



Government of Jammu and Kashmir
General Administration Department
(Services) Civil Secretariat,
Srinagar

Subject:- Policy on transfer/posting of Government employees.

Reference:-Cabinet Decision No. 156/12/2010
Dated 27.7.2010.

Government Order No. 861-GAD of 2010
Dated:28.07.2010

In supersession of all previous orders and circular instructions on the subject, it is hereby ordered that the departments shall make transfers of government employees strictly in conformity with the Transfer Policy forming annexure to this order.

By order of the Government of Jammu and Kashmir.

Sd/-
Commissioner/Secretary to Government
General Administration Department

No: GAD(Adm)/128/2009-V

Dated:28.07.2010

Copy to the:-

1. Principal Resident Commissioner, J&K Government, New Delhi.
2. All Administrative Secretaries to Government.

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3. Divisional Commissioner, Kashmir/ Jammu.
4. All Heads of Departments/ Managing Directors.
5. All Deputy Commissioners.
6. Special Assistant to Hon'ble Deputy Chief Minister.
7. Private Secretaries to all Hon'ble Cabinet Ministers/
Hon'ble Ministers of State.
8. Special Assistant to Advisor to Hon'ble Chief Minister.
9. OSD to Political Advisor to Hon'ble Chief Minister.
10. Principal Private Secretary to Chief Secretary
11. Private Secretary to Commissioner/Secretary to
Government, General Administration Department.
12. Government Order file/Stock file.



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Deputy Secretary to Government
General Administration Department

**Annexure to Government Order No.861--GAD of 2010
Dated 28.07.2010**

Policy on Transfers/Posting of Government Employees:-

A. General Principles:

1. It shall be imperative for all the Government departments to maintain a complete database on transfers/postings of their employees for effective implementation of the transfer policy.
2. While effecting the transfers, the eligibility and suitability of the concerned employees and the interest of government work shall be given the utmost priority. The convenience of the employees may also be considered provided it does not affect the interests of the government work.
3. Postings shall be made on a rotational basis to sensitive and non-sensitive (non-field) posts. Every department particularly the Engineering and Finance Departments shall identify sensitive and non-sensitive posts and evolve a roster for posting of officers with the approval of the Minister Incharge.
4. Where both the husband and wife are in government service, they may be posted conveniently as far as possible subject to availability of the post and keeping in view the interest of administration as well.
5. Physically challenged persons may be given convenient posting subject to availability of a post.

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6. Orders once issued must be strictly complied with and if it is considered that any order requires modification for some compelling reason, it shall be done only after obtaining approval of the next higher authority. Reversal of transfer orders once made must be a very rare event and to be resorted to only in exceptional cases for which reasons shall be recorded in writing.

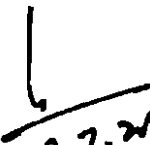
B. Calendar for Transfers:

1. Transfers shall ordinarily be ordered in the first month of the financial year i.e. in April every year excluding the transfer of the teaching staff and transfers to Ladakh region.
2. Transfers of teaching staff shall be considered at the close of the academic session and must be avoided during the academic session.
3. Transfers for Ladakh region shall be made as per the policy laid down for such transfers by the Ladakh Affairs Department.
4. Persons returning from leave, training or on revocation of suspension or on promotion shall be adjusted against vacant posts during the non-transfer period as far as possible.
5. Where the officer/officers who are to move first are indicated, they shall handover the charge of their offices within seven days of issue of the order. In case, the charge is not handed over on the expiry of seven working days, it shall be deemed to have been handed over automatically. This provision will not, however, apply to such cases where there are specific instructions for giving immediate effect to the transfers.

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C. Tenure of Postings.

1. The minimum tenure of a Government employee on a post shall be two years and a maximum of three years.
2. The maximum tenure of posting in respect of important projects which are required to be completed in a time bound manner, may be extended upto five years if continuation of any officer is considered necessary. Specific orders for retention of the officer in such cases beyond a period of three years shall be issued with the approval of the Minister Incharge and the reasons for the same shall be recorded.
3. Pre-mature transfers wherever unavoidable in the interest of administration shall be ordered with the prior approval of the Minister Incharge for reasons to be recorded.
4. A government employee holding any post may be transferred even before the completion of minimum tenure if:-
 - (i) the performance of the employee is found to be below job requirement, if there are grounds for initiating enquiry or disciplinary proceedings against him/her; or
 - (ii) it is not in public interest or in the interest of administration to allow the employee to continue on a post for a full tenure; or
 - (iii) the transfer is sought on health grounds supported by medical certificates issued by the duly constituted Medical Boards.


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Such transfers shall be made with the prior approval of the Minister incharge after recording reasons for the same.

D. Delegation of powers for making Transfers/postings:

Delegation of powers about transfers/postings shall be as under:-

S No	Class of employees	Authority to whom delegated.
I	District Cadre non-gazetted employees within the district.	District Level officer of the Department.
II	Divisional Cadre non-gazetted employees within the Division	Divisional Head of the Department
III	State Cadre non-gazetted employees	State Level Head of the Department. In case, there is no State Level HoD, powers shall be exercised by the Administrative Department concerned.
IV	First gazetted level officers in all the Departments	Head of the Department within the Division. In Power Development Department, the inter-wing transfers upto Assistant Engineers level shall be made by the Development Commissioner, Power. The power of transfer of AEs within the wing shall

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		<p>be exercised by the Chief Engineer concerned.</p> <p>In the case of PWD, the inter-wing transfer upto Assistant Engineers level be made by Administrative Department and posting within the wing by the Chief Engineers concerned. As and when the post of Development Commissioner (Works) is revived/ filled up, such inter-wing transfers shall be ordered by him.</p>
V	Inter-Divisional transfers of first gazetted level.	<p>State Level Head of the Department.</p> <p>Where there is no State Level HOD, the transfers shall be made by the Administrative Department concerned.</p>
VI	Gazetted officers above the first gazetted level upto Joint Director/Deputy Director/ equivalent level posts.	<p>Minister Incharge.</p> <p>Minister Incharge may delegate any of these powers to the Minister of State and/ or Administrative Secretary concerned.</p>
VII	Special Secretaries, Additional District Development Commissioners, Additional Deputy Commissioners, Additional Secretaries to Government and equivalent levels.	Chief Minister.

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VIII	Secretaries to Government and above, Divisional Commissioners, IGPs, DIGs, Head of the Departments and Managing Directors of the PSUs, Deputy Commissioners, SSPs and equivalent.	Cabinet. However, the Chief Minister may order the transfers/ postings of Deputy Commissioners/SSPs as and when emergency arises. The matter shall, thereafter, be brought to the Cabinet for confirmation of the action taken.
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In case of Item Nos I, II, III, IV and V above, the powers delegated to the authorities indicated against each shall be subject to provisions of this policy and in case of premature transfers/postings, the cases shall be referred to the Administrative Department for decision.

- E. All the departments will issue necessary instructions/orders in consonance with the provisions of the policy so as to serve its objects and purposes.


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Deputy Secretary to Government,
General Administration Department