights from them that helped us to understand ground reality.

We owe a lot to Shri Lalit Kishore Lomi (retired Additional Director education department Mr. Suresh Chand Dave retired Dy. Director Education, Mr. Mahendra Pandey, Mr. R.K Agrawal (Teacher Unions) Mr. CM Gangwal, Principal, IASE Bikaner, all have contributed a lot in the study. The study has benefitted tremendously with their experience and deep understanding on the issues of working conditions of teachers in the state.

Nagendra Nagpal
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Abbreviations and Acronyms

B.Ed	Bachelor of Education
BEEO	Block Elementary Education Officer
BSTC	Basic School Teacher Course
CCA	City Compensatory Allowance
CERP	Centre for Education Research and Practice
CSS	Centrally Sponsored Scheme
CTE	College for Teacher Education
DA	Dearness Allowance
DD	Deputy Director
DEO	District Education Officer
DFID	Department of Foreign International Development
DIET	District Institute of Education and Training
DOP	Department of Personnel
DISE	District Information System for Education
DPEP	District Primary Education Programme
EC	European Commission
FGD	Focused Group Discussion
GER	Gross Enrolment Ratios
GOR	Government of Rajasthan
HM	Head Master
HOD	Head of Department
HRA	House Rent Allowance
IASE	Institute of Advanced Studies
JDA	Jaipur Development Authority
NUEPA	National University of Education Planning and Administration
NGO	Non Government Organisation
NPE	National Policy of Education
ML	Medical Leave
OBC	Other Backward Classes
P.Grad.	Post Graduate

PL	Privilege Leave
PRI	Panchayat Raj Institutions
RCEE	Rajasthan Council of Elementary Education
RSR	Rajasthan Service Rules
RMSA	Rashtriya Madhyamic Shiksha Abhiyan
RESSR	Rajasthan Education Subordinate Service Rules
RPSC	Rajasthan Public Service Commission
RtE	Right to Education
SC	Schedule Caste
SEMIS	Secondary Education Management Information System
SIDA	Swedish International Development Agency
SIERT	State Institute of Education Research and Training
SKS	Shiksha Karmi Board
SOBC	Special other backward classes
SSA	Sarva Shiksha Abhiyan
TET	Teacher Eligibility Test
TLM	Teaching Learning Materials
UDISE	Unified District Information System for Education
UNICEF	United Nation Children Fund
UPS	Upper Primary School
VM	Vidhyarthi Mitra
ZP	Zila Parishad

Chapter 1

CONTEXT, INTRODUCTION AND METHODOLOGY

1.1 Context and introduction

National University of Education Planning and Administration (NUEPA) has initiated a National Study On Working Conditions of Teachers for Analysis of policies and practices with respect to recruitment processes, salary and working conditions of all categories of teachers (regular, contract, part-time) working in government elementary and secondary schools in ten states of India. Rajasthan is one among the ten states in India and the present report is based on the study taken up in Rajasthan state. The study in Rajasthan was done by Centre for Education Research and Practice (CERP)¹ and the present report is based on it.

1.2 Objectives

The study in Rajasthan state was a part of the national study hence objective of the study in Rajasthan commensurate with the objectives laid down in the national study. Based on the proposal of national study, the objectives for the study in Rajasthan were follows:

- a. To understand the system, rules and regulations that frame the working conditions of the teachers (both elementary and secondary level) in the state;
- b. To understand the prevalent practices followed in recruitment, deployment and overall management of teacher cadre in the state.

1.3 Research questions

The study in Rajasthan addressed all the questions, which had been identified by NUEPA for the purpose of the study at national level. The same set of questions (Annexure 1) were part of the study in Rajasthan, this would help NUEPA to synthesize clear national perspective and report.

¹ CERP is a society registered at Registrar of Societies, Rajasthan under the act of Rajasthan Societies Act. 1958. It is a non-govt., not for profit organization working in the area of education of children up to school level.

1.4 Methodology

Realizing that the study in Rajasthan is a part of the national study and it is being done simultaneously in ten states across India, CERP had followed the basic design of the study finalized at NUEPA common for all the states. CERP took part in all the national consultation meetings and workshops held for the purpose of the study. During the study, CERP was remained in touch with the NUEPA team and followed the related guidelines.

1.4.1 Scope and sample of the study

All government schools imparting education at elementary and secondary level in the state were in the scope of the study. All departments and institutions involved directly or indirectly in the management of teacher cadre and influences working of teachers were included in the scope of the study.

As proposed in the national design of the study, CERP took one district (Pali) for in-depth understanding of ground level realities and validate the facts collected from different sources. In the selection of one district in the state CERP followed the following criteria which was worked out by NUEPA, New Delhi.

- a. The district is not new. In other words, it was not created recently after bifurcation of an old district;
- b. The selected district should neither be adjacent to the state capital nor too remote either;
- c. The social composition (percentage of SC, ST and Muslim) of the district should be akin to the state profile;
- d. Equally, it is important to see that the sex ratio in the district is not very low or very high and is closer to the state average
- e. This is to ensure that the district selection is, to an extent possible, representative of the state;
- f. National Study on Working Condition of Teachers in India: Rajasthan state report.

1.4.2 Tools for data collection

Interview schedules for state and district level officials and check list to ensure collection of relevant documents were evolved in the national workshop held in NUEPA, New Delhi. The same set of schedules were translated in Hindi and used for the study (A copy of the same in Hindi and English is attached as Annexure 2).

1.4.3 Data collection

For data collection in the field, wherever required CERP had followed the same set of questionnaire, which was prepared by NUEPA in the joint workshops with all the states participating in the study. For the purpose of the study the data was collected from following three sources:

- a. Quantitative data DISE, SEMIS, UDISE and relevant data available in the government offices. This was to get an overview of the number of teachers disaggregated by (a) social-group and gender; (b) age and (c) subject specialization (especially for upper-primary and secondary);
- b. Information on rules and regulations that frame recruitment, deployment, service conditions, working conditions, professional development of teachers in the state. The required information was collected from Education Code 1957, Rajasthan Education Service Rules 1970 & 1971, various government orders, notifications, executive orders, transfer-posting orders, minutes of meeting prepared time to time by the government;
- c. Key Informant Interviews at the state level and in one district.

1.4.4 Data analysis

The collected data was first inputted in the excel sheets and format of the same was provided by NUEPA. Collected information analyzed and based on that CERP had prepared a draft report. The data /information included in the draft was shared with some of the stakeholders in the state for validation. After incorporation of feedback and suggestions received from various sources, the draft was finalised in the form of a report.

Chapter 2

OVERVIEW OF SCHOOL EDUCATION AND PROFILE OF TEACHERS IN THE STATE

2.1 State Profile

Rajasthan is India's largest state in terms of geographical area and as it prides itself on a rich cultural heritage, the people here are known to value long-held beliefs, customs and traditions. It is caste based hierarchical social structure; a high degree of gender inequality; the engagement of a majority of the population in an agrarian economy; inadequate physical and social infrastructure; a high level of poverty; and low literacy and high mortality rate. Rajasthan state is among the states, which have high proportion of Schedule Caste (SC) and Schedule Tribes (ST) population (Table 2.1).

Table 2.1: State profile

	Rajasthan	India
Area	3,42,339 Sq.km	32,87,263 Sq.km
Population	6.86 crore	102.70 crore
Population density	200 Person Per Sq.km	382 Person Per Sq.km
Sex Ratio	928	943
%SC population	17.8	16
%ST population	13.5	8
% Muslim population	8.5	13.4

Source: Census 2011

2.2 Some facts related with school education in the state

Since independence the state has shown consistent improvement in the education outcomes. However, the state is still behind national averages on number of indicators especially on gender equity and transition from elementary to higher classes.

2.2.1 Literacy rate

In the overall literacy, Rajasthan state is below the all-India average. However, the state has shown remarkable growth in the rate of literacy in the last two decades (1991-2011).

Table 2.2: Decadal Literacy status in Rajasthan

Year	Total Literacy Rate		Male Literacy Rate		Female Literacy Rate	
	India	Rajasthan	India	Rajasthan	India	Rajasthan
1951	16.67	8.95	24.95	14.44	7.93	3.00
1961	28.30	18.12	40.39	28.04	15.33	7.10
1971	34.45	22.57	45.95	33.87	21.97	10.01
1981	43.56	30.09	56.37	44.76	29.75	13.99
1991	52.21	38.55	64.13	54.37	39.29	20.44
2001	65.38	60.40	75.85	75.70	54.46	43.85
2011	74.04	67.06	82.14	80.51	65.46	52.66

Source: state planning commission

2.2.2 Retention and transition rate

Low Transition rate of children in the state is an area of concern for the state, out of 100 students enrolled in class I, only 54 reach to Secondary level and 27 reach in Sr. Secondary level. Very low transition rate from Secondary to Sr. Secondary classes implies poor access to facilities (source flash statics 2012-13 NUEPA).

Table 2.3: Status of School Education some Indicators

Access to Schooling		
Indicators	India	Rajasthan
Retention rate (Class I-V)	80.07	66.78
Transition rate PS to UPS	86.74	90.05
Transition rate UPS to Sec.	92.67	90.11
Transition rate (Sec. to Sr. Sec)	58.34	48.94

Source: State Report Card 2013

2.2.3 Gross enrolment ratio and gender parity

The Gross Enrolment Ratios (GER) along the educational continuum highlights both gender as well as social gaps quite clearly. As we move from primary (classes 1-5) to higher education, there is significant gender and social gap and high dropout rates at each successive level. 2010-11 data indicates a sharp GER drop for girls, i.e. 14.9 at higher education level. The lowest higher education GER is SC girls at 8.9 followed by ST Girls at 10.3. This is not surprising picture because the share of student enrolment in higher education across all marginalized groups in Rajasthan is less than their proportionate share in the population, which is indicative of continued persistence of educational backwardness among these communities

Table 2.4: Gender parity at different levels in schools

Indictor	India	Rajasthan
Gender parity PS	0.94	0.88
Gender parity UPS	0.95	0.81
Gender parity Secondary	0.89	0.70
Gender parity Sr. Secondary	0.87	0.63

Source: Flash Statistics 2012-13 NUEPA (Girls Education)

2.2.4 Children achievement in the state board exams

Result of class 10th board exam of year 2014 is compiled in the table 5. Overall pass percentage is 66.34 percent and in the performance of boys and girls there is no significant difference. Out of total passed over 50 percent fall in the category of just pass or III division. 35 percent students pass with II division marks in both boys and girls categories. Only 16 percent boys and girls managed to get I division.

Table 2.5: Result of Board exam of class 10 (Secondary) Year 2014

Student	Appeared in class 10 Board Exam	Passed			Total pass percentage
		I Division (% students)	II Division (% students)	III division and just pass (% students)	
Boys	654391	16.65	34.09	49.26	66.53
Girls	452340	16.25	35.20	48.55	65.12
Total	1106731	16.49	35.54	47.97	66.34

Source: Board of Secondary Education 2014

2.2.5 State expenditure on the school education

In 1950 overall expenditure of state on education was just 3 crore and now only in the schools education state expenditure is near 11000 crore. Table 6 consist figures of total expenditure of state on elementary and secondary education in the last three consecutive years. Every year there has been substantial increase in the expenditure. In the year 2012-13, the average state expenditure per child in elementary and secondary education was Thirteen thousand rupees and Seventeen thousand seven hundred rupees respectively.

Table 2.6: Rajasthan state expenditures per student/per annum

Year	Elementary Education			Secondary Education		
	Exp. Cr.	No. of Students (lakh)	Exp. Per Students	Exp. Cr.	No. of Students (lakh)	Exp. per Students
2010-11	5850.60	59.04	9908	3435.40	22.32	15391
2011-12	6689.97	59.48	11247	3937.70	24.95	15782
2012-13	7427.36	56.86	13.058	4497.61	25.38	17721

Source: Additional Chief Secretary, GOR presentation on 11th June 2014

Table 2.7: Percentage distribution of expenditure between Elementary & Secondary levels

	2012-13
Elementary	62.28
Secondary	37.71

Source: State education department

2.3 Structure of Educational Administration of Education Department in Rajasthan

The state has three directorates for administration and management of school education in the state. These are the Directorate of Elementary Education, the Directorate of Secondary Education and the directorate of Sanskrit Education. Education of children from classes 1 to 8 comes in the preview of the Elementary Education and education of children from classes 9 to 12 are in the preview of Secondary Education. Principal Secretary School Education is the controlling authority for both the department. Education Directorates (Both Elementary and Secondary) are situated in Bikaner, which is one of the divisional HQ in the state. Both departments have separate cadre of teachers, officers and their head of departments are designated as Director, Elementary Education and Director, Secondary Education. In between both departments deputations of teachers and officers are possible on fulfilling certain conditions. Before 1997 both directorate (elementary education and directorate of secondary education) were part of the single directorate named as **Directorate of Primary and Secondary Education** (set up in 1950) and it was bifurcated into two to streamline the working of education department in the state.

The third directorate in the school education is the Directorate of Sanskrit Education. It was set up in 1958 with an objective to support and encourage Sanskrit education in the

state. Under the department there are separate set of schools imparting education from classes 1 to 12. Besides this the department also control selected colleges of graduate and post graduate level which run courses of Sanskrit subject and courses in Sanskrit language (Annual Report of Sanskrit department 2013-14)

The schools falling under all three directorates follow the same curriculum prescribed by the State Institute of Education Research and Training (SIERT). Tribal department in the state also run 31 schools from UPS to Secondary/Sr. Secondary level in the tribal areas (Annual Reports of Sanskrit Education Department, 2013). The tribal department has no separate cadre of teachers and all teachers working in the schools run by tribal department are from deputation from the departments of elementary and secondary education.

In addition to the categories of schools mentioned above, the state also has large number of schools run by missionaries, trusts and private organizations. All these schools are recognized by the education department. The education department has laid certain requirements related to physical and human infrastructure and schools has to fulfil these requirements for recognition.

After notification of RTE at national level in 2010, all elementary level schools in the state are brought under the preview of Panchayat Raj Institution. On 2nd Oct 2010, all schools up to class 8 were handed over to the Panchayat Raj Department. However all administrative and policy issues are still with the department of elementary education and PRI department is responsible for day to day management and control. Following organization chart represents elementary education set up in the state (Office order).

Two important programmes initiated by MHRD, Serve Shiksha Abhiyan (SSA) at Elementary Education and Rashtriya Madhyamic Shiksha Abhiyan (RMSA) at Secondary level are being implemented in the state to strengthen the school education. Impact of SSA on infrastructure of the elementary schools are quite evident and now the programme is giving special attention to improve the quality in education also. Under SSA programme, the state is following norms set for opening new schools and this has significantly improved access to all children to primary schools in state.

Fig 2.1: Structure of Educational Administration of Department of Elementary Education in Rajasthan

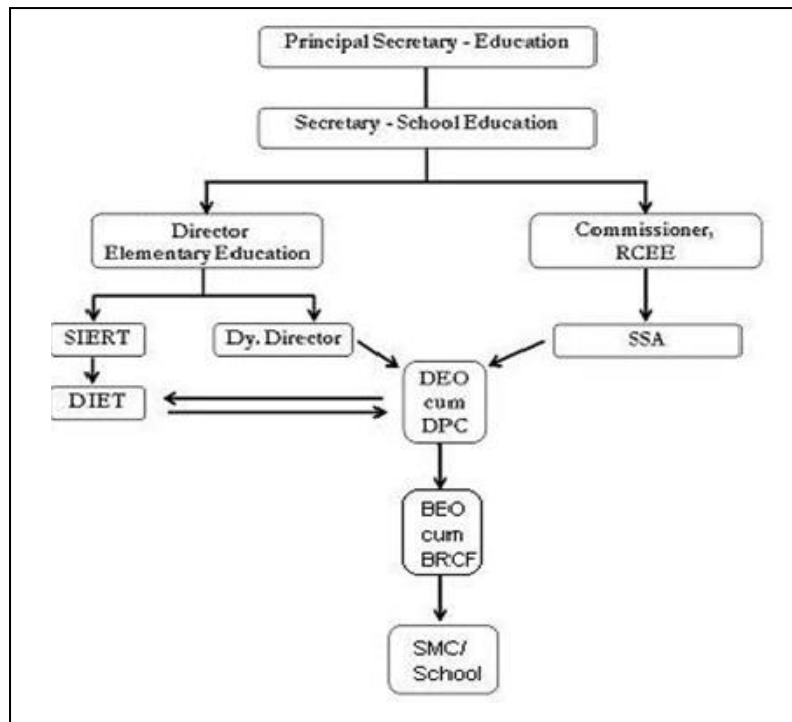


Fig 2.2: Structure of Educational Administration of Department of Secondary Education in Rajasthan

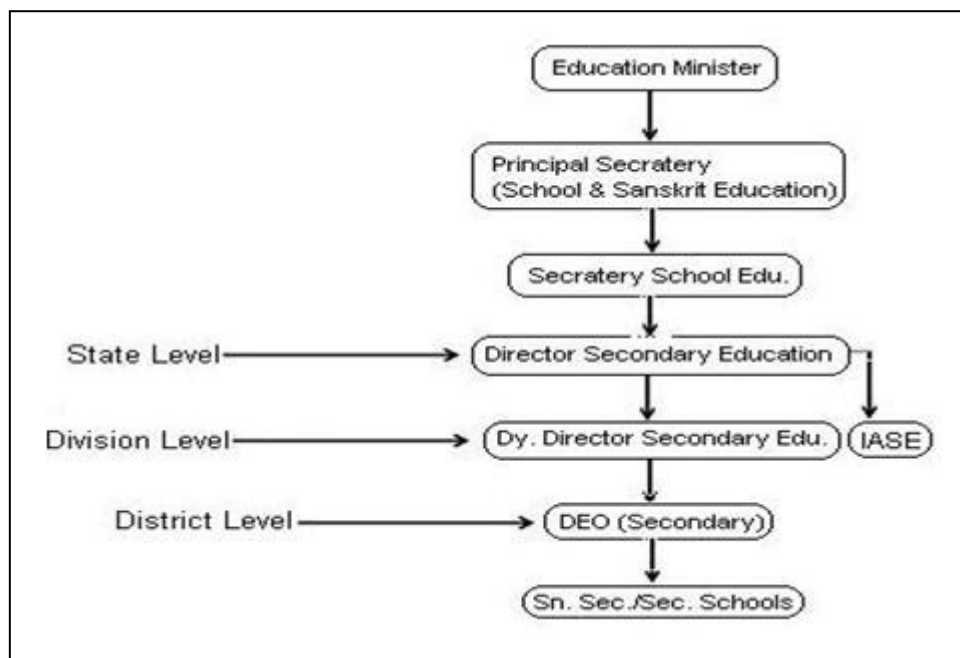
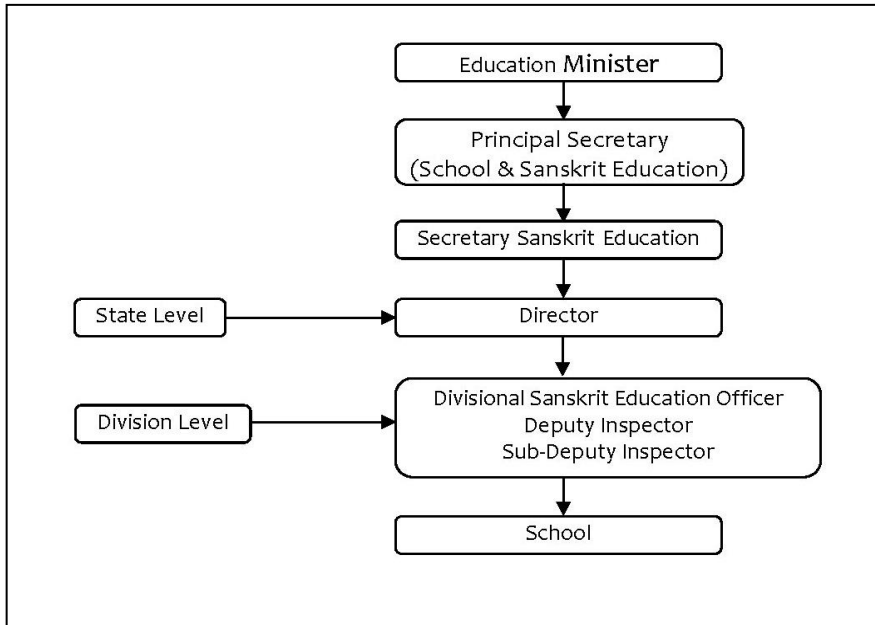


Fig 2.3 Structure of Education Administration of Department of Sanskrit Education in Rajasthan



The state is in the process of appointment of teachers across all grades and in the last three years there has been appointment of more than sixty thousand teachers in the regular grades. Still schools especially in rural area are facing acute shortage of teachers. Under Right to Education Act 2011² the state has formed a set of rules and efforts are on to fulfil its requirements. In the state there is a backlog of vacant positions of teachers which have accumulated over a period of time due to non recruitment of regular teachers in proportion to the existing posts.

2.3.1 Role of Panchayat Raj in Elementary Education

In Rajasthan Elementary Education in Rural area is under the jurisdiction of PRIs and hence all government schools (elementary) in the rural are controlled and managed by the PRIs. Elementary schools in urban areas which do not fall under PRIs are not controlled by the Municipal bodies and they are controlled and managed by the director elementary education. Approximately 75 percent elementary schools are in rural area. Power and authority of PRIs in the management of elementary education in their respective areas is limited. Other than appointment of teachers all powers related to

² Rajasthan government notified RtE rules on 29th March 2011.

administrative issues of teachers are remained with the director of elementary education. All policy issues related to curriculum, content, evaluation practices etc. are decided by the director elementary education and the role of PRIs are limited to execution of these policies.

2.4 School profile

2.4.1 Number of Schools

Rajasthan has 1, 36,472 schools to cater school education up to class 12th level. Out of these 62.97 percent schools are government schools and remaining 37.02 percent are private schools.

Table 2.8: Number of schools in Rajasthan

	Type of school								Total
	PS.	UPS	Prim to Sr. Sec.	UPS to Sr. Sec.	Prim to Sec.	UPS to Sec.	Sec. Only	Sr. Sec. with Sec.	
Dept. of El. Education	47389	23125	-	-	-	-	-	-	70514
Dept. of Sec. Edn.	-	-	40	3331	2080	6755	4	1081	13291
Dept. of Sanskrit Edn.	731	1001	-	143	-	229	-	-	2104
Dept. of Tribal and others	-	-	-	27	-	4	-	-	31
Other Management	7579	29356	5715	654	6730	297	20	181	50532
Total									136472

Source: Education Department June 2014

2.4.2 Physical infrastructure in the schools

In the state 99 percent schools run in its own building (all schools UDISE 2012-13). At Secondary and Sr. Secondary level 88 percent schools have electricity connection while at elementary level the only 65 percentage schools are connected with electricity. 97 percent elementary and 99 percent secondary schools have separate toilets for the girls (State Report Cards 2012-13). On the same issue appeared in Times of India on dated 30th August 2014 published news based on the ASER report 2013 that 72 percent toilets in the government schools are usable. And only 67 percent schools have drinking water facility in the government schools.

UDISE 2012-13 report that 83 percent schools at Secondary and Sr. Secondary level have library in the schools nevertheless how useful they are for teachers and students that has to be explored. SSA Rajasthan has supplied Maths and Science Kits to upper primary schools and now RMSA is also in the process to provide one kit common to all secondary schools to meet the basic requirement at secondary level.

2.4.3 Human Resources in the schools

In the primary schools there is no specific cadre of Head Masters. Senior most teachers in the primary school serve as a Head Master of the school. For upper primary schools also there is no separate cadre of HM of the schools. Education department appoint HM in the UP schools from the cadre of teachers grade II

Table 2.9: State norms for number of teacher in schools (elementary classes)

State norms before RtE		Present norms (RtE rules)	
For classes 1 and 2		For classes 1 to 5	
No of enrolment	No of teacher/s	No of enrolment	No of teachers
1-49	1	Up to 60	2
50- 89	2	Between 60-90	3
90-129	3	Between 91-120	4
130 -169	4	Between 121-200	5 (if enrolment exceed 150 than 1 HM)
170-209	5	More than 200	PTR 40:1(excluding to HM)
And on increase of each set of 40 students	1 additional teacher		
For classes 3 to 5			
1. One teacher per class			
2. Size of class will depend on the size of classroom.			
3. Number of section in each class will depend on number of students. However each section will not be of less than 30 students			
4. For any class, on every 5 sections one additional teacher			
5. If number of students exceed more than 300 in primary classes than HM of the school will be grade II teacher and it will be an additional post.			
All primary schools will be set up with a provision of minimum two posts of teacher grade III irrespective of number of students.			
For Upper Primary Schools			
One teacher per class		1. Min one teacher per class and follow following conditions - - one teacher for Maths/science - one teacher for social Studies - one teacher for language	
2. Size of class will depend on the size of classroom.		2. on every 35 student one teacher	
3. Number of section in each class will depend on number of students. However each section will not be of less than 25 students and not more than 45.		3. If number of enrolment exceeds than (i) Fulltime time HM (ii) for part time teaching- Arts education; Health and body education Work education	
4. one post of language teacher(Other than Sanskrit, Hindi and English)			
5. One post of Physical teacher			
6. On every 5 posts in the school i additional post of teacher			
7. If school enrolment reach to 750 than HM of the school will be grade I teacher and it will be an additional post.			
8. If school enrolment reach to 600 than there will be provision of 1 additional physical teacher.			

Source: State RTE rules 2011

Table 2.10: Working days (Elementary schools)

Before enactment of RTE	After enactment of RTE
Number of working days was not fixed. Schools had to follow the annual calendar finalised by the directorate of elementary and Secondary education. Academic session of school from 1st July to 15 th May. (Approximately 243 to 247 working days.	Classes 1 to 5 =200 working days And 800 working hours in one academic calendar year
	Classes 6 to 8 =220 working days And 1000 working hours in academic calendar year

Source: RTE Act 2011

Norms for placement of HM and number of teachers in secondary schools

There is a separate cadre of HMs of Secondary schools. In the secondary schools there is a provision of 6 Teachers of Grade II. These are 5 subject teachers (English, Maths, Science, SST, Hindi and 1 third language teacher). In addition to it there is a provision for 1 Physical teacher, 1 librarian, 1 LDC and 2 peons (District officer³)

2.5 Teacher Profile

Teachers of government schools are employees of the state government and their number is almost half of total government employees in the state (App. 4 lakh teachers are working in the state) Teachers of the government schools are governed by RSR (Rajasthan Service Rules 1957), which is common for all government employees. For the issues exclusive to the school education the state has formed a separate set of rules named as Rajasthan Education Service Rules in 1970 (RESR 1970) and Rajasthan Education Subordinate Service Rules 1971 (RESSR1971) for the teachers and officers of gazette and non gazette rank respectively in the education department.

2.5.1 Number of Teachers in the government schools

The state has three lakh twenty nine thousand teachers working in the government schools (Table 5). In the last ten years the state has recruited more than 1.5 lakh new teachers. In the state still 75 thousand sectioned posts of teachers are vacant in the school education. In the secondary education around fifty one thousand posts are vacant

³ Interview with district level officer

as on 31st May 2014. The state has 2 lakh teachers in the private schools (as reported by TOI dated 27th August 2014 based on the RCEE report issued on 4th August 2014).

