



TRANSFER GUIDELINES 2024

National Land Commission Royal Government of Bhutan

Guideline endorsed by the Royal Civil Service Commission during its 24th Commission Meeting held on November 13, 2024.

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Acronym

NLCS: National Land Commission Secretariat

Local Governments: Dzongkhags and Thromdes

HRC: Human Resource Committee of the NLCS

HRD: Human Resource Division, NLCS

Other agencies: Surveyors under MoWHS

1. Background

The National Land Commission Secretariat (NLCS) as a parent agency for the Survey Engineers, Surveyors, Land Registrars, and Land Record Assistants is entrusted to develop transfer guidelines for civil servants parented by NLCS as per Clause 13.2.2 of the BCSR 2023. The Transfer Guideline is aimed to streamline and ensure fairness, provide guidance, and facilitate the transfer of civil servants under the NLCS.

In case of incongruence or conflicts between the provisions of the Guideline and the provisions of the BCSR, the provisions of the BCSR shall prevail. All the civil servants under the NLCS shall abide by the provisions of the Guidelines.

2. Objectives

According to the provisions under Chapter 13 of the BCSR 2023, the objectives of the Transfer Guidelines are:

- 2.1. To ensure that the transfer of civil servants under the parenting responsibility of NLCS is consistent with the provisions of the transfer policy enshrined in the BCSR 2023;
- 2.2. To rationalize and promote optimal utilization of the human resources;
- 2.3. To outline procedures to be followed when transferring employees to ensure that transfers are carried out transparently; and
- 2.4. To take into consideration employees' welfare when transferring them without compromising service delivery.

3. Scope and Applicability

In line with the provisions of the BCSR 2023, the Transfer Guideline shall be applied for the transfer of the following categories of civil servants:

- 3.1. Civil servants under the parenting responsibility of NLCS as determined by BCSR working in Local Government and other agencies;
- 3.2. Civil servants under the parenting authority of NLCS working in the Departments under NLCS; and
- 3.3. Apply to contract employees as per BCSR 2023 Section 4.4.5.5 (Intra-agency transfer may be considered for contract employees without any cost to the

Government. In the case of inter-agency transfer, it may be considered after serving a minimum of five years without any cost to the Government.)

- 3.4. All the regular staff within the NLCS. However, it shall not apply to Executives, Specialist, ESP and GSP personnel.

4. Authority

- 4.1. As per Section 13.4.1 of BCSR 2023, the HRC of the Agency shall plan and execute
- 4.2. transfers on an annual basis, except where urgent in the public interest. The HRC of the Agency shall be the final approving authority of all the transfer decisions taken under the provisions of the Transfer Guidelines.
- 4.3. The HRD, and NLCS shall ensure the implementation of the Transfer Guidelines.
- 4.4. The transfer shall be in line with the ODE-approved staff strength.

5. General Principles

The transfer of civil servants under the NLCS shall be initiated as per the following Principles:

- 5.1. All transfers shall be executed in a timely, fair, professional and transparent manner;
- 5.2. A civil servant may serve in LG at least once in the entire service;
- 5.3. Transfer shall not be considered to an LG where he/she is a domicile. However, those with medical and other exceptional reasons may be considered;
- 5.4. To the extent possible, simultaneous transfer of spouse(s) working in the Agency shall be facilitated to the same location;
- 5.5. The transfer of civil servant shall be considered based on the following criteria:
 - 5.5.1. Served a minimum of three years, including probation period, from the date of initial appointment/three years in the new position category;
 - 5.5.2. Served a minimum of two years in that position in that Agency for a candidate who availed transfer on request or has been redeployed;
 - 5.5.3. Served a minimum of two years in the same place of posting after appointment through lateral transfer.

- 5.5.4. As per section 13.4.5.2, Transfer of those civil servants who availed LTT should complete a minimum duration equal to LTT period in the same position at the time of transfer effective date, if any to apply to another position within or outside an Agency.
- 5.5.5. Transfer of Chiefs selected through an open competition within the field offices shall be carried out after fulfilling the prescribed requirements under Clause 11.7.4 of the Chapter 11 of the BCSR, 2023 (i.e. after serving a minimum of two years in that position in the agency.)
- 5.6. The minimum duration required to be served in that position in that Agency shall not be applicable if the candidate is applying for open competition for promotion from P2 to P1.
- 5.7. Notwithstanding section 5.5. Intra-agency transfer of staff within three years from their initial place of posting to the Dzongkhag/Thromde Administration can be facilitated, provided the following conditions are met:
 - 5.7.1. The transfer is within the Dzongkhag and does not involve a change in the position title.
 - 5.7.2. The transfer is solely in the public interest, with vacancies prioritized based on the requirements of specific working agencies.
- 5.8. Exceptions to Section 5.5 shall be made, if HRC determines that the civil servant's skills and expertise would be rendered irrelevant or inadequately utilized if transferred;
- 5.9. A civil servant may also submit a request for transfer on personal grounds, which shall be reviewed on a case by case basis (i.e. any time of the year). The HRC shall be the final decision making authority;
- 5.10. A civil servant due for superannuation within the next one year shall not be transferred. However, exceptions may be made by HRC in the event of home posting, if requested by the civil servant;
- 5.11. A civil servant shall be mandated to provide three places of posting in the Annual transfer application form;
- 5.12. The HRC reserves the right to determine the transfer of a civil servant if he/she does not provide three places of choice;

