

**Transfer Policy for Gr. "A" Officers of Directorate General of Mines Safety (DGMS)**

**1. Vision:** To ensure equitable distribution of DGMS Gr "A" Officers at different locations in the country so as to harmonize the objectives of organization and at the same time career prospects of its officers so as to improve overall performance of the Department by ensuring job satisfaction amongst officers in a fair and transparent manner.

**2. Introduction:** This policy may be called "Transfer Policy for Gr. 'A' Officers of Directorate General of Mines Safety (DGMS)". This Transfer Policy will supersede the earlier Transfer Policy issued vide Ministry of Labour & Employment's OM No. A-22011/02/2014-ISH-II dated 16.09.2014.

**3. Applicability:** This policy is applicable to all Gr. 'A' Officers of DGMS. The following posts will be governed by the provisions as applicable, of this Transfer Policy.

Post	Discipline						
	Mining	Electrical	Mechanical	Occupational Health	Law	Admin	OL
DDG	9	1	1				
Director	50	16	16			1	
Deputy Director	99	34	33	5		1	
Assistant Director				4			1
Sr.Law Officer					1		
Law Officer Grade-1					1		

**4. Transfer Committee:** A three (03) member Transfer Committees (TC) will be constituted at Ministry level. The composition of Transfer Committee will be as under:

- |  |             |
|--|-------------|
| 1) Special Secretary / Additional Secretary, MoL&E | Chairperson |
| 2) Joint Secretary (In-charge of DGMS), MOL&E      | Member      |
| 3) Director General of Mines Safety, DGMS          | Member      |

**5. Competent Authority:** The Competent authority for approval of the transfer / posting of officers of DGMS will be Hon'ble Minister for Labour & Employment.

**6. Principles on Posts:**

**6.1 Classification of sensitive and non-sensitive posts:** As per CVC guidelines issued vide circular No. 98/VGL/60 dated 15.04.1999 & 02.11.2001 and Circular No. 004NGL/090/225553 dated 11.09.2013, sensitive posts should be identified and rotated every two, three years to avoid developing vested interest. As per ministry's DO letter no. C-31015/01/2008-Vig. Dated 19.06.2009, the following posts have been identified as sensitive posts in DGMS, namely:

- 1) Deputy Director Generals
- 2) Deputy Directors and Directors in the regional and Zonal offices;
- 3) Deputy Directors and Directors at headquarters dealing with approval cases;
- 4) Deputy Directors and Directors at the Examination section.

**6.2 Hard Posts:** All posts in DGMS Headquarters, Dhanbad, and in the North Eastern Region (NER) are considered as Hard Posts.

**6.3 Vacant Posts:** This means:

- 1) a post not occupied by any officer;
- 2) a post occupied by an officer, who has been adjudged eligible for rotational transfer under consideration;
- 3) a post falling vacant due to premature transfer of an Officer in public interest, even if he has not completed the prescribed tenure in the place where he is presently posted.

**6.4 Mandatory Posts:** All posts at DGMS Headquarter, Dhanbad and at Guwahati (NER) will be mandatory posts and will have to be filled up on priority.

**6.5 Available and Blocked Posts:** To avoid disproportionate concentration of Officers at a particular Zone/Region/Sub-Region and keeping in the functional requirement of the Organization to run smoothly, all posts have been identified and graded to be filled on priority. Depending on the number of available officers to be considered for transfer/posting, the posts higher up in this graded ladder will be considered available for postings, while the other posts becoming blocked posts.

**"Blocked Posts"** means the identified vacancies in a discipline which will remain unfilled at any given point of time due to shortage of employees in the department.

**"Available Posts"** means those posts which are available for posting/transfer and for indicating preference by the eligible officers. The eligible officers will be given option of indicating the preference of posting only in respect of Available Posts, and not to blocked Posts, which could be vacant.

**6.6 "Eligible officer" means:**

**6.6.1** An officer presently occupying a post for a period of three year or more; and

**6.6.2** An officer presently occupying a post in the feeder grade in the discipline and anticipated to be promoted in the year of transfer.

**7. Principles on Preferences:**

**7.1** Eligible Officer, who is due for his rotational transfer will have the opportunity to indicate as many preferences, in order of merit, as he/ she wishes, upto an indicated freezing date. Beyond the freezing date, his given preferences will be frozen and no alteration or modification in the same will be permitted.

**7.2** An officer who requests for pre-mature transfer on humanitarian ground can give

preference for only one post.

**7.3** The preferences given by Officers due for rotational transfer, along with those eligible and validated officers, who have requested for pre-mature transfers in accordance with principles of this Transfer Policy, will be assessed on the Point based system.

### **8. Principles on Postings:**

**8.1 Liable to be posted anywhere:** Notwithstanding anything contained in this Transfer Policy an Officer is liable to be transferred to any part of India.

