

Schedule VII

Sensitive posts and transfers

1. Sensitive posts

- (1) **'Sensitive post'** means a post which is considered as a key decision-making as also that involving financial sanctions. The nature of posts differs on the importance, the type of information and responsibilities that are attached to them. The positions involving settlement of bills/financial sanctions would be classified as sensitive.
- (2) The Chairperson has power to classify a post as a sensitive post and circulate the list of such posts from time to time.
- (3) **Guiding principles in dealing with sensitive posts**
 - (a) While all employees are ordinarily considered for transfer after 5 years, those employees working in sensitive posts/departments shall be compulsorily rotated / transferred once every 3 years.
 - (b) Transfer of any employee working in a sensitive post/department, before completion of minimum period on a post, will be done in public interest after recording reasons thereof.
 - (c) Considering the nature and importance of the posts identified as sensitive, while determining placements, postings and transfers of employees positioned in these posts will be decided accordingly.
 - (d) First posting on appointment / promotion of employees shall be to a non-sensitive post.
 - (e) There shall be a gap of minimum 3 years between one sensitive posting to another.
 - (f) An employee in the subsequent cycle of posting shall not be posted in the same sensitive post.

2. Transfers

(1) Objective

Transfers are integral to any Organization striving to achieve its organizational goals. They are necessary for employees so as to have exposure to various areas of working in the organization.

The following objectives shall guide the provisions on transfer:-

- (a) To match the Authority's objectives and goals with individual aspirations.
- (b) To align with Regulations 5 (9) and 15 of the IRDAI Staff (Officers and other Employees) Regulations, 2016 in building a work force fully engaged in the performance of their duties.
- (c) To have the right person in the right place by identifying skills and aptitudes of employees to meet organizational needs.
- (d) To identify and groom employees for taking positions in higher rank.

- (e) To implement CVC guidelines in the matter of transfer/ rotation of employees in sensitive posts. In addition, such transfer/rotation of employees can be considered for all positions to make employees more knowledgeable and empowered in developing the organization.
- (f) To provide an opportunity to employees to improve their personal development and career.
- (g) To effect promotions.
- (h) To bring in transparency in the movement of employees in the organization after lapse of a specified period.

(2) Applicability

The transfers may be made in all grades of employees of the Authority including Officers on Special Duty (OSD).

3. Type of transfers

There will be three types of transfers:

(1) Request transfers

- (a) 'Request Transfer' means such transfer for which an order is issued by the Competent Authority considering the request of an employee for his posting at a station of his choice.
- (b) 'Qualifying service for request transfer' will be the number of years of stay at one station at a single stretch, to be reckoned from the date of joining at such station. However, if an employee avails leave beyond 120 days including all kinds of leave in a year, such period will not be counted as 'qualifying service' for request transfer.
- (c) Transfer on request of an employee may be considered on medical emergency/grounds or other genuine personal reasons subject to availability of vacancy at that office to which transfer is sought.
- (d) Employees with 3 years active service and above can apply for transfer but the employee whose service is more at that centre will have priority in transfer.
- (e) Any transfer due to personal reasons within a minimum term of three years subject to administrative approvals will be at employee's cost.

(2) Administrative transfers

- (a) 'Administrative transfer' means transfer made without the request of an employee due to office exigencies.
- (b) All employees may ordinarily be considered for transfer after 5 years. Employees are eligible for TA, joining time and other applicable allowances/entitlements as per rules in vogue.

(3) Transfers in public interest

Transfer of any employee before completing the minimum term of 3 to 5 years in a particular department/station may be made by the Competent Authority in public interest by recording the reasons for such transfers.

Note: The following definitions are relevant in the context of transfers:

- (a) 'Normal period of posting' means continuous posting of an employee in the same position/Department for a period of 3 years and at the same station for a period of 5 years after which he becomes due for transfer.
- (b) 'Sensitive post' means a post which is considered as a key post in the Authority.
- (c) 'Station' means the city up to the municipal limits or a territorial area as per the census of India where salary and allowances including HRA and CCA are payable.

