

F.No.A-22012/02/2020-CLS-I

Government of India

Ministry of Labour & Employment

Shram Shakti Bhawan, Rafi Marg,
New Delhi dated the 3rd March, 2021

OFFICE MEMORANDUM

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

The undersigned is directed to refer to this Ministry's OM No.A-22012/07/(I)/2012-CLS-I dated 30.01.2014 regarding the Policy guidelines on posting/transfer in various Grades of the Central Labour Service and to issue the revised guidelines 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). These streams have been divided into three Groups based on the CVC's guidelines. Officers posted at these posts will be rotated in the groups given below:-

Group-A

Assistant Labour Commissioner (C), Regional Labour Commissioner (C) and Deputy Chief Labour Commissioner (Central) posted in the field formations in CIRM – **Sensitive posts**

Group-B

Assistant Welfare Commissioner (C), Deputy Welfare Commissioner (Central), Welfare Commissioner (Central) and Deputy Director General, DGLW in Labour Welfare Wing in the field formations and HQ, New Delhi. Assistant Labour Commissioner (C), Regional Labour Commissioner (C),

Deputy Chief Labour Commissioner(Central) and Additional Chief Labour Commissioner (Central) in the HQ of CLC office, Posts of Assistant Director/Deputy Director in the Ministry of Labour & Employment, Posts of Assistant Labour Welfare Commissioner(Central), Deputy Labour Welfare Commissioner(Central), Labour Welfare Commissioner(Central) in CPWD under the Ministry of Housing & Urban Affairs-

Semi-sensitive posts

Group-C

Posts of Assistant Labour Welfare Commissioner(Central), Deputy Labour Welfare Commissioner(Central) and Labour Welfare Commissioner(Central) in Integrated Headquarters of Ministry of Defence(Army), Integrated Headquarters of Ministry of Defence(Navy), Directorate General-Ordnance Factory Board, Defence Research and Development Organization(DRDO), Directorate General of Quality Assurance(DGQA), Survey General of India-Ministry of Science & Technology, Ministry of Health & Family Welfare (Hospitals), Delhi Milk Scheme(DMS)-Ministry of Agriculture, Government of India Press-Ministry of Urban Development, Govt. Opium & Alkaloid Factories-Department of Revenue, A & N Islands-Ministry of Home Affairs -

Non-sensitive posts.

- (iii) The maximum tenure for every CLS Officer in a particular post/establishment would be 03 years in one establishment/stream and 06 years at one Station. Any deviation to this tenure posting can be allowed only in exceptional circumstances on account of administrative exigencies with the approval of the Competent Authority;
- (iv) There shall be mandatory rotation of CLS Officers in JTS, STS and JAG Grades amongst three groups(mentioned at point-(ii) above) on completion of maximum 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;
- (v) Those CLS officers who are due to retire on attaining the age of superannuation within one year will not generally be disturbed provided a request for transfer is received in writing with reason thereof which could be considered by the Committee. In case of promotional transfers, officers shall be retained in same stream/wing, where he/she has submitted his pension papers, subject to availability of vacancy. Request of posting/transfer at a choice station, with reasons in writing, whether it is officer's home district/state/region, or otherwise, during the last one year of his superannuation can be considered subject to availability of vacancies at that station, administrative reasons and his record of earlier postings at such station.

- (vi) Transfer would be done upon completion of maximum tenure of three years at one stream/establishment or 6 years at one station. End of March of the relevant year is fixed as cut-off date for consideration of completion of maximum tenure i.e. three years to become eligible for transfer. 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.
- (vii) In genuine cases, the CLS officers may make representations for transfer/posting at stations of his/her choice, with reasons recorded in writing, before the completion of maximum period of 3 years through proper channel in the month of February and March before Annual General Transfer/posting. However, no request should be made for transfer/posting to a particular post. In case of transfer/posting at choice station, 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 representations for transfer/posting will be entertained after orders for annual transfer/posting are issued.
- (viii) No CLS officer shall bring outside influence/political influence to further his interest 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;
- (ix) Complaints, vigilance cases etc. against the serving officers and administrative requirements like job requirement, skill and experience shall also be taken into consideration while deciding transfers/ postings.
- (x) There will be a Transfer/Posting Committee comprising of Additional Secretary, Bureau Head 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 herein and on the basis of requests/representations received from the officers, if any, and submit their recommendations to the Competent Authority for approval. As Government is considering corporatisation of Ordnance Factories, the Committee while recommending transfer/posting, may consider this aspect and accordingly, may not post CLS officers in Defence formations in future. The Committee may also consider assigning additional charge of Ordnance Factories and Deference establishments to the CLS officers posted in CIRM/Welfare wing in the same region/station where these establishments are located. The Committee may also consider to transfer the officers

posted in Ordnance Factories & Defence establishments to CIRM/Welfare organization for effective implementation of Labour Laws and Welfare Schemes.

- (xi) Guidelines of DOPT regarding posting of spouse at one station and other similar instructions issued from time to time would be taken into account while considering posting on promotion and transfer, but not repeatedly, and subject to availability of vacancy and other conditions of the transfer policy.
- (xii) Cases of postings on medical/compassionate/educational grounds would be brought before the Transfer Committee for consideration.
- (xiii) No officer can claim posting at choice station or home district/state or region as a matter of right.
- (xiv) The recommendations of the Transfer/Posting Committee would be subject to the approval of Hon'ble Minister of Labour & Employment being Appointing 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 information and strict compliance. The future request of transfer/posting would be made through online platform only which would be launched shortly and details & instructions about the said portal would be issued separately.

This issues with the approval of competent authority.



(Satish Chander)

Under Secretary to the Govt. of India

Tel:011-23711582

To

All Central Labour Service Officers.

Copy for information to all Controlling Officers of participating Organisations:

1. Chief Labour Commissioner (Central), New Delhi.
2. JS &DGLW, Ministry of Labour & Employment, Jaisalmer House, New Delhi.
3. Chairman & Director General, Ordnance Factory Board, Kolkata.
4. Ministry of Housing and Urban Development, Directorate of Printing, Nirman Bhavan, New Delhi.

5. Ministry of Housing and 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, Ist 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 & Farmers Welfare, Department of Animal Husbandry & Dairying (DMS), Krishi Bhavan, New Delhi.
12. Ministry of Science & Technology, Survey of India, Technology Bhavan, Mehrauli Road, New Delhi.
13. General Secretary, CLS Officers Association, Room No. 608, Shram Shakti Bhavan, New Delhi.

Copy for information to:-

PS to Hon'ble MOS(IC), L&E, PPS to Secretary (L&E), PPS to AS(L&E), PPS to JS(RKG)/ PPS to EA(GP)