

F. No.A-22012/07/(I)/2012-CLS-I
Government of India/Bharat Sarkar
Ministry of Labour & Employment/Shram Aur Rozgar Mantralaya

Shram Shakti Bhawan, Rafi Marg,
New Delhi dated the 30th January, 2014

OFFICE MEMORANDUM

Subject: Posting/Transfer of various Grades of Officers of Central Labour Service – Policy guidelines regarding.

The undersigned is directed to refer to this Ministry's OM No. A.12034/1/87-CLS.I dated 14.04.1988 and OM No. A-22012/07/(I)/2012-CLS-I dated 28.03.2013 containing the general Policy regarding posting/transfer of various Grades of the Central Labour Service and to issue revised Policy guidelines in the matter, as under:

- (i) The Officers belonging to the Central Labour Service (CLS) are liable to be transferred and posted in Establishments /Offices under the participating Ministries/Departments in any part of India against sanctioned posts of Central Labour Service authorised in the regular strength employees of these Establishments /Offices. Postings will be made keeping in view the need to expose individual Officers to all the different kinds of work entrusted to the Central labour Service;
- (ii) There shall be inter-changeability/rotation of CLS Officers amongst the three Streams of CLS viz; the Central Industrial Relations Machinery (CIRM) headed by the CLC(C), Labour Welfare Wing under the DGLW and Central Pool (Factory Side). Accordingly, Officers holding the below mentioned posts will be rotated amongst the three streams;

Assistant Labour Commissioner (C) in CIRM, Assistant Welfare Commissioner (C) in Labour Welfare Wing, Assistant Labour Welfare Commissioner (C) in Central Pool (Factory Side) and Assistant Director in the Ministry;

Regional Labour Commissioner (C) in CIRM, Deputy Welfare Commissioner (C) in Labour Welfare Wing and Dy. Labour Welfare Commissioner (C) in Central Pool (Factory Side);

Deputy Chief Labour Commissioners (C) in CIRM, Welfare Commissioner(C) in Labour Welfare Wing, Labour Welfare Commissioner (C) in Central Pool (Factory Side) and Director (Training) in CIRM.

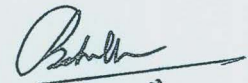
- (iii) The minimum tenure of posting of every CLS Officer in a particular post shall generally not be less than two years, provided there is no serious complaint of misconduct against the Officer ~~OR~~ it is expedient in public interest to transfer him/her before completion of the minimum tenure;
- (iv) Any transfer/posting of Officers of Central Labour Service before completion of minimum tenure will be made only after the reasons for such transfer/posting are examined by the Transfer Committee and its recommendations are approved by the Competent Authority;
- (v) The maximum tenure for every CLS Officer in a particular post/establishment would be 04 years and 08 years at one Station. Any exceptions to this tenure posting can be allowed only in exceptional circumstances on account to administrative exigencies with the approval of the Competent Authority;
- (vi) There shall be mandatory rotation of CLS Officers in JTS and STS Grades amongst three streams i.e. CIRM, Labour Welfare Wing and Central Pool (Factory Side) on completion of tenure of posting in a particular post/establishment to give them equal opportunity to have exposure and experience in all three streams for better management of the Cadre. Any exception in larger public interest will be examined and recommended by the Transfer Committee and approved by the Competent Authority;
- (vii) Those CLS Officers who are due to retire on attaining the age of superannuation within one year will not generally be disturbed, if such a request is received in writing;
- (viii) Annual Transfer/posting orders shall normally be issued before commencement of the Academic session but may be done at any time in exceptional cases on account of administrative exigencies, in public interest ~~OR~~ in case of promotion to higher grade;
- (ix) In genuine cases, the CLS Officers can make representations for transfer/posting at Stations of his/her choice but not for transfer/posting to a particular post (s) during February/March of every year before Annual Transfer/postings through proper channel. The same should be made to the

prescribed channels under the Conduct Rules. In such case, the Officers will not be entitled to get Transfer Grant /DA, etc. Such representations for choice posting will be considered subject to administrative feasibility and availability of vacancies. No representation for transfer/posting will be entertained after orders for annual transfer/posting are issued;

