

MOST-IMMEDIATE

A-22011/12/2017-Ad.II
Government of India
Ministry of Corporate Affairs

5th Floor, 'A' Wing, Shastri Bhawan,
New Delhi-110001, dated 23 August, 2018

OFFICE MEMORANDUM

Subject: Transfer/ posting of Group 'B' Cadres of the Ministry- reg

The undersigned is directed to refer to this Ministry's Transfer Policy for ICLS and its feeder/subordinate cadres, as circulated vide OM dated 03.02.2012. The provisions of the Policy, pertaining to Group 'B' and 'C' officials whose seniority is maintained on Regional basis, were subsequently modified vide OM dated 22.02.2013. Attention is also drawn to this Ministry's OM dated 31.12.2013 with regard to formation of Annual Rotational Transfer Committee(s) to recommend transfer-posting of officials. The Policy has however, not been followed in its true spirit as Transfer Committees were not formed on regular basis in Regional Directorates. Besides this, in past, considerations of Committees were limited mainly to accommodate transfer requests of deserving officials. This has resulted into large number of 'over-staying officials' in field offices, and therefore, possibility of development of their 'vested interests'.

2. In view of the above, and to ensure transfer/posting of 'over-staying' Group 'B' officials in a transparent manner and on a manageable scale, the Competent Authority (Hon'ble CAM) has approved the following measures, as one-time relaxation in the existing Policy:

A. Intra-Region Transfers:

- (i) The process of Intra-Region Transfers (within the region) of Group 'B' will be carried out by Regional Directors for the year 2018-19.
- (ii) All cases and requests for intra-regional transfer will be considered by ART Committee of each Directorate, with the following composition:
 - A. JD/DD of the Regional Directorate;
 - B. Sr. most ROC in the Region;
 - C. Sr. most OL in the Region;

The Sr. most Member of the Committee will be its Chairperson. In case of non-availability of sufficient officers in a Region, members will be co-opted from adjoining Region, on the basis of nomination.

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- (iii) The recommendations of the Committee will be placed before Regional Directors for suitable orders, and in case of non-acceptance of recommendations of the Committee, sufficient reasons shall be recorded on file.
- (iv) Those officials who have completed 03 years but, less than 10 years in the same office, will be retained in the Station (if more than one office exist), subject to vacancies, workload, and administrative exigencies. The officials (except lady officials) who have completed more than 10 years in a Station will invariably be posted out of the Station. The cases of officials (except lady officials) who have completed **more than 15 years in a Station** will be considered by TC-B of the Ministry.
- (v) The grounds for consideration on compassionate grounds would be Superannuation within 02 years; working spouse; and serious/terminal disease, extraordinary disabilities of self/family members.
- (vi) As transfer-posting of lady officials cause hardship to their families, it has been decided to retain them in the same Station on sympathetic considerations for the Year 2018-19, by relaxing the Policy. The special dispensation for transfer-posting of lady employees under ART-2018, would be as under:
 - A. The lady officials who have completed the prescribed office tenure of 03 years, will be posted to another office of the Station, if more than one office exists;
 - B. If there is only one office in a Station, lady employees who have completed their office tenure, will be allowed to continue in the same office for the current year 2018-19;
 - C. Similarly, lady employees who have completed the Station tenure of 10 years (or more), will also be allowed to continue in the same Station for the current year 2018-19;
 - D. In all cases of over-stay of lady officials, falling under (B) and (C) above, the Competent Authority will change the 'seat/duties' of the employee(s) concerned, unless prevented by administrative exigencies;
- (vii) A compliance report on Intra-Regional Transfers of eligible employees, as per above stated instructions, shall be submitted by all Regional Directors (RDs) to the Ministry by **30.09.2018**.

B. Inter-Region Transfers:

- (i) All cases for Inter-Region Transfers (outside the region) will be considered by the Annual Rotational Transfer Committee (TC-B) of the Ministry.
- (ii) Transfer of all officials (except lady officials) who have completed **more than 15 years in a Station** will be considered by TC-B of the Ministry for 'inter region

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transfer', alongwith request cases for 'region change'. All such officials who have completed more than 15 years in a Station, may submit three choice Stations, along with supporting documents for the request (if applicable), in the prescribed format (**copy enclosed**) to their Regional Directors, latest by **07.09.2018**. It is clarified that decision on transfer-posting will not be dependent on receipt of 'choice-Stations' from overstaying officials, or options mentioned therein (if received).

(iii) The lady officials will be exempted from tenure-based 'inter-region' transfers **under ART-2018**. However, they may submit requests for 'region-change' for consideration of ART Committee of the Ministry.

(iv) All RDs will forward names and details of officials who have completed 15 years in a Station, alongwith their choice Stations and case-specific remarks /recommendations, to **AD-II Section** of the Ministry, latest by **14.09.2018**.

(v) The officials posted at MCA Hqrs will submit their request to AD.II Section, duly forwarded by their Divisional Head along with remarks/ recommendations.

3. The above instructions may please be given widest circulation among offices and officials.


23/9/2018
(Ravi Vazirani)

Under secretary to the Govt. of India
Tele: 23389782

To,

1. All Regional Directors
2. All ROCs/ ROC-cum-OLs/ OLs
3. ICLS Academy
4. All CP/ STA & JTA posted at MCA Hqrs

Copy for information to:

1. PPS/PS to Secretary, CA/AS/JS(AA)/JS(G)/JS(K)/DGCoA

Format for 'Inter Region request transfer' of Group 'B' officials (Holding posts in which All India Seniority is maintained)

1. Name & Designation :
2. MCA ID :
3. Date of Birth :
4. Home Town :
5. Educational Qualifications :
6. Present Office and Region :

7. Posting Profile :
(From initial joining in the Ministry to till Date)

Sl. No.	Designation	Office & Station	From (Date)	To (Date)

8. Choice of Stations 1:
(3 choices are mandatory in order of priority) 2:
3:

9. Reasons:

Signature (with date) _____

Name _____

Verification by controlling officer

10. Remarks of RD/ Controlling Officer:

Signature (with date) _____

Name _____