

TRANSFER POLICY FOR DISTRICT LEGAL AID OFFICERS
OF M.P.STATE LEGAL SERVICES AUTHORITY

In supersession of previous policies and guidelines, the Madhya Pradesh State Legal Services Authority, Jabalpur has issued the transfer policy to effect the transfer and posting of Officers (District Legal Aid Officers) of the State Legal Services Authority. The policy is communicated only for the purpose of information & guidance and shall not be enforceable at law. Further, notwithstanding anything contained in this Policy, the interest of the establishment shall be of paramount consideration for transfers and postings.

1. This policy shall come into force with effect from the year 2022.
2. Annual transfer shall be effected normally by March-April every year and the officials transfer in the annual chain shall be given time for joining so as to coincide with the academic session.
3. The normal tenure of posting at a place for the officer shall be of three years. For the purpose of calculating the period, the date of 31st March of the year shall be the cut of day from the date of joining and for the purpose of computing the tenure of posting the period exceeding six months shall be rounded off and treated as full year.
4. All such officer(s) who have completed their normal tenure of posting at a place may submit their options for posting at five (05) places.

Provided that Officers may be transferred at any place other than opted places in Administrative Exigencies and the preferences opted by the Officers may, if so required, be taken into consideration while making transfers.

5. The officer who on 31st March of the Calendar year is going to complete his normal tenure of posting at a place may submit a representation through Principal District & Session Judge/Chairman to the Member Secretary within stipulated time.

6. Representations of Officers regarding transfer/premature transfer/extension of tenure at present place of posting should be submitted in the prescribed format attached with the Transfer Policy.
7. In the event of request for transfer of more than one officer for a particular district, the applications will be considered according to ground of request for such place alongwith their seniority and CRs.
8. The officer, seeking extension of tenure on the grounds stated hereinabove shall also simultaneously submit representations indicating the option of places as per Guidelines as mentioned above.
9. In cases where a officer has not completed his normal posting tenure at a place but for any justified reason wants premature transfer from his present place of posting, such Officer may also submit his representation through the Principal District & Session Judge/Chairman for Premature transfer, to the Member Secretary. Alongwith his representation, the officer shall also indicate minimum 05 options of places as per given guidelines.

Provided that any application seeking premature transfer shall be entertained only in exceptional circumstances and when it is supported by cogent and substantial reasons.

10. Request applications shall be routed through proper channel. Directly sent applications will not be considered in any event. Disciplinary action will be taken against the officer who sends his application directly.
11. Transfer of such officers whose husband/wife/son/daughter is mentally retarded can be considered to the place where mentally retarded person can be treated and availability of education facility for his child/daughter subject to production of a certificate from recognized institution.

Note: Officer(s) generally can neither be transferred nor posted on promotion to his home district but widow or divorced or deserted lady may be considered for transfer to home district.

12. In case of any illness of grave nature requiring any treatment at a particular place, on certification of the Medical Board, may be considered for transfer to a particular place where this officer can avail this facility.
13. Newly appointed officer shall not generally be considered for transfer prior to completion of three years service at the place of first posting.
14. The officer, who is suffering from a physical disability and such disability is certified to be 40% or more by the appropriate Medical Board shall not be transferred but their applications for transfer on their own expenses and willingness may be considered.
15. Woman officers may be considered on request for transfer to the place of residence of husband or adjacent place depending on the administrative exigency.
16. Notwithstanding anything to the contrary in this policy, an officer who has one year or less to retire on the first day of April may seek a posting to a place (except his home town) where or near which he proposes to settle after retirement, and if the request appears bona fide, the officer may be posted to such place.
17. In the event of any interpretation or doubt with regard to this policy or its implementation, the same will be clarified by the Executive Chairman on giving effect to the transfer policy, the decision of the Hon'ble Executive Chairman shall be final.
18. This policy may be relaxed in individual cases only by the Hon'ble Executive Chairman and subject to grounds of the Administrative needs of the State Authority.

**FORMAT FOR REPRESENTATION OF TRANSFER/
PREMATURE TRANSFER/ EXTENSION OF TENURE**

The following entries to be filled by District Legal Aid Officer.

1	Name of the Officer	
2	Post held	
3	Tenure at present place of posting (from the date of joining)	
4	Reasons/ Grounds for transfer/ premature transfer/ <u>extension of tenure</u> , in short (relevant documents, if any may be attached separately)	
5	Mention 05 options in the order of preferences other than the place in which the officer is serving.	
6	Date	

Signature of District Legal Aid Officer

Comments of Principal District & Session Judge/Chairman:-

Principal District Judge