Table 2.11: Number of Teachers and Students

	Teachers		
	Government		Private
	Sanctioned	Working	Working
Unit	In lakh	In lakh	In lakh
Primary	2.64	2.38	2.41
UPS			
Secondary	1.40	0.91	
Senior Secondary			
Total	4.04	3.29	2.41

Source Additional Chief Secretary, GOR presentation on 11th June 2014

Source: Private teacher number DISE2012-13

2.5.2 Teacher cadre in the state

There are two broad categories of teachers across all three departments of school education –Regular teachers and Contract teachers. As name indicates the regular teachers are permanent government employees and get all benefit that are available to the state employees. While contract teachers are appointed on temporary basis for a fixed time and fixed salary. Since 2009-10 the state has stopped appointing new contract teachers and those who are working will work till government complete the process of recruitment of regular teachers and regular teachers are available to replace them.

2.5.2.1 Regular Teachers

Within the broad category of the regular teacher there are three grades of teachers and the following table depicts their position within the education department

Table 2.12: Regular teachers, Head teachers and Principals in education department in Rajasthan

Categories of Teachers	Classes they teach	Qualification required	Appointing Authority within department	How appointment are made
Principal of Sr. Sec. Schools	XI and XII	Post Graduate+ 5 years teaching exp +Degree in Education	Director, Secondary Education	100 percent by promotion(50 %from HM of secondary school cadre + 50 % from cadre of school Teacher Grade I
HM of Secondary school	IX and X	Graduate degree +min 5 years of teaching experience in school.+ Degree in Education	Director, Secondary Education	50 percent post direct recruitment 50 percent posts by promotion
Teacher Grade I Also called as school lecturer	XI and XII	Post Graduate (subject) ⁴ + B.Ed	Director, Secondary Education	50 percent post filled by direct appointment through Public Service Commission rest 50 percent post are filled by departmental promotion(DPC) basis.
Teacher Grade II Also called as Senior teacher	IX and X	Graduate + B.Ed.	Deputy Director at Zone(division) level	50 percent post filled by direct appointment through Public Service Commission rest 50 percent post are filled by departmental promotion (DPC)basis
HM of UPS school	No separate cadre Teacher grade II work as a HM			
HM of Primary school	No separate cadre Senior most teacher in the school work as a HM			
Teachers Grade III (Level 1)	I to V	12 th Pass (with 50 percent marks) +2 year Diploma in education	BEO at block level	100 percent post are filled by direct appointment. Presently selection process takes place at Zila Parishad level in all districts.
Teacher Grade III (Level 2) subject teachers	VI to VIII	Graduate (min 50 %)+2 year Diploma in education OR 12 th pass (50 %)+ 4 year BA/BSC Bed.		

⁴ At this stage subject wise recruitment of teachers take place; hence qualification corresponds to the requirement.

Table 2.13: Number of Teachers in the Secondary department

Teacher/HM	Sr. Secondary			Secondary		
	Required	Existing	Vacancy	Required	Existing	Vacancy
Principle / HM	4455	2705	1750	9442	7607	1835
Maths	737	236	501	14111	9899	4212
Science	3447	1795	1652	13570	10505	3065
English	4452	2015	2437	13213	9722	3491
Others	23537	10512	13025	26722	18424	8298
Total Sub Tables	32173	14538	17615	67616	48550	19066

Source: Additional Chief Secretary, GOR presentation on 11th June 2014

Table 2.14: Caste and gender wise teachers in the Elementary schools

Type of teacher	Total		SC		ST		OBC	
	M	F	M	F	M	F	M	F
Regular Teacher	182378 (70.25 percent of total)	77220 (29.75)	32989 (12.71)	8070 (3.11)	26388 (10.16)	6859 (2.64)	72276 (27.84)	24553 (9.46)

Source UDISE 12-13

Table 2.15: Teachers by their Educational Qualification (Elementary) 2012-13

		Below Secondary	Secondary	Hr. Secondary	Graduate	Post Graduate	M.Phil	Ph.D
Regular Teachers	Only PS	2.94	5.13	24.66	40.94	26.05	0.22	0.05
	PS+UPS	1.73	3.82	14.09	47.62	32.34	0.35	0.04
	Only UPS	2.32	5.09	9.40	38.94	43.58	0.44	0.22

Source: DISE Analytical Tables 2012-13

Table 2.16: Caste and Gender wise teachers in the Secondary Schools

Type of teacher	Total		SC		ST		OBC	
	M	F	M	F	M	F	M	F
Regular Teacher	23717 (77.43 percent of total)	6856 (22.57)	3688 (12.14)	662 (2.18)	2853 (9.39)	494 (1.63)	8667 (28.54)	1902 (6.26)

Source: UDISE 12-13

Table 2.17: Teachers by their Educational Qualification (Secondary) 2012-13

	Below Graduate	Graduate	P. Graduate	M.Phil	Ph.D
Regular Teachers	10.79	45.53	42.97	0.51	0.20

Source: SEMIS Analytical Tables 2012-13

2.5.2.2 Contract Teachers

At present⁵ the state has only one type of Contract teachers they are called Vidyarthi Mitra and they are employed in all three departments of school education (for Elementary, Secondary and Sr. Secondary sections).

Since the scheme of Vidyarthi Mitra is closed by the state, no new appointments are being done by the state. Rajasthan High Court has allowed the state to continue the services of the contract teachers till the state complete the process of recruitment of regular teachers, the cadre of contract teachers is shrinking and soon the whole cadre will extinguish with the availability of regular teachers in the state. Prescribed qualification and recruitment process state followed in the recruitment of contract teachers - is as follows:

Table 2.18: Qualification and appointing authority for contract teachers

Categories of Vidyarthi Mitra	Classes they teach	Qualification Prescribed of appointment (D21)	Appointing Authority within department
Vidyarthi Mitra- First Grade Teacher (Lecturer)	XI and XII	Post Graduate(Condition of B.Ed relaxed)Retired teachers were also eligible	Principal of the school
Vidyarthi Mitra –Second Grade Teacher (Senior teacher)	IX and X	Graduate (Condition of B.Ed relaxed) Retired teachers were also eligible	Principal /HM of the school
Vidyarthi Mitra Third Grade Teacher	I to VIII	Graduate	HM of the school

Source: State Education Department

Table 2.19: Number of Vidhyarthi Mitra (As on July 2013)

Session	Number of Vidyathi Mitra working in Education Department					Grand Total
	Elementary Education	Secondary Education			Total	
	Grade III Teacher	Grade I (Lecturer)	Grade II Senior teacher	Grade three teacher	Total	
2013-14	15432	2430	2595	1854	6879	22311

Source: Education department Data (D38)

⁵ As on May 2014

Legal status of Vidhyarthi Mitra scheme

The state government has discontinued the service in the session 2008-09. Against the decision of the state government some of the Vidhyarthi Mitra filed a petition in the High Court. The decision of High Court was in favour of the state government. However, the court has permitted the government to continue with those Vidhyarthi Mitra who are already working in schools till regular teachers are available against the post they hold. Government has already started the process of appointment of regular teachers and Vidhyarthi Mitra will be removed from the schools on the basis of “last come first go” (Document no 38)⁶.

On 1st July 2014, at the time of reopening schools after the summer break government has terminated the services of all Vidhyarthi Mitra (No extension granted from 1st July 2014 hence services automatically terminated). Now after termination of their services Vidhyarthi Mitras have formed UNION and continuously trying to build pressure on the government to reinstate them or merge their cadre with regular government teachers. In the month of August 2014 while assembly session was on government declared that the state will form some committee and consider their demand for absorption of entire cadre of Vidhyarthi Mitra in the regular grade.

⁶ A copy of the related document is available with CERP.

Box 2.1**Decision of High Court related to Vidhyarthi Mitra (para Teacher) in Rajasthan**

TILOK SINGH & ORS. VS. STATE OF RAJASTHAN & ORS. (S.B.CIVIL WRIT PETITION NO.10339/12) & 89 connected matters.

Important parts of the decision are as follows:

---- this Court is firmly of the opinion that the Scheme introduced by the State Government providing for the engagement of even unqualified/untrained persons as Vidhyarthi Mitra for their posting against the posts of Teacher Gr.III, Senior Teacher and School Lecturer dehors the relevant recruitment Rules and the eligibility criteria laid down by the NCTE exercising the power under the relevant statute, the provisions of the Act of 2009, and against the constitutional scheme of public employment, cannot but deemed to be illegal, arbitrary and falls foul of Article 14, 21 & 21A of the Constitution of India.

41. Since the Scheme providing for the engagement of Vidhyarthi Mitra against the vacant posts of Teachers is found to be unconstitutional, no directions can be issued by this court to permit the continuance in employment of the petitioners and their likes under the said Scheme, which will obviously amount to perpetuating an illegality. Of course, the petitioners who have discharged the duties as Vidhyarthi Mitra but have not been paid the honorarium for the period they have worked are entitled to relief to this extent inasmuch as the State Government can not be permitted to deny the payment due to them as honorarium for the period they have discharged the duties against the posts of Teachers as Vidhyarthi Mitra in various schools run by the State.

42. In the result, the writ petition No.8154/10 is allowed. The writ petitions preferred by the petitioners assailing their termination from service, claiming continuance/re-employment as Vidhyarthi Mitra and against the insistence of the Government for execution of the fresh contract, are dismissed. The Vidhyarthi Mitra Scheme introduced by the State Government for engagement of 'Vidhyarthi Mitra' on contractual basis on fixed honorarium against the posts of Teachers Gr.III, Senior Teachers and School Lecturers is declared illegal and unconstitutional. The respondents are restrained from engaging the Vidhyarthi Mitra under the Vidhyarthi Mitra Scheme against the posts of Teachers Gr.III, Senior Teachers and School Lecturers. The respondents are directed to proceed with the recruitment process to fill in all the vacant posts of Teachers and School Lecturers in various services/cadres forthwith and complete the process as early as possible, in any case, within a period of six months from the date of receipt of certified copy of this order. It is made clear that pending completion of the regular recruitment process, the State shall not be precluded from engaging the eligible persons on the various posts of Teachers on urgent temporary basis in accordance with the relevant recruitment Rules. The State shall also ensure that henceforth the determination of the vacancies of Teachers in various services/cadres is made every year as mandated by the relevant recruitment Rules and all efforts shall be made to fill up the vacancies preferably before the next academic session starts in the schools run by the State. The petitioners who have not been paid honorarium for the period they had worked with the respondents as Vidhyarthi Mitra, shall be paid the amount due within a period of two months from the date of receipt of certified copy of this order. It is made clear that on account of the Vidhyarthi Mitra Scheme being declared illegal and unconstitutional, the petitioners and their likes who had worked with the respondents as Vidhyarthi Mitra, shall not be deprived of the benefits already accrued to them. No order as to costs.

2.6 Student Profile

Majority of students in the government schools are from low income groups. The parents who can afford private schools send their children to private schools only. Slowly percentage proportion of children in government schools is decreasing Total 162, 13,000 students enrolled in schools run by government and private organizations.

(Table 20) Percentage of students in government and private schools are 52.76 percent and 47.23 respectively.

Table 2.20: Number students in government and private schools

	Students	
	Govt (30.09.2012)	Pvt.
Unit	In lakh	In lakh
Primary	48.66	38.03
UPS	20.66	18.31
Secondary	10.89	12.10
Senior Secondary	5.33	8.15
Total	85.54	76.59

Source Additional Chief Secretary, GOR presentation on 11th June 2014

Following tables highlights the caste and gender profile of children studying in government schools in the state.

Table 2.21: Gender wise enrolment of students

Section		Boys	Girls	Total
Elementary	Classes 1-5	4593712	4062512	8656224
	Classes 6 -8	2145853	1740335	3886188
Secondary	Classes 9-10	1321174	924263	2245437

Source: State Education Department

Table 2.22: Percentage of SC and ST enrolment to total Enrolment (at elementary level)

SC		ST	
Percentage enrolment	Percentage SC girls to total SC	Percentage enrolment	Percentage SC girls to total SC
20.27	46.39	15.27	45.99

Source: Analytical tables DISE 2012-13

Chapter 3

HISTORICAL CONTEXT OF TEACHER POLICY IN THE STATE

After independence, Rajasthan state has come into existence in 1949 by unification of various princely states in the region. To bring uniformity in the education system and policies the state prepared a comprehensive Rajasthan Education Code in 1957. With the release of Rajasthan Education Code 1957 all other codes, rules, policies that were in practice in the princely states included in the Rajasthan states were cease to exist.

In 1960 state education service rules came into existence. These rules were thoroughly updated in 1970 and 1971 and published in two set as Rajasthan Education Service Rules 1970 (RESSR1970) and Rajasthan Education Subordinate Service Rule 1971(RESSR1971). All government teachers in the state are government employees and governed by Rajasthan Service Rule 1957 and for the purpose of issues related to education they are governed by RESR1970 and RESSR 1971 forms the. Since the formation of these rules there have been lot of changes in the rules these are introduced through official orders, circulars and notifications.

Major shifts in the working conditions of teachers due to change in the state policies Transfer of elementary education to Panchayat Raj Department

73rd and 74th constitutional amendments paved the way for accountability of class 1 to 8 teachers (Document no 29 office order dated 19.06.2003) towards local bodies and community. In 2005 the state government withdrew the classes 6 to 8 from Dept of Panchayat Raj and handed over to the dept. of Elementary Education. Enactment of RtE has resulted in transfer of classes 6 to 8 to dept. of Panchayat Raj again. Now since 2010 entire elementary education is under the preview of dept of Panchayat Raj in Rajasthan.

Table 3.1: Transfer of Elementary Education to Panchayat Department (changes since 2003)

Year	Classes 1 to 5	Classes 6 to 8
Before 2003	Dept of PRI	Dept of Elementary Education
2003	Dept. of PRI	Dep. Of PRI
2005	Dept of PRI	Dept. of Elementary Education
2010	Dept. of PRI	Dept of PRI

Source: State Education Department

Implementation of innovative education programme in the state (Shiksha Karmi Project (SKP), Lok Jumbish Project (LJP), District Primary Education Project (DPEP), SSA and RMSA

Further, implementation of innovative education programmes like Shiksha Karmi Project (SKS) in 1987 and Lok Jumbish Project in 1992 has resulted in change in state outlook on teachers' trainings. For Shiksha Karmi Schools the state followed the approach to hire a local teacher even if they did not fulfil the education qualification of regular teachers. To compensate their educational limitations the state followed the pattern of intensive in service training programmes linked with onsite hand holdings for the Shiksha Karmi teachers. Later those SKS who had completed eight years of satisfactory service in the Shiksha Karmi Schools were regularized as teacher grade III.

Lok Jumbish Programme (LJP) was implemented in the selected parts of Rajasthan from 1991 to 2000 and the programme also focused on the intensive teachers trainings. In addition to the training programme supported teachers by providing new books and various kinds of TLM. DPEP was launched in the state in year 1997. In the DPEP, capacity building of teachers through trainings/workshops was one of the core agenda so in addition to the state provision of trainings through DIETs. (In 1986, formation of National Education Policy (NPE) laid focus on teachers' trainings. NPE 1986 and its plan of Action 1991 have resulted in setting up DIETS, CTEs and IASEs in the state for training of teachers of elementary and secondary set up alike).

In year 2000 with the onset of national programme Serve Shiksha Abhiyan in the state scenario of education changed very fast. Availability of extra fund for the elementary education has resulted in opening of new schools and creation of new posts for the teachers. SSA programme has resulted in creation of 85000 new posts of teachers in the state.

On the line of SSA programme for elementary schools, Rashtriya Madhyamic Shiksha Mission (RMSA) has started strengthening education system at the secondary level. RMSA has undertaken various training programmes in the last three years to build teachers capacities of teachers of secondary level.

Quality of pre-service trainings: Large number of Private B.Ed Collages in the state

Most B.Ed colleges in the state are in private sector. Poor monitoring and absence of stringent norms to ensure quality are resulting in poor pre-service of teachers in the state and its reflection are visible in the form of poor learning levels of children in the state

Appointment of Para-Teachers/Contract Teachers and their regularisation in teacher cadre

In between above all, in 1999 the state started Rajiv Gandhi Swarn Jayanti Pathshalas in areas (remote areas, small villages/helmets, desert, and socially deprived areas) where government school facilities were not available. For the post of teachers norms were relaxed resulting in appointment of unqualified (as per the norms for teachers' recruitment) and untrained teachers to run these schools.

Table 3.2: Para Teacher Schemes in the state

Year	Para teacher/scheme	Status as on 30th June 2014
1990-2008	Shiksha Karmi Scheme	All para teachers (SKs) have been regularised as teacher III based on the government guidelines
1999-2008	Rajiv Gandhi Swarn Jayanti Schools	Para teachers have been regularised in 2008
2002-03 to 2005-06	Guest Faculty Scheme /period based appointments	Scheme closed, Para teachers removed.
2005-06 to 2013-14	Vidhyarthi Mitra	Adhoc time bound appointments were made. Govt. has closed the scheme. Couth has directed the state to continue till regular teachers are available

In 2008 the state has created new cadre of teachers called as Probodak under the Panchayat Raj Institution to regularise para teachers of Rajiv Gandhi Pathshalas. For regularisation of Probodaks government set qualifications which were equal to the qualification prescribed for the primary teachers (12th pass+ 2 year diploma in Education) in the state.

In the process of regularisation those who were not meeting the criteria, the state government had provided all kind of support so that they could attain the eligibility criteria. Still some(number is very less) who have not been able to attain the minimum qualification are still working as para teacher and government has not worked out any plan to deal with them All Rajiv Gandhi Pathshalas were also converted into regular

government primary schools. The pay scale of Probodakis equal to the Teacher Grade III of government schools in the state.

In 2002-03 the state initiated one more Scheme of para teachers which was called as “Guest Faculty scheme”. The scheme was to meet shortage of teachers in schools. On adhoc basis teachers were hired and for that some relaxation was given on education background of teachers. For guest faculty untrained but educationally qualified or retired (as teachers) teachers were hired on period basis.

In year 2005-06 the state closed the guest faculty scheme and started new scheme of full time para teacher in the schools with fixed monthly salary. The scheme was initiated in Elementary and Secondary and Sr. Secondary all schools. The contract teachers were named as Vidhyarthi Mitra. In session 2008-09 government tried to close the scheme but the teachers working as Vidhyarthi Mitra moved to the court against the decision of the government. The decision of High Court was against the Vidhyarthi Mitras and High Court declared the overall scheme of Vidhyarthi Mitra unconstitutional. Again when appeal was made before the double bench of High Court, the final decision was against the scheme and court allowed the state to terminate the services. However Court had allowed to continue their services till government complete the process of recruitment of regular teachers to take their position (April 2014). The government decided to follow retrenchment process based on last come first go. In July 2014 government closed the scheme and terminated services of all Vidhyarthi Mitra working in the state.

Change in the promotion policy from merit cum seniority basis to seniority basis

For promotion of teachers there was a merit cum seniority promotion process till 2002-03. In the process for every post to be filled by promotion, 5 candidates on seniority basis were considered by the departmental promotion committee. On entering in the preview criteria further selection of the candidate was based on his/her merit. In 2002-03 responding to the criticism on the merit based promotions, government withdrew the process and converted it into simple seniority base promotion system.. The basis of criticism was that in the merit cum seniority process there is lot of scope for subjectivity and it offer space to politicians and bureaucrats to exploit teachers on

certain practices. It is true to some extent but it has resulted into other repercussion that no motivation left for teachers to perform better than others. This has resulted in making performance appraisal system (whatever existed in the state) redundant. It has also resulted in de motivation to teacher to perform well. As such the state has no system to recognise and reward those teachers who are doing good work.

Political influence on teachers transfers

The state made first serious attempt to put state policy for teacher transfer in place by setting up a committee in 1994. Mr. Anil Bordia, a retired IAS officer and well known educationist was made chairperson of the committees and it was asked to recommend state a policy for deployment of teacher in school on first appointment and transfer policy for the teachers. Before that from 1976 to 1994 the state many time issued guidelines for the transfers and positing with minor modifications but there was no policy in the state for teacher transfer and postings. Unfortunately the state has not converted the recommendations of Bordia committee into policy although there was wide spread appreciation for it. In 2005 first time state issued policy for the teachers transfer but within one year the state withdrew it was curtaining the power of politicians to make transfers and posting Till date the state has no transfer policy and in last one decade there have been many instances of large scale teacher transfers on political ground and this has impacted adversely on the working of teachers in the schools.

No grants (add) to education institutions run by private organisations/trusts

In 2010, the state stopped grants of non government education institutions which were governed by the Rajasthan Non-Government Education Institutions Act, 1989. The act was made to facilitate development of organizations in the non-government sector for providing quality education. Through the act the state had full powers to regulate process of recruitment of teachers and their service conditions in the schools/colleges getting aid from the government. In year 2010 the state government had decided to absorb 10000 teachers and non academic staff of aided educational institutions (schools and colleges) into the state run schools and colleges in the state and stop aid to these institutions. A new cadre Rajasthan Voluntary Rural Education Services has been

created in the state and option was given to all working on the aided post to join the cadre. Now Rajasthan state has no government aided private education institutions from primary to college education. Now government has no control on the service conditions of teachers who are working in these institutions.

Enactment of Right to Education (RtE) in 2011

Enactment of RTE in 2011 in the state has resulted in change in certain policies of recruitment of the teachers especially at the elementary level. Based on the national guideline the state has introduced Teacher Eligibility Test (TET) in 2011 and on clearance of this exam candidates are allowed to appear in final recruitment exam (RTET 2011 General Guidelines). Prior to RTE 2011, there was no provision in the state for subject teachers to teach classes 6 to 8 (Upper Primary Level). Enactment of subject teachers at upper primary level has resulted in initiation of recruitment of teachers on subject basis within the grade III category of teachers in the state cadre of teachers. RtE has also resulted in revising state norms of pupil teacher ratio in the classes at elementary level. RtE has also resulted in addition of few clauses in their job charts mainly related with ensuring community involvement in the management of schools and keeping parent up to date with the performance of child in the school.

Chapter 4

TEACHER RECRUITMENT IN THE STATE

In the process of recruitment of teachers (all categories) the state follows provisions of Rajasthan Service Rules 1957 (applicable for all government employees), Rajasthan Education Service Rules 1970, Rajasthan Education Subordinates Service Rules 1971 and various orders issued time to time as revisions and amendments.

The state follows direct and promotions based process for the recruitment of teachers. Following table (4.1) gives an account of state provisions for the recruitment of teachers of different category. Since 2010, the state has stopped recruitment of new contract teachers but large number of contract teachers who had joined earlier and working in the schools were allowed to continue. On 1st July 2014 when school reopened after the summer break extension of services was not granted to the contract teachers thus the state discontinued their services.

Table 4.1: Teaches recruitment by direct and promotion process

Department	Categories of Teachers	How appointment are made (Direct or Promotion)
Dept of Secondary Education and Department of Elementary Education	Teacher Grade I	50 % post by filled by direct recruitment 50 % post by promotion from teachers of Grade II
	HM of Secondary schools	50 % post by filled by direct recruitment 50% post by promotion from teachers grade I
	Teacher Grade II	50 % post by filled by direct recruitment 50 % post by promotion from teachers of Grade III
	HM of UPS school	No separate cadre;; Teacher grade II appointed as HM .
	HM of Primary school	PS has no post of Head Teacher. Senior most teacher in the primary school gets the responsibility of HM of the school.
	Teachers Grade III (Level 1) Teacher Grade III (Level 2) subject teachers	100 % direct appointment.
Department of Sanskrit Department	Teacher Grade I and II	50 % post by filled by direct recruitment 50 % post by promotion
	Teacher Grade III	100% direct appointment

Source: Rajasthan Education Code 1957, RESR 1970, RESSR 1971.

Change in norms before 2002-03 and thereafter

Till 1998 the state followed the merit cum seniority basis for the recruitment of teachers on the promotion basis. In merit cum seniority based promotions, for each post, five senior most teachers in the one grade lower the post under consideration were considered. The scheme was discontinued as it had a scope of personal biases and there was a demand from the teachers union (State officer)⁷.

4.1 Recruitment by direct process

The state has prescribed certain conditions regarding age and qualification of applicants for appearing in the recruitment process of teachers in the state (Across all categories of teachers and by all three departments of educations (Elementary, Secondary and Sanskrit departments)).

4.1.1 Age

Table 4.2: Age of candidates at the time of recruitment

Teacher Grade	Rule	Relaxations
Teacher Grade II & III	Min. -18 years Max. -31 years	Upper age limit relax by 5 years in the case of women candidates and candidates belonging to the Scheduled Castes or the Scheduled Tribes; OBCs No age-limit in the case of widows and divorce women.
Teacher Grade I	Min. -21 years Max. -31 years	Relaxation of 5 years for: Male of SC, ST, OBC, SOBC, and economically backward group and females of general caste. Relaxation of 10 years for: Female of SC, ST, OBC and SOBC. Relaxation for 5 years for state government employees Relaxation of 15 years for employees of Rajasthan Education Subordinate services (Teacher grade II & III). No age-limit in the case of widows and divorce women.

4.1.2 Education Qualification

The state has prescribed minimum education for different categories of teachers of departments and these requirements are compiled as follows:

⁷ Interview with state officer in the directorate

Table 4.3: Minimum qualification norms for recruitment of teachers in Secondary and Elementary Education Departments

Teacher Grade I	(i) Recognized Diploma/Degree in Education (ii) Post graduate in the related subject with minimum 48 percent marks
Teacher Grade II	(i) Recognized Diploma/Degree in Education (ii) Graduate in the related subject
Teacher Grade III	Level 1 Teacher Eligibility Test cleared Level 2 For classes I to V (i) Sr. Secondary with Min. 50 percent marks (Secondary with five subjects in which Maths, English, Hindi as compulsory subjects.) and 2 year diploma in El. Education Or 12 th Pass with min 45 percent mark and 2 year diploma in Elementary Education as per the norms of NCTE 2002. Or Graduate and 2 year Diploma in Education. For classes VI to VIII (i) Graduate and 2 year Diploma in Elementary Education Or Graduate Min 50 percent marks and I year B.Ed degree.

Table 4.4: Minimum qualification norms for recruitment of teachers in Sanskrit Education Department

Teacher Grade I	(i) Recognized Degree in Education (ii) Post graduate in the related subject with minimum 48 percent marks
Teacher Grade II	(i) Recognized Degree in Education (ii) Graduate in the related subject
Teacher Grade III	Level 1 For classes 1 to 5 Teacher Eligibility Test(TET) cleared Class 12 + 2 year diploma in education Level 2 (For classes 6 to 8) Teacher Eligibility Test(TET) cleared Graduate and B.Ed

Change in norms before 2002-03 and thereafter

In the state same norms were applicable for the age of applicant however on enactment of RtE in Rajasthan the state has started following NCTE norms on education qualification of teachers these norms were notified in the Gazette of India dated 29th July 2011. Due to NCTE norms the state has change qualification norms for teachers (grade III) who are supposed to teach classes 6 to 8. In other categories the norms which the state were following are the same as prescribed in the NCTE norms of 2011.

