TRANSFER POLICY GUIDELINES

(Circular No.EP-03-2014-05 dated 12.02.2014)

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No.EP.3(1)/2013
FOOD CORPORATION OF INDIA
HEADQUARTERS, KHADYA SADAN
16-20, BARAKHAMBA LANE

New Delhi, dated the 12th February, 2014

(Circular No.EP-03-2014-05)

Subject: Comprehensive Transfer Policy Guidelines for employees of Food Corporation of India

1. Objective of Transfer Policy

The primary function of Food Corporation of India is to undertake purchase, storage, movement, transport, distribution and sale of foodgrains and other foodstuffs. In the discharge of these functions, the Corporation has to appoint sufficient number of employees and post them at various places throughout the country. In order to efficiently discharge the assigned functions, the Corporation has to expose its employees to various activities/ functions and rotate them from one place to another. To regulate the placement and rotation of employees to various offices / stations judiciously, in the best interest of the Corporation and to ensure that these are done in an objective and transparent manner, certain guidelines are hereby laid down.

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2. General Guidelines

2.1 Applicability

These transfer policy guidelines are applicable to all the Executives/ Employees working in Food Corporation of India offices in the country and no separate transfer policy guidelines shall be formulated or laid down or adopted by any District/Region/Zone of the Corporation. These guidelines supercede all earlier guidelines issued by the Headquarters.

2.2 Tenure

The normal tenure of stay of a Category-I Officer at a station will be of 3 years. The normal tenure in a Zone shall be 7 years in one stretch but shall not exceed 14 years in the entire service period, except in the case of Headquarters, or where exigencies of work so require. In the total service period as Category-I Officers, the maximum tenure in a Zone and Region shall be 14 years and 7 years respectively. (However, the maximum period prescribed in Region and Zone of his choice will be increased by the period spent by an officer in NE Zone, J&K, Andaman & Nicobar Island and difficult stations.) An officer completing an effective term of 1 year (excluding leave) in NE Zone, J&K and Andaman & Nicobar Island may be posted in the Region/Zone of his preference.

2.3 All employees on promotion will be required to go on transfer to the new place of posting wherever / whenever required. However, Category III & IV may be considered for posting within Region on promotion, if vacant post is available subject to administrative convenience.

2.4 Mutual transfer generally may be discouraged and in any case will not be allowed to Category I & II executives. Mutual transfer of Category III and IV employees may be considered by the Executive Director (Personnel), after completion of two years posting at Zone/Region.

2.5 Transfer on Longer Stay

An employee irrespective of the category may not generally be posted in the same seat for a period exceeding three years and should be transferred to another seat.

2.6 Posting to/Transfer from difficult Station

2.6.1 Executive Director(Zone) in consultation with GM(Region) are empowered to identify and declare difficult stations once in three years based on - (a) list of difficult stations notified by the State/Central Government if any, (b) conditions of basic facilities / amenities available at different stations / places etc. covering all the regions of Zone. If the stations identified by FCI are different from those identified by Central/ State Government, then no extra financial benefits for such declared stations will be admissible. A list of the difficult stations so identified may be forwarded to Headquarters for reference and record.

2.6.2 The employees posted in such declared difficult stations from outside may be transferred to other station of his/her choice as far as possible after completion of period of one year of their effective stay at the difficult station subject to his/her satisfactory performance and contribution to the operation of FCI in that station/region.

2.6.3 Every employee is liable to serve at least one tenure during his service at difficult stations declared by the Corporation from time to time.

2.6.4 In respect of posting of Officers on transfer / promotion to North East Zone / Difficult Stations, the tenure shall be as given below:

Sl. No.	**Category of Officer**	**Tenure of posting (excluding leave period)**
1.	In-service Category I Officer posted on transfer.	One year
2.	In-service Category II Officer posted on promotion to Category I post.	One year
3.	Directly recruited Category I Officer on their first appointment.	Two Year

2.6.5 The posting/transfer to/from difficult stations will be regulated as per following conditions:

On completion of effective tenure i.e. Tenure of posting excluding leave period, Category I Officers will be considered for posting of his choice subject to his / her satisfactory performance and contribution to the operation of FCI in that station / region/zone. Leave other than casual / restricted holidays or normal earned leave of 30 days in a year, availed of by the employees posted at a difficult station shall be deducted from the period of their stay at difficult station for computing effective tenure for the purpose of reckoning their eligibility for transfer.

