

Combined Services Circular No: 01/2008

My NO: PA/CS/6/3/ආ.සේ.ම/2009,
Ministry of Public Administration &
Home Affairs,
Independence Square,
Colombo 07.
05.06.2008

Secretaries to Ministries,
District Secretaries/Government Agents,
Heads of Departments.

ANNUAL TRANSFERS OF OFFICERS IN COMBINED SERVICES - 2009

Your attention is invited to the provisions in Chapter III of the Establishments Code dealing with the transfer of public officers.

02. Annual transfers in respect of all Combined Services should be effective from 1st of January 2009. The following procedure should be followed in this regard, in order to avoid inconvenience to the officers concerned and to the Public Service.

03. Action should be taken to set up Transfer Boards in the following manner.

3.1. Departmental Transfer Boards

To deal with transfers among workstations of a Department. (The District Secretary to deal with the transfers among Divisional Secretariats within the district)

3.2. Ministerial Transfer Boards

To deal with transfers among the Departments of a Ministry.

3.3. Inter- Ministerial Transfer Boards (Combined Services Division Transfer Boards)

To deal with transfers of officers, among Departments and Ministries.

3.4. Separate Transfer Boards should be set up for the relevant services if adequate number of applications have been received for the respective services, considering the number of transfer applications.

3.5. Appointment letters should be issued to the members of Transfer Boards by the relevant authority.

04. Every Transfer Board should effect transfers in conformity with the general principles prescribed in Section 5 of this Circular subject to the provisions of the Establishments Code. By issuing of this Circular, it will be presumed that the provisions of Subsection 3:9 of Chapter III of the Establishments Code is fulfilled.

05. Following facts may be taken in to consideration, in determining the eligibility of officers for transfers.
- 5.1 As at 31st December 2008
- (a) An officer who has completed a period of 3 years in the service and 2 years at a particular service station will be eligible for such transfers.
- (b) Officers who have completed 05 years of service in a Government / Institution/ Department/ Ministry or in one and the same office under Ministry may subject to be transferred.
- 5.2 If an officer, who has not completed the stipulated period of service in a popular station, applies for a transfer, he/she is eligible for such transfer subject to the exigencies of service.
- 5.3 When an officer, who is eligible for a transfer under Section 5.1(a) above, requests for a transfer to another station, an officer who has served the longest period of service at a such station satisfying the requirements in Para 5.1 (b) may be transferred out, to enable that request.
- 5.4 An officer serving in a popular station or an office should not be transferred to a similar office. Department of Motor Traffic/ Immigration and Emigration / Customs / Foreign Affairs / Inland Revenue / Examinations / Commission to Investigate Allegations of Bribery or Corruption / Public Services Commission / Excise are considered as such Departments.
- 5.5 (a) The period of service will be computed on the total period of service in a particular Department / Ministry or District irrespective of whether the service has been continual or intermittent.
- (b) The periods of service in any district under the same Ministry / Department will be computed as the total period of service in that particular Department / Ministry; When computing the total period of service in a district the periods of service served on whatever stations within a particular district will be taken into account.
- 5.6 (a) The total period of service at popular stations will be computed taking into account the periods of service at popular stations served in (those stations that were regarded as popular during the relevant periods) within the 15 years immediately preceding.
- (b) When computing the total period of service at popular stations of officers who have served in more than one service, the period of service at a station popular to the previous services will too be taken into account.
- (c) When computing the total period of service in a particular Department, any lapses due to reasons beyond the control of the officer concerned will not be taken into account.
- 5.7 If both husband and wife are public servants, every effort should be made to allow both of them to serve in the same area at their own request.

