

**HIGH COURT OF MADHYA PRADESH**

**MEMO**

**No. 1583/Confdl./2018**

**Dated 21 December, 2018**

Subject : Regarding General Transfer Exercise for the year 2019.

Ref'nce: Registry Endt. No 1456/confdl./2017 dated 15.12.2017, circulating Transfer Policy.

To,

**All District & Sessions Judge,**

It is to remind you that as per Transfer Policy-2018, General Transfer Exercise for the year-2019 will commence in the month of January 2019.

Some of the Judicial Officers posted in your District might be coming within the purview of the Transfer Policy. In this communication, as directed, I am to request you to impress upon such Judicial Officers, that they may send their option/representation in terms of the Transfer Policy positively by **15 January 2019**. The representation receipt after **15 January 2019** shall not be entertained.

The Officers should specifically be directed to make their representation strictly in accordance with the Transfer Policy-2018.

**Encl:- Transfer Guidelines/ Police -2018**

  
21/12/18  
(ARVIND KUMAR SHUKLA)  
REGISTRAR GENERAL

**HIGH COURT OF MADHYA PRADESH JABALPUR**

Endt. No. 1456 /Confdl./2017  
II-15-47/95

Jabalpur, Dated 15 December, 2017

Copy of the **Transfer Guidelines/Policy – 2018** for Judicial Officers to be enforced w.e.f. 01.01.2018, forwarded to:-

1. Principal Secretary, Government of M.P., Law & Legislative Affairs Department, Bhopal for information, with a request to circulate the same amongst Judicial Officer working in Law Department.
2. The District & Sessions Judges of ....., for information, with a further direction to circulate the Transfer Policy amongst all the Judicial Officers of the District.
3. Principal Judge, Family Court, Balaghat / Betul / Bhind / Bhopal / Chhatarpur / Chhindwara / Damoh / Dewas / Dhar / Dindori / Guna / Gwalior / Harda / Narsinghpur / Indore / Jabalpur / Katni / Khandwa / Mandsaur / Mandla / Morena / Rajgarh / Ratlam / Rewa / Satna / Sagar / Sehore / Seoni / Shahdol / Shivpuri / Singrauli / Tikamgarh / Ujjain / Vidisha for information.
4. I Additional Principal Judge, Family Court, Bhopal / Indore / Jabalpur for information.
5. II Additional Principal Judge, Family Court, Bhopal / Indore / Jabalpur for information.
6. Additional Principal Judge, Family Court, Gwalior / Ujjain for information.
7. The Registrar, O/o Welfare Commissioner, Bhopal Gas Victims, Dr. Rajendra Prasad Bhawan, Opposite Old Vidhan Sabha, Bhopal, for information, with a further direction to circulate the Transfer Policy amongst all the Judicial Officers.
8. Registrar M.P. Industrial Court, 518, New Moti Bangalow, MG Road, Indore- 452007 for information, with a further direction to circulate the Transfer Policy amongst all the Judicial Officers.

