

**HIGH COURT OF TRIPURA
AGARTALA**

No.F.44(11)-HC/2019/6218 Dated, Agartala, the 4th April,2019

NOTIFICATION

Hon'ble the High Court of Tripura has been pleased to frame the following policy on transfer/posting with immediate effect to regulate the transfer/posting of Judicial Officers borne in the Tripura Judicial Service:

**Policy on transfer/posting of the Judicial Officers
borne in the Tripura Judicial Service**

A. GENERAL PRINCIPLES

1. It shall be imperative to maintain a complete data base on transfer/posting of the Judicial Officers for effective implementation of the transfer policy.
2. While making the transfers/postings, the suitability of the concerned officer and the interest of the administration of justice shall be given the utmost priority. The convenience of the Judicial Officers may also be considered provided it does not affect the interest of the administration of justice.
3. For purpose of transfer and posting of Judicial Officers, places of posting may be divided into 4[four] categories for rotational transfers, subject to this policy. [See below]

Categories of places of posting

Category-A	Category-B	Category-C	Category-D
Agartala	Bishalgarh Khowai <i>and</i> Udaipur	Kailashahar Dharmanagar Sonamura Belonia, Ambassa <i>and</i> Kamalpur	Kanchanpur Longtharai Valley Sabroom Gandacherra <i>and</i> Amarpur

4. Judicial Officer on deputation or posting either with the Central/ State Government or any Statutory Board or

Authority or posted with Registry of the High Court, may continue such posting for one term [three years] and thereafter, be required to serve minimum one term on a judicial post, before being transferred or posted to another non-judicial post.

5. All fresh recruits initially be posted preferably at 'Category-A' and 'Category-B' & 'C' places for a term maximum of two years. Then they shall be posted for regular tenure.
6. Where both the spouses are serving as the Judicial Officers, they may as far as practicable be posted at the same place or within the District or nearer place of posting of each other.
7. Physically challenged persons may be given posting having regard to his convenience.
8. Orders once issued must strictly be complied with and if it is considered that any order requires modification for some compelling reason, it shall be done only after relevant consideration. Reversal of transfer orders once made must be a very rare event and to be resorted to only in exceptional cases for which reasons shall be recorded in writing.
9. No Judicial Officer shall bring any influence regarding posting or transfer except for submitting of option in the format as provided in **Appendix-I** through proper channel before the annual transfer preferably by January 31 of the year or as may be directed.
10. Notwithstanding the above provisions, Judicial' Officer with less than one year of service from attaining superannuation, not to be disturbed from his existing place of posting or he

may, on his preference get the posting in the home district. However, in case the Officer requests for any transfer every effort to accommodate him may be made.

11. Exigencies of administration of justice shall be the first and foremost criteria in effecting the transfer/posting of the Judicial Officers.

B. Calendar for Transfers

Transfer shall ordinarily occur in the month of April every year. Where the Officer/Officers who are to move first are indicated, they shall handover the charge of their Offices within 10[ten] days of the issue of the order. In case the charge is not handed over on expiry of 10[ten] working days, it shall be deemed to have been handed over automatically. This provision will not, however, apply to such cases where there is specific instruction for giving immediate effect to the transfers.

C. Tenure of postings

1. The minimum tenure of a Judicial Officer on a post in the 'Category-D' shall be 2 years, subject to maximum of 3 years.
2. In the other Categories, 3[three] years may be minimum tenure, subject to the maximum tenure of posting extended upto 5 [five] years, if continuation of any officer is considered necessary. For counting the tenure, posting in the relevant category shall be aggregated.
3. Premature transfer wherever is unavoidable in the interest of administration of justice may be made.

4. A Judicial Officer holding any post may be transferred even before the completion of minimum tenure if:

- (i) The performance of the Judicial Officer is found to be below the standard of requirement;
- (ii) If there are grounds of initiating inquiry or disciplinary proceeding against him/her;
- (iii) It is not in public interest or in the interest of administration of justice desirable to allow the Judicial Officer to continue on a post for a full tenure or
- (iv) If the request comes from a Judicial Officer for transfer/posting on the ground of serious ailment, or for medical emergency of self or his/her spouse or parents or child, subject to production of adequate proof thereabout, may be, as far as practicable, considered for his/her posting at a place where treatment facility is available or to the place as would be conducive for the purpose. While making this request, the Judicial Officer may indicate minimum three places of posting.

D. In case any difficulty arises in respect of interpretation of any clause of this policy or its implementation, the same shall only be clarified by the High Court and the clarification be treated as part of this policy.

By order
Sd/-
(S.G.Chattopadhyay)
Registrar General

To
The Registrar General
High Court of Tripura,
Agartala

Through the Proper Channel [wherever applicable]

Sir,

May the following information and prayer for transfer be placed to the competent authority.

1. Previous postings with reference to the grade and the tenure

Sl. No.	Place of posting with Category as per posting	Grade	Tenure

2. Preference in order of place of postings for transfer

Sl. No.	Name of place with Category
01	
02	
03	

3. Specific reason for seeking transfer, if any,

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4. Documents in support of the special reason, if any, such as medical records:

Sl. No.	Name of the documents

Date :

Place :

Full Signature of the Judicial Officer

Designation :

Present Place of Posting :

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Dated, Agartala, the 4th April, 2019

Copy to:

1. The Principal Secretary to Hon'ble the Chief Justice, High Court of Tripura, Agartala.
2. The Secretaries to Hon'ble Judges, High Court of Tripura, Agartala.
3. The LR & Principal Secretary, Law, Government of Tripura, Agartala for information and circulation among the Judicial Officers posted in the Law Department.
4. The District & Sessions Judge,
South Tripura Judicial District at Belonia/ Gomati Judicial District at Udaipur / West Tripura Judicial District at Agartala/ North Tripura Judicial District at Dharmanagar / Khowai Judicial District, Khowai/ Unakoti Judicial District at Kailashahar / Dhalai Judicial District, Ambassa/ Sepahijala Judicial District at Sonamura for information and circulation among all Judicial Officers posted in their respective District.
5. The Registrar (Vigilance), High Court of Tripura, Agartala.
6. The Registrar (Judicial), High Court of Tripura, Agartala for information.
7. The Judge, Family Court
Unakoti Judicial District at Kailashahar /West Tripura Judicial District at Agartala/ Gomati Judicial District at Udaipur for information and circulation among all Judicial Officers posted in their respective District.
8. The Member Secretary, Tripura State Legal Services Authority for information and circulation among all Judicial Officers posted in State Legal Services Authority.
9. Smt. Debaleena Kilikdar, Addl. Commissioner, Departmental inquiries, Government of Tripura, Agartala.
10. The Registrar (Admn. P & M), High Court of Tripura, Agartala for information.
11. The Deputy Registrar (Judicial)-cum-CPC, High Court of Tripura, Agartala.
12. The Chief Librarian, High Court of Tripura to maintain record in the Library.
13. The System Analyst, for uploading the notification in the official website of the High Court of Tripura, Agartala.
14. The Superintendent, Establishment Section, High Court of Tripura, Agartala.
15. Concerned file.


04.04.19
Registrar General