

From

The Additional Chief Secretary (Personnel) to the
Government of Himachal Pradesh.

To

1. All the Administrative Secretaries to the
Government of Himachal Pradesh.
2. All Heads of Departments in Himachal Pradesh
3. All Divisional Commissioners, Himachal Pradesh
4. All the Deputy Commissioners in Himachal Pradesh.

Dated Shimla-2 ^{29th} July, 2021

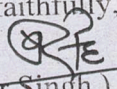
Subject: Regarding transfers from the tribal areas without posting of a
substitute.

Sir/Madam

I am directed to invite your attention to this Department's office
Memorandum No. Per(AP-B)E(3)-17/2012 dated 10-07-2013, 09.09.2016 and
18-06-2018 vide which Comprehensive Guiding Principles -2013 (CGP-2013) have
been issued for regulating the transfers of State Government employees. The Para 16.2
of the CGP-2013 regulates the transfers, posting and relieving of officers/officials
transferred to/ from Difficult /Hard areas, Tribal areas and Most Difficult areas. It has
been provided that officers/officials working in such areas shall not be relieved of their
duties till their substitutes join. However, it has been laid by the Hon'ble High Court of
HP that the employees who complete their normal tenure in such areas should be
relieved upon transfer without waiting for joining of their substitutes. In this regard, the
DoP has already issued instructions vide letter of even number dated 30.01.2021 in
compliance to the judgment passed by the Hon'ble High Court of HP on 24.12.2020 in
CWP No. 5801/2020-titled as Naveen Sharma vs State of Himachal & ors, which is
available on the official website of Department of Personnel-
www.himachal.nic.in/personnel.

It has come to the notice of the Government that large number of posts
of various categories are lying vacant, particularly in Tribal areas, as the persons posted
in such areas by transfer or on fresh appointment subsequently manage their adjustment
in soft/general areas. The provision of the Para 16 ibid are not being followed in letter
and spirit. It is therefore, advised that transfer/posting/appointment orders be issued very
scrupulously and enforced authoritatively in accordance with the CGP -2013 and settled
law in the public interest so that work in the difficult /tribal/hard/remote/rural areas does
not suffer.

Yours faithfully,


(Balbir Singh)

Under Secretary (Personnel) to the
Government of Himachal Pradesh