- 5.13. To the extent possible, a civil servant's option for place of transfer shall be considered. However, if there is no vacant post in any of the places of choice, the individual's transfer shall be determined by the HRC;
- 5.14. The late submission or incomplete information submission in the transfer application form will be considered invalid; thereby the placement will be decided by the HRC;
- 5.15. To the extent, the NLCS shall not transfer a civil servant to the same place served earlier;
- 5.16. All transfers shall be carried out in consultation with concerned agencies six months prior to the transfer effective date.
- 5.17. Relevant provisions of the BCSR 2023 shall be applied for other transfer procedures/processes which are not specified in this Transfer Guideline.
- 5.18. A civil servant under the Ministry parented by another agency must obtain a No Objection Certificate from their Ministry (Working Agency) for lateral transfers or transfers via open competition.
- 5.19. All civil servants who are transferred shall be relieved within 30 days from the date of issue of the transfer effective date and shall assume the new responsibilities immediately on expiry of the admissible joining time unless otherwise approved by the HRC of the receiving agency as per clause 13.9.3. of BCSR 2023

6. Criteria for Transfer

- 6.1. Transfer exercise shall be based on the approved staffing pattern and positions.
- 6.2. HRC may approve the transfer if there is no conflict in a civil servant's choice of place. However, HRC may not approve if the civil servant skills and expertise are rendered irrelevant or underutilized in a new place of posting.
- 6.3. If there is conflict in civil servant's choice of place, the following criteria shall be considered, however providing options need not necessarily guarantee that a civil servant would be placed in the three opted places:
 - 6.3.1. Availability of Vacant posts.
 - 6.3.2. Current place of posting-Last office served, details of previous posting (rural posting/difficult posting).

- 6.3.3. Score against the place of posting on the scale of 5 to 50 as given in Annexure A. Total score against the place of posting shall carry 70% of the total weight as follows:
 - 6.3.3.1. (a) Current place of posting - 50%
 - (b) Last place of posting before the current place - 20%
- 6.3.4. For civil servants who are being transferred for the first time, a total weight of 70% shall be allocated for the current place of posting.
- 6.3.5. Marital Ground - provided the spouse, if working, does not have an alternate place of posting than indicated. The marriage certificate shall be attached with duly filled transfer application from.
- 6.3.6. Domestic Problem - HRD shall verify and authenticate the genuineness with concerned authorities.
- 6.3.7. Medical Ground - Attach a medical certificate signed by the Medical Board of Doctors.
- 6.3.8. Seniority - based on seniority in the service from the date of appointment.
- 6.3.9. Performance evaluation - Past three years rating shall be taken into consideration.
- 6.3.10. Score against Performance Evaluation rating (PE) on the scale of 5 to 30 as given in the Annexure B. PE rate shall carry 30% of total weight.
- 6.4. Civil servants requesting transfer shall be ranked based on the total score (out of 100) secured as per sections 6.3.2 and 6.3.7. In case of a tie, HRC shall first consider seniority of the civil servants followed by the previous place of posting.
- 6.5. In instances where there is no conflict in a civil servant's choice of place for transfer, the HRC shall approve without applying the above assessment.
- 6.6. The above assessment shall not be applied for transfer under special circumstances such as:
 - 6.6.1. Transfer based on the need for specialized skills/ qualification in the particular Agency/place;
 - 6.6.2. Transfer on special medical needs.

7. Exception to the General Eligibility Criteria for Transfer

- 7.1. Notwithstanding the eligibility criteria for transfer, request from civil servant shall be accepted and reviewed to be transferred on marital or medical ground provided there is approved slots or post vacancy as per the staffing pattern on production of:
 - 7.1.1. Supporting documents such as marriage certificate and spouse's transfer order for marital cases; and
 - 7.1.2. Valid medical documents from the recognized hospitals within Bhutan for transfer cases on medical grounds such as terminal illness, permanent disability and other life threatening diseases.

