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**Most Immediate**

No.:A-22011/2/2008-Ad.II  
Government of India  
Ministry of Corporate Affairs

5<sup>th</sup> Floor, "A" Wing, Shastri Bhavan,  
New Delhi, the 13<sup>th</sup> May, 2011

**OFFICE MEMORANDUM**

SUBJECT: Transfer policy for ICLS and subordinate cadres – transfer during the year – 2011 – Reg.

The undersigned is directed to refer to this Ministry's OM of even number dated 13.2.2009 on the above subject and to say that Transfer Policy for ICLS and subordinate cadres have been reviewed in the Ministry and the revised Transfer Policy governing transfers and posting of the officers belonging to ICLS and subordinate cadres have been approved by the Hon'ble Corporate Affairs Minister on 12.5.2011. A copy of the same is enclosed for information and guidance (Annex.I). This supercedes all earlier transfer policy instructions.

Enclosure — 4 pages



13/5/11

(R.K.Pandey)

Under Secretary to the Govt. of India

Ph.: 23383507

1. All RDs
2. Secretary, CLB.
3. e-Gov. cell for uploading on website (employee corner – transfer)

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Date: \_\_\_\_\_

## **Transfer Policy for ICLS officers (Group A) and feeder grades**

### **Transfer liability anywhere in India and outside**

1 The ICLS officers (Group A) and subordinate cadres are liable to be posted in any of the offices or organizations of Ministry of Corporate Affairs anywhere in India and outside.

### **Annual Rotational Transfers of Group 'A' ICLS officers and Group 'B' officers (with all India seniority list is maintained).**

2. The annual rotational transfers of these officers shall be on the following criteria:

#### **Normal tenure in a field office/station**

2.1 The normal tenure of posting of an officer in an office shall be 5 years except RD/ROC/OL. In case of RD/ROC/OL the normal tenure shall be 3 years. It can be extended by Ministry in case of exceptional administrative exigency. No officer will be re-posted at the same office within 10 years from the date of his last transfer from that office. However, he may be re-posted in the same office at higher levels after 6 years.

2.2 Normal tenure in a station for field officers – The normal tenure at one station for field officers will be 10 years, subject to para 2.1 above. However, an officer in JAG or above grade can not be posted in a Region where his / her tenure on all posts has been 10 years or more.

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### **2.3 Posting in Remote Areas**

The normal tenure of posting in North Eastern region, Jammu and Kashmir and other hardship/difficult areas as notified from time to time by competent authority, shall be 2 years irrespective of number of years of service of the officer. On completion of the tenure in such areas, the officer shall be considered for posting to a station of his choice. The period spent in such areas shall be added to the ceiling of normal tenure in the station of his choice after return from office situated in such areas. Such officers will also be given preference for nomination to training involving foreign component.

### **2.4 Variation in Postings**

On every rotational transfers, the officer shall be rotated among the offices of RD, ROC, OL and Headquarters, except in exceptional administrative exigency.

### **Promotion**

3. The promotion will normally entail a change of station/office irrespective of the number of years of service at any field office of Headquarters. The decision of the Ministry will however be subject to availability of vacancies at various stations/exigencies of work, suitability of officers, etc.

### **Transfers on request**

4.1 **Superannuation** : An officer within 2 years of retirement, may be posted to an office in or nearest to his home town to the extent possible.

4.2 **Employment of both husband and wife** : As far as possible and within the constraints of the administrative convenience, husband and wife may be considered for the posting at the same station. If spouse is

  
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employed in a job of Govt of India/Central PSU/Banks transferable on all India basis, the officer shall be posted at the same station. In case spouse is employed in a non transferable job or in a private sector, efforts shall be made, to the extent possible, to keep both of them at same/nearby stations. But this cannot become a permanent ground for exemption of rotational transfer policy on this ground.

4.3 **Other Grounds** : Compassionate grounds like disability, serious / terminal diseases affecting the employee or spouse/children/parents will be taken into consideration provided there is concrete medical evidence to support the same.

#### **Mid term transfer**

5. Requests for mid-term transfer will be considered only in exception cases.

#### **Transfer policy for Group B (where all India seniority is not maintained) and Group C/D employees**

6.1 The employees will not be transferred outside the region, unless they are promoted to a cadre where all India seniority is maintained. In that case, the transfer will be governed by above paras.

6.2 The erstwhile Group D staff (now upgraded to MTS/Group C by 6<sup>th</sup> CPC) shall not normally be transferred out of station unless so requested by the employee or due to administrative reasons. In case of temporary transfer, he should retain his seniority in his region. In case of permanent change, he will have to loose his regional seniority.

#### **Procedure for transfer**

7.1 **Forwarding of requests, along with posting profiles, by controlling officers:** The interested officers and officers completing their tenure as mentioned above, shall submit their requests to their controlling officers. All

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requests for transfers with choice of station from the officers shall be collected and forwarded by the controlling officer, with their remarks, in the prescribed proforma to the Ministry by 28<sup>th</sup> February, without exception. The posting profiles of all ICLS officers, including those who have not submitted the requests, have to be forwarded by RDs and controlling officers.

7.2 **Date of issue of transfer orders :** All such requests will be processed in the Ministry and transfer orders shall normally be issued before 31<sup>st</sup> March.

7.3 **Compliance for transfer orders :** After issue of transfer orders, the controlling officer shall be responsible for its compliance and immediate relieving of the officer.

7.4 **Cut off date:** The cut off date for calculation of number of years in an office/station shall be 31<sup>st</sup> March of every year.

**Delegated powers to Regional Directors**

8.1 The Regional Directors are the competent authority for postings / transfers of Group B/C/D staff within their region

8.2 The Regional Directors are also empowered to order temporary transfers of JTS level ICLS officers for a period upto 6 months in order to cope with emergent situations arising out of unforeseen circumstances and in the interest of official work.

**Residuary jurisdiction and powers to relax**

9. All other matters, not specifically covered above, shall continue to lie in the jurisdiction of the Ministry. In administrative exigencies, the Ministry can relax any of the above provisions and also order any transfer beyond this policy.

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