2.6.6 However, these instructions do not debar the Competent Authority at the Headquarters in effecting the transfer of any employee at any time keeping in view the administrative requirements and exigencies of work.

2.7 Posting of employees to sensitive seats / posts

2.7.1 As per Standing Instructions on posting of employees to sensitive seats/ posts in offices, purchase centres, depots etc. contained in EP Circular No.22 of 2001 dated 29.10.2001 as amended from time to time, the employees posted on sensitive seats/ posts should invariably be transferred after completion of three years. The same employee may be considered for posting to a sensitive seat only after he has completed minimum 3 years on a non-sensitive seat. Further, for posting in sensitive districts, Headquarters' Vigilance Division Circular No.95/2011 dated 08.08.2011, No.98/2011 dated 26.12.2011 and as amended from time to time, shall be followed and the tenure of Area Manager and AGM(QC) in a sensitive district should not exceed three years but the incumbent may be shifted even before completion of three years based on requirements.

2.7.2 Employees who have either been served charge-sheets for vigilance cases or facing cases of glaring administrative irregularities would be transferred depending upon the gravity of the case. These employees should not be allowed to continue at the same place/seat on any ground like procurement season or any other such administrative pretext.

3. Inter Zonal Transfer/deputation

The guidelines on Inter Zonal Transfer for Category II, III and IV employees are as under:

3.1 Guidelines regulating Inter Zonal transfer/ deputation on tenure basis

3.1.1 Inter Zonal deputation will be available to employees only after completion of two years service in his/ her cadre/ Unit of seniority as provided under Regulation 4 of FCI (Staff) Regulations, 1971.

3.1.2 Requests for Inter Zonal deputation will be considered only in genuine cases of pressing circumstances.

3.1.3 The total allowable period of Inter Zonal deputation in the entire career of an employee shall be 07 (Seven) years. However, in exceptional circumstances Competent Authority may consider to extend it upto 10 years subject to his/her satisfactory performance and contribution to the operation of FCI in that station/region/zone.

3.1.4 Any request for deputation / extension will be entertained only if it is forwarded by the concerned Executive Director (Zone) with well-considered recommendations and concurred by the Executive Director of the Zone to which the employee is to be deputed.

3.1.5 Request for extension in tenure of deputation must be received at least 3 months prior to expiry of approved period of deputation.

3.1.6 In case of employees seeking Inter Zonal deputation on grounds of education of children, the tenure of deputation can be allowed to coincide with the academic session on specific request of the employee subject to total period of seven years.

3.1.7 The deputation will be subject to the availability of vacant posts of relevant level at the place to which deputation is sought by the applicant and subject to administrative convenience.

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3.1.8 Inter Zonal deputation is valid for the period for which it is allowed by Personnel Division of FCI Headquarters and any extension is neither automatic nor should it be assumed.

3.1.9 In all Inter Zonal transfer/ deputation cases, ED(Zone)/GM(Region)/ Area Manager concerned shall be responsible for ensuring that such an employee on deputation is relieved immediately on the last day of his/her deputation and provide substitute to take over his/her charge. In exceptional cases, maximum duration of three months extension may be sought from ED(P) duly recommended by ED(Zone)/GM(Region).

3.1.10 Executive Director (Personnel) will be the Competent Authority to allow Inter Zonal Transfer of Category II, III & IV employees on tenure basis.

3.2 Guidelines regulating Inter Zonal transfer on permanent basis

3.2.1 Inter Zonal transfer on permanent basis from one unit of seniority to another as defined under Regulation 4 of FCI (Staff) Regulations, 1971 shall be governed by following conditions:

(a) Where husband / wife of an employee is working in FCI / Central Government / All India services/ State Government or in Central/ State Public Sector Undertaking.

Further the woman employees of the Corporation may be considered for posting if husband is working in private companies/ multinational companies of repute.

(b) On grounds of extreme hardship in the rarest of cases constituting threat to the life of the employee or spouse or dependent children. In case of request on ground of threat, Zonal Office of the parent Zone shall have the genuineness of the requests assessed by a committee comprising of at least three officers. Employee is to give choice of at least two zones while applying for permanent transfer on the ground of extreme hardship.

(c) On grounds of self and dependent family members suffering from life threatening diseases such as cancer etc.