 15.12.17

9. Shri Arun Singh Tomar, Chairman, M.P. State Transport Appellate Tribunal, Gwalior for information.
10. Shri Sanjay Shukla, Registrar, National Green Tribunal, Central Zone, Bench at Bhopal, State Information Commission, Building, 3<sup>rd</sup> Floor, Arera Hills, Bhopal-462011 for information.
11. Smt. Anuradha Shukla, Legal Advisor, Economic Offence Bureau, Bhopal, "EOW Bhawan", 42, Arera Hills, Bhopal for information.
12. Shri Shiv Charan Pandey, Legal Advisor, Lokayukta Organisation, Office of Lokayukta Organisation, M.P. Lokayukta Bhawan, F- Block, Old Secretariat, BHOPAL – 462 001, for information.
13. Shri M.S.A. Ansari, Presiding Officer, M.P. State Wakf Tribunal, B-114, Housing Board Colony, Kohefiza, Bhopal for information.
14. Shri Ram Prakash Mishra, Legal Advisor, Lokayukta Organisation, Office of Lokayukta Organisation, M.P. Lokayukta Bhawan, F- Block, Old Secretariat, BHOPAL – 462 001 for information.
15. Shri Ram Kumar Choubey, Registrar, Supreme Court of India, New Delhi for information.
16. Shri Kapil Kumar Mehta, Registrar, Supreme Court of India, New Delhi for information.
17. Shri Sudhir Singh Chouhan, Deputy Secretary, M.P. Human Rights Commission, Paryawas Bhawan, Khand-1, First Floor, BHOPAL-462 011 for information.
18. Shri Padmesh Shah, Secretary, Mandsaur Firing Incident, Enquiry Commission, Room No. 302, Satellite Bhawan, Collectrate Premises, Indore for information.
19. Smt. Archana Singh, Secretary/Registrar, Debts Recovery Tribunal, Apartment No. 318, Hotel Samrat, 3<sup>rd</sup> Floor Kautilya Marg, Chanakyapuri, New Delhi- 110021 for information.
20. District Judge (Inspection), High Court Premises, Jabalpur / District Judge (Inspection), J.E.-1, Judges Enclave, Residency Area, Indore – 452001 / District Judge (Inspection), 28/B, Race Course Road, Opposite Mela Ground, Gwalior (M.P.), for information.
21. The Principal Registrar, High Court of Madhya Pradesh, Bench at Indore, for information.


  
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22. The Principal Registrar, High Court of Madhya Pradesh, Bench at Gwalior, New High Court Building, City Center, Gwalior for information.
23. Member Secretary, Madhya Pradesh State Legal Services Authority, 574, South Civil Lines, Jabalpur, for information, with a request to circulate the same amongst Judicial Officer working in MP SLSA.
24. Principal Registrar (Vigilance) / (Judicial) / (I.L.R. & Examination), High Court of M.P. Jabalpur for information.
25. Registrar (Exam & Labour Judiciary) / (District Establishment) / (I.L.) / (Judicial-I) / (Judicial-II) / (Vigilance) / Registrar / Secretary High Court, Legal Service Committee / (Administration) / High Court of Madhya Pradesh, Jabalpur, for information.
26. In-charge Director / Additional Director, M.P. State Judicial Academy, First Floor, Abolished SAT Building, Jabalpur, for information, with a request to circulate the same amongst Judicial Officer working in M.P. State Judicial Academy.
27. Member Secretary, State Court Management System, High Court of M.P., Jabalpur for information.
28. Registrar (E) / Account Officer / Budget Officer / Joint Registrar (Protocol) / Deputy Registrar (Judicial) / (Judicial-II), High Court of Madhya Pradesh, Jabalpur, for information.
29. Registrar-cum-PPS to Hon'ble the Chief Justice, High Court of Madhya Pradesh, Jabalpur, for placing the same before His Lordship's kind information.
30. Deputy Registrar & P.S. to Registrar General, High Court of Madhya Pradesh, Jabalpur, for information.
31. P.S. to Hon'ble Shri Justice \_\_\_\_\_, High Court of Madhya Pradesh, Jabalpur, for placing the same before His Lordship's kind information.
32. P.S. to Hon'ble Shri Justice \_\_\_\_\_, High Court of Madhya Pradesh, Bench at Indore, Indore, for placing the same before His Lordship's kind information.

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33. P.S. to Hon'ble Shri Justice \_\_\_\_\_,  
High Court of Madhya Pradesh, Bench at Gwalior, Gwalior, for  
placing the same before His Lordship's kind information.

  15.12.12

**(MOHD. FAHIM ANWAR)**  
**REGISTRAR GENERAL**

**TRANSFER GUIDELINES/POLICY OF THE HIGH COURT OF M.P.**

In supersession of all previous policies and guidelines, High Court of Madhya Pradesh issues this **Transfer Policy, 2018** as a **Guideline** to process the **General Transfer Exercise** of the Judicial Officers of **District Judiciary** of the State.

**Transfer Policy, 2018** shall come into force with effect from **1<sup>st</sup> January, 2018**.

[1] The general transfer exercise of the Judicial Officers shall normally be initiated from **15<sup>th</sup> of January** of each year and shall be finalized by **31<sup>st</sup> March** of every year.

