

No.A-22011/1/2008 -AD.II
GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS

5th Floor, 'A' Wing, Shastri Bhavan,
New Delhi- 110 001,

Dated:- 13.2.2009

To

1. The Secretary, CLB, Shastri Bhavan, New Delhi.
2. The Regional Directors, Ministry of Corporate Affairs,
Mumbai/Kolkata/Chennai/Noida

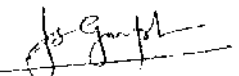
Subject:- Transfer Policy for ICLS and subordinate cadres - transfer during the year - 2009

Sir,

I am directed to say that the 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 Competent Authority. A copy of the same is enclosed for information and guidance (Annexure-I).

2. I am further directed to say that the requests for annual transfer/choice of station from eligible ICLS officers and Group 'B' officers may be obtained in the prescribed proforma (Annexure II) by the concerned controlling officers and consolidated proposals be sent by the concerned Regional Directors/Secretary, CLB to the Ministry by 28th February, 2009. The details of officers who are due for transfer but have not given willingness for transfer/choice of station as per the revised transfer policy may also be included in the consolidated proposals before submitting the same to the Ministry.

Yours faithfully,



(J. S. Gupta)

Under Secretary to the Govt. of India

Tel. : 23389782

Copy for information to :

1. The Secretary, MRTPC, Kota House Annex, New Delhi.
2. The Secretary, CCI, Bhikaji Cama Place, New Delhi.
3. The DGIR, Bikaner House, New Delhi
4. The Director, SFIO, CGO Complex, New Delhi.
5. All Registrars of Companies, Ministry of Corporate Affairs,.
6. All Official Liquidators, Ministry of Corporate Affairs.
7. All ICLS officers posted at MCA Headquarters
8. All Senior Technical Assistants/Investigating Officer posted at MCA Headquarters
9. All Officers/Sections of MCA Headquarters

No. A-22011/2/2008-Admn.II
Government of India/ Bharat Sarkar
Ministry of Corporate Affairs/ korporate Karya Mantralaya

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Transfer Policy for ICLS and subordinate cadres

The ICLS officers and subordinate cadres are liable to be posted anywhere in India in the Ministry of Corporate Affairs headquarters or in any of its field offices viz. office of Regional Directors, Registrar of Companies, and Official liquidators.

2. Annual rotational transfers of Group 'A' and Group 'B' officers will be on the basis of following criteria:

(a) Field offices:

The normal tenure of posting in an office shall be 3 years. It can be extended by the Ministry upto 5 years in view of administrative exigencies. The Ministry may, however, transfer any ICLS officer to any state/place/office irrespective of the number of years of service at a particular office.

(b) Posting in the same Region:

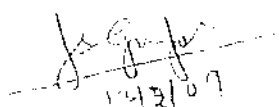
The normal tenure of posting in one region shall be 10 years.

(c) Posting in Remote Areas:

The normal tenure of posting in North Eastern region and Jammu and Kashmir shall be 3 years at a time for officers with service of 10 years or less and of 2 years at a time for officers with more than 10 years of service. On completion of this tenure of service, the concerned officers may be considered for posting to a station of their choice as far as possible. Such officers will also be given preference for nomination to training involving foreign component.

3. Promotion:

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


14/2/07

Other factors:4. Superannuation:

Normally, the officers who have less than two years for their superannuation may not be transferred. However, on their own request, transfer to their home town may be considered if there is full justification for their request. Such a decision will be taken by the Ministry subject to administrative exigencies.

5. Employment of both husband and wife:

If an officer and his spouse are employed, efforts shall be made, to the extent possible, to keep them at the same station or at nearby places.

6. Compassionate grounds:

While taking a decision on transfers, extreme compassionate grounds like physical disability, serious / terminal diseases affecting the employees or spouses will be taken into consideration provided there is concrete medical evidence to support the same.

7. Mid term transfer:

In normal circumstances, no request of mid-term transfer will be entertained. However, in extreme cases, duly supported by facts and recommendation of the Controlling Officer, such requests may be considered subject to administrative exigencies. However, in such cases, the officers will not be entitled to Transfer TA etc.

Posting to a place of choice on completion of full tenure may not be normally termed as transfer on his own request. Officials transferred after completion of full tenure as prescribed from time to time to the place of their choice will be entitled for TA and transit.

Group 'C' and Group 'D' staff:

8. The Group 'C' staff of the Field Offices will be transferred on the basis of the criteria mentioned above. However, their transfers would be within the region where they are working as Group 'C'. In case of promotion from Group 'C' to Group 'B', the condition of same region will not be applicable. In case of a request by a Group 'C' employee for transfer to another region, the matter may be sorted out between the two concerned Regional Directors.

9. The Group 'D' staff of Field Offices will not be transferred out of station unless there is a request from the concerned official or there are administrative exigencies requiring such a decision.

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3/2/2009

General Policy:

10. Request for transfer:

The Ministry would normally ascertain the choice of place(s) of posting from the officers every year prior to annual rotational transfers. The Ministry would try to accommodate such requests to the extent possible subject to administrative exigencies. The request for choice of station from the officers / officials will be submitted through the concerned Regional Director/Controlling Officer in the prescribed proforma.

11. Time Schedule:

The Regional Directors and Secretary, CLB will compile the requests for annual transfer/choice of station and send consolidated proposals to the Ministry by February 28. All such requests will be processed in the Ministry and transfer orders will be issued normally by April 30. The orders of transfer will be complied within fifteen days of issue positively, failing which the concerned officer would be liable for disciplinary action.

12. Cut off date:

The cut off date for calculation for the period of service in an office will be March 31 of the year.

13. Outside influence:

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.

14. Delegated powers:

- (i) The Regional Directors are the competent authority for postings / transfers of Group 'C' and 'D' staff.
- (ii) The Regional Directors are empowered to order temporary transfers of JTS level ICLS officers for a period upto six months in order to cope with emergent situations arising out of unforeseen circumstances and in the interest of official work.

15. Any matter/issues not covered in this transfer policy will lie in the jurisdiction of the Ministry of Corporate Affairs. The ministry will also have the power to give exemptions from the operation of this policy on account of administrative exigencies.

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14/12/2009

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Government of India
Ministry of Corporate Affairs

Annual Rotational Transfer of ICLS Officers and Subordinate Cadres -
Transfer during the year, 2009.

CHOICE OF STATION

1. Name :
2. Grade :
3. Designation and Office :
4. Since when holding the post in that Office :

S.No.	Grade	Office	Designation	From	To

5. Reasons for seeking transfer alongwith supporting document, if any. :
6. Station(s) of choice in the order of priority :
 - 1.
 - 2.
 - 3.
 - 4.

Signature_____

Name_____