

Government of Himachal Pradesh
Department of Personnel (AP-II)

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No.Per(AP-B)B(7)-1/2008 dated Shimla-171002 10th April, 2008.

OFFICE MEMORANDUM

Subject : Regarding Guiding Principles for effecting transfers of State Government employees.

The undersigned is directed to say that a policy for regulating transfers of Officers/ Officials of the State Government had been issued vide O.M. No. Karmik(Ni-II) A(6)-4/77-Part-II dated 12-03-1979. This policy has been amended and clarified from time to time.

The Government had constituted a Cabinet Sub Committee under the Chairmanship of Thakur Gulab Singh, Hon'ble PWD Minister, having Shri I.D. Dhiman, Hon'ble Education Minister and Shri J.P. Nadda, Hon'ble Forest Minister as Members to review the matter and give its recommendations to the Government.

After considering the recommendations of this Sub Committee and administrative conveniences the Government has decided to prescribe the Guiding Principles for effecting the transfers of State Government employees.

Henceforth all the transfers/ postings in respect of Officers/ Officials of the State Government will be done in accordance with these Guiding Principles and the transfer policy/ instructions relating to transfers issued from time to time are hereby repealed.

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Guiding Principles for effecting transfers of State Government employees.

1 The following officers/officials shall not be posted in their home districts/ division/ sub division/ range/ adjoining range/ block/ beat/adjoining beat/ circle/ adjoining circle etc.-

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| 1 All India Services Officers. | |
| 2 H.P. Administrative Service and H.P. Police Service officers. | |
| 3 All Distt. level officers and their equivalent officers, Divisional Forest Officers and Distt. Officers Agriculture/ Horticulture/ Animal Husbandary/ Cooperative/ Food & Supplies Deptts. and Deputy Director (Edu.)etc. | Will not be posted in Home District. |
| 4 Asstt. Excise and Taxation Commissioner and Excise and Taxation Officers and Excise and Taxation Inspectors. | |
| 5 Police Inspector, Police Sub Inspector and Asstt. Sub Inspector Police. | |
| 6 Distt. Attorney/ Deputy Distt. Attorney. | |
| 7 Asstt. Distt. Attorney. | Will not be posted in their Home Sub-Divisions. |
| 8 Block Development Officers. | |
| 9 Tehsildar/Naib Tehsildar | |
| 10 Superintending Engineers | Will not be posted in their Home Circle Excepting Design. |
| 11 Executive Engineers | Will not be posted in their Home Divisions excepting Design. |
| 12 Forest Range Officers. | Will not be posted in their Home Division. |
| 13 Dy. Rangers | Will not be posted in their Home Range and adjoining Ranges. |
| 14 Asstt. Engineers/Junior Engineers. | Will not be posted in their Home Sub-Divisions. |

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| 15 Forest Guard | Will not be posted in their Home Block and adjoining Beats. |
| 16 Kanungo | Will not be posted in their Home Kanungo Circle and adjoining Kanungo Circle. |
| 17 Patwaries | Will not be posted in Home Patwar Circles and adjoining Patwar Circles. |
| 18 Panchayat Secretaries | Will not be posted in their Home Panchayats and adjoining Panchayats. |
| 19 Panchayat Inspectors | Will not be posted in their Home Blocks. |
| 20 Key-Man/ Fitter/Lineman/Foreman/T-Mate/ Pump Operator/Supervisor/Work Inspector/ Road Supervisor and equivalent field officials. | Will not be posted in their Home Sections. |

2. Posting of Class-IV employees:-

Transfer will be made sparingly on compassionate and administrative grounds.

3. Concessions regarding posting of certain categories of employees:-

(a) Concession to couples serving under H.P. Government:

If husband and wife both are in the service of H.P. Govt., they may be posted at one place or near places as far as possible subject to vacancy.

(b) Concessions to widows having minor children:-

Such officers/officials, as far as possible will be posted at the convenient places subject to vacancy.

(c) Concessions to the wives of soldiers:-

The wives of Officers/ Officials of Armed Forces / Central Para-Military Forces will, as far as possible, be posted/ appointed at convenient places subject to vacancy.

(d) Concessions to handicapped employees:-

As far as possible, employees with 60% physical disability and above and those who are critically ill should be given stations of their choice. In the circumstances where it is absolutely not possible, they should atleast be given postings on road heads or convenient stations. For this purpose the ailing employee has to furnish a medical certificate issued by the Medical Board.

(e) Concession to Officer/Officials likely to retire :

In the case of Officers/Officials likely to retire within two years efforts should be made to give them postings in areas as convenient as possible subject to vacancy.