3.2.2 An employee on his transfer on regular basis from one Zone to another at his / her own request will be treated as a fresh entrant in the latter Zone for the purpose of seniority. Employee will be placed at the bottom of the panel(s) drawn / to be drawn in the year of transfer for that particular post. In case of more than one employee joining in a particular post, their inter se seniority will be determined by panel year of their selection in the particular post in their parent zone. In the event of their panel year being same, inter se seniority will be determined as per their respective Date of Birth. Employee born earlier to be treated as senior.

3.2.3 An employee once transferred to a Zone on permanent basis would have no claim on seniority / promotion etc. in the parent Zone irrespective on any revision of seniority etc. at a later stage as a result of any court case or other administrative decision. A legally valid undertaking will have to be furnished by the employee in this regard while making a request for Inter Zonal transfer on permanent basis.

3.2.4 Managing Director will be the Competent Authority to allow Inter Zonal transfer of Cat II, III and IV employees on permanent basis. Executive Director (Zone) will be the Competent Authority for Inter-Regional transfer in case of Cat IV employees.

3.2.5 Any request for Inter Zonal transfer on permanent basis will be entertained only if it is forwarded by the concerned Executive Director(Zone) with well-considered recommendations and concurred by the Executive Director of the receipient Zone.

3.2.6 The Inter Zonal transfer on permanent basis will be subject to administrative convenience and availability of vacant posts of relevant level and Category.

3.2.7 In case of Cat IV employees, the words "Inter-Zonal" may be construed as "Inter-Regional" also in the foregoing paras.

3.2.8 The transfer guidelines mentioned in the Circular will not bestow any right on employees to such deputation / transfer.

3.3 Guidelines on tenure transfer in respect of FCI employees including single unmarried women, widows and person with disabilities for considering Inter-Zonal Transfer before two years

Cases of Inter Zonal tenure transfer before qualifying period of two years will be considered only after certification of factual conditions / circumstances of individual case by concerned GM(Region) & ED(Zone) of parent Region / Zone for cases of Zones and DGM(Hqrs) / GM(Hqrs) & ED(P) for cases of Headquarters.

Some of the criteria for examination of the requests received for tenure transfer could be:

(a) Marital status of the employee:
Where husband / wife of an employee is working in FCI / Central Government / All India services/ State Government or in Central/ State Public Sector Undertaking.
Further the woman employees of the Corporation may be considered for tenure posting if husband is working in private companies/ multinational companies of repute.

(b) Medical condition of parents (along with relevant records), if applicable.

(c) Confirmation of threat or harassment, if reported.

(d) Disability condition of the employee.

However, the above list is not exhaustive and there may be other conditions/ criteria depending upon the grounds / reasons mentioned by the respective employee in her / his transfer request. The respective authorities as mentioned above will first examine / assess genuineness of the case and after satisfying themselves will refer the cases to Zonal Establishment (ZE) Section under Personnel Establishment Division of Headquarters with specific recommendation for consideration of relaxations which may be considered by the Managing Director subject to availability of vacancies.

4. Guidelines for Special Cases:

4.1 Transfer of employees involved in vigilance case under major penalty charges.

An employee who is involved in a vigilance case in major penalty charges should be transferred out of District/ Region/ Zonal office, as the case may be. The request for change of transfer from such employees should not be entertained by the authority concerned.

4.2 Transfers of office bearers of recognised Union / Association.

The office bearers of any of the Union / Staff Association including recognized Unions are not exempted from transfers. However, subject to administrative convenience, the President and the Secretary of the recognised Unions at the All India, Zonal and Regional levels may not be transferred outside the station upto two tenures in the capacity of President or Secretary. Further, the protected workmen declared by the Corporation are also exempted from transfer for maximum two tenures subject to administrative convenience.

4.3 Posting of husband and wife

In view of the utmost importance attached to the enhancement of women's status in all walks of life and to enable them to lead a normal family life and also to ensure the education and welfare of the children, it has been decided to consider posting / transfer of the employees in the following situations:

4.3.1 Where the spouse is employed in FCI and belong to same unit of seniority, the Competent Authority may post them at the same station.

4.3.2 Where one spouse belongs to an All India Service and the other spouse belongs to FCI, the spouse employed under FCI may apply to the competent authority and said authority may post the employee to the station, or if there is no post under FCI in that station, to the State where the other spouse is posted.

4.3.3 Where one spouse belongs to a Central Service and the other spouse belongs to FCI, the spouse employed under the FCI may apply to the competent authority and the said authority may post the employee to the station or if there is no post under FCI in that station, to the station nearest to the station where the other spouse is posted. If, however, the request cannot be granted because FCI has no post in the said station, then the spouse belonging to the Central Service may apply to the appropriate cadre controlling authority and the said authority may post the said employee to the station or if there is no post in that station, to the station nearest to the station where the spouse employed under FCI is posted.

4.3.4 Where one spouse is employed in FCI and the other spouse is employed under the State Govt. or Central/State PSU, the spouse employed under FCI may apply to competent authority which may post the said employee to the station or if there is no post in that station to the State where the other spouse is posted.

4.3.5 The woman employees of the Corporation may also be considered for posting to the Station/ State where her husband is working in private companies/ multinational companies of repute.

4.4 Posting of Widow and unmarried women.

Widow and unmarried women employees may be considered for posting at the places of their choice as far as possible subject to administrative convenience.

4.5 Transfer of physically disabled employees

The posting and transfers of physically disabled employees may be considered by the Competent Authority as per Central Government guidelines issued vide DoP&T O.M. No.A-B 14017/41/90-Estt(RR) dated 10.05.1990 and O.M. No.AB 14017/16/2002-Estt(RR) dated 13.03.2002 which stipulate that such persons may be given posting as far as possible, subject to administrative convenience, near their native places within the Region. Requests from such employees for transfer to or near their native places may also be given preference.

4.6 Transfer on Medical Grounds.

If an employee himself/ herself or his/ her spouse or his/ her dependent is suffering from any serious disease, his/ her request for transfer to a place of treatment or where his/ her family generally stays may be considered even before the completion of normal tenure by the Competent Authority after satisfying himself that such a posting would be helpful to the employee, subject to administrative convenience which in any case would be paramount.

4.7 Transfer of Sports Persons.

A sports person actively involved in sports, as players and administrators or both should be exempted from transfer till the time they are associated with sports.

4.8 Transfers of employees due for retirement within two years to their places of choice.

Requests from officers/ employees, who are due for retirement within two years, for transfer to their home State/towns or other stations where they want to settle down after retirement, may be considered by the Competent Authority. However, such officers/ employees, on their posting to Home Station/ States can be considered by the Competent Authority subject to administrative convenience for posting to sensitive seats as may be determined by the Competent Authority from time to time provided they are found suitable in all other aspects.

The employees who have been posted on tenure to other Zone cannot be considered for extension of tenure under this provision.

4.9 Posting of employees having mentally retarded children/children with hearing impairment or multiple disabilities.

Considering that the facilities for medical help and education of mentally retarded children/ children with hearing impairment or multiple disability may not be available at all stations, a choice in the place of posting is likely to be of some help to the parent in taking care of such a child. While administratively, it may not be possible in all cases to ensure posting of such an employee at a place of his/her choice, the Competent Authority may take a sympathetic view on the merits of each case and accommodate such requests for posting to the extent possible.

4.10 Transfer from one Region to other Region within Zone:

4.10.1 The employees may be transferred from one region to another region within the Zone after completing stay of one year, subject to the following conditions:-

(a) that the employee concerned has stayed for a period of one year excluding the period spent on leave including HPL/Medical Leave, at the place of transfer; and

(b) that the employee shall not be entitled to any TA/DA and joining time etc. on transfer back. However, the employee who completes an effective stay of two years at the place of transfer shall be entitled to transfer benefits on his/her transfer back.

4.10.2 The above sub clauses will not be applicable in respect of officials moving out of the Region on promotion to a higher post. They will be considered for TA/DA on completion of tenure of 3 years.

4.10.3 The Executive Directors (Zone)/ GMs (Region) will ensure that there should not be any out-go on TA/DA while implementing the transfer of employees from one Region to another on completing one year effective stay.

4.11 General:

The list of cases as mentioned above is only illustrative and not exhaustive. The authorities competent to issue transfer orders may also consider the special cases but are equally serious and deserve to be dealt with sympathetically. The special cases shall be thoroughly examined and wherever it is deemed necessary to issue transfer order in relaxation of the normal terms and conditions laid down above, reasons shall be recorded in the file.

5. Competent Authority and jurisdiction

5.1 Transfer & Postings of Category I Executives

5.1.1 Managing Director is competent to transfer Category I officer anywhere in the country.

5.1.2 The Executive Director (Personnel) is competent to transfer Category I officer upto the level of AGM anywhere in the country.

The Executive Director (Zone) is competent to transfer Category I officer upto the level of AGM within the Zone.

5.1.3 The posting of Area Managers including postings in sensitive procurement districts will be further subject to the guidelines issued on the subject by FCI Headquarters Vigilance or Personnel Division from time to time.

5.2 Transfer and Posting of Category II Executives

5.2.1 Category II Executives are liable to be transferred within the Zone with the approval of Executive Director(Zone). However, Executive Director(Personnel) may transfer any Category II Employee out of Zone and out of Head Office on temporary transfer to any part of the country in exigencies of work. Executive Director(Personnel) may also consider individual requests of Category II officers for transfer to other Zone(s) for a fixed tenure as per policy guidelines on Inter Zonal Transfer.

5.2.2 General Manager (Region)/Deputy General Manager (PO) are competent to transfer any Category II employee within the region.

5.3 Transfer / Posting of Category III employees

5.3.1 Area Manager is competent to transfer Category III employees within the District.

5.3.2 The General Manager (Region)/Deputy General Manager (PO) are competent to transfer any Category III employee within the region.

5.3.3 The Executive Director (Zone) is competent to transfer a Category III employee from one region to another within the Zone. However, the Executive Director (Personnel) may transfer any Category III employee on temporary basis anywhere in the country in exigencies of work. Executive Director (Personnel) may also consider individual requests of Category III employees for transfer to other Zone(s) for a fixed tenure as per policy guidelines on Inter Zonal Transfer.

5.4 Transfer / Posting of Category IV employees

5.4.1 Category IV employees are liable to be transferred within the District by the Area Manager.

5.4.2 The General Manager (Region)/ DGM(P) is competent to transfer a Category IV employee out of the District but within the Region.

5.4.3 The Executive Director (Zone) are competent to transfer a Category IV employee anywhere within Zone. Executive Director (Personnel) may also consider individual requests of Category IV employees for transfer to other Zone(s) for a fixed tenure as per policy guidelines on Inter Zonal Transfer.

6. Miscellaneous:

6.1 The Competent Authorities while affecting the transfer may consider economy aspect, administrative requirement, exigencies of work. The endeavour should be to post the right person at the right place so that the interest of the Corporation is best served.

6.2 The transfer/postings will be as per the powers delegated. However, power to transfer employees vested in a subordinate authority can also be exercised by his/her superior authority.

6.3 The transfer orders issued by any Competent Authority be implemented in toto by the concerned authorities within stipulated period or within 10 days, if no time limit is specified in the transfer order.

6.4 Rosters/Registers shall be maintained at District/Region/Zone/ Headquarters level as the case may, for all request transfers of employees to a particular station and transfers shall be affected as per roster position.

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6.5 In terms of Regulation 17 of FOOD CORPORATION OF INDIA (STAFF) REGULATIONS, 1971 an employee can be transferred to any place at any time as per administrative requirement and exigencies of work with the approval of Managing Director.

6.6 Efforts may be made to rotate officers from sensitive to non-sensitive and vice versa. Similarly officers may normally be rotated from field to non-field posts and vice versa.

6.7 All annual transfer orders shall be normally issued by 31st March so as to match with academic session of school/colleges. However, actual movement may happen later so that procurement operations are not disturbed.

6.8 The employees whose children are in class X to XII may not be transferred and their case may be considered by Competent Authority on merits subject to administrative convenience.

6.9 A correct and complete database is a prerequisite for effective implementation of the transfer policy. Personnel Establishment Division of Headquarters/Zonal/Regional offices shall ensure that the database containing the profiles of all employees falling within their respective jurisdiction is computerized and updated regularly.

6.10 No officer/employee shall bring or attempt to bring any external influence for change of his/ her transfer orders. Attention to FCI(Staff) Regulations, 1971 Section 32(A) is invited in this regard.

6.11 The above said guidelines are subject to administrative exigencies and postings may be made as per requirements.

These guidelines shall come into force with immediate effect.

Rakesh Chaturvedi 12.2.14

(R.K. Chaturvedi)
General Manager (P&IR)

Distribution:

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