**8.2 Initial two Postings:** The first posting of all Deputy Directors would invariably be to the field offices. All postings of newly recruited Deputy Director in mining cadre would be so arranged in field offices with predominantly coal-mining activities followed by a posting in field offices with predominantly non-coal mining activities and vice-versa, to acquire the First Class Mines Managers Certificate of Competency [Coal / Metalliferrous (UR)] which they may not possess at the time of their recruitment as it is required for their future promotions;

**8.3 Inter zonal Transfers:** With exception of a few posts at DGMS Headquarters, Dhanbad, as all the Gr "A" posts in DGMS Organization are sensitive posts, Officers shall be transferred in such a manner that the Officer is not posted again in the same Zonal jurisdiction, unless it is not administratively possible.

**8.4 Mine-Type Transfers:** Subject to availability of vacancy, and

Those officers who are due for retirement upon attaining the age of superannuation within a period of one year will not be transferred, unless the officer so desires.

**8.5 Posting at DGMS Headquarter, Dhanbad:** It will be mandatory for all officers to be posted at first available vacancy in DGMS headquarters at Dhanbad for tenure of at least 3 years on rotational basis of their career at DGMS, so as to expose them in all areas of functioning of the organization;

**8.6 Return from Deputation/long leave/long term training etc:** An officer returning from deputation/long leave/long term training etc. will be posted to any vacant post based on administrative exigencies. She/he will not be given the option of exercising preference of postings. And her/his tenure will be limited to balance period from his last tenure from where she/he proceeded on deputation/long leave/long term training.

**8.7 Non-Vigilance clearance:** Any Officer, who is not clear from vigilance angle and who is not due for rotational transfer may be transferred out in case a report is received from Vigilance/CVC/CBI etc. Such an officer will be posted to non-sensitive post at DGMS Headquarters, Dhanbad, irrespective of his posting there earlier. No option to exercise preference for posting will be given to such Officer.

**8.8 Postings on Promotion:** The same considerations as that of rotational transfers will apply for postings on promotion. However, consideration for postings on rotational transfers for that year will precede the postings on promotion.

**8.9 Postings on Deputation:** The same considerations as that for rotational transfers will apply for postings on deputation, unless otherwise indicated at the time of inviting applications for deputation. The postings will be done as when the officers are available for deputation.

**8.10 Exemption from Transfers:** The Officers who are due for retirement upon attaining the age of superannuation within a period of one year will not be transferred, unless so desired by the officer.

## **9. Preferences for postings:**

**9.1** Every eligible Officer will be given an option to indicate his / her graded choices/preferences of stations; in respect of the available posts for transfers/postings. Once the Online Transfer Module is in place, the Officer will also have the advantage of knowing his standing for a given station to avoid unrealistic expectations. He will also have the choice to modify his preferences till the indicating freezing date; and

**9.2** Every eligible officer will also be given choice to select the criteria on Humanitarian grounds in accordance with indicated conditions against each criteria. However, an officer can avail this advantage on a specified criteria only once in his career.

## **10. Principles on tenure:**

**10.1 Prescribed or Maximum tenures:** Tenure at a post station of posting of an officer shall be 3 years. Eligibility for rotational transfer will be considered as completion of 3 years at a post on 31<sup>st</sup> May of Transfer year. This has been keeping in view the time by which an Officer assumes charge at new place of posting after issuance of Transfer Order, and this could be between the month of April and May.

**10.1.1** No requests for retention at a sensitive post beyond the prescribed tenure will be entertained under any circumstances;

**10.1.2** Under exceptional circumstances, if an officer needs to be retained beyond the prescribed tenure on a non-sensitive post the same will be examined by the Transfer Committee and its recommendations will be put up to the Competent Authority for approval;

**10.1.3** However, an Officer may be transferred before completion of the tenure on administrative grounds such as misconduct or it is expedient in public interest to transfer him before completion of tenure etc.;

**10.1.4** Notwithstanding anything, no officer can be considered for transfer on Humanitarian grounds from one post to another, if he/she has not completed the minimum tenure of one year at current post, provided that such an officer is not on probation; and

**10.1.5** Notwithstanding anything, no officer on Probation will be considered for transfer unless he/she has completed the probation period of one year.

**11. Principles on Criteria for consideration for postings/transfer postings:**

**11.1 Functional criteria:**

- 1) Current posting in North Eastern Region: 3 years for officers with service of 10 years or less and 2 years for officers with more than 10 years of service,
- 2) Current posting at Head-Quarters, Dhanbad (service records will be used)
- 3) Total length of posting at Head Quarters, Dhanbad (service records will be used)
- 4) Current posting in a zone/region (service records will be used).