8. Transfer Procedure

- 8.1. The Transfer Notification will be shared by July end of the calendar year.
- 8.2. All individuals requesting for transfer can submit the Transfer Application Form duly filled and countersigned by head of agencies by the due date announced by HRD.
- 8.3. The HRD in consultation with the Local government/ Department shall compile and make a transfer proposal to the HRC as per the provisions of the Transfer Guideline.
- 8.4. The HRC shall approve or Reject the transfer proposal.
- 8.5. The HRD shall issue Transfer Order based on the approval accorded by the HRC.
- 8.6. The effective date of transfer shall be 1st of January of the year.
- 8.7. A civil servant shall join the new place of posting within a month from the issuance of transfer order unless approved by the Agency's HRC.
- 8.8. The HRD of the Agency shall monitor the status of relieving/joining of transferred staff and maintain record.
- 8.9. Transfer order once issued shall be strictly implemented in the interest of the Agency and public.

- 8.10. A civil servant who has been transferred shall be relieved, provided benefits, leave and other entitlement as per the provisions of the BCSR.

Timeline for transfer

Transfer Cycle	Activities / Procedures	Timeline	Responsible Dep/Agency
Annual Transfer	Notification	July	HRD
	Proposal for transfer as per Annexure III	1st August	Department & HRD
	Compile, Review and assessment as per Annexure I & II	31st September	Department & HRD
	Submission to HRC	1st week October	HRD
	Issuance of Office order	1st week of November	HRD
Relieving	Relieving order	Within 31st December	Agency
Joining	Joining Report submission	15th January	Individual civil servant

9. Appeal

- 9.1. A civil servant aggrieved by the transfer order may appeal within 10 working days from the issue of the transfer order.
- 9.2. The HRD upon receipt of the appeal shall review in consultation with the agency and submit recommendations to the HRC within 7 working days.
- 9.3. The HRD shall convey the decision of the HRC to the appellant within 3 working days after the HRC meeting.
- 9.4. The appellant aggrieved by the subsequent decision of the HRC can appeal to the RCSC within 10 working days after receiving the decision of the HRC.

10. Penalty

- 10.1. Non-compliance with this Guideline shall be treated as a violation of BCSR.

- 10.2. Civil servants failing to abide by the Transfer Order shall be liable for administrative actions.

11. Amendment and Interpretation

- 11.1. The Transfer Guidelines may be amended, as and when necessary, by the HRC of the Agency and submitted to the RCSC for endorsement as required by Section 13.2.2 of the BCSR 2023.
- 11.2. The HRC shall be the final authority to interpret any difference or incongruence in the application of the Transfer Guidelines. However, the provision of the BCSR 2023 shall prevail in case of any ambiguity between this guideline and the BCSR.

Annexure 1: Points for place of posting

Points for place of posting (current + last place of posting before the current)

Category	Name of Dzongkhag	Current place of Posting (A) (50%)	Last place of posting 20% (B)*+
1	Thimphu	5	2
2	Paro	10	4
	Phuntsholing		
3	Punakha	20	8
	Gelephu		
	Wangdue		
	Samtse		
	Sarpang		
4	Tsirang	30	12
	Chukha		
	Haa		
5	Bumthang	40	16
	Trashigang		
	Trongsa		
	Mongar		
	Samdrup Jongkhar		
6	Gasa	50	20
	Lhuentse		
	Pemagatshel		
	Dagana		
	Trashi Yangtse		
	Zhemgang		

+ Not applicable for civil servants being transferred for the first time and the score against the current place of posting shall be calculated out of 70%.

Annexure 2: Points for Performance Evaluation rating

Points for Performance Evaluation rating.

A civil servant shall be awarded points based on the average performance evaluation ratings for the last 3 years

Rating	Points
Outstanding	30
Very good	20
Good	15
Need Improvement	5

Table for calculation of total score (Scores from the table in Annexure 1 & 2)

Place of Posting		Moderation 30%(C)	Total (A+B+C)/A+C
Current Place of Posting	Last Place of Posting before the current place (B)*		

*Not applicable for civil servants being transferred for the first time and the score against the current place of posting shall be calculated out of 70%.

Annexure 3: Transfer Application Form

TRANSFER APPLICATION FORM				
I. Employee Information (as per the record in Zest)				
Name	EID No.	Position Title	Current place of posting	Date of last posting
II. Employee History- last two agencies served, if any, as per zest record				
Agency	Post held	Period		Office Order No.
		From	To	
III. Placement Options				
Options	Name of Agency/Dzongkhag/Thromde			
1				
2				
3				
IV. Spouse Details (If married)				
Name	Occupation	Current place of posting		

Signature of applicant:

Recommended/Not Recommended:

Signature of Head of the Working Agency: