

**GOVERNMENT OF ASSAM
DEPARTMENT OF PERSONNEL ::: PERSONNEL (B)
DISPUR::: GUWAHATI**

No.ABP.116/2001/4

Dated: Dispur, the 4th February, 2002.

OFFICE MEMORANDUM

Subject: Policies of Transfer and posting of Government Officials.

As per State Government's standing O.M. NO. ABP.40/91/117 dated 9-9-92 the transferable officers and staff should normally be transferred only upon completion of 3 years of service at one place. But an officer need not necessarily be transferred when he completes 3 years in one station if the interest of public does not demand so.

In the said O.M. it has also been stipulated that whenever public interest demands that an officer should be transferred from his place of posting even before completion of 3 years in the place, proper justification and ground may be recorded in writing for the transfer and orders issued only after getting approval of the Chief Minister for such a transfer.

However, in practice it has been observed that such stipulation of taking prior approval of Chief Minister is not always obtained while making transfer and posting of Government officials and for which litigation often taken place. The Hon'ble Gauhati High Court in its recent order dated 16-8-2001 in Writ Petition W.P. (C) No 5216/2001 (Shri Dayal Das-vs-State of Assam and others) has directed the respondents to comply with this provision as measure to check arbitrary transfer of Government officials before completion of normal tenure of 3 years.

It is, therefore, reiterated that all concerned should strictly adhere to the instructions/guidelines issued vide State Government O.M. quoted above and not to violate the provisions of the said Office Memorandum.

**Commissioner & Secy. to the Govt. of Assam
Personnel (B) Department.**

No.ABP.116/2001/4-A

Dated: Dispur, the 4th February, 2002

Copy to:

1. The Commissioner & Secy. to the Governor of Assam, Guwahati.
2. The Commissioner & Secy. to the Chief Minister, Assam, Dispur
3. The P.S. to Ministers/Ministers of State, Assam, Dispur.
4. The P.S. to Chief Secretary, Assam, Dispur.
5. The Chairman, Assam Administrative Tribunal, Guwahati.
6. The Chairman, Assam Board of Revenue, Guwahati.
7. The P.S. to Additional Chief Secretaries, Assam, Dispur.
8. All Principal Secretaries/Commissioner & Secretaries/Secretaries to the Govt.

**GOVERNMENT OF ASSAM
DEPARTMENT OF PERSONNEL::: PERSONNEL (B)
DISPUR::: GUWAHATI**

ABP 116/2001/17

Dated: Dispur, the 4th October, 2006

OFFICE MEMORANDUM

Subject: Transfer and posting of Government Officials.

State Government issued Office Memorandum from time to time setting the guidelines to be followed in the matter of transfer and posting of Government officials. Office Memorandum No. ABP.116/2001/7 dated 22.5.2002 read with Office Memorandums no ABP.40/91/117 dated 19.4.92 and No ABP.116/2001/4 dated 22.2.02 (copy enclosed) were very much clear and categorical about the Government policy for transfer and posting. In spite of those clear instructions from Government, yet some incidents of arbitrary transfer and postings of Government Officials have come to the notice of the Government. The Government is to the view that frequent transfer and posting not only leads to avoidable expenditure on TA/DA etc. but also demoralizes the officials and jeopardizes the implementation of various welfare scheme/work undertaken by the Government.

It is, therefore, impressed upon all Administrative departments and all Accounting Authorities that while making any transfer and posting of Govt. officials they shall ensure strict compliance of the instructions contained in the above mentioned Office Memorandums of State Government. Any deviation will be viewed seriously and the erring officer will be held personally responsible for the lapses.

This may be brought to the notice of all concerned.

Sd/- D.N. Saikia
Commissioner & Secy. to the Govt. of Assam
Personnel (B) Department.