[2] This Policy may be relaxed generally or in individual cases by the Chief Justice in respect of all or any Judicial Officer and specifically with respect to Judicial Officers posted in the Registry at the Principal Seat, Jabalpur and the Benches at Indore and Gwalior, in MPSJA and with the State Government. Consequently transfers/postings/continuance prematurely or beyond the normal tenure of such Judicial Officers shall be decided by the Chief Justice.

[3] The normal approximate tenure of posting at a place shall be of 3 years. For the purpose of calculating the period, the date of **31<sup>st</sup> March** of the year shall be the cut-off date 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] The places available for posting are divided into 4 categories mentioned as A, B, C & D, as notified by the Chief Justice from time to time. The phrase "Outlying Courts" used in this Policy will not include the outlying courts mentioned in Category C. Category B will be deemed lower (not inferior) to Category A and so on.

[5] A Judicial Officer who on **31<sup>st</sup> March** of that **Calendar Year** is going to complete his normal tenure of posting at a place may submit a representation through District & Sessions Judge to the Registrar General by **15<sup>th</sup> January** of the Calendar Year, provided

that any representation seeking extension of tenure beyond normal period of tenure of one year shall be submitted to the District & Sessions Judge, who shall forward the same to Registrar General along-with his/her comments in the matter.

[6] Normally, the following grounds may be considered for extension of tenure.

- (a) That the daughter (not son) of the Judicial Officer is studying at the place of his current posting, and is in the Final Year of a Board Examination or University Examination, and the educational institution where such daughter is studying, does not have hostel facility for girls. This will be the criteria for officers seeking overstay in A category places. For B, C, or D category places, it may be the daughter or son and non-availability of hostel will not be essential. It is further clarified that the aforesaid request shall be considered only if the facts with regard to education of the daughter and non-availability of Hostel facility in the institution is certified by the District Judge concerned, after proper verification, and the District Judges as well as the Portfolio Judges have no objection to the over-stay of the Officer.
- (b) Extension of tenure by a period of one year may also be granted in case the Judicial Officer, his spouse or children or aged parents (normally residing with the officer at his current place of posting) are suffering from any serious and acute (not chronic) ailment, which according to a Medical Practitioner's opinion, requires long term or repeated hospitalization at the Officer's current place of posting in recent past or near future, or making movement of the patient risky. The fact about ailment of the person concerned and the consequential medical opinion shall require to be certified by the District Judge after meeting the patient and talking to the concerned doctor.
- (c) Any other substantial reason because of which in the opinion of the Hon'ble Portfolio Judge, as recommended by the Committee, the Chief Justice considers that the overstay is necessary.
- (d) If any Judicial Officer submits such representation covered by sub-clause (a), (b) or (c) above to his District Judge for being



forwarded to the Registrar General, it will be obligatory for the District Judge to send the representation alongwith his comments within one week of its receipt after the necessary verifications. The Registry will place the matter before the concerned Portfolio Judge within a week from the last date of receipt of representations, and the Portfolio Judge will return the file with his comments/opinion within a week thereafter.

[7] On the receipt of such representations for extension of tenure at a place in the Registry, the same shall be forwarded to Hon'ble the Portfolio Judge for the comments of His Lordship.

[8] All such Judicial Officers, who have completed their normal tenure of posting at a place, may submit their option for posting at 9 places 3 from each category other than the category in which the Officer is serving. For example, a Judicial Officer posted in category A will have to opt for 3 places each from the category B, C & D. Likewise, a Judicial Officer posted in category B will have to opt for 3 places each from category C, D & A.

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

[9] The Judicial Officer(s), seeking extension of tenure on the grounds stated hereinabove shall also simultaneously submit representations indicating the option of places from categories as per policy as mentioned above.

[10] In cases where a Judicial Officer has not completed his normal posting tenure at a place but for any substantial reason wants premature transfer from his present place of posting, such Officer may also submit his representation through the District Judge for Premature transfer, to the Registrar General. Alongwith his representation, the officer shall also indicate minimum 9 options of places from categories as per the policy as mentioned above.