Table 4.5: Change in norms related to education qualification

Education qualification for teachers		
	Before 2002-03	2002-03 and after
Department of Elementary and Secondary Education	Teacher grade I & II same as present requirement	Same as present requirement
	Teacher Grade III (i) Sr. Secondary (ii) Secondary with five subjects in which Maths, English, Hindi as compulsory subjects. (iii) Diploma course in teacher education	Same as present norms (Table 27)
Department of Sanskrit Education	Grade I	In 2013 (D3) Government revised the education qualification of Grade I teachers of Sanskrit department The revised qualifications are as follows 1. Second Division (Min 48 percent marks) in Post Graduate in the subject for which candidate apply OR Degree in Education along with PG degree in concerned subject and experience of teaching in schools run by Sanskrit department for 5 years 2. Shorthand and type in Hindi/English and professional PG degree (second class) in Hindi and English type And In B.Com shorthand in Hindi/English or PG in business Administration and shorthand diploma in Hindi/English from the recognized institution.
	Grade II	Same as present
	Grade III 12 class and 2 year diploma in education	Enactment of RtE in 2010 resulted in provision of subject teachers hence in grade III two levels were created and for both levels prescribe set different set of qualification which are applicable presently and given in the table

4.1.3 Reservations

Present norms for all departments of education

For the areas notified as tribal areas by the state/national gazette for all government posts filled by direct process they will follow 45 % reservation for STs and 5 % for SCs (Government of India notification number F19 (2)80L dated 12-2-1984)

Table 4.6: Reservation in the recruitments of teachers

Category	Reservation
SC	16%
ST	12%
OBC	21%
SBC	5%
EBC	14%
Women	30%(3 % for widow and 2 % for divorcees)
Disabled	3%
Outstanding Sports Person	2 %

Change in norms before 2002-03 and thereafter**Table 4.7: Change in reservation norms**

Reservation norms		
Teacher grade	Before 2002-03	2002-03 and after
For all grades (Teacher Grade I,II,III)	<p>(a) As per Rajasthan Service Rule 1957 49 percent maximum reservation (SC (16%), ST (12%), OBC (21%)) and rest 51 percent for general category. as notified vide Social Welfare Department Notification No. F. 11 (125) R&P/SWD/4663, dated 27th August, 1993, Rajasthan Gazette, Extraordinary dated 1st September, 1993.</p> <p>(b) 3 percent reservation for disabled in all services (Notification F14(18)DOP/K2/96 date 22-9-2000)</p>	<p>(a) The state assembly had passed The Rajasthan SC, ST, Backward Classes and Economically backward Classes (reservation of seats in educational institutions in the State and of appointments and posts in services under the state) bill, 2008</p> <p>(b) Special provision of 5% reservation was given to special backward class (SBC) and 14% to the Economically Backward Classes (EBC). Governor had signed the bill in 30th July 2009 (Act no 12 of 2009 (Document no 72)</p> <p>(b)-30 percent reservation for female out of which 3 percent for widows and 2 percent for Divorcee w.e.f. 24.1.2011. (Document no 71)</p> <p>(c) Ensure 3 percent reservation for disabled in the government services Office order Comm. Secondary Education 27.6.2012.</p>

4.1.4 Other conditions

4.1.4.1 Any person who will have more than 2 children (born after 1-06-2002) will not be recruited in the direct recruitment process and will not be promoted for 5 years when his/her promotion fall due (State notification no 7(1) K2/95 dated 20-06-2001).

4.1.4.2 Enactment of RTE 2010 in Rajasthan and change in recruitment process

With the enactment of RTE in the state one additional level TET (Teacher Eligibility Test) had been introduced in the state in 2011 and candidates who cleared the exams were allowed to appear in the further selection process for the recruitment of teachers.

In year 2013 and 2014 TET exams were held in the state. Now the new government (BJP government from Dec. 2013) has announced that henceforth only one exam (no TET) will take place for the recruitment of teachers in the state. (Danik Bhasker Date 4th June 2014. Later on 16th July 2014 the state has further cleared the situation that for the recruitment of teacher Grade III the state will have single exam REET (Recruitment cum Eligibility Test). In the new scheme the merit list will be based on the score of candidates in the REET (60 percent weight age) and his/her performance in Hr Secondary, Graduation, BSTC/Bed (40 percent weight age).

4.1.5 Teacher recruitment by direct method—complete process

4.1.5.1 Calculation of vacancies to be filled for different categories of teachers

Every year in the month of April, calculation of posts to be filled in the present financial year is calculated at the level of appointing authority of teacher across all categories of teachers and then sent to the concerned directorate for compilation. Basis of calculation of new vacancies is described in the Departmental rules 1957 and it is further clarified in office order 1984 (7(2) DOP/A-11/81 dated 18-2-84).

Following posts are to be added in the process of calculation of the vacancies:

- New post for which approval has been included in the budget;
- Posts to be vacated by the teacher due to promotion to higher grade;
- Number of teacher who are on deputation for full year;
- Teacher who will be on long leave for full one year.

Change in the process of calculation of posts of teachers for recruitment (before 2002-03 and thereafter)

No change and the same process is followed

4.1.5.2 Recruitment Agency and Appointing Authority

Table 4.8: Teacher recruitment Agency and appointing authority

	Post	Recruitment Agency	Appointing Authority
Department of Elementary and Secondary Education	HM of Secondary Schools	RPSC	Director of Secondary Education
	Teacher Grade I	RPSC	Director of Secondary Education
	Teacher grade II	RPSC	Deputy Director (range/division)
	Teacher Grade III	Zila Parishad	Appointment letter along with the order of posting to a schools are issued by DEO
Department of Sanskrit Education	Teacher Grade I ,II,III	RPSC	Director, Sanskrit Education.

Change in Recruitment Agency and Appointing Authority of teachers before 2002-03 and thereafter

Table 4.9: Changes in the recruitment agencies

Department	Teacher grade	Before 2002-03	2002-03 and after
Department of Elementary and Secondary Education	Teacher Grade I	RPSC	No change
	Teacher Grade II	RPSC	From 2004 Recruitment by RPSC
	Teacher Grade III	Zila Parishad	(a)2004 to 2010 recruitment by RPSC (b) Amendment in PS act 2010 Rajasthan Panchayat Samiti and Zila Parishad services will be created and recruitments will be done at district level (RESSR71 Page 127) 2011 process by Zila Parishads. Advertisement was issued at district level and competitive exams were also held in all districts. Lists were finally approved by the committee of Zila Parishad. Appointment letter along with the order of posting to a schools are issued by DEO.
Department of Sanskrit	Teachers Grade I&II	RPSC	No change
	Teacher Grade III	RPSC	No change

In Sanskrit department there has not been any change in the recruitment agency and appointing authority since beginning of the department. However in elementary and secondary departments there have been changes in the recruitment agency but the appointing authorities remained same since beginning of the departments. For teachers in grade III when schools were transferred to Panchayat Raj Department the post of DEOs and BEOs at district and block level have also been attached to Zila Parishads at district level and Panchayat Samitis at block levels.

Box 4.1: New scheme for recruitment of teachers grade III in the state

New government in the State has proposed to conduct state level exams for the recruitment of teachers Grade III and henceforth recruitment exam will not be conducted by the Zila Parishad. At state level new board will set up to conduct exams Raj Patrika and D Bhaksar 16th July 2014.

Table 4.10: Change in the Process of Teacher Recruitment (Elementary) linked with the change in government at state level

Year	Party in power	Pattern followed	Recruitment by
1999-2003	Congress	MERIT	Zila Parishad
2003-2008	BJP	State level competition exam	RPSC
2008-2013	Congress	Exams at two level- Level 1 TET (Teacher Eligibility Test)	Rajasthan Board of Secondary Education
		Level 2 State level competition test	RPSC
2013-	BJP	State level single exam REET (Recruitment cum Eligibility Exam fee Teachers) Proposed of 2014 recruitment	Exam by Subordinate Service Board (proposed)

Table 4.11: Major Recruitment drives in the state in last ten years

Year of Recruitment	Posts	Number of Post filled	Recruiting Agency	Status
2004	Teacher Grade III	33000	RPSC	Process completed
2006	Teacher Grade III	70000	RPSC	Process completed
2007				
2008	Teacher Grade II	8900	RPSC	Process completed
2011	Teacher Grade II	11000	RPSC	Result pending. Dispute in Answer Key
2012-13	Teacher Grade III	32963	Zila Parishad	Some cases pending due to court cases.
2013-14	Teacher Grade III	20000	Zila Parishad	Exam conducted and result withheld. Dispute on TET eligibility criteria
	Vidyarthi Mitra	22311 (all grade total)	At school level	Served till 15 th May 2014.
2014	Teacher Grade I		RPSC	Exam held on 13 th July 2014
	Contract Teacher (Vidyarthi Mitra)	NIL Discontinued		Education Minister on date 15 th July 2014 said we are studying decision of the court and soon final decision will take place.
2014 (Proposed) ⁸	Teachers in Grade II & III	Teacher Grade II -9 thousand Teacher Grade III- 20 thousand	Rajasthan Subordinate Service board	Proposed

⁸ Education Minister on 22nd July 2014 in Rajasthan Assembly declared that before 31st August 2014 all vacant posts of teachers will be filled (new paper report)

Box 4.2: Recruitment Process by direct method (One complete cycle)**For Teacher Grade I and II (Secondary setup)**

Step 1 Start of process: Announcement of Recruitment

In real sense process of recruitment start only after CM or Minister make announcement of recruitment. This happens even when the department got financial approval and schools are facing shortage of teachers.

In the announcement number of posts to be filled is also declared. However most of the time the announcement of number of posts on public forums do not coincide with the actual number of vacancies exists in the state; perhaps it is based on availability of how much resource state has at that time. The difference in total vacancies state has and total recruitment take place is managed by proportionate distribution of available selected candidates and number of vacancies exists in the districts/blocks.

Once it decides how many posts are to be filled then automatically it get decided that 50 percent of that will be recruited by the direct recruitment process and remaining 50 percent by promotions basis (for grade I and II while in case of grade III, 100 percent posts are filled by direct recruitment).

Step 2: Requisition to RPSC for the recruitment by Director Secondary Education

Step 3: RPSC finalize the schedule and release an advertisement in the state level newspapers. RPSC also provide information about the syllabus and pattern of questions to be asked in the education.

Step 4 Scrutiny of applications and finalization of list of the applicants.

Step 5 Exams are conducted at various places and then based on the performance of the candidates subject wise merit lists are prepared and sent to the director of Secondary Education for further proceedings.

After approval, Division/district wise list of selected candidates are prepared and it is based on the number of vacancies in the district, number of vacancies to be filled and priority of district/division given by the selected candidate at the time of filling the application form.

For posts of the Teacher grade I, Director, Secondary Education issue appointment letter along with posting in the particular school. In the decision of postings director consult the concerned DD and DEOs.

(V) For Teacher Grade II, division and district wise list of selected candidates are finalized by the process mentioned above but appointment and posting letters are issued by the concerned Deputy Director only.

For Teacher Grade III (Elementary setup)

Step 1 Pre Qualifying test called as Teacher Eligibility Test TET

RPSE conducts the TET exam in the state. First exam took place in 2012 and second in 2013

Step 2: Announcement. Same as step 1 for Teacher grade I and II

Step 3: District wise advertisements by the Zila Parishad for recruitment. At state level single advertisement containing details of all districts (number of posts etc).

Step 4: Competition exams at district level by respective Zila Parishads

Step 5: Approval of list of selected candidates DEO in consultation with Zila Parishad.

Step 6: Block wise lists of selected candidates based on the priority of block given by the candidates in their application forms.

Step 7: At block level BEOs in consultation with BDOs finally issue appointment cum posting letters to the selected candidates

4.1.5 Special Recruitment for Widow and Divorcees

In the session 2004-05 and 2006-07 (BJP Government in the state) the state government launched two special drives on sympathetic ground to recruitment of widows and Divorcees on the post of teachers.

Table 4.12: Recruitment of Widows and Divorcees

Year	Post Advertised	Post filled
2004-05	3773	3070
2006-07	3118	2283 (1625 untrained)

4.1.6 Recruitment in department of Sanskrit Education

For teacher grade I, II and III, direct recruitment take place through RPSC only and for that department follow same process which is described above.

4.1.7 Some of the issues (related to teachers recruitment) raised by the State and District level officers of education department/SSA/RMSA

In 2008 just before the state started the process of the general assembly elections, government raised (upgraded) 3108 schools across different category without creating addition post of teachers. The decision of upgradation of schools was absolutely political as it was done on the recommendations of MLAs of the ruling parties.

In the 2011 to 2013, the then Education Minister followed the practice of upgradation of schools without analysis its requirement. Since there was a ban on transfers of teachers by the government the minister used to follow the process of up gradation. On up gradation of schools number of teacher requirement in the school increases hence to justify the need he used to deploy the teacher in the school otherwise whom he wanted to bring in the school through transfer.

At present the new government (July 2014) is rationalising the schools as it is being reported that there are many schools in which number of student are very less (150 schools appeared in the list which are having not even a single student in the school).

4.2 Recruitment by Promotions

For teachers Grade I and II (no promotion based recruitment for Teacher Grade III)

Promotions to Senior Teachers (grade II) are done from the cadre of Teachers (grade III). District wise seniority lists of teachers grade III forms the basis of selection of teachers for promotions. The names of the candidates selected on the basis of seniority are then sent to the appointing authority. For the promotion of teachers of Grade II to Grade I same process is followed.

Table 4.13: Promotion based recruitment of teachers

Teacher Grade	Before 2002-03	2002-03 and after
Teacher I and II grade	<p>50 percent recruitment by promotion and for that rules in the RESR1970 and RESSR 1971.</p> <p>Till the 1990s promotions were based on Merit cum seniority. Now there is no provision of promotion by Merit system</p> <p>Process followed for the promotion by Seniority basis</p> <p>The promotions to the posts of Senior Teachers (grade II) from Teachers (grade II) are made on the vacancies available at each district level on the basis of district wise seniority of Teacher Grade III</p>	<p>All promotions are based on seniority basis and there is no change in the process of promotion by seniority basis after 2002-03.</p>

Change in norms before 2002-03 and thereafter

Till 1998 the state followed the merit cum seniority basis for the recruitment of teachers' promotion basis. In merit cum seniority based promotions for each post, five senior most teachers in the one grade lower the post under consideration were considered. The scheme was discontinued as it had a scope of personal biases (S).

4.3 Recruitment process for Para Teachers

As on July 2014 there are no contract teachers in the state but till recently there were contract teachers in all the three departments. Hence the process state followed in the recruitment of para teachers is given below.

Process of Recruitment followed in the appointment of Vidhyarthi Mitras

Qualification: Trained, Untrained but otherwise qualified (Grade I Post Graduate, Grade II–Graduate) and retired teacher of below 65 age.

Table 4.14: Process of recruitment of contract teachers since 2002-03

Level of school	Name of Scheme/teacher	Processes followed	
		Pre 2002-03	2002- 2003 and thereafter
Primary schools	Rajiv Gandhi Swarn Jayanti Pathshalas	<p>For instructor of Rajiv Gandhi Swarn Jyanti Pathshala broad outline of recruitment frame work prescribed.(F 139 (5)/PP/Shiksha/99/723 date 23-4-99 (D9)</p> <p>Further instructions on qualification (12th Pass) F139(5) Prv/Shiksha/2001/816 date 30.4.2001</p> <p>Most of the appointments were made by political influence</p>	<p>In 2002 (D6 & D7) proper selection procedure for the new posts of Instructors was introduced. The procedure included advertisement of post in the newspapers, Criteria was fixed to form a merit list of all applicants. Separate committees were constituted for interview for rural and urban areas.</p> <p>In 2008 new service cadre Probodak was created under PRI and most of the para teachers working under Rajiv Gandhi Pathshalas were taken into regular services as Probodhak. In the process of interviews were held in 2007 and appointments were done in Feb. 2008 Those who had B.Ed/ BSTC degree were regularised. Still 300 para teachers who do not fulfil the minimum qualification criteria are still not regularised. After selection process government organised a training cum orientation programme for all Probodhaks (FGD Para teachers)</p>
For all kinds of schools	<p>(i) Guest faculty on period basis</p> <p>(ii) Vidhyarthi Mitra</p>	-	<p>(a) In 2002-03, Guest faculty scheme was initiated to meet the shortages of teachers in the schools. The scheme was discontinued in 2005-06. HM had the authority to appoint guest faculty in the school.</p> <p>(b)A scheme of full time teacher (para teacher) named Vidhyarthi Mitra was appointed in schools in session 2005-06. HM of the school had full power to recruit Vidhyarthi Mitra in the school.</p>

Chapter 5

DEPLOYMENT OF TEACHERS IN THE SCHOOLS AND TEACHERS TRANSFER

5.1 Deployment of Teachers in the schools

5.1.1 Elementary Schools (Under the management of PRI department)

In year 2012 and 2013 the process of recruitment of Teachers Grade III was done at district level by Zila Parishad. The Committee at Zila Parishad level approved the list of selected candidates and submitted to the DEO for the deployment. The state has issued guidelines to Zila Parishads and Panchayat Samities for the deployment of newly appointed teachers in the schools (Office order P4 (38)/PR dept/SGAKT/permanent posts/2012/27 dated 3-8-2012) D20. All Zila Parishad and BEOs are supposed to follow these guidelines. The main issues covered in the guidelines are as follows:

Guidelines for Zila Parishad

1. Depending upon the number of new teachers are available and number of post exists in all Panchayat Samities in the district, Zila Parishad will prepare Panchayat wise proportionate lists new teachers.
2. First preference should be given to Disabled, Widow, Divorcee or unmarried women in allotment of Panchayat Samiti and to the possible extent they should get Panchayat Samiti of their home town.
3. To the possible extent (based on merit) teachers should be allotted Panchayat Samiti of their home town.
4. Information about their hometown/Panchayat Samiti should be collected online.

Guidelines for Panchayat Samiti

1. New teachers should be placed on vacant posts only.
2. Norms prescribed in RTE-2010 Act should be followed in calculation of vacant posts in the schools.

3. First priority in placement of teacher should be given to those schools where no teacher is available.
4. Single teacher school should get priority in the placement of teacher in the school.
5. Disabled should be placed in a school, which is close to his/her hometown and located on road.
6. Widow and Divorcee, unmarried women should be placed close to their hometown (to the possible extent)
7. Newly placed teachers should not be transferred inter district before 5 years of service.

For placement of newly recruited teachers Block Education Officers issues placement letters to the selected candidates.

5.1.2 Secondary Schools

Teacher Grade II: Deputy Directors (Division) are the appointing authority for the Teacher grade II. All divisions in the state get new selected teachers in preposition to the availability of selected candidates in the state and number of vacant posts in the divisions. Deputy Director also follows the same pattern when they allot number of selected candidate to the district falling under their jurisdiction. Generally Deputy Director issue appointment letters to the selected candidates in consultation with the concerned DEO. In the placement of teacher in the particular school same guidelines are followed as mentioned for the teachers in the elementary section. In the placement subject of a teacher and requirement in the school also become important basis of posting of a selected teacher in the school.

Teacher Grade I: Appointment letters and posting of selected teachers

For teacher grade I orders are issued by the Director, Secondary Education and they follow the same process which is prevalent for the deployment of teachers in grade III and Grade II.

Change in the process of deployment of teachers in the schools before 2002-03 and thereafter

Table 5.1: Process of deployment of teachers in the schools

Major steps	Schools/ Teachers	Before 2002-03	2002-03 and thereafter
Deployment of teachers in the Schools (Fresh appointments)	Elementary Schools Teacher Grade III	Based on the result of merit lists were prepared at district level; appointment letters were issued by the DEOs to the selected candidates in which name of the school he/she supposed to join was mentioned.	2004 to 2010 selection by RPSC RPSC had provided the list of selected candidates to the government After formal approval at directorate level district wise list of selected candidates (on the basis of choice of the selected candidate/closest district) were prepared and sent to the concerning DEOs. DEOs issue appointment letters to the selected candidates along with the posting in a particular school In year 2012 selection process took place at Zila Parishad level.
	Teachers Grade II	Selection process used to take place at district level and after approval from the concerned Deputy Director appointment letters were used to issue to the candidates.	List of selected candidates are compiled at district wise (based on the priority district of selected candidates) and sent to the directorate of secondary education. Further district wise lists are sent to the concerning DD for issuing the appointment and placement orders.
	Secondary schools	RPSC provide Subject wise/district wise merit list of selected candidates to the directorate of secondary education. The same than issue appointment cum placement order to the selected candidates.	No change

5.1.3 Contract Teachers

Table 5.2: Process of recruitment of contract teachers (from 2002-03)

Major steps	Schools/ teachers	2002.03 and before	After 2002-03
Deployment of Para teachers in the Schools	Elementary Schools	<ol style="list-style-type: none"> 1. SKS Selection and appointment by community involvement and by the committee formed under the direction of the state office. 2. For Rajiv Gandhi Pathshala in 1999- By the Gram Sabha at that time qualification/age etc. criteria was not fixed. Order no F139(5)/Pr./ Shiksha/99/723 dated 23-4-1999 (Document no 9) 3. For Rajiv Gandhi Pathshala in 2001 Criteria was fixed for Education qualifications and age (f139(5)PRV/Shiksha/2001/816 dated 30-4-2001 	<p>For Rajiv Gandhi Pathshala 2002</p> <p>Instruction for setting up selection committee and criteria for the selection of teachers (para teachers)</p> <ol style="list-style-type: none"> 3. Guest Faculty scheme – HM were authorised for the appointments 4. Vidhyarthi Mitra HM was authorised for the appointment of para teachers.
	Secondary Schools	No provision for para teachers	<p>For Guest faculty and Vidhyarthi Mitra, HM of the schools had full powers for the appointments.</p> <p>Since 2010 the state has stopped fresh recruitment and deployment.</p>

5.2 Teacher Transfers

Teacher transfer has been one of the important issues that influence working of education department since long time. Although broad directions for the transfer of teachers are laid in Rajasthan Education Code 1957, RESR 1970, RESSR 1971, Departmental rulebook 1997 and guidelines/policies issued in year 2005 and 2013. However whatever is the prevailing policy, teachers transfers in the state are always subject to political influence. Irrespective to the party which was in power all MLA and Ministers exercised their power to influence transfer of teachers. In interviews with district and state officials it was categorically said that politicians feel that influencing transfers comes in their privilege. Teachers and officials also feel that it is difficult to stop political influence in the teacher’s transfers. In informal discussions teachers and officers all accept that in the teacher transfers bribe, nepotism and recommendations play very important role in the education department.

In the last 2 and half years regular transfers of teachers have not taken place in the state. One of senior officer placed in the directorate said that “It is like Madu Makhi Ka Chatta and one you touch it will be difficult to manage” Generally government put ‘Ban’ on the transfers and it gets open for short duration. At present there is ban on transfers but in the last six months (soon after formation of new government, education minister of the state has given statements many times that soon transfer ban will lift and transfer will take place (Reports in local news paper from months May to July 2014). In one FGD with teachers, one teacher said that with declaration of lifting the ban on transfer telephone calls from agents start coming to the teacher who are interested in the transfer. The agents take money for the transfer and certainly they work on behalf of someone powerful. One interesting fact that most of agents are school teachers (FGD) and they work for politicians.

5.2.1 Present practices related to transfer of teachers in the state

At present any teacher who seeks transfer has to give application to his/her appointing authorities along with the reason for wanting transfer. In year 2013 the state has issued guidelines for the transfer of teachers. The salient feature of these guidelines are as follows:

In the transfer following will get priority:

1. Disabled teachers;
2. Widow/divorcee/Unmarried women;
3. Teachers whose wife or children are suffering from serious disease;
4. Mutual transfers;
5. State /national level awardees teachers;
6. Teachers who have served maximum at the place of posting;
7. Husband and wife both are working then to the possible extent both will be placed at same place of nearest place.

In the same guidelines some restrictions for the transfers were also laid which are as follows:

1. Teachers who have joined government cadre from the aided schools will not be transferred;
2. Those who have joined government services by direct appointment in April 2011 and still on probation period will not be transferred;
3. Teachers from the ten restricted districts (shortage of teachers) who have not completed 10 years of service will not be transferred. (Those who have completed 10 years maximum 10 percent of them could be transferred with in district).

In spite of the guidelines in place teachers in the state are aware that for seeking transfer merely submitting application to the authorities or fulfilling norms of the guidelines will not serve the purpose. Hence after submission of application they follow the common prevailing practice of meeting MP/MLA/Minister to get their favour in the form of recommendation letter for transfer addressed to the Education Minister of the state. The recommendation letter is commonly called as “Desire” (Desire by the MP/MLA for the transfer of the teacher). Education Minister generally honours these recommendations in the pretext that to get support from them he has to do it. In the FGD with teachers it was told that in the system of “desire” politicians make lot of money.

As per the rules transfer orders are issued by the appointing officer i.e. for teacher grade I by the director secondary education and for Teacher Grade II by the DD of the concerned division. Transfers orders for the Teacher Grade III are issued by the DEO (intra district transfer and DD in case of inter district transfer of the teacher.) It was told that same system is followed on paper but in between there is the other story. All transfers list are finalized at the Minister level and sent to the concerned officer for issue of the orders. In last one decade there were instances that minister called all concerned officer in one place and handed over the final lists of transfers. On the spot officers were asked to release the order of transfers.

For the transfer of teachers of elementary level the story has another twist. From 2nd Oct 2010 all primary and upper primary schools are being managed by the Panchayat Department but administrative control of teachers is still in the preview of elementary department. For transfers of teacher of elementary level there is always a tussle between the Education Minister and the Panchayat Raj Minister for the jurisdiction of transfer of teachers of elementary section. There is no policy/clarity on it. At present transfers of teachers of Elementary section are done by the Education Minister.

Box 5.1: Transfer as punitive action

Teachers are government employees and enjoy certain privileges. To take any action against them (even if charges are genuine their controlling officers has to follow certain process. Still there are chances that teacher may go to court and get stay against the government order or he/she may move to their union for shelter. For administrators transfer is another tool which they use quite often to punish the teachers for any misconduct. Recently (May 2014) 16 HMs were suspended by the government for poor results of their schools. When Teacher Unions rise the issue government withdrew the suspension but transfer all of them to other schools.

5.2.2 Impact on seniority of the Teacher Grade II when transferred from one division (range) to other division and Teacher Grade III from one district to other district

As per the RESSR 1971, Teachers lose their seniority if on request they move to other district (teacher grade III) and other division (teacher grade II). At place of new posting they will place at lowest position in the seniority lists of their cadre in the district/division.

5.2.3 Teacher Transfer policies in the state

From 1976 to 1994, the state government time to time issued guidelines for the transfer of teachers. In these guidelines there used to be occasional minor change/modifications however the basic spirit of these guidelines remained same. Some of the guiding principles followed during this period are as follows:

1. The first placement of teachers and HMs will be in the rural areas there will not be any transfer in first three years;

2. After completion of 10 years of service in the rural area teachers could be transferred to the urban areas. In the transfers priority was given to the teachers who gave good results;
3. If teacher or his/her family member was suffering from some serious disease then his/her transfer was done on priority basis to the areas where medical facility was available;
4. In the transfer priority was given to disabled, unmarried women, teacher near retirement, national awardees.

In 1994 (order no P6 (8) Prasasan Sudhar/Section 3/94 dated 16-3-94) the state government formed a committee in the chairmanship of renowned educationist and retired IAS officer Mr. Anil Bordia to give recommendation to government for formation of teacher deployment and transfer policy in the state. The committee had 16 members which included govt officials, representative from NUEPA, union leaders, retired and serving teachers. The committee had held intensive discussions with all stakeholders and worked out recommendations for the state government. The committee submitted its report to the chief minister of the state on 5th October 1994.

Some of the main recommendations of the Bordia Committee

Recommendations on first deployment of teachers in the school:

1. Placement of new teachers will be only on vacant posts in rural areas. Selected teachers will be asked to give 7 priorities in order for placement in writing;
2. To the possible extent appointing officer will issue placement letter to the teachers in school of his/her home district. If it is not possible then in the district which is close to his/her home district;
3. Following order of priority will be followed in the deployment:
 - a. Seriously disabled;
 - b. Widow and divorcees having children;

- c. Widow and divorcees who have no children;
- d. Unmarried women;
- e. Married women;
- f. Others

Recommendation on Teacher Transfers

1. Teachers will not be transferred before completion of three year;
2. For subject teachers (grade I & II) transfer will take place only on those schools where post is vacant for teacher of the same subject;
3. Those teachers who have completed 15 year of service in the rural areas or on the date of application for the transfer completed 10 years of service in the present place of working in rural areas will be given priority in the transfer to the desired place;
4. In the transfer there would be three categories of priorities;
 - a. Full Priority: Seriously diseased , disabled and widow/divorcees (having children), teacher union leaders, and husband wife (same place placement state rule);
 - b. Priority: Teachers prior to three years of retirement, unmarried women, widow/divorcees (no children), national awardees teachers, other women, family members of military force;
 - c. General: All other teachers will fall under this category.

The recommendations of the committee were highly appreciated by all concerned. However the state has never converted these recommendations into the form of the state policy. One senior retired education officer commented that If it become the state policy than it could have been difficult for the minister to undertake transfer of teachers as per his desire or desire of his colleagues.

Teacher Transfer policy in 2005

In 2005 a new teacher policy was formed and with approval from the department of Personnel (2 June 2005) Applicable to both Elementary and Secondary departments. Detailed instructions for transfers of all categories of teachers are spelled out clearly (Rajasthan Education Code 1957). The policy was in place for roughly one year and then put it on hold.

After 2005 till 2013 the state has not followed any transfer policy however in 2013 education department issued some guideline for the transfers of teacher. Again in 2014 School Education Minister has been repeatedly giving statements that soon in the state teachers transfer will take place and after that state will start work on new teacher transfer policy in the state. In between teachers unions have met the education minister and requested him that the state should have a transparent teacher transfer policy.

5.2.4 Transfer ban for 10 years for teachers appointed in the select districts

In 2006, the state has put ten districts (Sirohi, Jalore, Pratapgarh, Bara, Badmer, Jaisalmer, Bikaner, Jhalawar, Banswara and Doongarpur) in restricted list. In these districts after appointment of teachers in the schools they will not be transferred before completion of ten years of service. In the guidelines issued by the education department for transfers in 2013, there is a special reference of these districts and clearly mentioned that when government lift the ban on transfers there will be no transfer of teachers unless he/she complete 10 years of service.

The background of restriction of ten districts lies in the imbalance of number of teachers in some districts. The districts which are put in restricted list are educationally backward districts and when recruitment takes place candidate from other districts especially – Dausa, Bharatpur, Jaipur, Churu, Sikar and Jhunjhunu (educationally advanced districts) apply in large number. In the educationally backward districts due to less local competition the candidate from other districts usually get selected easily and after some time they manage to get transfer in their home districts. These practices resulted in shortage of teachers districts which are placed in restricted list. To avoid the

situation government has ban transfer of teachers before completion of 10 year of service.

5.2.5 Transfers in large number in last 10 years

Year 2005-06 witnessed mass scale transfers of teachers in the state. Almost one third (50 thousand) teachers were moved from here to there. This was the year when new transfer policy was implemented in the state. Group of teachers (FGD) said that the education minister used to call all DEOs at one place and hand over the lists of teachers to issue transfer orders. It was then duty of the DEOs to find ways to justify the transfer desired by the minister with the various clauses given in the transfer policy.

In 2008 with change in government at state new minister also exercised his powers without any restrictions and done transfers in huge number. He remained minister for three years and during this period he did nothing other than transfers (FGD and District level official). Chief Minister removed him in 2011 may be due to the large scale transfers he had done. The new minister could not do many transfers as state government imposed ban on the transfers. He followed other ways of transfers like creating new post in the schools where he wanted to place the teacher. In his tenure large numbers of schools were upgraded without any preparation and background work just to accommodate teachers of his choice even if there was no vacancy in the schools (FGD).

Since 17th July 2013 there is a ban on teacher transfer in the state. But despite this ban, transfers are done. Teachers are first sent as Awaiting Posting Orders (APO) and then they are given a new posting. Now 90% of transfers are taking place in this manner. There are no mass transfers and only those with “approach” can get this done (state union leader)

Chapter 6

SALARY AND SERVICE CONDITIONS IN THE STATE

Since teachers in the state are state government employees, the salaries and other allowances payable to teachers (all grade) are at par with the Rajasthan Service Rules which is common for all government employees. All regular teachers in the state are placed in the government pay scales fixed as per the cadre of the teacher in which he/she has got the appointment. Broadly the state follows the centre government model for revision and fixation of salaries of government employees. However it is not *in toto* follow up and there are certain discrepancies in the grade pay of teachers of central and state governments.

Pay scale and other benefits available to the teachers are as follows:

6.1 Pay Scales (Regular Teachers)

Pay scales of teachers in the state and centre are given in the Table 41. Major changes in the pay scales in the state (in last two decades) are linked with recommendations of pay commissions set up at centre for the centre government employees. When the centre government decided to give benefits of the recommendations to their employees, the state broadly followed the central government pattern and revised the salary of teachers along with other state employees in 2008. In the revision done in 2008 there were certain anomalies in the grade pay of some of the state employees including teachers in comparison with central government employees.

On demand of the state employees including teachers' the state in 2013 constituted a committee (Bhatnagar Committee) to look into the issues. Based on the recommendation of the committee the state has further revised grade pay of some employees including teachers under the scheme of revised pay scale 2013. Still after revision grade pay of teachers in all categories are nor at par with the central government teachers but certainly there has been significant increase and now it is more closer to the grade pay of central government teachers.

6.2 Other benefits linked with the pay scales

6.2.1 Annual Increment and shift to next higher grade under assured career progression (ACP) scheme:

All regular teachers get annual increment in the pay and for that date 1st July is fixed. The rate of increment is 3 percent of pay and grade pay. After compilation of particular year of service teachers are entitled for guaranteed promotion (if no promotion to higher post).for detail refer to 8.2.1

6.2.2 Dearness Allowance (DA)

Every six month government revise the rate of DA to be paid to the teachers. As per understanding state government also enhance percentage of DA equal to the amount centre enhance for its employees. As on 1st Jan 2014 DA was equal to 100 percent of basic pay (pay + grade pay).with effect from 1st July 2014 7 percent increase was given to the teachers hence at present DA is paid at the rate of 107 percent of basic pay.

6.2.3 House Rent Allowance (HRA)

The amount is based on the salary of the teacher HRA is more in large cities (20 percent) less in small areas including rural area (10 percent)

6.2.4 City Compensatory Allowance (CCA)

It is also based on the size of the city where teacher service. Large cities have more CCA. Total range of payment of CCA is from 50 rupees to 600 rupees PM.

Box 6.1: Lum sum increase in the salary of teachers

In addition to 3 percent annual increase in the basis salary (pay+ grade pay) teachers get increase in DA which is not fixed. On the basis some formula linked with price index and inflation rate, centre government every six month declares percentage increase in DA. From 1 July 2013 DA increased at the rate of @10%, from 1 Jan 2014 increase rate was again 10 percent and last increase from I July 2014 it was at the rate of 7 per cent.

After every 10 year centre government appoint pay commission for the revision of salaries of government employees. State government broadly follows these recommendations. Next pay commission is due in 2016. It is difficult to assume how much increase pay commission will recommend/state follow hence salary after 10/20 years from now is difficult to project.

Table 6.1: Pay scale of Regular Teachers (all grades) of central and state governments

Year	Teacher category	Pay Band		Grade Pay	
		Centre	State	Centre	State
2013	IIIrd Grade	9300-34800	9300-34800	4200	3600
	IInd Grade	9300-34800	9300-34800	4600	4200
	Ist Grade	9300-34800	9300-34800	4800	4800
	HM Secondary Schools/vice principal Sr. Sec. School		15600-39100	5400	5400
	Principals Sr. Secondary Schools		15600-39100	7600	6600
2008	IIIrd Grade	9300-34800	5200-20200	4200	2800
	IInd Grade	9300-34800	9300-34800	4600	3600
	Ist Grade	9300-34800	9300-34800	4800	4200
	HM Secondary Schools/vice principal Sr. Sec. School	15600-39100	9300-34800	5400	4800
	Principals Sr Secondary Schools	15600-39100	15600-39100	7600	6000
1998	IIIrd Grade	4500-7000	4500-125-7000	NA	NA
	IInd Grade	5500-9000	5500-175-9000	NA	NA
	Ist Grade	6500-10500	6500-200-10500	NA	NA
	HM Secondary Schools/vice principal Sr. Sec. School	7500-12000	7500-250-12000	NA	NA
	Principals Sr. Secondary Schools	10000-15200	9000-14400	NA	NA

Table 6.2: Rate of House Rent (w.e.f. 1.9.2008)

Category	Name of city/criteria	Rate Basic pay (Grade+Grade pay)
Y	Jaipur, Jodhpur, Kota, Bikaner and Ajmer	20%
Z	Cities other than mentioned in Y	10%

Table 6.3: City Compensatory Allowance

Basic pay (Grade+ Grade pay)	Jaipur City	Metro (Delhi Mumbai etc.)	Ajmer, Bikaner, Jodhpur, Kota
Up to 70000	130	180	50
7001 to 10,000	190	250	70
10001 to 13000	300	400	130
13000 and above	480	600	240

Source: Govt. order: F.6 (2) fin (rule)/08 date 12.9.2008

Table 6.4: Total take home salary of fresh teacher (III grade) after completion of probation period

Head	Slab/Rate	Amount
Pay scale	9300-34800	9300/-
Grade Pay	3600	3600/-
DA	107% of Basic (pay+ grade pay) w.e.f 1 st July 2014	13803/-
HRA	20% of Basic	2580/-*
CCA	300**	300/-
Gross amount		29583/-
Deductions		
State Insurance		-900/-
New contributory pension***	10 % of Basic+DA	-2670/-
Total deduction		3570/-
Net amount		26013/-

*20 % for big cities/10% for others

** Jaipur city /other cities Rs. 130/-

*** Equal contribution by government and employee

6.2.5 Medical Expenses Reimbursement

The state has two schemes for providing medical facility teacher teachers:

Scheme 1 for teacher joined service before 2014

Expenses incurred by the teachers on are reimbursed by the government and to avail this facility there are certain rules and procedures and initially teacher has to spend money from his/her pocket. On submission of reimbursement bill government refund the expenses. To continue the medical facility after retirement, government deduct some amount (depending on grade, in the range of 300 to 500 PM) from the salary of the teachers. These provisions are at par with other government employees.

Schemes 2 for those join service on 1st January 2004 and after

Government contribute in medi-claim policy on behalf of the teacher and medi-claim facility will be available to the teacher even after retirement.

6.2.6 Travel Expenses Reimbursement

Teachers for entitled for reimbursement for any expenditure they incurred on travel for taking part in training, meetings and workshops. For reimbursement they have to fill the prescribed form and submit it to the concerned authorities.

6.2.7 Paid Leaves

1. **Casual leave (CL):** All teachers are entitled for 15 days of casual leave in a year.
2. **Privileged leave (PL):** Teachers in all grade are entitled for 15 PL in one calendar year which can be accumulated with a maximum limit of 300. For any work teacher can take PL of 120 days and with medical certificate 180 days. At the end of services teacher can convert 300 days of PL into cash. In summer break if the teacher is assigned any work then for every 3 days of work 1 PL will be credited in the teachers account.
3. **Medical leaves (ML):** for all government teachers in the state and the provision is at par with the state government employees. Medical leaves are sanctioned on the basis of Doctor Certificate and these are also paid leaves.
4. **Extra ordinary leave:** Total 15 days are permissible in six month. For every 10 days of extraordinary leave without medical certificate 1 P.L. is deducted from the accumulated PL s in teacher's account.
5. **Maternity Leaves:** Total 180 days paid leaves for maximum 2 children for female teachers
6. **Paternity leaves:** Total 15 days paid leave to male teachers (Order F 1 (43) Fin/Gp2/83 date 6-12-2004
7. **Half Pay leaves:** 20 half day leave in one year
8. **Academic leaves for study/higher degree:** Maximum 2 years. 50 percent salary is payable and house rent is not payable during the academic leaves.
9. **Academic leave for participation** in the meetings of Board of Secondary Education, undertake practical exams, participate in state and national seminars, participate in teachers union convocations
10. **Unpaid Leaves:** In case when no paid leaves are in balance then on application unpaid leave can be sanctioned to the teacher within the limit these leave could be

compensated by half day leaves. At one time 180 days of unpaid leaves and total 360 days of unpaid leaves are allowed to the teachers.

6.2.8 State Insurance

All Teachers are covered with the state insurance scheme. Premium against the state insurance is deducted from the salary and on accidental death of the teacher, total policy amount is payable to the family of the teacher. Grade wise/salary wise policy and premium amount is fixed and the teacher has no option to increase or decrease.

Table 6.5: Rate of state insurance premium

Basic pay (Grade+ Grade pay)	Premium deducted from the salary of teacher
6050 to 8500	330
8501 to 11000	450
11001 to 18000	900
18001 to 28000	1300
28001 and more	2200
Maximum deductions	2500

6.3 Salary in the probation period

Now teachers (all grade) who gets appointment by direct selection process gets fixed amount for two years. Only after completion of two probation period they are given full payment. After election the new state government has declared that probation period of state employees including teachers will be reduced to one year and orders for the same are awaited.

6.4 Pension

Like all government employees, teachers are also entitled for pension as per the RSR1957. The state has two schemes to calculate pension benefits.

Scheme 1 Applicable to those who were in service prior to 1st Jan 2004 in such cases full pension will be paid as it is being paid to the retired teachers. Teachers are entitled for the pension on completion of 15 years of service.

Scheme 2 Applicable to those who have joined on 1st Jan 2004 or after

Rajasthan government has introduced a new pension scheme to all state employees which is applicable to the teachers also (fresh appointment) w.e.f. 1st Jan. 2004 and the scheme is called as Contributory Pension Scheme. **In the scheme 10 percent of salary and DA paid to the employee is deducted from the salary paid to the employees and the same amount is contributed by the government.** The fund created out of this will be given to the employee at the time of retirement. The same scheme is also applicable to the central government employees.

6.5 Disbursement of salary to teachers

Prior to 2000-01, the process of payment of salary to teachers was quite troublesome. BEOs for teacher grade III and DEOs for grade I and II were used to prepare salary bills of teachers working under their jurisdiction. Further on the basis of these bills treasury officer used to released the salary. Now all teachers (all grade) and contract teachers get their salary in bank account through online transfer system.

On the issue of disbursement of salary teachers said that generally salary gets credited in the account on time (FGD), one state official also said that now there is no delay in the release of salaries(S). From the budget of SSA programme 80000 new posts of teachers have been created to meet prescribed the pupil teacher ratio in the state. The salaries to these teachers are paid from SSA budget. Earlier there teachers were grouped as “SSA Teachers” and their salary was paid from the fund SSA transfer to the salary fund. Since 70 percent of SSA budget comes from centre hence delay in receiving fund from the centre which is still very common the release of salaries of teachers who were paid from SSA fund were used to get delayed. In 2009 Education Minister of the state merged both groups and at teacher level demarcation of SSA /state teachers was removed. Fund for 80000 posts of teachers still comes from centre and that merged with the other funds of education department. Now salary of all teachers in the state is released on the same date.

Box 6.2: Salary of teachers delayed due to delay in release of funds

Recently on date 12th August there was news in the daily newspaper (DNA) that “salary of 1.5 teachers gets delayed” The newspaper reported that due to lengthy administrative process and lax attitude of officials and employees, around 1.5 lakh teachers of the Panchayat Raj Department and SSA are yet to receive salary for this month. There are 1.5 lakh teachers in the state are employed under SSA and Panchayat Raj department. As per the prevailing process the SSA deposits the salary (centre contribution) of the teachers in the bank account of district project coordinator(DPC) who then transfers it to the bank account of respective block education officer(BEO).The BEO is entrusted to transfer the salary in the bank account of the teachers. As the process is long, the teachers do not get salary before 10-15 of every month. The PR department teachers have not received salary of as there has been delay in the allocation of budget by the state government. The process of salary transfer to PR teachers is also a lengthy one leading to delay in salary issuance to teachers. (DNA date 12th August 2014)

6.6 When salary can be with held

Salary of teacher is withheld in the extraordinary conditions and after following a proper procedure.

One of the simplest and common reason of withholding salary is when teacher is absent from the duty without information or without approval of leaves. For any charge on teacher, department has to first issue an order of departmental enquiry against the teacher. Depending on nature of the offence authorities can suspend the teacher till enquiry complete. During suspension period teacher gets monthly maintenance allowance which is equal to half of its monthly pay (RESR1970:RESSR 1971)

6.7 Provision in the state for additional paid work for teachers.

Government teachers are barred for taking up private tuition. In special condition and with approval from the competent authority they can take at the most two tuitions (Document no 22& State govt order 9/1968 and Rajasthan Education code page 415. The same rules are applicable till date. Teachers are allowed to take payment/honorarium against the following services provided these services are within government set up.

6.8 Other Schemes for Teacher Benefit and Motivation

1. Rajasthan Education Department (Elementary and Secondary education) benefit fund was set up in 1975 which cover all employees of education department (officers, teachers, office staff) and its objective is to support employees in extraordinary conditions. A fixed amount of money (cadre wise) is deducted from the salary of the teachers. The deducted amount goes in the corpus. The fund also provides support for higher studies and marriage of daughters of the teachers.
2. Government of India has set up a National Teacher Welfare Fund in 1962. Rajasthan State became part of it in 1966. For the fund money is generated from the sale of flags, organizing cultural programme and by requesting donations from various sources. (100 percent of collected money is given to the states for the teacher welfare activities. For medical treatment and in case of accidental death of the teachers, fund supports teachers' families.
3. Teacher Welfare Fund run by Rajasthan Board of Secondary Education: Support the teachers on untimely death of the teacher.

6.9 State awards to the teachers

To appreciate services of the teachers every year on Teachers Day (5th Sept.) the state gives awards to the teachers. These awards are given on the basis of performance of teachers and there are total 62 awards per year under different categories. Every year on an average state receive 150 to 200 applications and then through the process of selection final lists are prepared. In year 2014 the state called applications in the month of May 2014 and the last date was 10th June 2014. In between government issued the new rules for the awards on 6th June 2014.

Table 6.6: Norms for state awards for teachers

Norms prescribed in the new policy (6 th June 2014)	Norms prescribed in the old/existing policy (up to 5 th June 2014)
(i) Teachers of classes 1 to 8 – 90 percent children in the A grade in last consecutive years.(A Grade is given to the children who score in between 86 to 100 percent mark so (ii) For Secondary classes the result of classes the teacher teaches should be above 90 percent for the last consecutive 5 years. (iii) For primary classes a criterion is based on the performance of each child while in case of secondary classes overall result of class will be taken into consideration. (iv) For Physical teacher the criteria is that children should have got Olympic/Arjun/National ward once in five years	(i) Results of children in the service tenure (ii) Publication of book/research thesis/paper/ research work and project (iii) Innovation in teaching process, use of TLM in effective teaching. (iv) Contributed in the development work related to School building, classrooms Laboratory, hostel, library etc. (v) Exceptional contribution in co curricular and curricular activities. (vi) developed relationship with students, parents and community (vii) Overall personality of teacher. (The above policy was effective from 21-8-1989 Rajasthan Education Code 1957)

Teacher Unions in the state are opposing new norms as new norms qualify less number of teachers for the awards.

6.9.1 Benefit associated with the awards

In the transfer there is a priority for the awardees teachers.

In the month of May 2014 Jaipur Development Authority (JDA) has decided to allot plots at half rate to all teachers who are awarded at national level and games teacher who would win international medals.

6.10 Pay and other benefits to the contract teachers in the state

Other than consolidated amount contract teachers are entitled for the 10 days causal leaves in one calendar year. Contract teachers are not entitled for any other benefit like Medical, Pension, Insurance etc. In fact till recently they were not paid the salary for the summer break.

Table 6.7: Remunerations paid to the contract teachers in the state

Contract teacher (Ele. Edu) Vidyathri Mitra	Rs. 4800 (w.e.f. 01.07.2013)	Rs.4200 (w.e.f. 01.07.2012)	Rs.2750 (w.e.f. 2.06.2008)
Contract teacher (Secondary Education) Vidhyathi Mitra	Rs.5300 (w.e.f. 01.07.2013)	Rs.4600 (w.e.f. 01.07.2012)	Rs.3000 (w.e.f. 2.06.2008)
Contract teacher (Sr. Secondary) Vidhyathi Mitra	Rs.6900 (w.e.f. 01.07.2013)	Rs.6000 (w.e.f. 01.07.2012)	Rs.4000 (w.e.f. 2.6.2008)

Leave benefits for Vidhyarthi Mitra (Contract Teachers):

Contract teachers are allowed for total 10 days of casual leave in one calendar year.

Other than casual no other kind of leaves are allowed for the contract teachers.

Chapter 7

DUTIES AND DAY-TO DAY MANAGEMENT

Rajasthan Education Code 1957, Departmental Niyamwali 1997 and Head Master Guide book 2014 contain description of duties of teachers of all grades.

7.1 Teachers job charts

Teacher Grade I

1. Maintain result of class 10 and 12 in consonance with the overall result (More than minimum 30 percent in Secondary and 40 percent in Sr. Sec.)
2. Organise minimum two Co-curricular activities in a year.
3. Participate in training/orientation/creative writing/professional enhancement activity once in a year.
4. Participate in school administration activities, class teacher, work in charge, examination in charge, subject in charge etc. like activities and take responsibility of minimum one activity.
5. Prepare question papers, evaluate answer books, conduct practical exams etc.
6. Facilitate inspection by DIET lecturer once in three months.

Teacher Grade II

1. Maintain result of class 8 and 10 in consonance with the overall result (More than minimum 30 percent).
2. Organize minimum two Co-curricular activities in a year.
3. Participate in training /orientation/creative writing/professional enhancement activity once in a year.
4. Participate in school administration activities, class teacher, work in charge, examination in charge, subject in charge etc. like activities and take responsibility of minimum one activity.

5. Prepare question papers, evaluate answer books, conduct practical exams etc.
6. Facilitate inspection by DIET lecturer once in three months.

Teacher Grade III

1. Participate in any one activity of Physical Education;
2. Participate in school administration activities, class teacher, work in charge, examination in charge, subject in charge etc. like activities and take responsibility of minimum one activity;
3. Participate in training/orientation/creative writing/professional enhancement activity once in a year;
4. Participate in curriculum development, text book development and training module development.
5. (Point (3) and (4) are as per the provision in RtE act 2011.)

Para teachers

Job chart of Vidhyarthi Mitra (para teacher) is to teach in the classes as per the assigned timetable. However regular teacher take their help in all kind of work in schools (FGD)

7.2 Role of HM in assigning duties to the teachers

HM of the schools are fully empowered to take routine decisions in the functioning of schools. In the beginning of the session HM allot classes and subjects to the teachers. The state has issued norms for the allocation of work load to teachers and it is different for different categories of teachers (Table: 47)

Table 7.1: Work allocation (No of period per week)

Teacher category	2000-01	2013-14
Teacher Grade I	30	33
Teacher Grade II	36	36
Teacher Grade III	42	42

Source: Departmental Rule Book 1997

In the work allocations HMs are supposed to ensure following:

1. To the possible extent subject teacher should be assign teaching of the subject;
2. One teacher should not be assign more than two subject foe teaching;
3. In the work allocation language teacher should be given relaxation of 3 periods in the weekly workload similarly 3 period relaxations to Activity teacher; 12 period relaxations to Examination In-charge and 12 period relaxations Shift In charge should be given in the weekly workload.

7.3 Teachers' duties in non-academic work-schools

Departmental rule book 1997 clearly defines the total workload for teachers of various categories and after that there has not been any change in the directions. Besides it HM Guide book, List of some of the non-teaching work for teachers in the school. These are responsibility of Inning in-charge, Examination in charge, Scouting, Mid day meal, NSS and NCC in-charge, Celebration and Anniversary organization in-charges etc. As the rules HM is authorized to allocate these works to the teachers after analysing capability in the teacher. If teacher is allotted any work (nonteaching) then HM will reduce 3 periods from his/her weekly workload.

Box 7.1: Teachers duties for management of Mid Day Meal (MDM)

HMs of schools till UPS level are overall responsible for MDM in the school. HMs in the schools generally assigns the task to one teacher. The teachers who manage MDM have to deal with PRI institution (Panchayat) for supply and management of records. Most of the teachers are unhappy with this responsibility as it takes lot of their teaching time.

7.4 Teachers duties in non academic work outside schools.

In the last two decades there has been lot of hue and cry by the teachers on the issue of their involvement in the non academic work assigned by the government. Teachers unions have also raised the issues before the government many times. Teacher often use the issue to shield them against the bad performance of children in their schools.

In 1998 (P.5(1)shiksha/g2/98 dated 10-6-1998) government had issued orders to all collectors to ensure that teachers are not assigned any non academic work other than following:

1. Literacy and continue education programme
2. Election
3. Census
4. Economic survey
5. Pulse polio

However on noncompliance of aforementioned order in the field, Rajasthan Shikshak Sangh (Teacher Union) filed a petition in the high court to ensure that teachers are not assign other than academic work in 2001(No 2779/01). State high court in its decision (13-02-2003) directed the government to ensure compliance of office order of 10-06-1998. In 2006 (office order P17(164) Shiksha-2/(VPRI) Dated 26-06-2006) government again directed all collectors in the state that orders of 10-06-1998 are not being followed seriously hence directions are reissued to all collectors in the state to ensure compliance office order of 1998 and the decision of high court (dated 13-02-2003).

In cognizance with the provision of RtE Act 2011, the director of Elementary Education of the state had written letter to all collectors in the state that to the possible extent teachers should not be assigned non-academic work in their districts. Through one other letter the director of Ele. Education issued orders to all Deputy Director working in the field to ensure that involvement of teachers in the election work should not affect teaching in the schools and they take up their work only after school hours. Enactment of RtE 2010 also put restrictions on government to involve teachers in the non academic activities.

7.5 Data Base of teachers and its use

Till date the state has not developed database of teachers keeping in view his profile and nature of working. Within the education department cadre wise seniority lists are maintained which is as follows:

1. Teacher Grade I - At directorate level
2. Sr. Teacher (Teacher Grade II – At division (range level)
3. Teacher Grade III - At block level

Present use of whatever data base of teachers is available in the department

At the moment whatever data base state has at different places is being used in the disbursement of salaries to the teachers and to determine their seniority. There are provisions to update these lists but the general practice is that the directorate has to send reminders to the concerned to update the data base. (Office order 18-0402014 Document no 55, office order date 02-02-2012, District officer).

Recent efforts in the development of data base of teachers

In the last six months (January to June 2014) SSA has taken up sincere effort to start the process of developing teacher data base in the state. With the help of its own staff and involving experts of state ICT department, UNICEF, NCERT and NGOs working in the education field, SSA has developed two formats to compile teacher related information. Format 1 is to collect information like name, age, permanent address, date of joining government service and further employment history etc. Format 2 is to record trainings teacher has taken up in session 2013-14 and in 2014-15 till June 2014. SSA Rajasthan is working on to make the system online so that teachers themselves will update data as per the schedule given to them. It is assumed that by the end of present financial year the state will have online database of teachers in the state. The work of data base development is now linked with the new initiative of performance appraisal of teachers which SSA has taken up with the direction of MHRD (more details on the same is given in chapter 8, section 8.4).

Chapter 8

CAPACITY BUILDING, CAREER PROGRESSION AND PERFORMANCE EVALUATION

8.1 Teachers Capacity Building

8.1.1 Pre service trainings

The state has 778 teachers training colleges (B.Ed) out of which only 5 are managed by the state government. One-third of these colleges are exclusively for girls and remaining are co-educational colleges, have a prescribed ratio of 70:30 for male to female students. Since 2007, there has been an expansion of self-financed colleges of education being opened across Rajasthan and the fee prescribed for the course is 22,500/-. There seems to be a growing demand for more seats in B.Ed. colleges as there would be more candidates for admission in these colleges. Admission to the B.Ed programme is made on the state-level admission test called as Pre-Teacher Education Test (PTET)

Faculty of IASE and officers of education department were quite apprehensive about the quality of training private B.Ed colleges impart to teachers and said something should be done to bring them to some minimum standard. For diploma in education course all DIETs in the state run two year programme and eligibility criteria for these courses is 12th class pass. Recently SIERT Udaipur has prepared a new curriculum for this course.

8.1.2 In-service trainings

Recommendations of NPE1986 resulted in realisation of need for in-service teachers' trainings in the country. In the programme of action 1992 centre initiated central sponsored scheme and provided grants to states to set up institutes (DIETs, IASEs and CTEs) for teachers capacity building. Rajasthan state followed the guidelines and set up DIETs in all districts to cater the need of elementary teachers. Similarly College for Teacher Education (CTEs) were set up for the need of class 9 and 10 teachers. In Rajasthan total 7 CTEs were set up and at present 5 CTEs are working. For training

and support of teachers of class 11 and 12 Institutes of Advanced Studies were set up at 4 places in Rajasthan, later in the process restructuring and change in norms now the state has only 2 IASEs. Due to many constraints (faculty, space, budget) DIETs, CTEs and IASEs could not take up trainings and capacity building measures for all teachers falling in their jurisdiction. Moreover none of these institutions have proper mechanism to workout need of teachers, they have not taken up serious work to evolved long term perspective, vision and action plans for teacher's professional development. Due to constraints mentioned above these institutions could serve hardly 10 percent of teachers of their area. (FGD faculty IASE).

8.1.3 Teachers Training: Provisions in the state budget

In the state teachers training take place through DIETs/CTEs/IASEs or under SSA/RMSA programmes. The state government does not make any separate budget provision for the purpose of Teacher Trainings. However major contribution in the budget of DIET/CTEs/IASEs and SSA/RMSA come from centre but the state also contribute in it.

8.1.4 Teachers training by SSA and RMSA

Rajasthan Council of Elementary Education (RCEE) is responsible for implementation of SSA programme in the state. As per the framework of SSA, RCEE organizes teachers trainings in the state. In the last one decade RCEE keeps on taking new measures to strengthen in-service teacher education in the state. Especially in last three years, RCEE took up an intensive programme to build up a competent cadre of resource persons to revamp teacher's trainings in the state. Nevertheless, all these sincere efforts have resulted in increasing our conceptual understanding on the issue but persisting challenges at ground level indicates lot more need to be done. The same is reflected in various joint review missions on SSA programme, Review meetings of SSA programme in MHRD, other formal and informal feedbacks on teacher's trainings and all that indicates a dare need to relook what is being done on teacher education.

Teachers and officers in touch with the training have shown total disappointment with the trainings taking place in the field. They were of opinion that trainings are not based

on the need of the teachers and there is hardly anything worthwhile. There were quite apprehensive about the quality of quality of resource persons. Other than training programme SSA has no substantial teacher support programme (FGD teacher Elementary schools).

RMSA programme was initiated in the state in 2010. In 2010-11 content based training of teachers were held in which approximately 15000 teachers (grade II) took part (out of 90000 teachers) .In 2011-12 no trainings were held as release of fund got delayed from the centre. In 2013 and 2014 RMSA could organised trainings for newly appointed teachers only. Due to delay in sanctioning plan from the centre, state could not organise trainings as per the plan. There is a shortage of resource persons and there is no academic resource agency that could provide academic support to the trainings. (State officials)

8.1.5 Teachers Training by DIETs, CTEs and IASEs

Under centrally sponsored scheme these institutions get budget from the centre (25 percent contribution by the state) for teacher training and other related activities. DIETs prepared their action plan under the supervision of SIERT. Overall less than 10 percent teachers get the opportunity of trainings imparted by the DIETs in the state. CTE organise trainings for class IX & X teachers. Rajasthan has 5 CTEs and limited capacity for the training of teachers.

The state has 2 IASEs one is in Ajmer and the other one is in Bikaner. Limited infrastructure and financial resources (budget and faculty) result in training for a very few teachers of Sr. Secondary level.

8.1.6 Teacher Training in the state before 2002-03 and thereafter

Shiksha Karmi Project (SKS) was started in the state in late 80s showcased the intensive model of in-service teacher trainings. Though SKS teachers were not qualified as regular teachers hence their requirements were different. Still the way SKS programme took capacity building of its teacher through periodic trainings and onsite support, has forced the state institutions engaged in teachers trainings to think innovatory.

Lok Jumbish Project (LJP) which was started in the beginnings of 90s further reinforced the rigorous process of in-service teacher trainings. In 1995 DPEP programme was launched in the 19 districts out of total 32 districts in the state (Remaining 13 districts were under LJP). In the origin of DPEP programme experiences of LJP was one of the critical inputs. However both programmes in the state run in-service teachers training programme separately.

In 2000 when Serve Shiksha Abhiyan (SSA) was launched all over the state, uniform model of teacher training was followed throughout state. Like other states, SSA programme is still continue in our state and over a period SSA tried various models to streamline teachers' trainings in the state.

On the lines of SSA at elementary level, Rashtriya Madhyamic Shiksha Abhiyan has been initiated in the state in 2010 and it also has component of training of secondary level teachers.

Table 8.1: Teachers trainings in the state before 2002-03 and after

Prior to 2002-03	Post 2002-03
Trainings by DIETS, CTE under centrally sponsored schemes. Limited number of teachers got chance for the trainings	Trainings by DIETS, CTE under centrally sponsored schemes. Limited numbers of teachers are getting chance for the trainings. Faculty and infrastructure constraints (FGD Faculty IASE)
SKS, Lok Jumbish programme, DPEP in 1990s initiated teachers' trainings in some parts of Rajasthan. SSA programme initiated in 2000. SSA also undertook teachers training at large scale.	SSA programme covered the whole state. SSA is holding teachers trainings as per its own agenda and provisions. DIETs and SSA undertake teachers trainings but there is no linkage between them Overall quality of trainings are poor. Resource Group is not competent State lack vision and there is no vision (State and district officials)
For Secondary School teachers limited opportunity of trainings by CTEs.	RMSA programme is slowly extending the agenda of teachers' trainings Still their reach is limited to selected teachers.
	CTEs run parallel programme of trainings. CTE has no capacity and resources to take up training of all teachers. No joint action plan of CTEs and RMSA for training of teachers.

8.2 Career Progression

Regular Teachers

8.1.1 Promotion: The state has provision of promotions for all categories of the teachers. Promotions are based on seniority and there is no consideration of merit. For teacher grade II and higher posts there is a provision of recruitment of 50 percent posts

by the promotion basis. For Teachers Grade I seniority lists are maintained at the Directorate level, Teachers Grade II at Division level by the concerned Deputy Director. Seniority list of Teachers Grade III are maintained at Panchayat Samiti level.

Table 8.2: Process followed for promotion before 2002-03 and in 2002-03 and thereafter

Before 2002-03	2002-03 and thereafter
Merit cum seniority based promotions	Seniority based promotion (no consideration for merit)

8.2.1 Assured Career progression (ACP)

The state has provision of career progression even if a teacher does not get promotion. On completion of particular years of services teachers get advantage of the scheme if he/she doesn't get regular promotion. In the scheme teachers' salary is fixed in one stage higher grade pay. In case of any enquiry is pending against the teacher when ACP is due then provision applicable for the promotions will also apply here.

ACP is applicable as per the following schedule of completion of service by the teacher:

1. Teacher Grade I: On completion of services of 10/20/30 years, teachers are given benefit under the scheme.
2. Teachers Grade II& III: On completion of 9/18/27 years the teacher is entitled for the benefit under the scheme (Source: HM Guide book 2014).

8.3 Performance Evaluation

In the state Education Code 1957 and Departmental Rules 1997 norms of performance evaluation have been laid down and these are related with the performance of children in the class. However going though the prevailing practices these provisions are not being strictly followed. It is in the whims and fancy of state government to take actions especially it happened when large number of schools showed very poor results. The same rules and practices are prevailing even today. In 2014 due to exceptionally poor results in board exams around one hundred Head Teachers/Principals in they were suspended by the Education Minister, later through revised their suspension was

revoked however they were transferred to other schools (June 2014). On date 22nd July 2014 the state has declared in the legislative assembly that soon action will be taken against the head of schools (total 1400 schools) for zero per cent result in 10th and 12th board in year 2014(news paper report 24th July 2014).

At elementary level due to non detention policy up to class 8 the result of examinations are not taken seriously. Promotion of teachers to higher grade is based on seniority only hence present provisions of performance have no meanings other than some special circumstances in government can take serious action as happened in June 2014 (suspension of school heads on poor result of students).

8.3.1 Norms for minimum result

Minimum norms for results are fixed for all categories of the teachers. If result in subject/class is less than 30 per cent then there is a disciplinary action against the teacher and HM. If resulted is between 30 per cent to 49 per cent then department show displeasure and give instruction for improvement .If results are more than 75 per cent than there is a provision of appreciation letter to the teacher and HM.

Rarely teacher performance is evaluated on aforementioned norms. In extra ordinary conditions when result of large number of schools fall below expectation than there is possibility some action could happen. Generally HMs are held responsible for bad result in the schools and common punishment for them is transfer to other school (State officer). In the session 2013-14 due to exceptionally bad result in the schools 10 HMs were suspended by the Director secondary Education but after one weak their suspension letter was revoked and as punishment they were transferred to other schools. (June 2014, new paper report).

8.3.2 Annual Performance Appraisal Report (APAR) {new form of Annual Confidential Reports ACRs}

Under Rajasthan State Service Rules 1957 all government employees' performance appraised in the prescribed formats. On the same lines performance of teachers of all grades is appraised annually. In the discussion with higher officials at the Directorate level it was told that ACR has lost its importance as promotions are now based on the

seniority basis there is hardly any importance of it (Sr. Officer in the directorate). In the focus group discussion with teacher of elementary section it was cleared that many teachers are not aware with the state of their ACRs and they don't seem to be worried about it. In an interview with one officer in the establishment sections of directorate, he was of view that if any teacher fall in the preview of promotion then on instruction from higher authority his/her ACRs get ready within no time (State officer), otherwise it has no relevance.

8.4 Recent initiative for Teacher Appraisal at elementary schools in the state

Based on the guidelines of MHRD, RCEE has recently (July 2014) initiated a process of teacher appraisal in the state. Teachers of primary, upper primary and head of these institutions have been covered in the process. The state has developed 7 formats and sent to the teachers/schools. First two formats are for recording teacher profile and these would be used in developing state wide data base of teachers.

Formats 3 to 7 are for the purpose of teacher and HMs performance evaluation. Format 3 and 4 are to be filled by the teachers after every three months and these are related to self appraisal of work by teacher. Format 5 is for HM to review the work of teachers in the school. Format 6 is for self appraisal of HM of his work in the school. Format 7 is for BEO/in charge of school to review the work of HM of the school in the field and RCEE is hopeful that by the end of current FYs. The process has just begun system will be in place and teachers will fill these formats online.

8.5 Opportunities in the department to move up in the Academic and Administrative higher positions

Following opportunities are available for the teachers:

Opportunities to improve in the Academic field:

1. In-service training: Elementary teachers (classes 1 to 8) SSA and DIETs have mandate and funds for the in-service trainings. Slowly with the experience and increasing demand for the quality in teaching –learning processes the trainings are being streamlined. Teachers of Sanskrit department are also included in the SSA

trainings. Secondary Teachers (classes 9th& 10th). RMSA and CTEs provide trainings for the teachers. Limited number of teachers get chance for the trainings.

2. Leave for higher studies: All teachers in their whole service period can take two year academic leave to pursue higher degree which should be relevant to the education.
3. Permission for Ph.D Teachers are allowed to enrol for Ph.D degree provided that the topic of the Ph.D thesis would be relevant to the education/schools.
4. Permission to appear in any public exam Teachers are allowed to appear in any examination and for that teachers are required to take permission. However, at the time of submitting the form for examination they are require to inform head of institutions at the place of posting(office order 16-9-89).

Box 8.1: Provision for leave for higher studies

Teachers among all cadres are allowed to take maximum two years of leave in the whole service.

5. Academic forums for teachers there is no academic forum for sharing ideas and discussion on academic issues. However for HMs of primary, upper primary and secondary level district level forums are present and they hold activities as per the schedule.

8.6 Disciplinary Action against Teachers

Complain against teachers can be registered with HM, BEO, DEO, DD or straight at directorate level. The nature of complain could be offence related to moral turpitude, corruption, negligence and/or desertion of duty, refusal to carry out written orders of superior authorities, accepting private tuitions, malpractices related to school examination, misappropriations of funds and sexual harassment. On receiving complained at any level department examine it and depending upon the severity of the offence takes action against the teacher. Depending upon the prima facie report department could be initiated further enquiry of suspending him from duties till enquiry

complete and facts could establish. For exceptionally severe cases government has right to dismiss Teacher from the services.

8.7 Career progression and performance evaluation of Contract teachers

In the RESR 1970 and RESSR 1971; Departmental rules 1997 do not have any provisions for career progression for contract teachers. Infact there is no reference for the appointment of contract teachers/para teachers in the education system. However in last three decades there were many practices in the state in which contract teachers were hired by the government to fulfil the need to teacher in the classroom.

In early nineties the government had launched the Shiksh Karmi Scheme (SKS) to deal with teacher absenteeism in the schools situated in the remote areas which are not connected properly by roads. In the government schools in place of a regular government teacher, Shiksha Karmi (education worker) were placed. The Shiksha Karmi used to be the local person selected by the local committees constituted under the framework provided by the government. There was participation of local community and Panchayat Raj institutions in the selection and day to day management of these schools. Since educated teachers were not available in these areas government relaxed the norms and 12th pass male and 8th pass female were allowed to become Shiksha Karmi. After selection and in the initial three years SKS were given intensive trainings and there was a provision of onsite support. Now the cadre of Shiksha Karmi is merged into regular Teacher Grade III. Government formed rules and absorbed all SKS who had completed 8 years of service in the regular grade of teacher grade III. In the rule Shiksha Karmi trainings which he got in the initial three years of service were considered equal to the minimum education qualification required for teacher grade III in the state.

In late 1990s Rajiv Gandhi Swarn Jayanti Pathshalas programme was initiated by the state government to increase reach of children to the education facilities. In rural areas Pathshalas were opened and for that teacher (para teacher) was recruited on contract basis. At the time of appointment of initial few batches of para teachers there were no norms of minimum qualification and no proper processes were followed for the recruitment. In 2008 the state government had created a special cadre of teacher called

Probodak and all those teachers who were appointed as para teachers for Rajiv Gandhi Pathshalas were regularized as regular teachers and name Probodhaks was given to them. In the regularization of para teachers government provided all kind of help to them so that they could fulfil minimum criteria of eligibility. More than 90 percent teachers of that scheme are now regular government teacher in a grade, which is equal to teacher Grade III.

In 2002-03 guest faculty and in 2005-06 Vidhyarthi Mitra schemes were initiated but teachers/para teachers appointed in these scheme were not regularised and now both scheme are not in existence.

Table 8.3: Type of Para Teachers since 1990

Years	Para teacher/ school	Final status
1990 to 2006	Shiksha Karmi Schools	All para teachers working in the Shiksha Karmi schools were regularised in the grade III. Government laid guideline and process for giving them appointment in the regular grade.
1999 to 2008	Rajiv Gandhi Swarn Jyanti Schols	In 2008 under the new act Rajasthan Panchayat Raj Probodhak Service Rule 2008 all teachers working under Rajiv Gandhi Pathshala scheme were given regular appointment in a new grade which is just equal to teacher Grade III of Rajasthan Government.
2002-03 to 2005-06	Guest Faculty Scheme	The scheme is closed. The para teachers in scheme was hired on the period basis
2005-06 to 2013-2014	Vidyardhi Mitra	Appointments to the teachers were given on adhoc basis. The government has closed the scheme. Some para teachers moved to the High court against the decision of the government but the decision of High court was in favour of the government. Against the decision of the High court para teacher filed an appeal in the Supreme couth and again the decision is against the para teachers.

Chapter 9

GRIEVANCE READDRESSAL SYSTEM TEACHERS UNION

At present around 15000 cases related to the school education department are under litigation in courts in Rajasthan. These figures clearly reflect the status of grievances redressal system in the department. Moreover the figures refereed above have not spurt suddenly and for a long time education department is known for having large number of court cases. In the present report a separate chapter (Chapter 10) describe a brief analysis of nature of court cases related to the education department in the state.

Options available for teachers under existing grievance readdressal system in the state:

For graveness teachers have an option to approach their immediate supervisors (HMs/Principals). State Education Code 1957/Departmental Rules 1997 and HM Guide Book 2014 have specified that it is the duty of HMs/Principals to address and dispose off their grievances in a stipulated time. In case the issue of teacher grievance is beyond the jurisdiction of HM and Principal then they are supposed to forward the same to next higher officer in hierarchy at district/range and so on.

In 2004 for deciding the one petition (no 712/2004) High Court Rajasthan directed the state government to form a form a permanent committee to resolve the service related issues in the pre litigation stage itself. In compliance to the decision the state government formed a permanent committee of following members:

1. Secretary of the concerned department
2. Secretary, Legal, representative of finance department (not less than special Secretary)
3. Representative of DOP (not less than Deputy Secretary rank)
4. Concerned HOD

Enactment of RtE (2010) has resulted in setting up committees at districts and blocks to resolve the issues of government teachers of elementary setup. Teachers can send request to resolve their issues first at block level and if they don't get satisfactory response then they can file their request at district level committee. Block and district level committees are supposed to meet minimum once in three months.

Norms have been set for the meetings and state is following the norms. However there is no decrease in the litigation cases. Officers/clerical staff doesn't give adequate attention and leave loopholes which later on result in court case. At present in our state more than 15000 court cases are pending at high court level. 40 per cent cases are related to issues of appointment procedures and 40 per cent are on seniority disputes. Post of DEO is seniority based hence to reach to the state teachers attain 55 years of age and after that he/she stop taking any bold decision to come into any conflict. This result in litigation (State officer).

In addition to aforementioned provision, the department of Administrative Reform of Government of Rajasthan has set up a portal SUGAM for all government employees in year 2011. The portal offer online registry of grievances and it is followed up on daily basis. Applicant can login on the sight and track progress of his/her complaint. Chief Minister of Rajasthan is also monitoring the overall arrangement.

9.1 Teachers Union and Teachers demands

In the state 152 teachers unions are in existence however only 9 to 10 unions are active. Around 60 percent teachers are associated with them and teachers can be members of multiple unions. None of the teachers union is recognized by the state. All unions are linked with political parties and with change in the government at state the status of a particular union also changes. Union leaders enjoy some indirect privileges like no officer in the education department want to come in conflict with them. Most union leaders do not report to a school or teach in the pretext of being busy for various work related with teachers.

The teachers (regular teachers of all grades) in the state come in the category of government employees and governed by Rajasthan Service Rules (1957). By virtue of

being the government employees they are entitled for all privileges and perks offered to the government employees (chapter salary and other benefits to the teachers). For any grievances teacher can register complaint through channels described in the initial part of the same chapter. In addition to it, teachers are allowed to form unions or can become members of unions which are in existence (District officer).

Types of Teachers Unions

Teachers unions are constituted under cooperative society's registration act constitution of union is very simple. 11 members join together and they can register a separate union. This has resulted in creation of various unions. Primary school teachers, UPS school teachers, women teachers, SC teachers, ST teachers OBCs teachers and HM and officers etc. all have formed separate unions.

Names of the prominent unions

1. Rajasthan Shikshak Sangh Rastriya
2. Rajasthan Shikshak Sangh (Communist)
3. Rajastha Prathamik and Madhyamic Shikshak Sangh
4. Rajasthan Shikshak Sangh Pragatisheel
5. Rajasthan Shiksha Seva Parishad
6. Rajasthan Vidyarthi Mitra Union

Box 9.1: Working of Teachers Union

In the state there is no recognized Teachers Union. However in each academic year government grant two days paid leave to all teachers to hold Teacher Union meetings. In these meeting discussions take place only on teachers demand related to pay, TA/DA and other financial issues related to the financial benefits of the teachers. None of the Union is bothered about improving teaching-learning practices, shortages of teachers in the schools and poor learning level of children in government schools. They never talk about what they want to improve academic status of schools Union leaders make money in transfer and postings. Numbers of union leaders have built big houses. In fact in last ten years they have lost their reputation. They never talk about education and all kind of wrong deeds are done through the Unions. Openly exchange of money takes place. Political parties favour their supporters. If union stop indulging in transfers and posting then only teaching learning is possible in the schools. (State officer)

9.2 Some of the common demands of all Teacher/Teachers Union in the state

1. Transparent Teacher Transfer Policy.
2. Pay and other benefits to teachers at par with central government provisions In the centre Principal grade pay is 7600 while in the state it is 6600. For DEO grade pay at centre level is 8200 but at state level it is 6800.
3. Teachers should not be involved in non academic activities.
4. Additional benefits for teachers posted in the rural areas.
5. Timely release of due payment on account of Medical expense reimbursement and Travel bills
6. No trainings of teachers in the vacations.
7. Additional increments to those who got advance degrees like M Ed, Ph.D. Earlier there was provision in the state but it was abolished from 1-7-1998 on pretext of financial constraints.
8. Additional increments to the teachers who gives good results.
9. Teachers should not be assigned responsibility of managing MDM
10. HMs should get three months training on administrative issues and reorientation after every three years

Chapter 10

LITIGATION BETWEEN TEACHERS AND GOVERNMENT

Present status of court cases between teachers V/s state (education department) in the state:

1. Teachers (elementary and secondary setup) constitute around half of the total cadre of government employees in Rajasthan. Total number of teachers 4, 69,000 (state report card 2011-12).
2. More than 15000 court cases are pending at high court level.
3. Broad calculation of total number of cases related to government teachers in the state (Based on the information provided by Additional district educational officers (legal) (Eli. and Secondary education) departments, Officers in the legal cell of education directorate in Bikaner, Officer on special duty in education from legal cell in the Secretrate Jaipur)

Table 10.1: Number of cases registered in the court related to teachers

Level	High court Jaipur bench			Rajasthan civil service appellate tribunal
	Single Bench	Double Bench	Contempt cases	
Elementary	3500	2000	1500	1000
Secondary	2000	100	100	

Following is a broad categorization of nature of cases which are pending at high court level:

Table 10.2: Major issues of court cases related to teachers

Nature of cases	Issues	Percentage of total cases
Appointment related cases	<p>Qualification related issues: Appointment of teachers are govern by Rajasthan Education Service Rules 1970 (RESR1970) and Rajasthan Education Subordinate Service Rules 1971 (RESSR1971). Over the period there has been lot of changes in the university courses and numbers of new subjects (like Bio-technology, Biochemistry) have been introduced but corresponding service rules have not been amended and it creates ambiguity resulting in litigation. Prior to 2006 appointment were done by the department itself and there had been lot of irregularities. Still lots of cases are pending related to the appointment done during that period. As per the rule the state is supposed to appoint new teachers every year based on vacancies against the retirement and creation of new posts. However in last ten years the state has not followed the provision and in between for number of consecutive years there was no appointment of new teachers. In the subsequent appointments to accommodate those applicants who crossed the maximum age limit the state had relaxed the maximum age limit which has resulted in lot of litigation cases.</p> <p>In year Rajasthan Public Service commission conducted the exams for the recruitment or the teachers. Due to problems in the answer sheets, RPSC had to revise the result three times. those affected from these changes move to court and this has resulted in large number of cases are pending. Government has stopped giving fresh appointment to para teachers and phasing out existing Vidhyarthi Metra (para teacher), this is also resulted in large number of court cases.</p>	40 percent
Seniority, Selection scale, Promotion	<p>Lack of proper system for updation of service records; Due to negligence of clerical staff fixation was not done correctly; Wrong hypothesis by petitioner /wrong interpretation of rules</p>	40 percent
Salary, leave salary, pension departmental, enquiry	<p>Ambiguity in rules and amendment in rules with retrospective effects; Subsequent change in rules resulted in creation of recovery demand</p>	20 percent

10.1 Review of legal cases⁹

Overview

Based on the most recently available data collected by NUEPA, Rajasthan had about 326202 primary school teachers employed across 83,564 government primary schools

⁹ For the purpose of analysis of decisions of High Court cases related to education department in all 9 states which were part in the national study NUEPA and World bank got the services of one professional agency based in Bangaluru. Text included here under the heading “Review of legal cases” prepared by the agency.

and about 131,782 secondary school teachers employed across 27,294 secondary schools¹⁰.

In Rajasthan, our sample size was 1,285 relevant cases involving teacher grievances in government and aided schools during the period from 2009 to 2014¹¹ that were disposed of by the Rajasthan High Court. Many of these petitions were clubbed together and disposed of in judgements that deal with more than one petition. 1,045 of the total 1,285 cases were disposed of as clubbed cases, with the number of petitions grouped together ranging widely from 10 or 13 to one decision which disposed of 788 petitions (the reason for the significant increase in volume of cases in 2012) and is discussed in detail below. Most of these cases originated in the High Court as they were writ petitions or appeals from prior High Court orders passed by single judges. A small minority of the cases that reached the High Court involved appeals from the Rajasthan Civil Services Appellate Tribunal, in the case of government school teachers, and the Rajasthan Non-governmental Education Tribunal, in the case of teachers from private schools that receive grant-in-aid from the government. The petitioners in most cases involved teachers, teacher applicants and contract teachers and the respondents were various divisions of the state's education department. In some cases, the respondents were also other teachers in the school in question who were alleged to have received benefits denied to the petitioner (for example, teachers who were appointed instead of the petitioner). There were also a few situations where petitions were filed by the school management committees of aided schools against teachers of aided schools and the state government. Such cases typically involved service benefits for teachers of aided schools. Finally, a significant minority of the cases involved appeals by the State Government against the orders passed by single judges of the High Court. The table below sets out the number of cases involving teacher grievances that was decided by the Rajasthan High Court for each year covered in this study.

¹⁰ Data based on DISE Flash Statistics for 2013-2014.

¹¹ Data for 2014 only includes data until July 2014.

Table 10.3: Year-wise distribution of cases

Year	No. of Cases	Percentage
2009	10	0.78%
2010	184	14.32%
2011	76	5.91%
2012	834	64.90%
2013	173	13.46%
2014	8	0.62%
Total	1285	

Below we present our key findings from our analysis of High Court decisions based on the types of grievances, the outcomes of the cases and the time taken for conclusion of these cases. While much of this analysis is statistical we have also described the key types of grievances qualitatively to provide a flavour of the nature of the grievances and how they were resolved by the High Court. Finally, we have also described the judgement of the Indian Supreme Court in one teacher related grievance in Rajasthan that was appealed to the Supreme Court.

Analysis of High Court Cases

Types of Grievances

A significant majority of the cases (69.96% or 899 or 1285) involved teachers being aggrieved over issues related to their appointments or teacher applicants being aggrieved over another candidate being appointed in their stead. Another large category of cases related to regularisation of appointments of contract teachers (12.14% or 156 cases) followed by cases related to service benefits (10.58% or 135). Grievances related to transfers, examination standards for teacher eligibility tests, retirement benefits, termination and promotion were the other kinds of issues that the high court disposed of, though these were less frequent than appointments, service benefits and regularisation. The table below provides the breakdown of the different types of cases in aggregate and broken down by year.

Table 10.4: Number and percentage of cases for each case type in Aggregate for the State

Case Type	Total	Percentage
Appointment	899	69.96%
Regularisation	156	12.14%
Service benefits	136	10.58%
Examination Standards	45	3.50%
Transfer	22	1.71%
Retiral benefits	11	0.86%
Termination	10	0.78%
Promotion	5	0.39%
Miscellaneous	1	0.08%
Total	1285	

Table 10.5: Types of cases broken down by year

Case Type	Year						Total
	2009	2010	2011	2012	2013	2014	
Appointment	4	15	16	828	36		899
Regularisation		153	1	2	-	-	156
Service benefits	1				135		136
Examination Standards			44			1	45
Transfer	2	12	7	1	-		22
Retiral benefits	3	2	4			2	11
Termination		1	2	2	1	4	10
Promotion		1	2	1		1	5
Miscellaneous					1		1
Total	10	184	76	834	173	8	1285

Appointments

A number of appointment cases appear to stem from confusion over the rules on eligibility and selection criteria for teachers following enactment of the Right of Children to Free and Compulsory Education Act, 2009 (“RTE Act”) and related RTE rules notified by the state government. In 2012, the Rajasthan High Court, in one decision, disposed of 788 petitions¹² that were all filed following enactment of the RTE Act and related to the minimum qualifications for teachers as prescribed by the

¹² SBCWP 3520 of 2012 and 787 others.

National Council for Teacher Education (NCTE)¹³. In this group of cases, the petitioners did not question the qualifications prescribed by the NCTE but rather asked that the State Government relax the cut off date after which these minimum qualifications would apply. The petitioners were teacher applicants to government elementary schools and contended that they would have been eligible for appointment had the state not delayed the selection process. The court dismissed these petitions stating that the state government cannot relax the cut off date as this would be contrary to the RTE Act and to the minimum qualifications required of teachers under the rules prescribed by the NCTE.

Another variety of appointment related grievances involved challenges to the state's reservation policy or its implementation. For example, in one group of cases, teacher applicants who did not get appointed to government schools challenged the State Government's order that relaxed the selection criteria for certain reserved category candidates¹⁴. The court allowed these petitions stating that the State Government cannot formulate new policies with regard to reserved candidates that would amount to a relaxation of the standards set up by the NCTE. The NCTE rules allowed for a 5% relaxation of pass marks required of candidates from reserved categories and the state could not permit any additional relaxation over this standard.

A smaller number of appointment cases related to eligibility criteria for appointments that were unrelated to the RTE and based on state rules regarding the service and appointment of teachers. For example, there were cases where the petitioners were not selected because they were over-age pursuant to the Rajasthan Panchayati Raj Prabhodak Service Rules, 2008¹⁵. There were also a number of cases that involved an interpretation of the eligibility requirements for teacher positions and, in particular, whether certain degrees or qualifications satisfied the eligibility criteria under the rules.

¹³ Section 23(1) of the RTE Act allows the Central Government to prescribe minimum qualifications for teachers. The Central Government issued Notification 5.04.2010 authorising the NCTE to prescribe these qualifications.

¹⁴ CWP13488 of 2012.

¹⁵ DBCSApp436 of 2009.

One such case was appealed to the Supreme Court and is discussed in detail at the end of this section.

Appointment Regularisation

We treated grievances relating to regularisation of existing appointments as a separate category of cases which typically involved petitions and appeals filed by contract teachers who had already been appointed but whose posts had not been regularised. In a majority of these cases, the court dismissed the petitions on the basis that the decision of whether to hire contract or permanent teachers was a policy decision of the state with which the court could not interfere. However, the court allowed these petitions in a few cases where a government order existed for regularising certain contract teacher positions. In all, 158 cases were brought by contract teachers during the period covered by this study, almost all of which involved regularisation of their appointments.

Service Benefits

Most of the grievances relating to service benefits involved teachers in aided schools and revolved around questions of whether teachers in aided schools were entitled to certain service benefits such as gratuity and pension of benefits that was available to teachers in government schools. For example, in one group of cases, teachers holding non-sanctioned posts (i.e., posts not supported by government grants) in aided schools challenged the rules that provided them with different benefits from those available to teachers holding sanctioned posts as violating the right to equality under Article 14 of the Constitution¹⁶. The court dismissed these claims on the grounds that mere differentiation in treatment did not amount to discrimination that violated Article 14. The court further pointed out that there was no right to grant-in-aid per se which depended on the financial resources available to the state and that the state could, as a policy decision, decide to differentiate between sanctioned and non-sanctioned posts.

¹⁶ DBCWB16285 of 2010. The specific challenge was to Rule 2(g) of the Rajasthan Non-government Educational Institutions (Recognition, Grant-in Aid, Service Conditions etc) Rules, 1993 which defined “employee” as “an employee working in a recognized non-government aided institution and who is working against aided and sanctioned post.”

Another theme that ran through some of these service benefit decisions involved ambiguity over the status of some “aided schools.” For example, in one situation, the school, an aided institution, claimed that it could no longer pay salaries of teachers on par with government teachers because it had stopped receiving aid from the government¹⁷. The reason the school had stopped receiving grant-in-aid was due to a failure to submit the relevant documentation and accounts as required of aided institutions in accordance with the Rajasthan Non-governmental Educational Institutions Act, 1989 (the “Act”). The High Court did a detailed analysis of the various rules and conditions applicable to aided institutions and concluded that an aided institution does not lose its status as an aided institution if it stops receiving grant-in-aid from the government as a result of non-compliance with the government’s guidelines¹⁸. As such, teachers holding sanctioned posts in such an aided school would continue to be entitled to the same benefits available to teachers in government schools, even if the school had stopped receiving aid from the government¹⁹. The High Court further stated that if the school believed that the state government had wrongfully withheld aid, its remedy was to appeal this decision rather than to reduce the salaries of teachers.

A very small minority of service benefit cases involved teachers from government schools with very specific grievances, such as non-payment of their salary during disciplinary proceedings, or not being paid increments to their salary. The court dealt with such cases on a case-by-case basis, mostly remanding them to the respondents to consider the petitioner’s case further.

Outcomes

In almost all of the cases analysed (94.5% or 1181 of 1285), the state government prevailed over the teacher petitioners. Teachers prevailed only in 3.97% (or 85 of 1285) cases, while in the remaining 1.01% (or 19) or so cases, the decisions were either partial victories for the teachers or the matters were remanded to the state government

¹⁷ DBCSApp1082 of 2005.

¹⁸ The applicable laws and rules are the Act and the Rajasthan Non-government Educational Institutions Rules, 1993.

¹⁹ Section 29 of the Act provides that scale of pay and salaries for employees of aided institutions should not be any less than those prescribed for staff in a similar position in a government institution.

to consider the aggrieved teacher’s case and come to a decision within a specified period of time. This data is skewed by the fact that the court dismissed 877 very similar claims by teacher applicants who had questioned the eligibility criteria under the RTE Act. Leaving aside these 877 petitions, teachers prevailed in 20.83% (or 85 of 408) of the cases. Nevertheless, this data still suggests that the Rajasthan High Court considered a very large number of the petitions and appeals brought by teachers to be without merit. The tables below show the frequency of outcomes (a) in aggregate, and (b) broken down by (i) case type and (ii) year. In addition, we have also separately shown the outcomes for those cases in which the state government was the petitioner and the teachers were respondents. In all, there were 34 cases in which the state government was the petitioner or appellant, all of which were dismissed.

Table 10.6: Case outcomes in aggregate

Decision Taken	No. of Cases	Percentages
Dismissed	1215	94.55%
Allowed	51	3.97%
Remand to respondent	13	1.01%
In part	6	0.47%
Total	1285	

Table 10.7: Disaggregate for outcomes where state is the petitioner and teachers are the respondents

Decision Taken	Year			Total
	2010	2012	2013	
Dismissed	1	1	32	34
Total	1	1	32	34

Based on the two tables above, teachers prevailed in 85 cases (51 + 34) and the state prevailed in 1181 cases (1215 – 34).

Table 10.8: Case outcomes broken down by year

Decision Taken	Year						Total
	2009	2010	2011	2012	2013	2014	
Dismissed	3	172	67	798	169	6	1215
Allowed	5	4	7	29	4	2	51
Remand to respondent	2	8	1	2			13
In part			1	5			6
Total	10	184	76	834	173	8	1285

Table 10.9: Case outcomes broken down different types of cases

Case Type	Decision Taken				Total
	Allowed	Dismissed	In part	Remand to respondent	
Appointment	34	854	5	6	899
Regularisation	1	154	1		156
Service benefits	1	134		1	136
Examination Standards	2	43			45
Transfer	2	17		3	22
Retiral benefits	5	5		1	11
Termination	2	6		2	10
Promotion	3	2			5
Miscellaneous	1				1
Total	51	1215	6	13	1285

Table 10.10: Disaggregating outcomes based on case type and year where the state is petitioner

Case Type	Dismissed			Dismissed Total	Total
	2010	2012	2013		
Appointment		1	32	33	33
Transfer	1			1	1
Total	1	1	32	34	34

Time Taken for Conclusion of Cases

It was not always possible to obtain the start date for a dispute from a review of the judgement and, accordingly, we could only get a reliable idea of the time taken for a dispute to conclude for 1062 of the 1285 cases analysed. Where the data was available, we have used indicators to arrive at an estimate of the start of the dispute – in a majority of cases this was either the date on which the petition was filed or the date of the order being challenged²⁰. The time taken for conclusion of cases varied widely from 1 month to close to 237 months (or over 19 years). A large majority of cases (7.12% or 899 of 1062) took between seven to twelve months to conclude. The charts below provide the time ranges (in 6-month time periods) within which cases were concluded on an aggregate basis and broken down by case type. Subject to the limitations in this

²⁰ Many decisions do not indicate the date on which the petition was filed or the date of the order being challenged.

dataset, our analysis of the data suggests that grievances related to appointments and examination standards were resolved far more quickly than grievances related to service benefits.

**Table 10.11: Time periods for conclusion of cases
Data has been plotted in six-month intervals**

Duration for Case to Conclude	No. of Cases	Percentages
0-6 months	72	6.78%
7-12 months	819	77.12%
13-18 months	1	0.09%
19-24 months	8	0.75%
25-30 months	15	1.41%
31-36 months	128	12.05%
37-42 months	-	0
43 – 48 months	-	0
49-54 months	1	0.09%
55-60 months	1	0.09%
Above 60 months	17	1.60%
Total	1062	

Table 10.12: Time period ranges for conclusion of cases broken down by case type

Case Type	Time period range (in months)											Total
	0-6	7-12	13-18	19-24	25-30	31-36	37-42	43-48	49-54	55-60	60+	
Appointment	13	816	1	5	15						2	852
Examination Standards	43											43
Miscellaneous		1										1
Promotion	1	1								1	1	4
Regularisation											1	1
Retiral benefits				2		1			1		4	8
Service benefits	2					127					5	134
Termination	2										3	5
Transfer	11	1		1							1	14
Total	72	819	1	8	15	128			1	1	17	1062

Box 10.1: Tribunals in Rajasthan

Rajasthan Non-Government Educational Tribunal was set up pursuant to the Rajasthan Non-Government Educational Institutions Act, 1989 and has the same powers as a civil court in terms of procedural matters and enforcement of judgements. The mandate of the tribunal is to settle disputes between management of a recognized private educational institution (aided or unaided) and its employees. The tribunal also has jurisdiction to hear appeals by employees of orders passed by the Directorate of Education or the school management committee.

The Rajasthan Civil Services Appellate Tribunal was set up in 1976 under the Rajasthan Civil Services (Service Matters Appellate Tribunal) Act, 1976 for the adjudication of disputes and complaints with respect to service matters and matters incidental thereto of government employees. The intention of setting up the tribunal to deal exclusively with cases relating to service matters was to reduce the burden of the courts, in particular the High Court. The tribunal primarily addresses grievances such as pension, pay fixation and promotion etc.

Teacher Appointment Case in the Supreme Court

In January 2012, the Supreme Court passed a judgement on a civil appeal (*Chandrakala Trivedi v. State of Rajasthan & Ors* (Civil Appeal No 400/2012)) in which a teacher applicant appealed against the decisions of the single judge and division benches of the Rajasthan High court. The controversy involved in this case related to the eligibility criteria for the applicant's appointment as a teacher in a government primary and upper primary school. After the applicant was provisionally selected, she was told that her appointment was cancelled as she had only passed the school secondary examination and not the higher secondary/senior secondary examination which was the basic requirement for the post. The applicant contended that she had higher qualifications than the requirement as she had completed her B.Ed and M.A. degrees directly after her secondary examination. Her claim was dismissed by both the Single Judge and the Division Bench of the Rajasthan High Court which stated that a higher qualification could not be a substitute for the required qualification. However, the Supreme Court overturned these judgements stating that this was too literal a reading of the requirements. The Supreme Court pointed out that the qualification required was "Senior Secondary or Intermediate or its Equivalent" and that the term equivalent had to be interpreted reasonably: "By using the expression, 'equivalent' one means that there are some degrees of flexibility or adjustment which do not lower the stated requirement." The Supreme Court also took into consideration the

fact that the applicant had already been provisionally selected and would, therefore, have legitimate expectations that she would in fact be appointed.

Conclusion

Most teacher related grievances in Rajasthan appear to begin and conclude in the High Court and, based on our search, the above case was the only teacher related grievance from Rajasthan that reached the Supreme Court between 2009 and 2014. However, this case is suggestive of the different approaches that the Rajasthan High Court and the Supreme Court take in matters of interpreting rules. It appears that the Rajasthan High Court adopted a much more rigid and literal reading of the rules compared to the Supreme Court which viewed the issue more through the lens of what the rules were actually trying to achieve. While we should be wary of generalising based on this one case, this rigid approach taken by the Rajasthan High Court could, perhaps, be one of the reasons that a very large number of grievances were decided against teachers.

Chapter 11

MAJOR CONCERNS AND THE WAY FORWARD

Box 11.1: Relationship of working conditions of teachers and teaching-learning practices in the schools

Learning practices in the schools Education is largely a matter of a learning process that involves interaction between teacher and learner. When this process works well, real learning takes place. When teachers are enabled to do their job effectively, their students are enabled to learn effectively. Research has pointed to the importance of teacher motivation for effective learning. The obvious relation between motivation and good working conditions is thus a strong argument for improving the status and working conditions of teachers (World Education Forum *Dakar, Senegal 26-28 April 2000*)

Analysis of working conditions of teachers in Rajasthan state has resulted in emergence of certain areas of concern which are compiled below. Further based on the interviews, discussions and FGDs held during the study and suggestions received in the process, some of the possible way out (recommendations) are also given along with each major area of concern.

11.1 Teacher Education and Development

Although SSA, RMSA, DIETs, CTEs and IASEs hold teacher trainings programmes in the state but state as such has no consolidated perspective and vision for Teacher Education and Development. Besides some training (Teachers and officers both are highly dissatisfied with its quality of teachers training) there are no structures and provisions for hand holding and onsite support for teachers. Other than textbooks teachers have no access to reference materials. There is no TLM in classroom to take up activities in the teaching learning processes. Evaluation practices encourage rote learning in the students.

DIETs, CTEs and IASEs are short of physical and human resources which is impacting adversely on their work. For capacity building of these institutions the state has no plan in place thus its repercussions are visible on pre-service and in-service trainings. RMSA which is in the initial phase of setting up resources (especially human resource) to undertake teachers training at secondary level and finding difficulty in getting proper academic resource support. SSA has been doing training for long time but due to non involvement of DIETs in the process, all the experienced learned is not

institutionalized. For pre-service the state has 778 B.Ed colleges and only 5 are managed by the government. Quality of physical and human infrastructure and overall management of private colleges is extremely poor. Within education department there are strong voices against the quality of services they provide to the student.

Recommendations

1. The state should evolved a consolidated perspective and vision plan for Teacher Education and Development for teachers of all categories and according develop a comprehensive long term and short term action plans to achieve the state vision.
2. The state should have a cadre for teacher educators in DIETs and SIERT. There should a perspective and vision plan for the capacity building of faculty of DIETs, SIERT, CTEs and IASEs.
3. RMSA training faculty and its resource persons should get academic support before undertaking teachers training programme in the state.
4. The state should take up a comprehensive plan for development of reference materials for teachers. This should be linked with some mechanism to update these material time to time based on the feedbacks from different sources.
5. Pre-service training of teachers should be reviewed thoroughly.

11.2 Teachers Transfers

Teachers transfer is one of the biggest issues in the state which is impacting adversely on the working of teachers in the state. Especially in last one decade teachers transfers have been highly centralized and politically interfered. Education Minister considers right of transfer of teachers as his/her privilege and for him it is an opportunity to oblige other Ministers, MPs and MLAs by fulfilling their desires for transfer of teachers. In spite of repeated demand from teachers and their unions the state has no transfer policy. In the last two decades there have been two/three serious attempts to form teacher transfer policy but due to the vested interest of politician these attempts have not been put in practice.

Teachers who are interested in the transfer are busy in finding connection to reach to the source so they would get transfer to the desired place. Others who are not interested also busy in finding connections so that they should not be transferred to accommodate others in his/her place. Thus the lot of time for which teacher should be teaching, goes waste in managing connections/favors and thus it ultimately affecting the teaching process. At present the state has no data base of teachers at state level. Seniority list of Teachers Grade III are maintained at district level by DEOs, Teacher Grade II are at division headquarter by Deputy Director (range) and Teacher Grade I at state level at directorate of secondary education. Other than this the state has no data base of teachers.

Recommendations

The state should develop a transfer policy for teachers of all cadres and strictly follow it. Views of teachers, teachers unions and earlier experience like recommendation of Bordia Committee Report 1994 could form a good perspective in developing new policy for the transfer of teachers in the state. Various state have workout specific polices and provision for fair transfers in their state. For example Karnataka state all transfers (elementary and secondary teachers including HMs) are done as per the Karnataka State Civil Services (Regulation of transfer of Teachers) Act 2007. The enactment of the Act has resulted in formation of rules which in turn has resulted in streamlining the whole system of teachers transfers in the state. The rules limit the state to transfer maximum 5 percent of total teachers in one year and follow transparent and open system for teachers transfer. Rajasthan state can take clue from these initiatives and develop policy for the state teachers also.

To make teacher transfer work transparent and impartial, use of ICT could be explored. Some states like Gujarat and HP have developed a system of online transfers these could be studied based on its learning the state should evolve its own system. There should not be much political or bureaucratic interference in the teachers transfers.

Computerized data base of teachers at state level could be one step towards streamlining transfer and posting of teachers in the state.

11.3 Policy for motivation to teachers for posting in the rural area

In the state there is considerable difference in the house rent payable to teachers placed in urban and rural areas. As per the service rules common for all state employees including teachers, the house rent in rural area is less as compare to the cities. There are certain departments in the state in which employees when posted in the rural areas get rural allowance. For teachers there is no provision for extra allowance for working in rural areas. Large numbers of schools in the state are situated in remote far areas where it is difficult for the teacher to live with family. In these circumstances he/she maintain family in city and serve in the village. Hence serving in village results in loss in house rent and requires to spend extra money on maintaining family at two places.

Recommendation

There should be some scheme of motivation for teachers to serve in the rural areas.

11.4. Orientation of persons involved in Education Administration

Three issues emerged under this head

1. Orientation of HMs for the work related to the day to day functioning of schools and orientation of education administration. There is no separate cadre of HM for primary and upper primary schools, In primary school senior most teacher and in upper primary school simply by government order any teacher of grade II get the charge of HM of the school. Department do have provision for the orientation but there is no hard and fast rule that HM would take charge only after he/she completes orientation of HM. Hence in large number of schools HMs are not oriented. There is no system for reorientation also. Overall poor provisions of training/orientation reflect in the functioning of the schools.
2. Orientation of DEOs/BEOs on their role and responsibilities and take quick and right decision. DEO cadre in the state is promotion base and by the time a teacher become DEO he/she cross a age of 52/53 years. In the last spell of their career DEOs generally avoid taking decision on issues which is different from routine work. This adversely impact on working of the system and thus also impact on

working of teachers. Similarly there is no separate cadre for BEOs. Teachers on transfer get the posting of BEOs and there is no system of linking orientation for teachers before taking charge of BEO.

3. Orientation of bureaucrats on taking charge in education department Every department has its own style of functioning; in education department management and administration require more sensitivity on some of the relevant issues like socio economic background of children, nature of subject and its pedagogy, teacher competence and their training needs availability of resources (TLM) etc. At present IAS officers hold the charge of Directors/Commissioners in the education directorates and there is no system for their orientation before joining in the education department.

Recommendations

1. The state should have proper orientation and time bound reorientation for the HMs of all schools in the state. The state should evolve a long term perspective and policy for the same.
2. The state should consider a separate cadre of education administrators starting from BEOs, DEOs up to the director of the education department.

11.5. Teacher performance appraisal and support

In the state, for teachers there is no promotion on the basis of his/her merit, all promotions are based on seniority. In schools, for teachers there is a system of appraisal of performance of teachers at the end of year in the form of Annual Performance Appraisal Report (APAR). However, in the present circumstances teachers and the person responsible for appraising the teacher performance both do not take it seriously as chances of promotions are very less and not based on appraisal reports.

The state does have some provision for the acknowledgement of good and bad work of teachers and linked with the state provisions of award or punishment. But the same is applicable only in exceptional conditions hence take into account very limited number of teachers. On exceptionally good work teachers are rewarded at district/state/national

level. The present norms are so stringent that most teachers even if they do good work do not get recognized. Similarly the same is situation for not doing work also. There is no provision if any teacher skip his/her class or do not teach with required sincerity. Provision of punishment is in condition when overall result is exceptionally bad or there are other serious criminal charges against teacher. So for most of the teachers in the state there is no appraisal system.

Recommendations

Very recently the state has started work on academic performance appraisal for teachers and it is in the pilot stage. The same should be supervised seriously and updated based on the outcome of the pilot. The state should also explore the possibility of using ICT in managing the task.

Promotion based on merit cum seniority which was part of system earlier could be restarted with some modification based on the experience. State must explore more possibilities for teachers performance appraisal linked with tailor made measures for their capacity building.

11.6 Career Progression and Motivation

In the state there are no provisions for career advancement for teachers (other than ACP scheme which is common for all state employees). At present promotions are based on seniority only. There are no provisions for extra increment if teacher acquire addition education qualification even if it is in the education field like B.Ed, Ph.D etc. For teachers in whole service maximum two years of leave is possible for pursuing higher studies.

Recommendations

The state must work out various measures for the motivation and career progression for teachers. This would result in building enabling environment for teachers to perform well.

11.7 Grievances readdressal system

Large number (15000) of court cases related to education department in the state is an indicator for the type of Teacher Grievances System we have in the education department. Attitude and orientation of educational administrators also play important role how they perceived teachers requirement.

Recommendations

Based on the nature of cases pending in the court the state should relook at the present system of grievance readdressal in the state and work out an effective system.

11.8 Issues related to finance

Travel bills of teachers for taking part in trainings organized by SSA, DIETS, CTEs and IASEs are due for more than one year. Some of the teachers do not take part in the trainings because they know that travel expenditure incurred by them will not be reimbursed at least before one year. The same is the situation for the payment against the reimbursement of medical expenses incurred the teachers.

Recommendations

The state should evolve a proper mechanism to ensure timely payment of TA/DA to teachers so that they do not get discourage to take part in the trainings. On the same lines there is need to relook on the system of reimbursement of medical bill to teachers. The state must ensure timely release of adequate budget.

11.9 Teachers Unions in the state

Although there are various teachers unions in the state but none of them is recognized by the state. To protect the interests of teachers “Teachers Unions” are very important as they can put teacher’s perspectives on certain issues clearly before the state. In absence of the recognized union/s, as many as 150 unions have emerged in the state.

Recommendations

The state should form some policy for the recognition of teachers unions and recognize those unions which are actually representatives of large chunk of teachers.

11.10 Teachers participation in the preparation of policies

In the formal and informal discussions with teachers and officers at district and state it was realized that generally the state does not involve teachers in the policy formulation and there is no trend of compulsory consultation with them prior to implementation of any policy.

State policy on rationalization of school is the most recent and pertinent example; in the month of July/August 2014 the state took up a massive exercise to merge 17129 schools into 13536 schools by merging small schools with the nearby school. After the implementation everyday new issues are being popped up. Now the state has asked the teachers/schools to give their comments/objections. On receiving more than thousand objections government has issued new guidelines (Local news paper report 20th Sept. 2014)

Recommendations

The state should involve teachers/its representatives/unions in the formulation of policies related to the education issues.

Annexure 1**Research questions**

	The main question	What could this include	How will the data be collected?
Profile of teachers (all types)	Basic data on number of teachers - by social group. Gender and also subject specialisation (for secondary). Number of posts sanctioned, number filled.	Collect data from three sources and triangulate: State government records, DISE, SEMIS and state government / AWPB.	Perusal of records - State Government
	Number of qualified people that are produced by the education system in the state (pre-service teacher education). Numbers to have appeared for TET or similar tests in the last 2 years and a brief re-cap of the results.	Age, qualification and subject specialisation (especially for secondary and upper primary).	Perusal of records - State Government
	Profile of teachers	Age, gender, social group and qualification on entry - all three essential.	Perusal of records - State Government
Recruitment	Who becomes a teacher?	State government notifications / rules and their compliance with NCTE and RTE, specific exemptions approved for the state.	Perusal of records, look gazette notifications, guard file, minutes of meeting (if any regarding teacher qualifications, exceptions asked from NCTE etc.)
	Who hires them? What cadre do they belong to?	State, District and any other (Panchayat in case of contract teachers)	Key informant interviews and perusal of notifications and government orders.
	When was the last time that the state government recruited teachers? What process was followed and the time taken from notification of recruitment to the actual appointment.	Document the process followed and the agency that has done this (public service commission)	Key informant interviews and perusal of notifications and government orders.
	Who is the cadre controlling or managing authority?	State, district or are some of them block or village specific?	Key informant interviews and perusal of notifications and government orders.
Teacher Deployment	How are they deployed?	Who and how are decisions regarding deployment taken; at what level?	Key informant interviews and perusal of notifications and government orders (especially transfer orders).
	Transfer Policy? And its execution.	What is the current transfer policy in the state? How are teachers' transferred (will explore the current status only)?	Perusal of records, look gazette notifications, guard file, minutes of meeting (if any regarding teacher qualifications, exceptions asked from NCTE etc....)
Salaries and service conditions	Salary and other non-salary benefits, honorarium or contract amount. Duration and terms of contract.	The pay scale / pay band and for contract teachers also what is the fee band. What is the system to hire part-time teachers? Retirement benefits.	Perusal of records - State Government. Magazines brought out by teacher unions.

Working environment	Physical environment working	Infrastructure (toilets, housing, school building itself, drinking water), school facilities, library, laboratories, availability of educational material...	Key informant interviews and perusal of notifications and government orders. Information also available in DISE and SEMIS could be used.
Roles, duties and autonomy	Duties and responsibilities formally allocated/communicated to teachers. Assessment of time spent by teachers on non-academic work and academic work not related to direct teaching (CCE).	Include teaching, non-teaching - school related and other non-school or non-education related. Who allocates them and how are they communicated? How are new policy changes (RTE) or new guidelines (CCE) communicated to teachers?	Perusal of records, look gazette notifications, guard file, minutes of meeting (if any regarding teacher deployment). KII with administrators and teacher union leaders.
	Autonomy: academic and non-academic	What are the decisions that a teacher can take for his/her class - both academic and non-academic - including remedial teaching, special training etc.	Key informant interviews and perusal of notifications and government orders.
	Day to day management and administration	Sanctioning leave, allocation of duties, punitive measure (if any) for long absence, ensuring teachers come regularly, ensuring teachers teach for the stipulated amount of time, timetable management... time on task - is this monitored? How are substitute teachers allocations when school level teachers are sent for in-service training and other non-education duties?	Perusal of records, look gazette notifications, guard file, minutes of meeting (if any regarding teacher deployment)
Training	Training related	How are teachers sent for training, who decides? What is the basis on which decisions are made (data on what training teachers have attended, who does the training need assessment)? How many days of training are mandated, who organises them? Do HM or teachers have a say in the training they would like to attend? How is the training location decided (this is particularly important for women teachers)? Are there any other mechanisms for professional support?	Key informant interviews and perusal of notifications and government orders. Information also available in AWPB and with the SCERT/SIERT
Professional development	Performance evaluation or teacher assessment	Is there is system in the state, if yes, what is it and how is it done.	Key informant interviews and perusal of notifications and government orders. Also look at any reports that may exist at the district level where the performance of teachers has been evaluated.
	Professional growth of teachers - policies that are in place to encourage professional growth of teachers - to acquire higher	Look at policies that are currently in place. Also explore if they have been communicated to teachers (periodically).	Key informant interviews and perusal of notifications and government orders.

	qualifications and move up the education administration ladder.		
School Leadership	School leadership and powers / authority of HMs	All the notifications related to the powers of HMs or Head teacher - both with respect to what are their responsibilities and also the powers that have been delegated to them.	Key informant interviews and perusal of notifications and government orders.
Rights of teachers and teacher union related	Teacher grievance redressal - of both unionised and non-unionised teachers (regular, contract etc.)	If possible - study recently filed legal cases to get an idea of the range of grievances	Key informant interviews and perusal of notifications and government orders. Analysis of successful legal cases pertaining to teachers in the state. May be take cases filed in the last 2 years.
	Trade Union rights of teachers	What are they, and are they different for different categories of teachers? What are the mechanisms used by non-unionised teachers?	Key informant interviews and perusal of notifications and government orders.

Annexure 2

RESEARCH TOOL 2 (A)
KEY INFORMANT INTERVIEWS: SENIOR STATE LEVEL OFFICIALS
(Each team will decide who to interview)

Please ensure full confidentiality and inform the respondent that his/her name will not be divulged in any research report and that they will be referred to as Senior Official with a serial number. ASSURE HIM/HER THAT THE INFORMATION THEY HAVE GIVEN WILL ONLY BE USED FOR RESEARCH PURPOSES.

Name of investigator:

Date:

Time:

Signature:

1. Basic Information:

- 1.1 Current Position held:
- 1.2 Since which month & year:
- 1.3 Last post held:
- 1.4 Gender:
- 1.5 What is their specific role with respect to teacher recruitment, deployment, monitoring and development?

2. Teacher Recruitment:

- 2.1 Who is the authority to decide the number of teachers to be recruited?
- 2.2 How do you decide the number of teachers to be recruited?
- 2.3 What is the process followed for each category of teachers:
 - 2.3.1 Regular teachers, primary and upper primary
 - 2.3.2 Contract teachers, primary and upper primary
 - 2.3.3 Regular teachers, secondary

2.3.4 Contract teachers, secondary

2.3.5 Teachers appointed by other departments like Social Welfare, Minority affairs, Tribal welfare, residential schools (Note to the interviewer: Please ignore this category if not relevant to your state).

2.3.6 Any other category of teachers not covered in the above.

3. Could you walk us through the current recruitment policy in your state and major policy changes since 2003? Please discuss with reference to the following:

3.1 Is the current recruitment policy in your state same as the policy in 2003?

3.2 Has there has been any major change in teacher recruitment policies of your State? What are they?

3.3 What has motivated the changes in the recruitment policies and processes in your State in last 10 years?

3.4 Were there any specific circumstances that led to the change in recruitment policies and processes?

3.5 In particular, have there been any changes since the notification of the RTE Act in 2010?

4. Who should be interviewed to understand the changes in the teacher recruitment policy in the state?

(Note for the interviewer: The changes in the recruitment policies, processes and who recruits for which school may vary across the different kinds of schools, different department supported schools and the teachers paid from different projects):

4.1 Explore with respect to regular teachers (elementary i.e., primary and upper primary)

4.2 Explore with respect to contract teachers (elementary i.e., primary and upper primary)

4.3 Explore with respect to regular teachers (secondary)

4.4 Explore with respect to contract teachers (secondary)

5. We know from experience in different public sectors that recruitment is usually a politically sensitive issue. Would you say this is true about the teacher recruitment your state?

5.1 If yes, in what ways and why is it sensitive? (Question about direct and indirect stakeholders in teacher recruitment)

5.2 Is there a difference between elementary and secondary level recruitment?

5.3 Is there a difference between the recruitment of regular and contract teachers at elementary and secondary levels?

6. Teacher Deployment (transfer, posting, deputation)

6.1 Has there been any change in the teacher deployment policy since RTE Act 2010?

7. Salary, service condition related:

7.1 (Note to the interviewer) please share the table that you have prepared on salary scales/consolidated salary (fee band) of different categories of teachers, non-salary benefits. Ask if the official has any specific comments on what you have got from the records.

8. Concluding questions:

8.1 If you were to recommend systemic reform with respect to the working conditions of teachers, what are the five important areas in which you would initiate reform in your state?

(Note to the interviewer: THANK YOU, AND ONCE AGAIN ASSURE THE OFFICER OF COMPLTE CONFIDENTIALITY AND ASSURE HIM/HER THAT THE INFORMATION THEY HAVE GIVEN WILL ONLY BE USED FOR RESEARCH PURPOSES).

RESEARCH TOOL 2 (B)

KEY INFORMANT INTERVIEWS: SENIOR STATE LEVEL OFFICIALS (Directors of SSA / RMSA, Director SCERT, Joint Director, Deputy Director at state level or equivalent)

(Note to the interviewer: Please ensure full confidentiality and inform the respondent that his/her name will not be divulged in any research report and that they will be referred to as Senior Official with a serial number. ASSURE HIM/HER THAT THE INFORMATION THEY HAVE GIVEN WILL ONLY BE USED FOR RESEARCH PURPOSES)

Name of investigator:

Date:

Time:

Signature:

1. Basic Information:

- 1.1 Current Position held:
- 1.2 Since which month & year:
- 1.3 Last post held:
- 1.4 Gender:
- 1.5 What is their specific role with respect to teacher recruitment, deployment, monitoring and development? (Note to the interviewer: Please go to the relevant question section according to the response provided by the officer for this item i.e., if the officer has specific role in teacher recruitment, go to question section 2; for deployment go to question section 3 and so on. However question 10 and 11 may be asked from all respondents).

2. Teacher Recruitment:

- 2.1 On what bases do you decide how many teachers are needed and how they are recruited? (Note for the interviewer: To explore that how the decision regarding posts to be filled either through direct recruitment or promotion is taken by the administration).

- 2.2 Who is the authority for deciding the numbers of teachers to be recruited and start the recruitment process? (This is important, and you can review the list of people to be interviewed based on the information you get):
 - 2.2.1 Regular teachers, primary and upper primary (elementary)
 - 2.2.2 Contract teachers, primary and upper primary (elementary)
 - 2.2.3 Regular teachers, secondary
 - 2.2.4 Contract teachers, secondary
 - 2.2.5 Teachers appointed by other departments like Social Welfare, Minority affairs, Tribal welfare, residential schools (explore the ones that are relevant to the concerned state).
 - 2.2.6 Secondary teachers in government aided schools
 - 2.2.7 Any other category of teachers not covered in the above.
- 2.3 How many categories of contract teachers does your state have? (For e.g. short-term contract, long-term contract, appointment till retirement)
 - 2.3.1 Elementary (primary and upper primary)
 - 2.3.2 Secondary – government
 - 2.3.3 Secondary – government aided schools
- 2.4 Is the current recruitment policy in your state same as the policy in 2003?
 - 2.4.1 Has there been any major change in teacher recruitment policies of your State?
 - 2.4.2 What are they?
 - 2.4.3 What has motivated the changes in the recruitment policies and processes in your State in last 10 years?
 - 2.4.4 Are there specific circumstances that led to the change in recruitment policies and processes?
 - 2.4.5 In particular, have there been any changes since the notification of the RTE Act in 2010? (Note for the interviewer: The changes in the

recruitment policies, processes and who recruits for which school may vary across the different kinds of schools, different department supported schools and the teachers are paid from different projects)

2.4.5.1 Explore with respect to regular teachers (elementary- (primary and upper primary))

2.4.5.2 Explore with respect to contract teachers (elementary- (primary and upper primary))

2.4.5.3 Explore with respect to regular teachers (secondary)

2.4.5.4 Explore with respect to contract teachers (secondary)

2.4.5.5 Explore with respect to government aided school teachers (secondary)

2.5 What is the reservation policy (teacher recruitment) with respect to:

2.5.1 Social groups like SC, ST, OBC, Muslim or any specific minority group in the State

2.5.2 Disadvantaged groups such as differently abled

2.5.3 Women (explore if there is a quota for women, is it generic or it is within the social group reservation, anything special for science/math women teachers...)

2.5.4 Location (Urban, Rural, remote or any other location indicator)

2.4.5 Language

2.4.6 Any other special group

2.4.7 Quota for promotion and direct recruitment

2.6 When was the last time that the State Government recruited? What prompted the decision for recruitment? (Note to the interviewer: Refer to the details of recruitment in your checklist for elementary and secondary teachers and find out from the official if the decision for recruitment was due to some legal requirement arising out of court case judgement or a policy change or a political announcement or any other reason):

- 2.6.1 Elementary (primary and upper primary) school teachers, regular and contract
- 2.6.2 Secondary school teaches, regular and contract
- 2.7 How much time did it take from the time an administrative/political decision was taken to notification to recruit teachers and the final appointment? (Note to the interviewer: Please note down for each of the 4 categories of teachers.) If there was delay or huge time gap between the decision, notification and actual recruitment and deployment, what were the reasons?
 - 2.7.1 Could you please specify the various steps in the process of recruitment and how much time does each step take?
 - 2.7.2 Do you think there is need to speed up the process? What would you do to speed up the process?
- 2.8 At what level is the decision to recruit teachers taken?
 - 2.8.1 When, which specialisation and how many? (Note to the interviewer: Explore if it goes right up to the head of the government (CM) or is it an administrative decision?)?
 - 2.8.2 If not all the positions are filled at the same time, on what basis the decision are taken as to which positions need to be filled and which positions need not be?
- 2.9 When a recruitment process has been completed, who approves the final list of recruitment and deployment?
 - 2.9.1 Is the approval given on the generic list or is it for every single person and where someone is posted / sent?
 - 2.9.2 Is there a committee that decides recruitment and deployment? What are the representation of the political and the administrative persons in the committee? (Note for the interviewer: Get the details on the last 2 rounds of recruitments for each category of teachers)

2.10 We know from experience in different public sectors that recruitment is usually politically sensitive issue. Would you say this is true about the teacher recruitment your state?

2.10.1 If yes, in what ways and why is it sensitive? (Question about direct and indirect stakeholders in teacher recruitment)

2.10.2 Is there a difference between elementary and secondary level recruitment?

2.10.3 Is there a difference between the recruitment of regular and contract teachers at elementary and secondary levels?

3. Teacher Deployment (transfer, posting, deputation):

(Note to the interviewer: Possible respondents for this item could be: Joint Director-Personnel, Director School Education, Joint or Addl. Director in CPI or equivalent in the concerned state)

3.1 What are the different kinds of teacher transfers that happen in the state i.e., transfer due to promotion, rationalisation, mutual transfer, disciplinary action/punishment, policy for women teacher etc.?

3.1.1 What is the transfer policy of the state government for different schools (elementary and secondary; zilla parishad and SSA, or any other government school category) and teachers (elementary and secondary; and teachers recruited by different types of government recruitment authorities and working in different categories of government schools e.g., zilla parishad schools, municipal schools, SSA schools etc.)?

3.1.2 How often/frequently does the transfer happen?

3.1.3 Does it happen at the convenience of the teachers?

3.1.3 What proportions of transfers are allowed on requests, swaps (mutual transfers), vacancy, punishment and policy for women?

3.1.4 How is the weightage decided?

3.2 When was this policy made and for how many years has this policy been operational?

- 3.3 Is there a generic transfer policy for all government officials or is there anything specifically for teachers?
- 3.4 Has there been any change in the teacher deployment policy since RTE Act 2010? (Note for the interviewer: Need to understand if RTE has been a reason for change in the deployment policies and hence in the working conditions of teachers in the state).
- 3.5 Is there a particular time of the year when the transfers are made?
- 3.6 At what level are the transfer orders approved?
 - 3.6.1 For elementary (primary and upper primary) school teachers
 - 3.6.2 For secondary school teachers
- 3.7 Are contract teachers transferred?
 - 3.7.1 If yes, explore if it is within the same cluster, block or district? And if there are inter-district transfers of contract teachers.
- 3.8 What is the procedure to depute teachers to non-teaching posts at the district or state levels, or to SCERT, DIET etc.?
 - 3.8.1 For elementary (primary and upper primary) school teachers
 - 3.8.2 For secondary school teachers
- 3.9 Does the district administration have the authority to transfer or depute teachers without the permission or concurrence of the Education Department/Teacher authority (i.e., which official controls recruitment, deployment and transfers for each category of teachers)?
 - 3.9.1 Who has the authority to override the decisions taken at the lower level and how often does this happen?

(Note to the interviewer: Enlist the officials for each category of teachers; find out if there is an overlap in the authority of the concerned officials? Also explore the use of discretionary powers by the officials and who in the system can override the decision taken by the officials?)

3.10 Have there been any instances in the last 10 years when a larger number of teachers were transferred in one go? (Note to the interviewer: Press clippings on recent transfers if available could be a good source of information and may be used as cue to facilitate response on transfers. However, please beware that you are not asking for explanations and justification from the concerned official and not putting them in defensive position. The purpose is to understand the system of transfers and its relationship with the working conditions of teachers.)

3.10.1 When was it?

3.10.2 Who were transferred? Elementary school teachers, secondary teachers?

3.10.3 Why was it done?

3.10.4 Was it linked to change of government?

3.10.5 Was it linked to any other important event?

3.11 Are there any exceptional situations in which the District administration can depute teachers to non-teaching, administrative or any other duties? Who can exercise these exceptions? Are these exceptional panels used? (Explore if teachers are also given duties other than national, state and Panchayat election duties and Census enumeration).

4. Teacher Data Base

4.1 Does your state have a database of teachers - regular and contract at elementary (primary and upper primary) and secondary levels?

4.1.1 Is it computerised?

4.1.2 What information is there in the database?

4.1.3 How are these databases updated? (Especially in case of standalone teacher MIS)

4.1.4 Is the database the same as the salary database?

4.1.5 What is this database used for?

4.1.5.1 Seniority list

4.1.5.2 Pay salaries

4.1.5.3 Retirement related

4.1.5.4 Training programmes

4.1.5.5 Other professional development programmes

If not, then on what basis the decisions are made regarding above five aspects by the state and the districts?

5. Salary, service condition related:

(Note to the interviewer: Possible respondents for this item could be Joint Director-Personnel, Finance?)

(Note to the interviewer: Please share the table that you have prepared on salary scales / consolidated salary (fee band) of different categories of teachers, non-salary benefits. Ask if the official has any specific comments on what you have got from the records.)

5.1 When was the last time that the salaries / fee were revised? Were the salaries revised for all categories of teachers or for specific categories?

5.1.1 Was it linked to GOI pay-commission?

5.1.2 Was it linked to living index related indicators?

5.1.3 Was it negotiated by the teacher unions / associations?

5.1.4 Was it linked to any other state-specific event / issue?

5.1.5 Was there any other event such as a new project or a political decision that influenced the revision of salaries? (Note to the interviewer: Please be aware that this is not an exclusive list. Explore further, if necessary)

5.2 Are there any allowances specifically for different categories – urban, backward areas, hilly region?

5.3 Is the salary electronically transferred to the bank accounts? Explore separately for all categories of teachers:

- 5.3.1 Regular teachers, elementary (primary and upper primary)
 - 5.3.2 Contract teachers, elementary (primary and upper primary)
 - 5.3.3 Regular teachers, secondary
 - 5.3.4 Contract teachers, secondary
 - 5.3.5 Any other category of teachers not covered in the above.
- 5.4 If the salary is not electronically transferred, explore how it is disbursed?
- 5.4.1 Regular teachers, elementary (primary and upper primary)
 - 5.4.2 Contract teachers, elementary (primary and upper primary)
 - 5.4.3 Regular teachers, secondary
 - 5.4.4 Contract teachers, secondary
 - 5.4.5 Any other category of teachers not covered in the above
- 5.5 Are teachers expected to make any payments or are teachers' salaries deducted due to some government order?
- 5.6 Have you received any complaints about salary disbursement? If yes, can you give details?

6. Disciplinary action related:

- 6.1 What are the circumstances in which the release of salary is withheld?
- 6.1.1 How frequently it has actually happened in the last 5 years?

(Note to the interviewer: Please note down the details explained by the officer. If the salary was withheld because the teacher was suspended, explore the reason for suspension and the frequency of each of such instances in last 2 years.).
- 6.2 What are the situations/circumstances when disciplinary action is taken against a teacher?
- 6.2.1 How frequently it has actually happened in the last 5 years?

(Note to the interviewer: Note down the details explained by the officer including the nature and number of cases in which disciplinary action was taken.)

- 6.3 Can you recall any specific case / cases that may be important to understand the service conditions of teachers?
- 6.4 What are the regulations on teachers for taking other paid work
 - 6.4.1 Election related work, other government surveys,
 - 6.4.2 Training resource person,
 - 6.4.3 Remedial classes / tuitions,
 - 6.4.4 Consultancy
- 6.5 Are the regulations on teachers taking up paid work same for
 - 6.5.1 Regular permanent and contract teachers
 - 6.5.2 Elementary and secondary teachers?

(Note to the interviewer: You may need to ask a follow up question regarding disciplinary action, in case paid work is not allowed).

7. Roles, duties and teacher autonomy:

(Note to the interviewer: Possible respondents for this item could be an official in SSA, Education Department, RMSA and also SCERT)

- 7.1 What are the duties of teachers? Explore:
 - 7.1.1 Teaching,
 - 7.1.2 Non-teaching but school related,
 - 7.1.3 Non-teaching and not related to school
 - 7.1.4 Any other
- 7.2 Is there any government order or guidelines with respect to the maximum number of days that a teacher can be asked to do non-teaching tasks (including training, other education related duties, other non-education duties)?
 - 7.2.1 Who monitors this and how?
 - 7.2.2 What are the grievances related to it and how are they redressed?

7.2.3 Is it done by the union or by district admin or by HM. (Note to the interviewer: These may vary across different types of teachers.)

7.3 Has the government issued any order or guidelines on the powers / authority of HM or head teachers? If yes, please give details with respect to elementary and secondary schools.

8. Deputing teachers for training:

(Note to the interviewer: explore with respect to regular and contract teachers, contract and regular teachers)

8.1 Are there teachers in your State who do not have the RTE stipulated qualifications?

8.1.1 What is their status now?

8.1.2 What are you doing with them?

8.1.3 Is there a certification process for untrained teachers and for the teachers without RTE stipulated qualifications?

8.2 How is the training needs assessed for different categories of teachers and by whom?

8.3 Who decides the content, duration and the timing of the training and on what basis? Are teachers involved in these decisions? How?

8.4 How and who decides who is sent for training? How are teachers sent / nominated for training programme?

8.4.1 At what level is this decision taken?

8.4.2 Who issues orders?

8.5 Are contract teachers also sent for training programmes? / Do contract teachers get access to training?

8.5.1 If yes, what kind of training? How often are they sent for training?

8.6 Does the HM have a say in nomination of teachers for training?

- 8.6.1 If yes, get details for both elementary (primary and upper primary) and secondary teachers.
- 8.6.2 Are there any processes for substitute teachers?
- 8.6.3 Also, if teachers are nominated for trainings, is there a provision for teachers to opt out?
- 8.7 How is the location of residential training programme decided?
 - 8.7.1 Does your state make special arrangement for women teachers – especially with respect to sanitation, safety and related issues? If yes, specify.
- 8.8 Do all teachers participate in the training programmes organised by the government? E.g. Dozilla parishad teachers attend the trainings organised by SSA?
 - 8.8.1 Explore if women teachers face any specific problems with respect to attending training.

9. Evaluation, appraisal and development:

(Note to the interviewer: Possible respondents for this item could be an official in SSA, Education Department, RMSA and also SCERT)

- 9.1 What is the mechanism for assessment of teachers' work, their roles and responsibilities?
 - 9.1.1 How often are the teachers assessed or evaluated for their work?
 - 9.1.2 Who are responsible for assessing teachers' work?
 - 9.1.3 How are the findings of teacher performance and appraisal of their work used? To what effect?
- 9.2 What is the policy / practice / convention to encourage teachers to:
 - 9.2.1 Move up the administrative ladder
 - 9.2.2 Move up the academic ladder
 - 9.2.3 Become master trainers, resource persons
 - 9.2.4 Teacher educator

10. Rights of teachers and trade union / association related:

10.1 Do all categories of teachers have their own union or association? Explore with respect to all category / levels of teachers.

10.1.1 How many unions are there in the state, at what levels and their association / alignment to political parties?

10.2 What are the grievance redress mechanisms available to teachers?

10.2.1 Regular teachers, elementary (primary and upper primary)

10.2.2 Contract teachers, elementary (primary and upper primary)

10.2.3 Regular teachers, secondary

10.2.4 Contract teachers, secondary

10.2.5 Any other category of teachers not covered in the above

10.3 What are the categories / kinds of teacher-related cases that have been filed in the court in the last 5 years?

10.3.1 Where can we access this information?

10.3.2 Do you think an analysis of recent judgement would give us greater insights into teacher working conditions and related issues?

10.4 How much time did you spend in the last 6 months on teacher-related litigation? (Note to the interviewer: Please get a rough estimate and also explore if the cases related to the teachers working conditions were filed at the Taluka adalat (court), tribal court or High court.)

11. Government policy with respect to secondary teachers in Government Aided Schools:

11.1 Does the government have any specific policy for government-aided secondary school teachers?

11.2 What all does this policy cover?

11.2.1 Recruitment

11.2.2 Transfer and posting

11.2.3 Salary scale

11.2.4 Grievance redressal

11.2.5 Any other service condition related matter.

12. Concluding question:

12.1 If you were to recommend systemic reform with respect to the working conditions of teachers, what are the five important areas in which you would initiate reform in your state?

(Note to the interviewer: THANK YOU, AND ONCE AGAIN ASSURE THE OFFICER OF COMPLETE CONFIDENTIALITY AND ASSURE HIM/HER THAT THE INFORMATION THEY HAVE GIVEN WILL ONLY BE USED FOR RESEARCH PURPOSES).

RESEARCH TOOL 3 (A)

KEY INFORMANT INTERVIEWS: SENIOR DISTRICT LEVEL EDUCATION OFFICIALS (Deputy Directors, District SSA Project Officer, DEO)

(Note to the interviewer: Please ensure full confidentiality and inform the respondent that his/her name will not be divulged in any research report and that they will be referred to as District Official with a serial number. Assure the officer that the information they share will be used strictly for research purposes.)

Name of investigator

Date

Time

Signature:

1. Basic Information:

1.1 Current Position held:

1.2 Since which year:

1.3 Last post held:

1.4 Gender

1.5 What is their specific role with respect to teacher recruitment, deployment, monitoring and development? (Note to the interviewer: Please go to the relevant question section according to the response provided by the officer for this item i.e., if the officer has specific role in teacher recruitment, go to question section 2; for deployment go to question section 3 and so on. However question 8 and 9 may be asked from all respondents.)

2. Teacher Recruitment:

2.1 On what bases do you decide how many teachers are needed and how they are recruited? (Note for the interviewer: To explore that how the decision regarding posts to be filled either through direct recruitment or promotion is taken by the administration.)

2.2 Who is the authority for deciding the numbers of teachers to be recruited and start the recruitment process at the district level? (Note to the interviewer: This is important, and you can review the list of people to be interviewed based on the information you get):

2.2.1 Regular teachers, elementary (primary and upper primary)

2.2.2 Contract teachers, elementary (primary and upper primary)

2.2.3 Regular teachers, secondary

- 2.2.4 Contract teachers, secondary
- 2.2.5 Teachers appointed by other departments like Social Welfare, Minority affairs, Tribal welfare, residential schools (explore the ones that are relevant to the concerned state).
- 2.2.6 Any other category of teachers not covered in the above.
- 2.3 When was the last time that teachers were recruited in your district? Was it synchronised with the state-wide process? If it is different or separate, explore with respect to:
 - 2.3.1 Elementary (primary and upper primary) school teachers, regular and contract
 - 2.3.2 Secondary school teaches, regular and contract
- 2.4 How did you decide how many teachers to recruit in one time? (Note to the interviewer: Refer to the details of recruitment in your checklist for elementary and secondary teachers and find out from the official if the decision for recruitment was due to some legal requirement arising out of court case judgement or a policy change or a political announcement or any other reason):
 - 2.4.1 Elementary (primary and upper primary) school teachers, regular and contract
 - 2.4.2 Secondary school teaches, regular and contract
- 2.5 How much time did it take from the time an administrative/political decision was taken to notification to recruit teachers and the final appointment? (Note to the interviewer: Please note down for each of the 4 categories of teachers.) If there was delay or huge time gap between the decision, notification and actual recruitment and deployment, what were the reasons?
 - 2.5.1 Could you please specify the various steps in the process of recruitment and how much time does each step take?
 - 2.5.2 Do you think there is need to speed up the process? What would you do to speed up the process?
- 2.6 At what level is the decision to recruit teachers taken?
 - 2.6.1 When, which specialisation and how many? (Note to the interviewer: Explore if it goes right up to the head of the government (CM) or is it an administrative decision?)
 - 2.6.2 If not all the positions are filled at the same time, on what basis the decision are taken as to which positions need to be filled and which positions need not be?

- 2.7 When a recruitment process has been completed, who approves the final list of recruitment and deployment?
- 2.7.1 Is the approval given on the generic list or is it for every single person and where someone is posted / sent?
- 2.7.2 Is there a committee that decides recruitment and deployment? What is the representation of the political and the administrative persons in the committee?(Note for the interviewer: Get the details on the last 2 recruitments for each category of teachers. And also explore the relation between state and the district with reference to the decisions and communication regarding recruitment).
- 2.8 How many categories of contract teachers do you have? (Short-term contract, long-term contract, appointment till retirement)
- 2.8.1 Elementary (primary and upper primary)
- 2.8.2 Secondary
- 2.9 We know from experience in different public sectors that recruitment is usually politically sensitive issue. Would you say this is true about the teacher recruitment your district?
- 2.9.1 If yes, in what ways and why is it sensitive? (Question about direct and indirect stakeholders in teacher recruitment)
- 2.9.2 Is there a difference between elementary and secondary level recruitment?
- 2.9.3 Is there a difference between the recruitment of regular and contract teachers at elementary and secondary levels?