- 5.8 Officers who are over 53 years of age should not be transferred out of the District, except at the request of the transferee or on specific reasons. But they are subject to transfer within the district.
- 5.9 Applications for transfers and appeals will be considered only if they are prepared according to the Specimen Forms prescribed.
- 5.10 Requests made due to difficult situations faced by officers such as disabilities of children, long lasting illnesses of spouse etc. will be considered if those requests are presented with credible facts and recommendations of the Head of the Department.
- 5.11 (a) Retaining an officer, who has been transferred out, after the effective date of transfer is contrary to the transfer policy.
- (b) Heads of Departments violating these provisions are liable to be reported to the disciplinary authority concerned.
- 5.12 As far as possible all transfers should be effective from 1st of January of each year so that schooling of children will not be disrupted.
- 5.13 In selecting officers for service in unpopular stations, unmarried officers and married officers without school going children should wherever possible, be selected rather than selecting married officers with school going children.
- 5.14 With regard to the transfer of President / Secretary / Treasurer and members of the Central Executive Committee of the Parent Union of a Trade Union accepted by the Director General of Combined Services, the recommendation of the Secretary of the Union should be taken into consideration. Only Trade Union representing a particular service would be considered as Trade Unions for this transfer procedure. All Trade Unions seeking these concessions should forward the particulars of their officers as per Section 7.5 of the Establishments Code to the transferring authority before commencement of the transferring process.
- 5.15 Where the spouse of an officer is serving in armed forces or in Police in the Northern and Eastern Provinces, (Operational areas), such officers should be transferred only at their request. Priority should be given to the requests for transfer made by the spouses of those who are serving in armed forces / Police in operational areas. If the officer concerned should be transferred out from a popular station, he/she should be transferred to the nearest work station or to any station at the officers request.
- 5.16 Requests of officers serving in popular stations to similar stations may be considered after consideration of the requests of the officers serving in popular stations.
- 5.17 Applications for transfers should be made according to the Specimen Form prescribed in this Circular. Applications should be prepared as per Specimen No: 1 'a';'b';'c' and submitted through the Head of Department. (Department and Ministry Transfer Board too may use the same Specimen Form with necessary amendments).

06. Once the transfers are determined by the Departmental Transfer Boards under Paragraph 3:1 above and by the Ministry Transfer Boards under Paragraph 3.2 above, action should be taken to forward the Specimen 1 'a' 'b' 'c' 'd' and 'e' together with the schedules as per Specimen No. 2,3,4 and 5 attached here with to the Director General of Combined Services not later than date stipulated in Paragraph 12 hereof to enable the Transfer Boards of the Combined Services Division to decide therein. It should be advised to submit only one application for an officer.
- (a) There have been instances where transfers have been effected by certain Departments/Ministries when Combined Services transfer lists were being prepared or after finalizing the transfer lists, resulting confusion in implementing annual transfers. Therefore, to avoid such confusion, the Departmental and Ministerial transfer boards should be held according to period of time prescribed in Para 12.01 and the decisions should be informed to the Director General of Combined services before 31 August, 2007. No decision for a transfer should be taken after that date.
- (b) If the decision of the internal Transfer Boards of the Ministries and Departments are not informed the Director General of Combined Services before the prescribed date, transfers will be treated as not effected.
07. Secretaries to Ministries / Heads of Departments should take action to release the officers who are awaiting transfer on time by training other members of staff to carry out his / her duties without interruption.
08. Secretaries to Ministries/Heads of Departments / Institutions and District Secretaries should take action to forward the following documents to the Inter Ministerial Transfer Board set-up in the Combined Services Division of the Ministry of Public Administration before 31st, August according to the Time Table given in Paragraph 12.
- 8.1 (a) In the case of applicants who are not belonging to combined drivers service, applications for Inter department transfers prepared in accordance with annexed forms 1 a,c,e
and
- (b) Application for inter-department transfers prepared in accordance with annexed form 1b prepared by Drivers of combined Drivers Service and applications prepared in accordance with the form "c" by Drivers who do not seek transfers.
and
- (C) Schedules which are made in the following manner. Transfer applications of all the officers other than the Drivers in Combined Drivers' Service should be scheduled in accordance with the annexed form No.02. Applications of Drivers in Combined drivers' service who seek transfers should be scheduled in accordance with the annexed form No. 04. Applications of those who do not seek transfers(particulars of officers who seek transfers should not be included here under any circumstance) should be scheduled in accordance with annexed form No. 05
- 8.2 Form No.3 annexed herewith which contains service particulars of all officers (except Drivers' Service) who are belonging to Combined Services and who have served more than 5 years in one and the same institution / District.

