

CP (G)/2601/Transfer Policy

11 Aug 15

The Flag Officer Commanding-in-Chief
{for CSO (P&A)}
Western Naval Command
Mumbai

The Flag Officer Commanding-in-Chief
{for CSO (P&A)}
Eastern Naval Command
Visakhapatnam

The Flag Officer Commanding-in-Chief
{for CSO (P&A)}
Southern Naval Command
Kochi

The Commander-in-Chief
{for CSO (LA&P)}
Andaman & Nicobar Command
Port Blair

POLICY GUIDELINES ON TRANSFER OF CIVILIAN PERSONNEL

Background

1. The need to have a well articulated, robust, and fair/just transfer policy has been brought up at various forums, so as to bring in objectivity and transparency into the transfer process. It has also been experienced that inspite of all efforts, promotional posts are not being filled up in certain offices/stations. Senior posts in such places remain vacant as personnel refuse promotion as a matter of routine. There is also a requirement to create an environment where service exigencies/requirement get due importance.

Introduction

2. In view of the above, a revised and comprehensive Transfer Policy has been drawn up, so that all Civilian Personnel are aware of the rationale being followed by the Administration to effect transfers. It would also enable an individual to appreciate the likelihood of his transfer, even before it actually occurs, and can thus plan and prepare well in advance.

Aim

3. The aim of this policy is to ensure objectivity, fairness and transparency in transfer of Civilian Personnel and to minimise discretions. The Transfer Policy, like any other guidelines, can at best serve as a framework for effecting a transfer. It cannot be expected to

be rigidly enforced at all times. Although organizational compulsions would take precedence over personal requirements, the latter would also need to be considered, before a final decision is taken.

Civilian Cadres

4. Different Civilian cadres in the Navy are controlled by different Administrative Authorities/Cadre Controllers which can broadly be divided as under:-

(a) **IHQ/MoD (Navy).** All Group 'A' & 'B' Gazetted Officers and a few other category of employees having All India Service Liability come under the administrative control of IHQ MOD (Navy). These are as under:

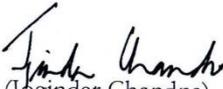
- (i) Administrative Officers.
- (ii) Technical Officers.
- (iii) Private Secretaries.
- (iv) Scientific Officers & Scientific Staff.
- (v) Store Officers & Store House Staff.
- (vi) Design Officers & Drawing Office Staff.
- (vii) INAS Officers.
- (viii) Civilian Educational Officers.
- (ix) Assistant Director (OL).
- (x) Misc Cadre (Hydrographic Officers, Naval Aviation Officers & Professorial Cadre having limited scope of transfer).

(b) **Command Headquarters.** All Group 'B' Non-Gazetted and Group 'C' Non-Industrial excluding categories mentioned at 4(a) above, having liability of All India Service, but transfer is normally effected within the Command, such as Clerical Staff, Stenographers, Civilian Motor Drivers etc.

(c) **Dockyards/NSRY, MOs/NSDs, NADs/WEDs & other Units/Estt.** All Industrial employees (Artisan Staff) and Technical Supervisors such as Foreman, Chargeman, MCM, HSK, SK & MTS (Industrial).

5. The broad guidelines for transfer of Civilian Personnel are placed at enclosure to this letter. Appointing Authorities/Cadre Controllers may draw up specific policies for their respective Cadres within the overall guidelines promulgated in this letter.

6. It is requested that these guidelines may be circulated to all Units in the Command and to Associations/Unions for information and compliance, with immediate effect.


(Joginder Chandna)
Commodore
PDCP

Internal:

All Cadre Controlling Authorities

Enclosure to IHQ MOD (NAVY) Letter
CP (G)/2601/Transfer Policy dated..11..Aug 15

POLICY GUIDELINES FOR TRANSFER OF CIVILIAN PERSONNEL

1. In order to bring in objectivity and transparency in the transfer process, guidelines are hereby promulgated in respect of Civilian Personnel having All India Service Liability.

2. **Grounds for Transfer**

(a) **Administrative Grounds.** Transfers on administrative grounds are effected in public interest based on the functional requirements of organisation, which include redeploying surplus staff in excess of sanctioned strength at a location to other location against sanctioned strength, against newly created post, on serious disciplinary grounds, displacement of an employee to accommodate the request of a needy employee, posting employee to a hard station, etc.

(b) **Routine Transfer.** Transfer on completion of prescribed tenure at a station/billet is termed as Routine Transfer. Routine Transfers are normally to be effected only once in a year during Apr/May. However, transfers can be effected at any time in a year, subject to service exigencies.