4. Posting/Stay

- (1) The posting of an employee in a department will be generally for three years except in cases of any disciplinary proceedings initiated/pending. The starting point for computing the stay in a department shall be the date of joining in that department.
- (2) The stay of an employee at any station for the purposes of transfer will ordinarily be five years subject to office exigencies and decision of the Competent Authority. This provision, however, does not apply to Deputy General Manager and above.
- (3) When a certain number of employees are due for moving out of a station to a new station or by local rotation to new postings in the same station for the reason of having completed their stay in that station, but cannot be so moved due to non-availability of vacancies, an employee who has served for longer period will be transferred first.
- (4) On request, the Authority will endeavor to transfer an employee to a centre of his choice, one or two years prior to retirement, subject to administrative convenience and availability of vacancy.
- (5) Specialized postings - The specialized postings shall be governed by instructions issued in this regard from time to time. For (i) Actuarial Department, (ii) Legal Department (iii) Any other Department as decided by the Chairperson depending on the organizational needs - the conditions as aforesaid shall be modified to be up to seven years and in case of promotion of employees working in such departments, it may be at the discretion of the Competent Authority depending on exigencies of the department and the instructions issued from time to time.
- (6) The period of stay at a centre will be inclusive of all postings in different departments at that centre. The transferees will be identified on 'First-in-First-out' basis.

5. Transfers on promotion

- (1) Refusal of promotion to avoid transfer will be dealt with as per rules which may include cancellation of promotion and non-consideration of his candidature for promotion in the next round of promotions.
- (2) Employees aged more than 58 years may be considered for retention in the same station on promotion subject to availability of vacancy at that station.
- (3) Employees on promotion may be posted in the same station subject to the vacancy position, provided, the employee was transferred from some other station within the last 2 years.

6. Consideration of cases before transfers are effected

No relaxation shall be considered except on the following grounds:

- (1) Transfer of an employee couple up to the grade of Deputy General Manager will be subject to administrative convenience.
- (2) Posting on compassionate grounds - in case an employee seeks a posting to a particular station on medical grounds, the Chairperson may take a decision. However, if required, the case may be referred to a Medical Board for opinion.

7. Using outside influence

Bringing any outside influence for or against a transfer by an employee or any of his family member(s) will be treated as a misconduct subject to disciplinary action under IRDAI Staff (Officers and other Employees) Regulations, 2016.

8. Transfer of employees against whom disciplinary/vigilance cases are pending

Requests for transfer received from employees against whom vigilance/non-vigilance complaints/cases have been registered/contemplated shall not be considered till the cases are decided. They may be redeployed at the same station.

9. Transfers and postings of employees on deputation to IRDAI as OSDs

OSDs from various lending organizations who are selected as OSDs/working as OSDs to the extent possible shall not be posted to sensitive posts during the period of their deputation with IRDAI. However, if it is essential to consider such OSDs being posted to sensitive posts based on their experience, utility to the organization, etc. they may be considered by the Chairperson for posting in the sensitive posts for a maximum period of two (2) years only. In no case any extension beyond the period of two years will be considered.

10. Relief of employees on transfer

- (1) All posting orders will indicate a relieving time up to a maximum of 30 days within which an employee is to be relieved. The relieving shall be mandatorily carried out before the last date indicated.

(2) Representations, if any, will be addressed to the Chairperson only. Any representation in respect of posting orders are to be submitted within 15 days of issue of such orders failing which the same will not be considered. The representation will be considered by the Competent Authority on a case to case basis and disposed of within 15 days.

(3) Overstay in the post after a transfer order is issued tantamounts to misconduct and necessary action will be initiated accordingly as per rules and instructions in vogue.

11. Transfer of Senior Officers

Transfer of employees in the grade of Deputy General Manager and above will be governed by organizational needs as also suitability for the post in question.

12. Miscellaneous

All transfer orders shall be normally issued immediately coinciding with promotions to the various grades every year and, in any case, not later than 31st March of the year.

These are broad provisions governing sensitive posts and transfers and detailed administrative instructions shall be issued by the Chairperson in terms of the power vested in him vide Regulation 80.