3. Teacher Deployment (transfer, posting, deputation)

- 3.1 What are the different kinds of teacher transfers that happen in your district i.e., inter-district transfer, transfer due to promotion, rationalisation, mutual transfer, disciplinary action/punishment, policy for women teacher etc.?
- 3.1.1 What is the transfer policy of the state government for different schools (elementary and secondary; zilla parishad and SSA, or any other government school category) and teachers (elementary and secondary; and teachers recruited by different types of government recruitment authorities and working in different categories of government schools e.g., zilla parishad schools, municipal schools, SSA schools etc.)?
- 3.1.2 How often/frequently do the transfers happen?
- 3.1.3 How many inter-district transfers have happened in the last 3 years?
- 3.1.4 Does it happen at the convenience of the teachers?

- 3.1.5 What proportions of transfers are allowed on requests, mutual transfer, vacancy, punishment and policy for women?
- 3.1.6 How is the weightage decided?
- 3.2 Is there a particular time of the year when the transfers are made?
- 3.3 At what level are the transfer orders approved?
 - 3.3.1 For elementary (primary and upper primary) school teachers
 - 3.3.2 For secondary school teachers
- 3.4 Can elementary (primary and upper primary) teachers be transferred?
 - 3.4.1 Only within the district
 - 3.4.2 Only within the block
 - 3.4.3 Across districts
- 3.5 Can secondary teachers be transferred?
 - 3.5.1 Only within the district
 - 3.5.2 Only within the block
 - 3.5.3 Across districts
- 3.6 Are contract teachers transferred?
 - 3.6.1 If yes, explore if it is within the same cluster, block or district? And if there are inter-district transfers of contract teachers.
- 3.7 Have there been any instances in the last 10 years when a larger number of teachers were transferred in one go? (Note to the interviewer: Press clippings on recent transfers if available could be a good source of information and may be used as cue to facilitate response on transfers. However, please beware that you are not asking for explanations and justification from the concerned official and not putting them in defensive position. The purpose is to understand the system of transfers and its relationship with the working conditions of teachers.)
 - 3.7.1 When was it?
 - 3.7.2 Who were transferred? Elementary school teachers, secondary teachers?
 - 3.7.3 Why was it done?
 - 3.7.4 Was it linked to change of government?
 - 3.7.5 Was it linked to any other important event?
- 3.8 What is the procedure to depute teachers to non-teaching posts in the district, or to SCERT, DIET etc.?

3.8.1 For elementary (primary and upper primary) school teachers

3.8.2 For secondary school teachers

3.9 Does the District Administration (DM/DC) have the authority to transfer or depute teachers without the permission or concurrence of the Education Department / Teacher cadre controlling authority (i.e., which official controls recruitment, deployment and transfers for each category of teachers)?

3.9.1 Who has the authority to override the decisions taken at the lower level and how often does this happen?

(Note to the interviewer: Enlist the officials for each category of teachers; find out if there is an overlap in the authority of the concerned officials? Also explore the use of discretionary powers by the officials and who in the system can override the decision taken by the officials?)

3.10 Are there any exceptional situations in which the district administration can relocate / deploy teachers to non-teaching, administrative or any other duties? Who can exercise these exceptions? Are these exceptional panels used? (Note to the interviewer: Explore if teachers are also given duties other than national, state and Panchayat election duties and Census enumeration, secondment to work in the district office, DM's office).

3.11 Does your district have a database of teachers - regular and contract at elementary (primary and upper primary) and secondary levels?

3.11.1 Is it computerised?

3.11.2 What information is there in the database?

3.11.3 How are these databases updated? (especially in case of standalone teacher MIS)

3.11.4 Is the database the same as the salary database?

3.11.5 What is this database used for?

3.11.5.1 Seniority list

3.11.5.2 Pay salaries

3.11.5.3 Retirement related

3.11.5.4 Training programmes

3.11.5.5 Other professional development programmes

If not, then on what basis the decisions are made regarding above five aspects by the state and the districts?

3.12 Is there any difference in the recruitment and deployment policies of teachers working under the different departments?

3.12.1 Teachers working under Social Welfare Department, Tribal Welfare Department, Minority Affairs Department, Residential Schools, Ashram Shalas etc. (explore with respect to the situation in your state/district)

3.12.2 If yes, can you please spell out the difference with respect to recruitment and deployment?

4. Deputing teachers for training (explore with respect to regular and contract teachers, contract and regular teachers):

4.1 Are there teachers in your district who do not have the RTE stipulated qualifications?

4.1.1 What is their status now?

4.1.2 What are you doing with them?

4.1.3 Is there a certification process for untrained teachers and for the teachers without RTE stipulated qualifications?

4.2 Who assesses the training need for different categories of teachers and how?

4.3 Who decides the content, duration and the timing of the training and on what basis? Are teachers involved in these decisions? How?

4.4 How and who decides who is sent for training? How are teachers sent / nominated for training programme?

4.4.1 At what level (School, Cluster, Block, District) is this decision taken?

4.4.2 Who issues orders?

4.5 Are contract teachers also sent for training programmes? / Do contract teachers get access to training?

4.5.1 If yes, what kind of training? How often are they sent for training?

4.6 Does the HM have a say in nomination of teachers for training?

4.6.1 If yes, get details for both elementary (primary and upper primary) and secondary teachers.

4.6.2 Are there any processes for substitute teachers?

4.6.3 Also, if teachers are nominated for trainings, is there a provision for teachers to opt out?

4.7 How is the location of residential training programme decided?

4.7.1 Do you make special arrangement for women teachers – especially with respect to sanitation, safety and related issues? If yes, specify.

4.8 Do all teachers participate in the training programmes organised by the government? E.g. Dozillaparishad teachers attend the trainings organised by SSA?

4.8.1 Explore if women teachers face any specific problems with respect to attending training.

5. Salary, service condition related:

(Note to the interviewer: Please share the table that you have prepared on salary scales / consolidated salary (fee band) of different categories of teachers, non-salary benefits. Ask if the official has any specific comments on what you have got from the records. Just check if the information we have is correct.)

5.1 Is the salary electronically transferred to the bank accounts? Explore separately for all categories of teachers:

5.1.1 Regular teachers, elementary (primary and upper primary)

5.1.2 Contract teachers, elementary (primary and upper primary)

5.1.3 Regular teachers, secondary

5.1.4 Contract teachers, secondary

5.1.5 Any other category of teachers not covered in the above.

5.2 If the salary is not electronically transferred, explore how it is disbursed?

5.2.1 Regular teachers, elementary (primary and upper primary)

5.2.2 Contract teachers, elementary (primary and upper primary)

5.2.3 Regular teachers, secondary

5.2.4 Contract teachers, secondary

5.2.5 Any other category of teachers not covered in the above

5.3 Do all teachers receive their salaries on time? On which day of the month are salaries disbursed? Explore for all categories of teachers:

5.3.1 Regular teachers, elementary (primary and upper primary)

5.3.2 Contract teachers, elementary (primary and upper primary)

5.3.3 Regular teachers, secondary

5.3.4 Contract teachers, secondary

5.3.5 Any other category of teachers not covered in the above

5.4 Has there been any delay in payment of salaries in the last one year? Explore with respect to all categories of teachers

5.4.1 Regular teachers, elementary (primary and upper primary)

- 5.4.2 Contract teachers, elementary (primary and upper primary)
- 5.4.3 Regular teachers, secondary
- 5.4.4 Contract teachers, secondary
- 5.4.5 Any other category of teachers not covered in the above
- 5.5 Are teachers expected to make any payments or are teachers' salaries deducted due to some government-authorized order/decreed? Are salary payments smooth? Have you received any complaints? What kind?
- 5.6 What are the circumstances in which the release of salary is withheld? How frequently it has actually happened in the last 5 years? (Note to the interviewer: Please note down the details explained by the officer. If the salary was withheld because the teacher was suspended, explore the reason for suspension and the frequency of each of such instances in last 2 years.).
- 5.7 What are the situations / circumstances when disciplinary action is taken against a teacher?
 - 5.7.1 How frequently it has actually happened in the last 5 years?

(Note to the interviewer: (Note down the details explained by the officer including the nature and number of cases in which disciplinary action was taken)
- 5.8 Can you recall any specific case / cases that may be important to understand the service conditions of teachers?
- 5.9 What are the regulations on teachers for taking other paid work and how it is monitored?
 - 5.9.1 Election related work, other government surveys,
 - 5.9.1.1 training resource person,
 - 5.9.1.2 remedial classes / tuitions,
 - 5.9.1.3 consultancy
 - 5.9.2 Are the regulations same for
 - 5.9.2.1 regular permanent and contract teachers
 - 5.9.2.1 Elementary and secondary teachers?

(Note to the interviewer: You may need to ask a follow up question regarding disciplinary action, in case paid work is not allowed).

6. Evaluation, appraisal and development:

- 6.1 What is the mechanism for assessment of teachers' work, their roles and responsibilities?
 - 6.1.1 How often are the teachers assessed or evaluated for their work?

- 6.1.2 Who are responsible for assessing teachers' work?
- 6.1.3 How are the findings of teacher performance and appraisal of their work used? To what effect?
- 6.2 What is the policy / practice / convention to encourage teachers to:
 - 6.2.1 Move up the administrative ladder
 - 6.2.2 Move up the academic ladder
 - 6.2.3 Become master trainers, resource persons
 - 6.2.4 Teacher educator

7. Roles, duties and teacher autonomy:

- 7.1 What are the duties of teachers? (Explore in light of RTE)
 - 7.1.1 Teaching and student related (including assessment, CCE),
 - 7.1.2 Non-teaching but school related (record keeping, data gathering and compiling, MDM related)
 - 7.1.3 Non-teaching and not related to school
 - 7.1.4 Any other
- 7.2 Who allocates duties?
 - 7.2.1 Is it done by the HM or Head teacher?
 - 7.2.2 Is it done at the Block level or equivalent in urban areas?
- 7.3 Is there any government order or guidelines with respect to the maximum number of days that a teacher can be asked to do non-teaching tasks (including training, other education related duties, other non-education duties)?
 - 7.3.1 Who monitors this and how?
 - 7.3.2 What are the grievances related to it and how are they redressed? Is it done by the union or by district admin or by HM. (Note to the interviewer: These may vary across different types of teachers.)
- 7.4 Do some categories of teachers or seniority of teachers get more non-teaching duties than others?
 - 7.4.1 If yes, explore in detail with respect to age of teacher, regular / contract and any other important parameter.
- 7.5 How were the guidelines in relation to RTE communicated to the teachers?
 - 7.5.1 How did you ensure that all the teachers were oriented on the new guidelines?

- 7.6 What powers does the HM have, with respect to:
 - 7.6.1 Teacher attendance
 - 7.6.2 Time on teaching task
 - 7.6.3 Teaching processes
 - 7.6.4 Data gathering, compilation
 - 7.6.5 Mid-day meal supervision
 - 7.6.6 Mid-day meal inventory
- 7.7 Is there any government guideline with respect to allocation of substitute teachers to schools (when the one posted is deputed for work, training or goes on leave)?

8. Rights of teachers and trade union / association related:

- 8.1 Do all categories of teachers have their own union or association? Explore with respect to all category / levels of teachers.
 - 8.1.1 How many unions are there in the state and in your district, at what levels and their association / alignment to political parties?
- 8.2 What are the grievance redress mechanisms available to teachers?
 - 8.2.1 Regular teachers, elementary (primary and upper primary)
 - 8.2.2 Contract teachers, elementary (primary and upper primary)
 - 8.2.3 Regular teachers, secondary
 - 8.2.4 Contract teachers, secondary
 - 8.2.5 Any other category of teachers not covered in the above
- 8.3 What are the categories / kinds of teacher-related cases that have been filed in the court in the last 5 years?
 - 8.3.1 Where can we access this information?
 - 8.3.2 Do you think an analysis of recent judgement would give us greater insights into teacher working conditions and related issues?
- 8.4 How much time did you spend in the last 6 months on teacher-related litigation? (Note to the interviewer: Please get a rough estimate and also explore if the cases related to the teachers working conditions were filed at the Talukaadalat (court), tribal court or High court.)

9. Concluding questions:

- 9.1 If you were to recommend systemic reform with respect to the working conditions of teachers, what are the five important areas in which you would initiate reform in your state?

(Note for the interviewer: THANK YOU, AND ONCE AGAIN ASSURE THE OFFICER OF COMPLETE CONFIDENTIALITY AND ASSURE HIM/HER THAT THE INFORMATION THEY HAVE GIVEN WILL ONLY BE USED FOR RESEARCH PURPOSES)

RESEARCH TOOL 3 (B)

KEY INFORMANT INTERVIEWS: DISTRICT LEVEL EDUCATION OFFICIALS WHO HANDLE TEACHER RELATED MATTERS

(Note to the interviewer: Please ensure full confidentiality and inform the respondent that his/her name will not be divulged in any research report and that they will be referred to as District Official with a serial number. Assure the officer that the information they share will be used strictly for research purposes only.)

Name of investigator

Date

Time

Signature:

1. Basic Information:

- 1.1 Current Position held:
1.2 Since which month & year:
1.3 Last post held:
1.4 Gender:
1.5 What is their specific role with respect to teacher recruitment, deployment, monitoring and development (Note to the interviewer: Please go to the relevant question section according to the response provided by the officer for this item i.e., if the officer has specific role in teacher recruitment, go to question section 2; for deployment go to question section 3 and so on.)

2. Teacher Recruitment:

- 2.1 On what bases do you decide how many teachers are needed and how they are recruited? (Note for the interviewer: To explore that how the decision regarding posts to be filled either through direct recruitment or promotion is taken by the administration.)

- 2.2 When was the last time that you recruited teachers for your schools? Was it synchronised with state-wide process? If it is different or separate, explore with respect to:
 - 2.3.1 Elementary (primary and upper primary) school teachers, regular and contract
 - 2.2.2 Secondary school teaches, regular and contract
- 2.3 What prompted the decision for recruitment? How did you decide how many teachers to recruit in one time? (Note to the interviewer: Refer to the details of recruitment in your checklist for elementary and secondary teachers and find out from the official if the decision for recruitment was due to some legal requirement arising out of court case judgement or a policy change or a political announcement or any other reason):
 - 2.3.1 Elementary (primary and upper primary) school teachers, regular and contract
 - 2.3.2 Secondary school teaches, regular and contract
- 2.4 How much time did it take from the time an administrative / political decision was taken to notification to recruit teachers and the final appointment? (Note to the interviewer: Please note down for each of the 4 categories of teachers.)If there was delay or huge time gap between the decision, notification and actual recruitment and deployment, what were the reasons?
 - 2.4.1 Could you please specify the various steps in the process of recruitment and how much time does each step take?
 - 2.4.2 Do you think there is need to speed up the process? What would you do to speed up the process?
- 2.5 At what level is the decision to recruit teachers taken?
 - 2.5.1 When, which specialisation and how many? (Note to the interviewer: Explore if it goes right up to the head of the government (CM) or is it an administrative decision?)
 - 2.5.2 If not all the positions are filled at the same time, on what basis the decision are taken as to which positions need to be filled and which positions need not be?
- 2.6 When a recruitment process has been completed, who approves the final list of recruitment and deployment?
 - 2.6.1 Is the approval given on the generic list or is it for every single person and where someone is posted / sent?
 - 2.6.2 Is there a committee that decides recruitment and deployment? What is the representation of the political and the administrative persons in the committee?

(Note for the interviewer: Get the details on the last 2 rounds of recruitments for each category of teachers)

- 2.7 How many categories of contract teachers do you have? (Short-term contract, long-term contract, appointment till retirement)
 - 2.7.1 Elementary (primary and upper primary)
 - 2.7.2 Secondary

3. Teacher Deployment (transfer, posting, deputation)

- 3.1 What is the transfer policy for teachers working in your district?
 - 3.1.1 Elementary schools (primary and upper primary)
 - 3.1.2 Secondary schools
- 3.2 Is there a particular time of the year when the transfers are made?
 - 3.3 At what level are the transfer orders approved?
 - 3.3.1 For elementary (primary and upper primary) school teachers
 - 3.3.2 For secondary school teachers
- 3.4 Can elementary teachers be transferred?
 - 3.4.1 Only within the district
 - 3.4.2 Only within the block
 - 3.4.3 Across districts
- 3.5 Can secondary teachers be transferred?
 - 3.5.1 Only within the district
 - 3.5.2 Only within the block
 - 3.5.3 Across districts
- 3.6 Are contract teachers transferred?
 - 3.6.1 If yes, explore if it is within the same cluster, block or district? And if there are inter-district transfers of contract teachers.
- 3.7 Have there been any instances in the last 10 years when a larger number of teachers were transferred in one go?
 - 3.7.1 When was it?
 - 3.7.2 Who were transferred? Elementary school teachers, secondary teachers?
 - 3.7.3 Why was it done?
 - 3.7.4 Was it linked to the change of government?
 - 3.7.5 Was it linked to any other important event?
- 3.8 What is the procedure to depute teachers to non-teaching posts in the district, or to SCERT, DIET etc.?
 - 3.8.1 For elementary (primary and upper primary) school teachers
 - 3.8.2 For secondary school teachers

3.9 Does the District Administration (DM/DC) have the authority to transfer or depute teachers without the permission or concurrence of the Education Department / Teacher authority? (i.e., which official controls recruitment, deployment and transfers for each category of teachers)?

3.9.1 Who has the authority to override the decisions taken at the lower level and how often does this happen?

(Note to the interviewer: Enlist the officials for each category of teachers; find out if there is an overlap in the authority of the concerned officials? Also explore the use of discretionary powers by the officials and who in the system can override the decision taken by the officials?)

3.10 Are there any exceptional situations in which the district administration can relocate / deploy teachers to non-teaching, administrative or any other duties? Who can exercise these exceptions? Are these exceptional panels used?

(Note to the interviewer: Explore if teachers are also given duties other than national, state and Panchayat election duties and Census enumeration, secondment to work in the district office, DM's office).

3.11 Is there any difference in the recruitment and deployment policies of teachers working under different departments?

3.11.1 Teachers working under Social Welfare Department, Tribal Welfare Department, Minority Affairs Department, Residential Schools, Ashram Shalas etc. (explore with respect to the situation in your state / district)

3.11.1.1 If yes, can you please spell out the difference with respect to recruitment and deployment?

4. Deployment for training: (explore with respect to regular and contract teachers, contract and regular teachers):

4.1 Are there teachers in your district who do not have the RTE stipulated qualifications?

4.1.1 How many?

4.1.2 What is their status now?

4.1.3 What are you doing with them?

4.1.4 Is there a certification process for untrained teachers and for the teachers without RTE stipulated qualifications?

4.2 Who assesses the training need for different categories of teachers and how?

4.3 Who decides the content, duration and the timing of the training and on what basis? Are teachers involved in these decisions? How?

4.4 How and who decides who is sent for training? How are teachers sent / nominated for training programme?

4.4.1 At what level is this decision taken?

4.4.2 Who issues orders?

- 4.5 Are contract teachers also sent for training programmes? / Do contract teachers get access to training?
 - 4.5.1 If yes, what kind of training? How often are they sent for training?
 - 4.5.2 Any processes for substitute teachers? Also if teachers are nominated for teachers, is there a provision for teachers to opt out?
- 4.6 Does the HM have a say in nomination of teachers for training?
 - 4.6.1 If yes, get details for both elementary (primary and upper primary) and secondary teachers.
- 4.7 How is the location of residential training programme decided?
 - 4.7.1 Do you make special arrangement for women teachers – especially with respect to sanitation, safety and related issues? If yes, give details.
- 4.8 Do all teachers participate in the training programmes organised by the government? E.g. Dozilaparishad teachers attend the trainings organised by SSA?
 - 4.8.1 Explore if women teachers face any specific problems with respect to attending training.

5. Teacher related database / MIS

- 5.1 Does your state have a database of teachers - regular and contract?
- 5.2 Is it computerised?
- 5.3 What is this data based used for?
 - 5.3.1 Seniority list
 - 5.3.2 Pay salaries
 - 5.3.3 Retirement related
 - 5.3.4 Training programmes
 - 5.3.5 Other professional development programmesIf not, then on what basis the decisions are made regarding above five aspects by the state and the districts?
- 5.4 Does your state have a database of teachers - regular and contract at elementary and secondary levels?
 - 5.4.1 Is it computerised?
 - 5.4.2 What information is there in the database?
 - 5.4.3 How are these databases updated? (Especially in case of standalone teacher MIS)
 - 5.4.4 Is the database the same as the salary database?
 - 5.4.5 What is this database used for?
 - 5.4.5.1 Seniority list

- 5.4.5.2 Pay salaries
- 5.4.5.3 Retirement related
- 5.4.5.4 Training programmes
- 5.4.5.5 Other professional development programmes
- 5.4.5.6 If not, then on what bases the decisions are made regarding above five aspects by the state and the districts?

6. Salary, service condition related:

- 6.1 Are there any allowances specifically for different categories – urban, backward areas, hilly region?
- 6.2 Is the salary electronically transferred to the bank accounts? Explore separately for all categories of teachers:
 - 6.2.1 Regular teachers, elementary (primary and upper primary)
 - 6.2.2 Contract teachers, elementary (primary and upper primary)
 - 6.2.3 Regular teachers, secondary
 - 6.2.4 Contract teachers, secondary
 - 6.2.5 Any other category of teachers not covered in the above.
- 6.3 If the salary is not electronically transferred, explore how it is disbursed.
 - 6.3.1 Regular teachers, elementary (primary and upper primary)
 - 6.3.2 Contract teachers, elementary (primary and upper primary)
 - 6.3.3 Regular teachers, secondary
 - 6.3.4 Contract teachers, secondary
 - 6.3.5 Any other category of teachers not covered in the above
- 6.4 Do all teachers receive their salaries on time? On which day of the month are salaries disbursed. Explore for all categories of teachers:
 - 6.4.1 Regular teachers, elementary (primary and upper primary)
 - 6.4.2 Contract teachers, elementary (primary and upper primary)
 - 6.4.3 Regular teachers, secondary
 - 6.4.4 Contract teachers, secondary
 - 6.4.5 Any other category of teachers not covered in the above
- 6.5 Has there been any delay in payment of salaries in the last one year? Explore with respect to all categories of teachers
 - 6.5.1 Regular teachers, elementary (primary and upper primary)
 - 6.5.2 Contract teachers, elementary (primary and upper primary)
 - 6.5.3 Regular teachers, secondary
 - 6.5.4 Contract teachers, secondary
 - 6.5.5 Any other category of teachers not covered in the above

- 6.6 Are teachers expected to make payments or are teachers' salaries deducted due to some government-authorized order/decreed? Are salary payments smooth? Have you received any complaints? What kind?
- 6.7 What are the circumstances in which the release of salary is withheld? (Note to the interviewer: Please note down the details explained by the officer. If the salary was withheld because the teacher was suspended, explore the reason for suspension and the frequency of each of such instances in last 2 years.).
- 6.8 What are the situations / circumstances when disciplinary action is taken against a teacher?
 - 6.8.1 How frequently it has actually happened in the last 5 years?
(Note to the interviewer: Note down the details explained by the officer including the nature and number of cases in which disciplinary action was taken.)
- 6.9 Can you recall any specific case / cases that may be important to understand the service conditions of teachers?

7. Evaluation, appraisal and development:

- 7.1 What is the mechanism for assessment of teachers' work, their roles and responsibilities?
 - 7.1.1 How often are the teachers assessed or evaluated for their work?
 - 7.1.2 Who are responsible for assessing teachers' work?
 - 7.1.3 How are the findings of teacher performance and appraisal of their work used? To what effect?
- 7.2 What is the policy / practice / convention to encourage teachers to:
 - 7.2.1 Move up the administrative ladder
 - 7.2.2 Move up the academic ladder
 - 7.2.3 Become master trainers, resource persons
 - 7.2.4 Teacher educator

8. Roles, duties and teacher autonomy:

- 8.1 What are the duties of teachers, Explore
 - 8.1.1 Teaching and student related (including assessment, CCE),
 - 8.1.2 Non-teaching but school related (record keeping, data gathering and compiling, MDM related)
 - 8.1.3 Non-teaching and not related to school
 - 8.1.4 Any other
- 8.2 Who allocates duties?
 - 8.2.1 Is it done by the HM? Head teacher?

- 8.2.1 Done at the Block level or equivalent in urban areas?
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 - 8.3.1 Who monitors this and how?
 - 8.3.2 What are the grievances related to it and how are they redressed?
 - 8.3.3 Is it done by the union or by district admin or by HM. (Note to the interviewer: These may vary across different types of teachers.)
- 8.4 Do some categories of teachers or seniority of teachers get more non-teaching duties than others?
 - 8.4.1 If yes, explore in detail with respect to age of teacher, regular / contract and any other important parameter e.g., disability.
- 8.5 How were the guidelines in relation to RTE communicated to the teachers?
- 8.6 How did you ensure that all the teachers were oriented on the new guidelines?
- 8.7 What powers does the HM have, with respect to:
 - 8.7.1 Teacher attendance
 - 8.7.2 Time on teaching task
 - 8.7.3 Teaching processes
 - 8.7.4 Data gathering, compilation
 - 8.7.5 Mid-day meal supervision
 - 8.7.6 Mid-day meal inventory
- 8.8 Is there any government guideline with respect to allocation of substitute teachers to schools (when the one posted is deputed for work, training or goes on leave)?

9. Rights of teachers and trade union / association related:

- 9.1 Do all categories of teachers have their own union or association? Explore with respect to all category / levels of teachers.
 - 9.1.1 How many unions are there in the state and in your district, at what levels and their association / alignment to political parties?
- 9.2 What are the issues on which the teacher unions / associations went on strike or bargained with the government in the last 5 years?
 - 9.2.1 Highlight if there has been difference in demands of the different teacher unions e.g., if there is a teacher union/group of teachers with disability; explore the primary demands of the group.
- 9.3 What are the grievance redress mechanisms available to teachers?
 - 9.3.1 Regular teachers, elementary (primary and upper primary)

- 9.3.2 Contract teachers, elementary (primary and upper primary)
- 9.3.3 Regular teachers, secondary
- 9.3.4 Contract teachers, secondary
- 9.3.5 Any other category of teachers not covered in the above
- 9.4 What are the categories / kinds of teacher-related cases that are filed in the court in the last 5 years?
 - 9.4.1 Where can we access this information?
 - 9.4.2 Do you think an analysis of recent judgement would give us greater insights into teacher working conditions and related issues?
 - 9.4.3 How much time did you spend in the last 6 months on teacher-related litigation? (Note to the interviewer: Please get a rough estimate and also explore if the cases related to the teachers working conditions were filed at the Talukaadalat (court), tribal court or High court.)

10. Concluding questions:

- 10.1 If you were to recommend systemic reform with respect to the working conditions of teachers, what are the five important areas in which you would initiate reform in your state?

THANK YOU, AND ONCE AGAIN ASSURE THE OFFICER OF COMPLTE
CONFIDENTIALITY AND ASSURE HIM/HER THAT THE INFORMATION
THEY HAVE GIVEN WILL ONLY BE USED FOR RESEARCH PURPOSES