(c) **Compassionate Grounds.** Transfer on compassionate grounds relate to an employee's request for transfer to a station for reasons such as domestic responsibility, medical state of employee himself, or that of his/her spouse, child and immediate dependent family member etc. Requests for transfer on compassionate grounds will normally not be considered unless an individual has spent at least one year in his current assignment. Requests for compassionate transfers to non naval stations/units will be governed by AO 22/2001 and such requests will be forwarded to AG's Branch/IHQ MoD (Army).

(d) **On Request.** When an employee requests to be posted to a location of his choice, not necessarily his home station, for personal/professional reasons, it is termed as On Request transfer. Request for retention or for transfer are to reach the respective Appointing Authority by 30th Sep, on completion of at least one year residency period as on 01st Jan of the next calendar year. In normal circumstances, no request for a transfer at any other time will be entertained. However, in extreme cases, duly supported by facts and recommendations of the Controlling Officer, such requests may be considered, subject to administrative exigencies.

Tenure of Transfer

3. **Routine Transfer.** Normal tenure of posting in case of routine transfer is 05 years. An employee shall normally be kept in a station for a period of 05 years before he is transferred out of that station. However, this does not preclude a transfer, warranted due to exigencies of service/public interest at any time before 05 years. Minimum tenure for

any assignment should preferably not be less than two years and maximum in one billet should not be more than 08 years, except sensitive assignments. In case of sensitive assignments such as those involving financial dealings, recruitment of personnel, issues of classified nature etc, maximum continuous tenure for an individual is not to be more than 03 years.

4. **Remote Station Transfer.** Normal tenure of posting for Port Blair is to be two years and three years for remote units such as at Karwar, Ezhimala, Chilka, Kattaboman, Jamnagar, Balasore, Sunabeda, Arakkonam etc. Maximum tenure in a hard station & remote station is to be specified as per guidelines and appointment letter issued at the time of posting to these stations should clearly spell out date by which individual would be transferred out of the station. This would give an assurance to employees that the system will ensure their return by a fixed time frame.

5. **Key Personnel.** Key personnel identified by Directorates/Units and cleared by the PSO at IHQ MOD (Navy)/ by COS at Command Headquarters respectively, may be considered for not transferring out of station even though other criteria have been met. However, maximum tenure continuously at one station should not be more than eight years. In such cases, fresh approval from PSO/COS is to be obtained for seeking extension of one year. List of key personnel shall be circulated and uploaded on IRFC website annually by DCP.

6. **Command Roster Transfers.** Transfers are to be generally effected on completion of 07 years in a billet to ensure job rotation and varied work culture.

Transfer Prior to Retirement

7. An employee who has less than 02 years service to retire shall not normally be transferred out of station except on promotion, and that too if there is no vacancy in the grade in the station where he is borne. However, service exigencies will take precedence over other considerations. He may also be posted to station of his choice and if there are more candidates for that station, preference is to be given to those who are to retire earlier. In case of large number of applications for a particular choice station, order of preference will be as enumerated at Para 9 (a).

Transfer to Hard/Remote Station

8. For transfer to A&N/Remote station, first preference will be given to volunteers who fulfil the eligibility conditions, subject to service exigencies. After completion of tenure at A&N, choice posting may be considered. Preferably, every employee will be posted to hard/remote station in each grade once in their service. Decision to post an individual to hard/remote station will be made on administrative grounds. No two consecutive postings to hard/remote station will be done.

Transfer to Choice Station

9. When there are large numbers of applications for a particular choice station, following rules will govern:-

- (a) The order of preference of applicants shall be as follows:
 - (i) Applicants who have completed tenure and are being transferred out of hard postings.
 - (ii) Applicants who have less than 2 years of service to retire.
 - (iii) Applicants who have served least in the choice station, in that grade, are to be considered first.
 - (iv) **Compassionate Grounds.** Applicants suffering/affected themselves will be given preference over the employees whose family members are affected.
- (b) Personnel transferred to choice station in India on grounds mentioned at 9 (a) (iv) above will be permitted to stay for a duration of three years, before they are transferred out.
- (c) Volunteers in the same grade are to be given priority in the station where vacancy is created.
- (d) Station senior will be moved first, for which service of an individual may be calculated including that of his lower grade, if promoted/retained in the same station.

10. Number of officers who are due for retirement during last two years of service at a particular choice station, should not be more than 25% of the sanctioned strength, to the extent possible.

Transfer on Compassionate Grounds

11. Employees may request for compassionate transfer/retention either on medical or other domestic/personal grounds. If transfer/retention is sought by an employee on medical grounds (self/dependants), the parent unit may seek second opinion from a specialist doctor in a civil hospital, and only thereafter recommend the case. The order of priority for consideration of such transfer/retention is to be as under:-

- (a) Where employee himself is seriously ill, suffering from life threatening diseases, and where specialized treatment cannot be provided for in that station, or is only available in that station.
- (b) Where employees' parents, wife or children are seriously ill, suffering from life threatening diseases, and where specialized treatment is referred as above.
- (c) Physically handicapped/mentally challenged dependant /widows.
- (d) Employee whose spouse has expired, leaving children to be cared for by single parent.

12. Roster for transfer due to reasons other than those indicated above is to be maintained separately for each category and transfers of deserving individuals are to be effected, wherever feasible. Furthermore, no requests for transfer back to previous station are to be accepted, until the individual has stayed for a period of at least one year in new station. The rules of transfer of reliefs for compassionate cases will be the same as those transferred on administrative grounds.

13. Transfer Orders promulgated on Medical Grounds shall be reviewed after completion of one year.

14. Move of the individuals transferred on compassionate grounds will not be withheld awaiting reliefs to join. Overlapping of posts for handing/taking over may be exempted for compassionate applicants and the order should mention same for strict compliance. All applications recommended for compassionate transfer by Command HQs will be considered at IHQ MOD (N) without posting of an immediate relief as a pre-condition. However, reliefs will be appointed in due course.

15. A Government servant who is also a care taker/guardian of disabled child may be exempted from the routine exercise of transfer/rotational transfer subject to the administrative constraints. The word disabled includes:-

- (a) Blindness or low vision.
- (b) Hearing impairment.
- (c) Locomotor disability or Cerebral Palsy.
- (d) Leprosy cured.
- (e) Mental retardation.
- (f) Mental illness.
- (g) Multiple disabilities.

16. Employees will be permitted only 02 choice postings/retention on compassionate grounds in their entire service.

Transfer of Husband & Wife

17. Transfer to facilitate husband and wife to serve in the same station is to be ensured to the extent possible, subject to service exigency. On first appointment, married ladies may be transferred to posting at a place where their husband is stationed or as near as possible to that place, and unmarried ladies may be posted at a place where her parents are stationed or as near as possible to that place.

Transfer of Office Bearers of Trade Unions/Staff Associations

18. Extent of protection from transfer to be given to Government servants who are office bearers of recognised Trade Unions or Staff Associations has been indicated in OM No. 23(11)55/1002/D(Appts) dated 10th April 1956 . Accordingly, it is clarified that:-

(a) Where a normal term on tenure is prescribed for stay at a station:-

“Those who are office bearers at the time of expiry of their normal term of tenure of stay at the station, will ordinarily not be transferred from the station till their then current term as office bearers expires, and if they are re-elected as office bearers at the end of their term, such re-election will not normally entitle them to further deferment of transfer”.

(b) Where a normal term or tenure is prescribed for stay at a station but transfer becomes necessary for administrative reasons and these transfers are carried out on the principle of longest stay in a station:-

“Those who are office bearers at the time of their turn for transfer will normally be allowed to continue to serve at the station till their then current term as office bearers expires, and if they are re-elected as office bearers at the end of that term, such re-election will not normally entitle them to further deferment of transfer.”

(c) “Those who are office bearers on the date of these orders, and whose normal term of tenure of stay at the station has expired according to (a) above or whose turn for transfer has already come according to (b) above will normally be allowed to serve at the station till their current term as office bearer expires and if they are re elected as office bearers at the end of the term such re-election will not normally entitle them to further deferment of transfer.”

19. In special circumstances the authority empowered to transfer the individuals, or any higher authority, may further defer the transfer of such persons for one more year.

Transfer of Members of Works Committee

20. Transfer of workmen elected as representatives in the Works Committee will be guided by OM No. 13(24)/75/D (Appts) dated 02 Apr 1980. Accordingly, representatives of the Works Committee may not be transferred from one establishment to another during their tenure as Members of the Works Committee. The only exception to this general practice, however, would be when the transfer becomes absolutely necessary and inevitable in their own interest i.e. when they are promoted to higher posts/grades, or at their own request. The elected representatives of Works Committee may be given protection against transfer during their tenure of membership and transfer may not be effected even from one installation to another except on grounds of discipline, promotion, reduction in establishment or operational requirements. For transferring the elected representatives of Works Committee on grounds of operational requirements and discipline, the Commands are to obtain prior approval of IHQ MOD (N).

Transfer of MTS (erstwhile Gp D)

21. MTS are normally not to be transferred from one station to another, except under extraordinary circumstances like adjustment of surpluses and deficiencies, exigencies of service, or as an administrative requirement. Mutual transfers are to be allowed to MTS.

Transfer of Tradesmen

22. Each Dockyard is to promulgate policy for transfer of tradesmen/technical personnel working in the Dockyards. A copy of all policies issued by subordinate formations regulating transfers is to be forwarded to IHQ MoD (N)/DCP and is to be hosted on IRFC (Internet) and IRFC (NEWN).

Transfer on Promotion

23. Transfers are also required to be effected on promotion in the event of non-availability of vacancies in the units/stations. However, to meet the functional requirements of a cadre, personnel on promotion also have to be transferred to remote stations such as Karwar, Ezhimala, Chilka, Port Blair etc. where feeder cadres are not large, but vacancies in higher posts exist. It has been the practice that employees send declaration expressing unwillingness for promotion in terms of DOP&T OM No. 22034/3/81-Estt (D) dated 01 Oct 1981, if promotion is accompanied with transfer. It is emphasized that acceptance or non-acceptance of the requests from officers refusing promotion is purely at the discretion of the Appointing Authority. The above mentioned OM states that in cases where the reasons adduced by the officer for refusal of promotion are not acceptable to the Appointing Authority, then promotion of the officer may be enforced. In case the officer still refuses to be promoted, then even disciplinary action can be taken against him. Transfer on promotion will be done based on the following criteria:-

- (a) Volunteers will be given first preference.
- (b) Station senior will be considered to move first.
- (c) If vacancies also exist in present unit, outstation transfers will be governed by seniority of stay in station.

Mutual Transfer

24. Mutual Transfers may be entertained if applicants in the same capacity are willing for postings, subject to service exigencies, and on completion of half of the prescribed tenure at a station.

Deferment/Cancellation of Transfer Order

25. Officers are to be relieved by due date as promulgated by transfer/promotion order. Representation for deferment/cancellation of transfers is to be forwarded to IHQ MOD (Navy)/Command HQs, as applicable, before expiry of the period for completion of movement, and with specific recommendations. Deferment/retention may be accepted till completion of academic year for employees whose children are studying in XII class. However, this does not preclude a transfer, warranted due to exigencies of service/public interest at any time.

Outside Influence

26. Attention of the concerned officers and staff is invited to Rule 20 of CCS Conduct Rules which stipulates that no Govt. Servant shall bring or attempt to bring any outside influence to further his interest in respect of matters pertaining to his service under the Government, including transfer. Any such requests received will not be entertained unless the issue is already under examination through the official channel.

Procedure for Transfer Request

27. The process for Requests for Transfer/Retention is enumerated below:-
- (a) Applications submitted by officers themselves will be considered and applications, if any, submitted by relatives or dependents of employees will not be considered.
 - (b) IHQ MOD (Navy)/ Command HQs, as applicable shall scrutinize the Representation and forward the appropriate reply. Decision of IHQ/MoD (N)/ Command HQs will be final.
 - (c) The Unit is to take appropriate action as per the directives received. No subsequent Representation is required to be made, except in exceptional cases indicating any additional reason not referred earlier.

28. TA/DA, Joining Time and other applicable norms shall be as per Govt. regulation.
29. These policy guidelines will be applicable with immediate effect.
30. The following correspondence/Office Memorandum/guidelines have been considered towards formulation of Transfer Policy:-
- (a) OM No. 28034/9/2009-Estt.(A), dated 30 Sept. 2009 regarding Guidelines for Posting of Husband and Wife at Same Station.
 - (b) OM No. 42011/3/2014-Estt.(Res) dated 6th June 2014 regarding Posting of Government Employees who have differently abled dependents.
 - (c) OM No. 32(4)/73/D(Apptts) dated 21 May 1975 regarding Guidelines for Transfer of Class III and Class IV Employees of the Defence Installations.
 - (d) OM No. 23(11)55/1002/D(Appts) dated 10th April 1956 regarding Transfer of Govt. Servants who are Office-Bearers of Recognized Unions or Associations of Government servants.
 - (e) IHQ/MoD(N) Letter dated 06 Jun 96/15 Sep 03/23 Jun 04/21 Aug 07 /28 Nov 11/ 08 Aug 13 regarding Guidelines for Transfer Policy.
 - (f) HQENC Letter dated 12 Jul 06/24 Oct 08 regarding Outstation Transfer Policy of Group 'C' Employees of ENC.
 - (g) HQSNC Letter dated 26 Jun 2000/01 Nov 06 regarding Transfer of Ministerial staff.
 - (h) HQSNC Letter dated 25 May 12 regarding Transfer of Civilian Officers on Promotion or Otherwise - Policy