- (x) No CLS Officer shall bring outside influence/political influence to further his request for posting of his choice as enumerated in Rule 20 of CCS (Conduct) Rules, 1964 which prescribe that "No Government Servant shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government". Any violation of the said Rule will be viewed seriously and stern action including disciplinary action will be taken against such delinquent Officers under the provisions of Conduct Rules;
- (xi) Complaints, vigilance cases etc. against the serving Officers and administrative requirements like job requirement, skill and experience shall also be taken into account while deciding transfers/postings;
- (xii) There will a Transfer Committee (TC) comprising of Additional Secretary/Joint Secretary in charge of CLS Division, Director General (Labour Welfare), and Chief Labour Commissioner (Central). The Committee shall recommend the transfer/posting of the Officers keeping in view the guidelines given hereunder and also after considering requests/ representations received from the Officers, if any, and submit their recommendations to the Competent Authority for approval;
- (xiii) The recommendations of the Transfer committee would be subject to the approval of Hon'ble Minister of Labour and Employment who is the Competent Authority.

The above guidelines are circulated to all Officers of the Central Labour Service and all Ministries/Departments/Organizations where CLS Officers are posted for their information and strict compliance.

This issues with the approval of Hon'ble LEM.



(Babu Cherian)

Deputy Secretary to the Govt. of India

Tele-fax:23753079

To

All Central Labour Service Officers.

Copy for information to all Controlling Officers of participating Organisations:

1. JS & DGLW, Ministry of Labour & Employment, Jaisalmer House, New Delhi.
2. Chief Labour Commissioner (Central), New Delhi.
3. Chairman & Director General, Ordnance Factory Board, Kolkata.
4. Ministry of Urban Development, Directorate of Printing, Nirman Bhavan, New Delhi.
5. Ministry of Urban Development, Director General (Works), Nirman Bhavan, New Delhi.
6. Labour Welfare Commissioner (Central), Defence Research Development Organization, DRDO Bhavan, New Delhi.
7. Labour Welfare Commissioner (Central), Directorate of Civilian Personnel, Ministry of Defence (Navy), 'A' Block, New Delhi.
8. Labour Welfare Commissioner (Central), MGO's Branch, Ministry of Defence (Army), Wing-IIInd, Block-3, 1st Floor, R.K. Puram, New Delhi.
9. Labour Welfare Commissioner (Central), Director General Quality Assurance, Ministry of Defence, G-Block, New Delhi.
10. Ministry of Health & Family Welfare (Central Hospitals), Nirman Bhavan, New Delhi.
11. Ministry of Agriculture, Department of Animal Husbandary & Dairying (DMS), Krishi Bhavan, New Delhi.
12. Ministry of Science & Technology, Survey of India, Technology Bhavan, Mehrauli Road, New Delhi. 110016
13. General Secretary, CLS Officers Association, Room No. 608, Shram Shakti Bhavan, New Delhi.
14. Department of Personnel & Training {Shri J.A. Vaidyanathan, Director(E)} North Block, New Delhi - w.r.t. their O.M. No. 11013/10/2013-Estt.A dated 10/12/2013.

Copy forwarded to for framing similar Policy guidelines in respect of Group 'A', 'B' & 'C' categories of employees under their control, as per their requirement:

1. JS & DGE&T – in respect of Directorate General of Employment & Training.
2. JS & DGLW – in respect of Welfare Administrators and other Cadres.
3. LEA – in respect of Labour Bureau, Chandigarh.
4. CLC(C) – in respect of LEO(C) and other Cadre.
5. DS(BLM) – in respect of DGFASLI & DGMS.
6. DS(LM) – in respect of Officers/Cadres control by Adm.III.

Copy for information to:

PS to Hon'ble LEM, PS to Hon'ble MOS(L&E), PSO to Secretary (L&E), JS(AP)