**11.2 Humanitarian criteria:**

**11.2.1** Spouse in Central Government / State Government / Central Public Sector Undertaking / State Public Sector Undertaking / Board / Corporation of Central or State Government (personal file records will be used).

**11.2.2** Single parent with minor children (personal file records will be used).

**11.2.3** Parent with children to be in 12<sup>th</sup> or 10<sup>th</sup> standard in the same year as the year when the transfer/posting would become effective. - To be considered only if the choice is for the same station where the child is studying (Proof to this effect will have to be submitted).

**11.2.4** Special category female / male employees: (i) widow / divorced / separated / unmarried females / males employees more than 40 years of age / wife of serving military personnel / Parliamentary personnel working outside the country (ii) widower who has not re-married and has one or more minor children and or unmarried daughter (s)

**11.2.5** Following Disease" Debilitating Disorder" of Self /spouse / dependent unmarried children

- a) Currently suffering from cancer
- b) Having undergone by-pass heart surgery within preceding one year
- c) Kidney transplant; or currently undergoing dialysis

Subject to submission of valid medical certificate issued during last one year by AIIMS (including its branches) or any Central State Govt. Hospital or a Medical Board so constituted.

However, given the advances in Medical facilities in the country, the Officer can be considered for posting at class 1 City (eg. If he is currently posted in Class 2 City, he can be considered for Class 1 City, and if he is posted at Class 1 city, he can be considered for another Class 1 City).

**11.2.6** Differently abled or mentally challenged children: Male / female employee having mentally challenged or 100% differently abled child.

**11.3 Point Based System:** The points on the criteria, as detailed above will be determined as per the below matrix with a maximum of 100 points to an Officer:

Completing the current tenure in NER and eligible for the current RT, as per the Transfer Policy	50
Completing the current tenure at Head-Quarters and eligible for the current RT	10
Total length of posting at Head Quarters, Dhanbad : equal to or greater than 6 years (including the current posting)	05
Spouse in Central Government / State Government /Central Public Sector Undertaking /State PSU / Board / Corporation	10
Special category male / female officer Single parent with minor children	05
Differently abled or mentally challenged children	05
Parent with children to be in 12 <sup>th</sup> or 10 <sup>th</sup> standard.	10
Chronic Disease or " Debilitating Disorder" of Self	10
Chronic Disease or " Debilitating Disorder" of dependents	05
Administrative and Functional Grounds ( to be given by the Transfer Committee)	10

**11.3.1** All the officers will be given points in accordance with the above point based system. For a given post, whosoever scores highest points will be considered for that particular post.

**11.3.2** In case of tie breakers, place in "Seniority List" will be taken into account.

#### **11.4 Procedures and Timelines:**

Procedural Steps	Indicative Timeline
------------------	---------------------

Service records of all employees are duly maintained and updated on regular basis by DGMS.	By 15 <sup>th</sup> December of preceding year
Identification of all eligible Officers for Rotational Transfers.	By 31 <sup>st</sup> December of preceding year
Identification of Vacant and Open Posts, and Blocked posts.	By 31 <sup>st</sup> December of preceding year
Eligible Officers to indicate choices as their preferred stations of the Vacant and Open Posts.	1 <sup>st</sup> January to 15 <sup>th</sup> January
Receipt of Requests for pre-mature transfers in accordance with the principles of TP, and along with supporting documents as per the principles of TP.	By 15 <sup>th</sup> December of preceding year
Validation of the Supporting Documents in accordance with the days principles of TP, by DGMS.	By 25 <sup>th</sup> January
Transfer Committee to examine the point based shortlisted Officers for each Post.	By 15 <sup>th</sup> February
Submission of Recommendations of the Transfer Committee.	By 20 <sup>th</sup> February
Approval of the Competent Authority.	By 28 <sup>th</sup> February
Issue of Transfer Order	By 15 <sup>th</sup> March
Joining time for officers to join their new place of posting.	45 days of issue of transfer order

**11.4.1** General transfers will be made only once in a year. However, transfer posting necessitated by promotion, direct recruitment, posts needed to be filled up in public interest, can be made anytime by the competent authority;

## **12. General Principles:**

**12.1 Bar against canvassing:** No employee shall canvass for his case except through a representation to DGMS through proper channel, as per this policy. All other individual representations shall be treated as an attempt to bring extraneous influence on the due process.

**12.2 T.A. on transfer:** TA on transfer will be admissible as per the Department of Expenditure's instructions as amended from time to time, provided that T.A. on transfer shall not be admissible where an officer is posted at station of his choice after making such request before completing his prescribed tenure, through proper channel.

**12.3 Clarifications:** In case of any doubt or difficulty in making out the true intention of the provisions of this policy, the Ministry shall be the competent authority to clarify such doubt or to remove such difficulty by issuing a reasoned order to this effect.

\*\*\*\*\*