4. Time of transfer :

General transfers will normally be ordered during the period from April and May. Transfer should be effected in such a manner so that School/ Academic Session are taken in view.

5. Normal stay at a place:

Normal posting period of all categories of employees will be 3 years. However, this will be linked with performance and administrative requirements.

6. Leaving of charge by the transferred employees :

Transfer order to specify invariably whether the Officer/ Official is to wait for substitute or otherwise. If not specified he will proceed immediately to join new posting on being relieved by the competent authority.

7. Posting of Employees in Tribal/ Difficult Areas:

While posting employees in Tribal/ Difficult/ Rural Areas the following observations were made by the Hon'ble High Court vide

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judgement dated 27-08-2007 CWP No 1105/2006 titled as Sushila Sharma, Head Teacher V/s State of H.P. & others.

“It shall be ensured that all the employees are treated fairly and equally and every employee during his tenure of service serves in Tribal/Difficult Areas. When transfers are made, the Administrative Department shall ensure that the employees who have already served in Tribal/ Difficult Areas are not again sent to these Areas and there is a continuous process of change whereby all the employees have a chance to serve in Tribal/ Difficult Areas and measures shall be taken to ensure that employees (obviously influential) who have Managed to remain posted in the Urban Areas/ Cities are posed to Rural/ Remote Areas and Tribal/ Difficult Areas in the transfer season when the transfers are made.”

In view of above all employees during their tenure of service will serve for at least one tenure in the Tribal/Difficult Areas. In order to earn their promotion, service in such areas will be mandatory. This would be subject to adequate number of posts being available in such areas. However, this will not apply to those employees who have less than 5 years to superannuate. The R & P Rules should incorporate this stipulation wherever applicable. A common provision to this effect will be devised by the Department of Personnel after having obtained the approval of competent authority. No Government employee can claim his transfer or posting as a matter of right. It will be the prerogative of the State Government to post/ transfer any employee anywhere in the State keeping in view the administrative convenience.

8. List of Tribal/ Difficult Areas :

1. District Lahaul & Spiti.
2. Pangi and Bharmour Sub Division of Chamba District
3. Dodra Kwar Area of Rohru Sub-Division.

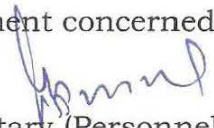
4. Pandrah Bis Pargana, Munish Darkali and Gram Panchayat Kashapat Gram Panchayats of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District.
6. Bara Bhagal Areas of Baijnath Sub Division of Kangra.
7. District Kinnaur.
8. Kathwar and Korga Patwar Circles of Kamrau Sub Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmour District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaini, Mathyani, Ghanyar, Thachi, Baggi, Somgad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni, Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

9. Special provision for Education and Health Department:

In two Departments of the Government i.e. Education and Health employees manage to remain in one station especially in Urban Areas for very long depriving many deserving persons an opportunity to work in such areas. It has, therefore, been decided that every employee who has served upto 10 years in Urban Area must be sent to work for a minimum tenure of three years in Rural Area.

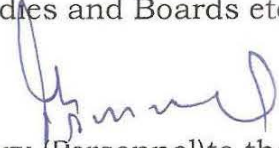
10. Power to relax :

Any of the provision of these guidelines can be relaxed with the prior approval of the Hon'ble C.M. to be obtained on departmental file through Minister-in-charge of the Department concerned.


Secretary (Personnel) to the
Government of Himachal Pradesh

No.Per (AP-B) B(7)-1/2008 Dated Shimla-171002 10th April, 2008
Copy to:-

1. The Secretary to the Governor, H.P. Shimla-171002.
2. Principal Secretary to the Hon'ble Chief Minister, H.P.
3. All the Administrative Secretaries to the Govt. of H.P.
4. All Heads of Departments in Himachal Pradesh.
5. All Divisional Commissioners in Himachal Pradesh.
6. All Deputy Commissioners in Himachal Pradesh.
7. The Secretary, Vidhan Sabha, H.P. Shimla-171004.
8. The Secretary, H.P. Public Service Commission Shimla-2.
9. The Secretary to Lokayukta, H.P. Shimla-171002.
10. The Registrar General, H.P. High Court, Shimla-171001.
11. The Registrar, H.P. Administrative Tribunal Shimla-2.
12. The Registrars of all the Universities in H.P.
13. The Secretaries/Chairmen/ Managing Directors of the Public Sector Undertakings/Autonomous Bodies and Boards etc.
14. 200 spare copies.


Secretary (Personnel) to the
Government of Himachal Pradesh.