ABP 116/2001/17-A

Dated: Dispur, the 4th October, 2006

Copy to:

1. The Commissioner & Secy. to the Governor of Assam, Guwahati.
2. The Commissioner & Secy. to the Chief Minister, Assam, Dispur
3. The P.S. to All Ministers, Assam, Dispur.
4. The P.S. to Chief Secretary, Assam, Dispur.
5. The Chairman, Assam Administrative Tribunal, Guwahati.
6. The Chairman, Assam Board of Revenue, Guwahati.
7. The P.S. to All Additional Chief Secretaries, Assam, Dispur.

GOVERNMENT OF ASSAM
DEPARTMENT OF PERSONNEL ::: PERSONNEL (B)
DISPUR::: GUWAHATI

BP 116/2001/25

Dated: Dispur, the 14th February, 2007

OFFICE MEMORANDUM

Subject: Transfer and posting of Government Officials.

Comprehensive instructions have been issued by State Govt. regarding transfer and posting of govt. officials vide O.M. No ABP.40/91/117 dated 19-09-92, No ABP 15 2001/4 dtd. 4-2-2002, No ABP.116/2001/7 dtd.22.5.2002 and No. ABP 116/2001/17 dated 4.8.2006.

In spite of State Govt's clear policy on transfer and posting of Government Officials, instances have come to the notice of Government where Govt. officials approach Hon'ble High Court directly seeking remedy against transfer orders without approaching the authority concerned. This unwanted tendency of approaching Hon'ble Court against transfer order that has grown amongst some Govt. officials is viewed seriously by the State Government. The Government desires that such practices should be totally avoided and all State Govt. officials should first exhaust the avenues available for the same within the State Govt. and if necessary, the Assam Administrative Tribunal should be approached before going to the High Court for redressal of their grievances.

The above instruction should be scrupulously followed by all State Govt. Officials. Any deviation will be viewed seriously and Departmental action will be initiated against the erring officials.

This may be brought to the notice of all concerned.

Sd/- J. BARUAH
Commissioner & Secy. to the Govt. of Assam
Personnel (B) Department.

**GOVERNMENT OF ASSAM
DEPARTMENT OF PERSONNEL::: PERSONNEL (B)
DISPUR::: GUWAHATI-6**

No. ABP 116/2001/29

Dated: Dispur, the 12th November, 2009

OFFICE MEMORANDUM

Subject: Policies of transfer of Government Officials.

The undersigned is directed to refer to the Govt. Office Memorandums No ABP 116/2001/4, dated 4-2-2002 and No ABP.116/2001/7, dated 22-05-2002 wherein it was laid down categorically that whenever public interest demands an officer be transferred from his place of posting before completion of the normal tenure of three years in a particular post/place, proper justification with credible ground be adduced in writing for such transfer and order effecting such transfer shall be issued only after securing the approval of Hon'ble Chief Minister.

However, of late, the stipulation of taking the prior approval of the Chief Minister is not always observed while effecting the transfer and posting of Govt. officers before completion of their normal tenure of three years in one place.

All Administrative Departments are therefore advised to ensure that no officer is transferred without completing three years in a particular place of posting unless it is on promotion. In case circumstances require the transfer of any officer before three years in the exigency of public service or for other reasons, the approval of Hon'ble Chief Minister should invariably be obtained before such transfer.

This may be brought to the notice of all concerned.

Sd/- Rajiv Bora
**Commissioner & Secy. to the Govt. of Assam
Personnel (B) Department.**

No. ABP 116/2001/29-A

Dated: Dispur, the 12th November, 2009

Copy to:

1. The P.S. to Chief Minister, Assam for kind information of Hon'ble Chief Minister, Assam.
2. The P.S. to Ministers/Ministers of State, Assam for information and necessary action.
3. The P.S. to Chief Secretary to the Govt. of Assam.
4. The P.S. to Additional Chief Secretaries, to the Govt. of Assam.
5. The P.S. to Principal Secretaries/Commissioner & Secretaries/Secretaries to the Govt. of Assam of necessary action.
6. All Administrative Departments for necessary action.

By order etc,

**Under Secretary to the Govt. of Assam
Personnel (B) Department**