



GOVERNMENT OF KERALA

Abstract

MINIMUM TENURE POLICY FOR GOVERNMENT EMPLOYEES – APPROVED –
ORDERS ISSUED

PERSONNEL AND ADMINISTRATIVE REFORMS (AR 13-2) DEPARTMENT
G.O. (P) No.12/04/P&ARD Dated, Thiruvananthapuram 10th September 2004

Read: 1. G.O (P) No.13/2000/P&ARD dated 27-4-2000

ORDER

Government are pleased to issue guidelines for Minimum Tenure Policy for Government Employees of the State as detailed below:

General

1. General transfers may be made only once a year by the middle of May in all departments and in Vacation Departments during mid-summer vacation only. But in the case of the schools, adjustment transfers can be made in July also.
2. Subject to the condition regarding inter district transfer, employees who have not completed three years of service in a station shall not be transferred.
3. No employee who has completed three years of service in a particular station need necessarily be transferred unless there is a claimant who has worked for three years in an outside station to be provided there, or unless a transfer of the existing incumbent has become necessary in public interest.

(A) Transfer subject to public interest

If the Government feels it necessary to transfer an employee for the smooth functioning of the office, the Government can transfer the employee by summarily noting this reason in the transfer order.

(B) Compassionate Grounds

- (i) Permanent disability to an employee due to some serious disease or accident which makes the employee to have to rely on help from others.

(ii) The Head of Department certifies that expert treatment is not available elsewhere.

(iii) When the Head of the Department certifies that the wife of the employee (Husband in the case of Female employee) or son/daughter who is wholly dependent on the employee becomes affected by some serious disease which makes the employee's presence and care indispensable.

(iv) Orders made on the above grounds have to be re-considered after the completion of one year.

4. For transfer of employees back to their home district/opted district from which they were transferred out for want of vacancies, 3 years duty/service is not applicable. In such cases the employee shall be given transfer against the first vacancy in his home district / opted district (Own district refers to the district where the employee resides permanently)

5. Department period (Foreign Service as defined in the Kerala Service Rules) shall not be considered as period eligible for transfer.

6. Service in a district (Revenue district) within a radius of 15 kilometers is to be considered as service in the same station (station does not refer to the station where the employee has last worked).

7. Service in all the cadres in the same district shall be considered for transfer to own district or opted district.

8. Service in more than one district shall be considered as a whole for transfer to home district/opted district (Service in different cadres also has to be considered as a whole).

9. If the office is shifted from one district to other, the junior most employees in each cadre shall be transferred to the new district. (In such transfers the seniority based on DRB rules shall not be forfeited). The application of those employees who are willing to move to the shifted district shall be considered.

10. Last Grade employees shall be posted in their native districts or districts of their choice. There will be no general transfers for Last Grade employees.

11. Women employees, as far as possible, may not be posted to hilly or remote areas. Employees returning from Maternity Leave shall be posted to the same station. If they so desire to be transferred, their application shall be given first preference.

12. Employees who have been selected for district-wise posting shall have to work, as far as possible, in the same district.

13. Employees who have only two years to retire may be posted to vacancies in stations of their choice, giving preference to those who are due to retire earlier.
14. In considering application for general transfer during a particular year, only that application submitted till the end of February of that year shall be considered.
15. Applications presented by relatives of employees or dependants or others shall be rejected summarily.
16. Transfer to facilitate husband and wife to serve in the same station will be allowed to the extent possible.
17. When there are a large number of applications for a particular station, the order of preference shall be as follows:
 - (a) Length of continuous service in the station at the time of his/her applying for transfer under consideration will be the criterion for transfer.
 - (b) Employees who have put in longest period of service outside the particular station will be given first priority. But employees who have had more than a year's service in assignment in tribal and remote areas and those involving arduous nature of work or who have completed service in the defence service will be given preference by deeming two years of such service as equal to three years. If they are equal to such service thus arrived at, the total service will be taken into account.
 - (c) Terms like hill station/remote station/work of an arduous nature may be each defined by departments and orders shall be made in this connection.
18. Existing orders regarding transfer facilities available to employees belonging SC/ST, Physically handicapped employees, employees who have completed defence service, relative of jawan, wife of freedom fighter or husband or son/daughter who look after the freedom fighter, parents of mentally retarded children and President or General Secretary of recognized service organization, will be followed. Existing orders regarding SC/ST employees G.O (Ms) 459/80/GAD dated 3-10-1980, G.O (Ms) 34/88/P&RD dated 11-7-1988, G.O. (Ms) 198/78/GAD dated 28-4-1978, G.O (Ms) 158/81/GAD, dated 19-5-1981. Physically handicapped employees Cir. No.130558/SD1/82/GAD dated 10-3-1983, personnel in the military service G.O (Rt) 2302/PD dated 1-9-1966, Cir No.476/Adv. C3/88/P&ARD, President/General Secretary of recognised service organization (The term "the headquarters of organization" has been changed to State headquarters/permanent headquarters G.O (Ms) No.220/PD dated 21-7-1967 and G.O No.378/PD dated 18-12-1968 (A) & (B), parents of mentally retarded children- G.O (P) 33/93/P&ARD dated 18-6-1993.
19. Vacancies to be filled up by promotion shall be filled up first by transferring employees to existing vacancies.

20. Employees deputed for training will be re-posted to the old post/station of their choice keeping in view the other guidelines.
21. Applications for mutual transfer shall not be entertained.
22. Transfers within the district will be effected by the Head of the Department. Change of seats in office or station will be effected by District/Taluk Officers according to administrative convenience.
23. Government may have the power to transfer an employee in public interest without and considering the guidelines.
24. Inter-department transfer shall be disposed of following the DRB recruitment rules and General Transfer Guidelines.
25. Amendments to General Transfer shall be made after discussing with service organizations. Based on the General Transfer Guidelines, each department may discuss with service organizations and frame special provision in the guidelines within a period of two months and define the terms mentioned the Para 17 (c).

Secretariat

26. The tenure of officers of and above the rank of Section Officers shall be three years. For Assistants and Typists, the tenure shall be five years.
27. For the purpose of transfer posting, posts of Deputy Secretary, Joint Secretary and Additional Secretary may be clubbed together without effecting any change in the number of posts in these three categories. A Deputy Secretary on promotion as Joint Secretary and Joint Secretary on promotion as Additional Secretary may be retained in the same department so that a minimum tenure of three years in a Department is ensured.
28. The minimum tenure of Administrative Officer and Finance Officer in a department shall be two years.
29. Government reserves the right to transfer any employee in relaxation of the above on administrative grounds.

By order of the Governor,

Dr. K.M. ABRAHAM,
Secretary (AR)

To

All Principal Secretaries/Secretaries / Spl. Secretaries to Government and all Officers
of Secretariat.

All Heads of Departments and Offices

All District Collectors

All Departments of the Secretariat (All Sections) including Law and Finance.

General Administration (SC) M Department (Based on the Cabinet Decision No. 4350
dated 22-4-2000)

The Registrar, University of Kerala, Cochin, Calicut, Mahatma Gandhi University

The Secretary, Kerala Public Service Commission, Thiruvananthapuram

The General Manager, KSRTC, Thiruvananthapuram

The Registrar, High Court, Ernakulam

The Registrar, Agriculture University, Mannuthy

The Secretary, KSEB, Thiruvananthapuram

The Private Secretary to Opposition Leader

The Private Secretary to Chief Minister and Ministers.

The Joint Secretary to Chief Secretary