

COMPANY LAW BOARD
NEW DELHI

TRANSFER POLICY FOR MEMBERS OF COMPANY LAW BOARD

The Members of Company Law Board are required to serve at any of the four places of Regional Benches namely at New Delhi Bench, Kolkata Bench, Mumbai Bench and Chennai Bench.

2. Annual Rotational Transfers:

The Members as a matter of right cannot ask for transfer or posting at a particular place. The Members would have no choice of station. The Benches of Company Law Board performs Judiciary functions involving public dealing. Hence, the maximum tenure of posting in a Bench shall be 3 (three) years. It may be extended by the Company Law Board up to 5 (five) years in view of administrative exigencies. The Company Law Board may, however, transfer any Member to any Bench irrespective of the number of years of service at a particular Bench.

The tenure of posting in one region does not mean continuous tenure of posting in the Bench but it implies total tenure spent by a Member in the Bench in his/her service career which can be in different spells. The maximum tenure of posting in one Bench shall be 3 (three) years, which need not necessarily be continuous tenure. No claim for posting in the same Bench shall be entertained after completion of tenure.

3. Promotion:

The promotion will normally entail a change of station irrespective of the number of years of service at any Bench. In this context, the decision of the Company Law Board in posting of a Member shall be based on the availability of vacancies, exigencies of work and suitability of the Member.

4. Employment of both husband and wife:

If any Member and his spouse are employed, efforts shall be made, to the extent possible, to keep them at the same station or at nearby places.

5. Compassionate grounds:

While taking a decision on transfers, extreme compassionate grounds like physical disability, serious/terminal diseases affecting the Members or spouses will be taken into consideration provided there is concrete medical evidence to support the same.

6. Mid term transfer:

In normal circumstances, no request of mid-term transfer will be entertained. However, in extreme cases, duly supported by facts such requests may be considered subject to administrative exigencies. However, in such cases, the Members will not be entitled to Transfer TA etc.

7. Outside influence:

Attention of the Members are invited to Rule 20 of CCS Conduct Rules which stipulates that no Government Servant shall bring or attempt to bring any outside influence to further his interest in respect of matters pertaining to his service under the Government, including transfer.

8. Any matter/issues not covered in this transfer policy will lie in the jurisdiction of Company Law Board. The Company Law Board shall have the power to give exemption from the operation of this policy on account of administrative exigencies.

9. The Members can make representation against the order of transfer only after complying with the order. The time limit for such representation is 15 days from the date of joining the transferred post.