- 8.3 The report in respect of the Ministerial / Departmental transfer orders made under Para 6 (a) above.
09. Appeal Boards should be set up in terms of Section 05 of Chapter III of the Establishments Code to consider any appeals made against transfer orders and necessary action should be taken accordingly. Appeals submitted in respect of annual transfers will be considered only if they conform to the provisions in the Establishments Code referred to above.
10. Appeal Boards that will be set up to consider appeals made against transfer orders will take decisions after investigations are done on the matters mentioned below.
- Transfer orders given against the procedure of transfers.
 - Instances where requests of officers were not fulfilled.
 - Transfer orders given against the requests of the officers concerned.
 - Appeals made with credible recommendations due to unexpected calamities, illnesses faced by officers after the transfer application has been submitted.
11. Applications for mutual transfers should not be entertained from 01st August to 31st of December 2008.
12. The following time table may be followed, in implementing the transfer policy relating to the officers in the Combined Services.
- 12.1 Time table to be followed in dealing with transfers under paragraph 3.1 and 3.2 of this Circular.
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| Setting up of Transfer Boards and the preparation of Transfer scheme | Before 30th June |
| Last date for receipt of applications for transfers in terms of paragraphs 3.1 and 3.2 | Before 15th July |
| Finalization of internal transfers between Departments/ Ministries in terms of paragraph 3.1 and 3.2 | Before 30th July |
| Scheduling of decisions on Departmental/Ministerial transfers in terms of paragraph 3.1,3.2 and transmitting of same to the Director General of Combined Services. | Before 15th August |
- 12.2 Time table for the Transfer Boards of the Combined Services Division under paragraph 3.3 above.
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| Setting up of Transfer Boards and the preparation of Transfer scheme | Before 30th May |
| Issuing Circulars | Before 16th of June |

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| Forwarding of applications completed according to Specimen No. 1 and scheduled according to Specimen No 02,04 and 05 to the Director General of Combined Services. | Before 15th August |
| Final determination of transfers by the Transfer Boards of the Combined Services Division. | Before 05th September |
| Communicating transfer orders to Departments and Ministries. | Before 24th September |
| Last date of acceptance of appeals by the Combined Services Division, in respect of transfers effected. | Before 8th October |
| Decisions to be taken on such appeals | Before 21st October |
| Completion of communicating Appeals Board decisions. | Before 03rd November |
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13. Heads of Institutions / Departments should ensure that accurate and complete information in respect of every officer is furnished. If information furnished is found to be inaccurate and incomplete, the Heads of Departments / Ministry concerned will be responsible together with the officer who prepared and checked the lists concerned and will be subject to disciplinary actions.

 14. Officers transferred out of a Ministry / Department by a Transfer Board should not be retained awaiting replacements and they should be released to enable them to report for duty at their new stations on the date stipulated.

 15. Instances have been reported where certain Heads of Departments have failed to release officers, even after their successors have reported for duty. It is the responsibility of Heads of Departments to prevent such instances taking place.

 16. It is the responsibility of the officer, on receipt of transfer orders, to report for duty at the new station on the date stipulated.

 17. Please make arrangements to inform the provisions mentioned in this Circular to all officers in your Ministry / Department.

 18. The decisions taken by the Transfer Boards should not have any adverse effect on the duties of posts held by the officers who are transferred in and out.

Signed/A. Norbet

Director General of Combined
Services
Ministry of Public Administration &
Home Affairs