



बौद्धिक सम्पदा,  
भारत  
Intellectual  
भिकल्प/व्यापार चिह्न/भौगोलिक  
संकेत

PATENTS/DESIGNS /  
TRADE MARKS /  
GEOGRAPHICAL  
INDICATIONS



सत्यमेव जयते

भारत सरकार

Government of India

वाणिज्य एवं उद्योग मंत्रालय

Ministry of Commerce & Industry

कार्यालय महानियंत्रक एकस्व अभिकल्प एवं व्यापार चिह्न

Office of The Controller General of

Patents, Designs & Trade Marks

बौद्धिक संपदा भवन, Boudhik Sampada Bhavan,  
एस एम रोड, एन्टॉप हिल, S. M. Road, Antop Hill,  
मुंबई-400 037 Mumbai - 400 037, India.

(Tel):

022-24132393  
022-24123311

(Fax):

022-24123322  
022-24172288

(Email):

[cgpdtm@nic.in](mailto:cgpdtm@nic.in)  
[cgoffice-mh@nic.in](mailto:cgoffice-mh@nic.in)

(Website):

[www.ipindia.nic.in](http://www.ipindia.nic.in)

No CG/F/TP/TMR/2019 / 106

Date: 09-01-2020

### OFFICE MEMORANDUM

#### **Sub: Transfer Policy for Group 'A' & 'B' officers of Trade Mark Registry & Geographical Indications**

The necessity of laying down a Transfer Policy in respect of Group 'A' & 'B' officers of Trade Mark Registry & Geographical Indications (TMR & GI) has been felt for quite some time now. These guidelines have been formulated in order to have a fair, transparent and equitable policy for transfer and postings of Group 'A' & 'B' Officers of TMR & GI. The main objective is to align human resources with the overall organizational goals and also to ensure effective career management of the cadre as a whole.

#### **2. Constitution of Placement Committee**

2.1 Transfers and Postings of Group A & B officers shall be effected based upon the recommendations of the Placement Committee, composition of which shall be as follows

Level of officer under consideration for Transfer /Posting	Composition of Placement Committee	Approving Authority
All Group 'A' & 'B' officers	1. Director O/o. CGPDTM 2. Senior most Joint Registrar of Trade Marks & GI. 3. Deputy Secretary O/o. CGPDTM /Deputy Registrar nominated by CGPDTM.	CGPDTM

*[Signature]*  
9.1.2020

2.2 The recommendations of the Placement Committee shall be placed before Approving Authority for approval.

2.3 Transfer/Posting of senior most Joint Registrar of Trade Marks & GI shall be decided by the CGPDTM.

### **3. Type of Transfers**

3.1 Following type of cases of Transfer shall be placed before Placement Committee -

3.1.1 Annual Rotational Transfer, which shall be carried out after completion of station tenure.

3.1.2 Transfers in exigency of service, which may be carried out to meet specific requirement of post or desirable expertise, or for other administrative reasons.

3.1.3 Request Transfer, which may be carried out considering the request of individual officer, subject to administrative feasibility.


### **4. Station Tenure:**

4.1 The normal station tenure shall be 5 years.

4.2 The minimum tenure for the post shall normally be 2 years. However, transfer on administrative ground and in case of exigency can be considered before completion of minimum tenure.

4.3 For counting the station tenure, the period of service rendered in the previous grade and one grade below shall be considered. The periods of leave/ training etc. in excess of 30 days per year would be excluded for counting station tenure.

4.4 Period of posting of more than two years spent away from a station shall be treated as a break in station tenure. However, in case such a period is less than two years, the total period before and after such break (excluding period spent away from the station) shall be counted towards station tenure. Further, the two-year period for this purpose shall be counted after excluding periods of leave/ training etc. in excess of 30 days per year.

  
09.1.2020

## **5. Transfer Principles:**

### **5.1 Rotational Transfer:**

5.1.1 All rotational transfers to be effected in a year shall normally be considered in the first week of March of the concerned year, so that transfer orders are issued by the end of March of the same year.

5.1.2. In case of rotational transfer, counting of period of stay in a post/station shall be done as on 31<sup>st</sup> March of the concerned year.

5.1.3 Officers, who are within two years of reaching the age of superannuation and already posted at the station of their choice, shall normally not be transferred.

5.1.4 For rotational transfer, officers shall be considered in order of their length of stay at a station, in descending order.

5.1.5 In order to maintain continuity of work, not more than 1/3 number of officers of the total working strength shall normally be considered for transfer in a year.

### **5.2. Other Transfers:**


5.2.1 Request transfer of an officer, if considered shall be on his own cost.

5.2.2 Normally, request transfers would be considered along with rotational transfers. However, transfers in exigencies of service and transfers on administrative ground shall be considered as and when required. In exception emergent cases, request transfer can be considered on medical/humanitarian ground.

## **6. General Principles:**

6.1 Representations, if any, will be addressed to the authority competent to approve the orders of transfer/ posting (CGPDTM). Any representation in respect of an order is to be submitted within 15 days of issue of such order failing which the same may not be considered. The representations will be considered by the competent authority with the recommendations of the placement committee on case to case basis and disposed off within 30 working days.

6.2. Efforts will be made to see that guidelines laid down by DOP&T regarding posting of husband and wife at same station are followed, subject to administrative

  
09.1.2020

constraints. Similarly, DOP&T guidelines in respect of physically handicapped officers and officers having physically handicapped children shall also be duly followed.

6.3 As far as possible, and within administrative exigencies, transfer and posting will be done in such a way that each officer has an equal opportunity to serve all offices catered to by the organization.

6.4 Transfer of any officer before completion of prescribed station tenure may be done in public interest but the reasons for the same should be recorded.

6.5 Officers, who are within two years of reaching the age of superannuation and already posted at the station of their choice, shall normally not be transferred. Further, request of officers within two years of reaching the age of superannuation, for posting to a station of their choice, shall be given preference subject to administrative feasibility.

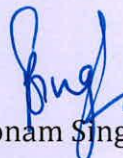
6.7 Officers against whom disciplinary proceedings are pending for major penalty may not be posted at desired station.

6.8 In case where officers try to influence transfer through other than proper channel, action will be taken as per Clause 20 of the CCS (Conduct) Rules. This rule envisages that *"No Government Servant shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service under Government."*

6.9 Transfer during probation period will normally not be considered.

6.10 Officers handling Administration/Policy Making/International Negotiation, as notified by CGPDTM, may be exempted from Rotational Transfer in the interest of work.

This issues with the approval of CGPDTM.

  
(Poonam Singh) 9.1.2020

DIRECTOR