

1 Introduction

The Ministry of Home and Cultural Affairs as a parent agency is entrusted to develop transfer guidelines for civil servants parented by MoHCA as per the Clause 14.4.1 of the BCSR 2018. The Guidelines constitute instructions intended to provide broad guidance to ensure smooth transfer of civil servants in fair and transparent approach.

In case of incongruence between the provisions of the guideline and provisions of the BCSR, the latter one shall prevail. All civil servants parented by the MoHCA shall abide by provisions of this guideline.

2 Title, Extent and Application

2.1 This guideline shall be called as "Transfer Guidelines of the Ministry of Home and Cultural Affairs 2020"

2.2 The transfer guideline shall extend to the following civil servants of the Ministry of Home and Cultural Affairs:

- a) Dzongrabs
- b) Drungpas
- c) Civil Registration and Census Officers
- d) Immigration Officers
- e) Program Officers of the MoHCA
- f) Conservators and Conservation Assistants of MoHCA
- g) Librarians and Archives of the MoHCA
- h) Lecturers and Instructors of RAPA
- i) Cultural Officers
- j) DT Secretaries
- k) Gewogs Administrative Officers
- l) Immigration Inspectors
- m) Administrative Assistants of 20 Dzongkhags, 15 Dungkhags and 7 Departments of the Ministry
- n) Store Assistants of 20 Dzongkhags, 15 Dungkhags and 7 Departments of the Ministry



- o) Drivers of 20 Dzongkhags, 15 Dungkhags and 7 Departments of the Ministry
- p) Dispatchers of 20 Dzongkhags, 15 Dungkhags and 7 Departments of the Ministry
- q) Telephone Operators 20 Dzongkhags, 15 Dungkhags and 7 Departments of the Ministry
- r) Others - Any civil servant under MoHCA if required to be transferred.

3 Objectives

The transfer guideline is intended to:

- 3.1 Provide a proper framework for planning and execution of transfer;
- 3.2 Supplement the provisions of the transfer policy enshrined in the BCSR 2018;
- 3.3 Ensure optimum utilization of human resources;
- 3.4 Ensure the transfer of civil servants in a professional and transparent manner;
- 3.5 Consider the employees' welfare vis-a-vis service delivery.
- 3.6 Ensure smooth and transparent mobility of civil servants under the Ministry of Home and Cultural Affairs.

4 Authority to transfer

The authority to transfer at various levels shall be as per BCSR 2018:

Sl. No.	Transfer Type	Authority
	Inter-Dzongkhag	HRC of MoHCA
	Transfer within Dzongkhag	HRC of Concern Dzongkhag
	Transfer within Department	HRC of MoHCA
	Inter-Regional Office	HRC of MOHCA

2

The transfer of Civil Servants will invariably be made against requirement as per the RCSC's approved staffing strength in the working agencies. The Ministry of Home and Cultural Affairs may transfer civil servants upon completion of five years in the same place of posting. The Ministry will issue a transfer order within November and which will be effective from 01 January of the subsequent year.

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5 General Principles

The transfer of Civil Servants under the Ministry of Home and Cultural Affairs will be initiated as per following principles:

- 5.1 All transfers shall be carried out in consultation with working agencies.
- 5.2 A Civil Servant may be transferred from/to, or within Departments, Dzongkhags, Thromdes and Regional Offices.
- 5.3 To the extent possible, simultaneous transfer of spouse(s) working under MoHCA shall be facilitated to the same place of posting.
- 5.4 A Civil Servant shall serve a minimum of three years in the current place of posting from the initial date of appointment to be eligible for transfer.
- 5.5 A Civil Servant shall be considered for transfer upon completion of 5 years of active service in the current place of work. In order to ensure smooth delivery of public services, transfer shall be executed in a phased manner. Civil Servants who have been in the same place for a maximum number of years shall be considered for transfer first.
- 5.6 Exception to Section 5.5 shall be made, if HRC determines that the application of his skills and expertise are rendered irrelevant or inadequately utilized if transferred.
- 5.7 A civil servant due for superannuation within the next one year may not be transferred. However, exceptions may be made by HRC in the event of home posting, if requested by the civil servant.
- 5.8 A Civil Servant shall be given the option to choose three places of posting in the transfer application form attached as **Annexure 1** and he/she shall be mandated to provide three places of posting.
- 5.9 The HRC of the Ministry reserves the right to determine the transfer of a civil servant if he/she does not provide three places of choice.
- 5.10 To the extent possible, a civil servant's option for place of transfer shall be considered. Where there is no vacant post in any of the places of choice, his/her transfer shall be determined by the HRC of the Ministry.
- 5.11 A Civil servant may appeal the transfer decision of the HRC in writing.
- 5.12 A civil servant transferred on personal request without completing required years of services in a place on special consideration shall not be eligible for transfer benefits.
- 5.13 A civil servant transferred in public interest by the Ministry without completing a minimum required service in the current place shall be eligible for transfer benefits.
- 5.14 Posting of civil servants in the Consulate shall be through open competition. The posting shall be treated as transfer for a maximum of three years and the term is non-extendable.

- 5.15 The late submission or incomplete information submission in the transfer application form will be considered invalid; thereby the placement will be decided by the HRC of the Ministry.
- 5.16 Attach supporting documents if the transfer proposal is on any precise or specified ground other than mentioned in clause 6.2 of this guideline.
- 5.17 To the extent possible, the Ministry will not transfer a civil servant to the same place served earlier.

6 Criteria for Transfer

- 6.1 HRC may approve the transfer if there is no conflict in a civil servant's choice of place. However, the HRC may not approve if his/her skills and expertise are rendered irrelevant or underutilized in a new place of posting.
- 6.2 If there is conflict in civil servants' choice of place, the following criteria shall be considered, however providing options need not necessarily guarantee that a civil servant would be placed in the three opted places:
- 6.2.1 Availability of post
 - 6.2.2 Current place of posting - Last office served, detail of previous posting (rural posting/difficult place)
 - 6.2.3 Number of years served in current place of posting
 - 6.2.4 Marital Ground - provided the spouse, if working, does not have an alternate place of posting than indicated. The marriage certificate shall be attached with duly filled transfer application form.
 - 6.2.5 Domestic Problem - HRD will verify and authenticate the genuineness with concerned authorities.
 - 6.2.6 Medical ground - Attach medical certificate signed by Medical Board of Doctors
 - 6.2.7 Seniority - The seniority shall be based on seniority in the service from the date of appointment.
 - 6.2.8 Performance evaluation - past three years rating shall be taken into consideration.
- 6.2.9 The HRC of the Ministry may make exception to the above criteria for transfer under special consideration as mentioned below:
- 6.2.10 Transfer based on need for specialized skill or qualification in a particular agency.
 - 6.2.11 Transfer on special medical needs.



7 Transfer Procedures

- 7.1 The HRD will circulate the annual transfer notification by August along with the list of civil servants due for transfer.
- 7.2 The transfer proposals can be initiated by the HRC of the working agency in consultation with the parent agency.
- 7.3 All transfer proposal should reach the Ministry latest by 15th September;
- 7.4 The HRD will constitute a Transfer Committee to review the transfer proposal;
- 7.5 Transfer Review Committee shall constitute of the followings:
 - 7.5.1 Chief HR Officer
 - 7.5.2 Representatives from concern Department
 - 7.5.3 HROs and Administrative Assistants of HRD, MoHCA
- 7.6 The Transfer Committee shall review and prepare the transfer proposals in line with this guideline and submit to the Ministry's HRC through HRD.
- 7.7 All transfer shall be endorsed by the HRC of the Ministry;
- 7.8 Transfer orders should be issued by the end of November and will be effective from subsequent January;
- 7.9 A transferred civil servant shall join the new place of posting within a month from the issuance of transfer order unless approved by the Ministry's HRC;
- 7.10 The HRD of the Ministry shall monitor the status of relieving/joining of transferred staff and maintain record.
- 7.11 Transfer order once issued shall be strictly implemented in the interest of the Ministry and public.
- 7.12 The individual can appeal if they are not satisfied with the decision of the HRC on transfer within the 10 working days from the receipt of the transfer order.
- 7.13 An appeal shall be reviewed by HRD before submitting to HRC. If the appeal is deemed genuine, the HRC may consider on a case by case basis.
- 7.14 A civil servant failing to abide by the transfer order shall be dealt as per provisions of the BCSR 2018.

8 Amendment



- 8.1 The HRD of the Ministry shall propose any revision to the guidelines to HRC, MoHCA if deemed necessary in keeping abreast with any change in overall civil service rules and regulations.
- 8.2 The HRC of the Ministry has the right to review and make necessary changes of this guideline as proposed by the HRD.
- 8.3 The HRC of the Ministry shall be the final authority to interpret any difference or incongruence in the application of the Transfer Guidelines.

Annexure 1

TRANSFER APPLICATION FORM				
I. Employee Information (as per the record in CSIS)				
Name	EID No.	Position Title	Current Place of Posting	Date of last posting
II. Employee History – Last two agency served, if any, as per CSIS records				
Agency	Post held	Period		Office order No.
		From	To	
III. Placement Options				
Options	Name of Office		Place	
1.				
2.				
3.				
IV. Spouse details				
Name	Occupation		Current place of posting	

Signature of applicant:

Date:

Recommended/Not recommended:

Signature of Head of the Working Agency

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