[11] In cases of Husband and Wife, who are Judicial Officers and are working in the State of Madhya Pradesh, attempt would be made to post them at the same place, as far as possible. However, if posting of Husband and Wife at one place is not possible, endeavour shall be made to post them at nearby places, subject to the administrative exigencies and other factors which may be considered relevant.

[12] Where the spouse, child or parent or any other first degree relative of a Judicial Officer is suffering from terminal ailments like cancer, kidney failure warranting dialysis, or who has undergone open heart surgery in the recent past, provided they are normally residing with the Judicial Officer, such officer may be granted preference by posting him in a place where or near which proper treatment facilities for these ailments are available. However, adjustment in this category shall be granted only on production of proper medical certificate from the District Medical Board and certified by the District Judge concerned upon verification.

[13] A Judicial Officer, who is on deputation or holding an ex-cadre post, shall normally be required to come back to the parent department after completing a maximum of three years of such posting. No extension of deputation shall be granted after a period of three years. However, under exceptional circumstances, if requested by the Foreign Department and if approved by the Chief Justice, extension of one year may be granted.

[14] A freshly promoted/appointed Judicial Officer, or a Judicial Officer posted on a post which does not involve the normal judicial/adjudicatory functions, will normally not be allowed to go to another non-judicial post, unless he completes at least a three years tenure on a post involving judicial functions.

[15] A Judicial Officer, who is suffering from a physical *disability restricting his/her normal mobility* and such disability is certified to be more than 40% by the appropriate Medical Board, shall

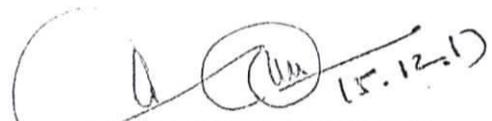
not be required to hold link Court.



[16] Notwithstanding anything to the contrary in this policy, an officer who has one year or less to retire as on first day of April may seek a posting to a place (except his home town) where or near to which he proposes to settle after retirement and if the request appears bona-fide, the officer may be posted to such place.

[17] Notwithstanding anything contained herein, the Chief Justice or on his behalf, the Committee of Hon'ble Judges nominated by the Chief Justice will have powers to pass any order in the matter of the transfer or posting of Judicial Officers in the cases of Administrative exigencies.

[18] In regard to matters, which are not specifically provided or covered in this Policy, the Chief Justice may issue such general or particular directions as may be considered necessary. In case any doubt arises with regard to this Policy or its implementation, the same will be clarified by the Chief Justice and such clarification will be treated as part of this Policy.

  
(MOHD. FAHIM ANWAR)  
REGISTRAR GENERAL

CATEGORY OF PLACES

Category	Places
A.	(1) Bhopal (2) Gwalior (3) Indore (4) Jabalpur
B.	(1) Datia (2) Dewas (3) Guna (4) Hoshangabad (5) Katni (6) Khandwa (7) Morena (8) Narsinghpur (9) Raisen (10) Rewa (11) Sagar (12) Satna (13) Sehore (14) Ujjain (15) Vidisha
C.	<b>District Headquarter :</b> (1) Ashoknagar (2) Alirajpur (3) Anuppur (4) Barwani (5) Balaghat (6) Betul (7) Bhind (8) Burhanpur (9) Chhatarpur (10) Chhindwara (11) Damoh (12) Dhar (13) Dindori (14) Harda (15) Jhabua (16) Khargone (17) Mandla (18) Mandsaur (19) Neemuch (20) Panna (21) Rajgarh (22) Ratlam (23) Seoni (24) Shahdol (25) Shajapur (26) Sheopur (27) Shivpuri (28) Sidhi (29) Singrauli (Waidhan) (30) Tikamgarh (31) Umaria <b><u>Tehsil Headquarters:-</u></b> (1) Ashta (2) Barwaha (3) Basoda (4) Bina (5) Biora (6) Dabra (7) Gadarwara (8) Multai (9) Sironj (10) Sonkatch <b>(11) Dr. Ambedkar Nagar (12) Shujalpur</b>
D.	Places not included in the above categories.

  
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