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HARYANA GOVERNMENT

ESI HEALTH CARE DEPARTMENT

Notification

The 27th January, 2023

No. 10/30/2021-5Lab.— The Governor of Haryana is hereby makes the following Online Transfer Policy to regulate the transfers of Medical Officers working on regular basis in the ESI Health Care Department, Haryana:-

- 1. Vision:** To ensure equitable distribution of Medical Officers of ESI Health Care Haryana at different locations in a fair and transparent manner and to maximize job satisfaction amongst doctors and further to improve performance of the Department.
- 2. Application:** This policy shall be applicable to all the Medical Officers working on regular basis since the Cadre strength of Medical Officer is more than 80 sanctioned posts. The Headquarters posts shall also be included in the Transfer Drive.

Civil Surgeons, Senior Medical Officers, Dental Surgeons and Senior Dental Surgeons, shall be exempted from transfer policy as CMO cadre comprises of 04 posts only, SMO cadre comprises of 50 posts only, Senior Dental Surgeons cadre comprises of 01 posts only and Dental Surgeons cadre comprises of 04 posts only.

- 3. Definitions:** In this policy, unless there be anything repugnant in the subject or context;
 - (a) 'Blocked Posts'** means the vacancies of a cadre remain unfilled at any given point of time due to shortage of doctors in the department.
 - (b) 'Doctors of Special Category'** means the blind doctors or the differently abled doctors or their child(ren) and spouse, women doctors, women headed households, widows, widowers, couple case, doctors suffering from Diseases of Debilitating Disorder.
 - (c) 'Prescribed Tenure'** means the tenure of appointment for a period of five years. While calculating the tenure of an doctor for the purpose of this policy, the date from which someone is working at a station on 31st March of the calendar year of transfer shall be counted irrespective of the fact he has been appointed by temporary transfer or otherwise. However, a doctor may participate in the transfer drive subject to completion of minimum three years service at a station.

- (d) **‘Qualifying date’ for the purpose of calculation of vacant post(s)** shall be the 31st March of the calendar year of transfer;
- (e) **‘Service’** means duty period and all kinds of leave including extraordinary leave availed by a Government doctor during the prescribed tenure.
- (f) **‘Transfer’** means posting/appointment from one station to another on or before completion of prescribed tenure in a Station;
- (g) **‘Vacant Post for transfer’** means
- (i) a post not occupied by any doctor;
 - (ii) a post presently occupied by an doctor for a period of five years or more;
 - (iii) a post on which an doctor has been appointed by temporary transfer or due to non-availability of online transfer drive;
 - (iv) a post occupied by an doctor who has been adjudged eligible and allowed by the competent authority to participate in general transfer drive even if he has not completed the prescribed tenure in the station where he is presently posted.
- Note 1.- Where there are Blocked Posts in a cadre the same shall be excluded from the number of vacant posts for transfer.
- Note 2.- The post against which a doctor has been posted/transferred on compulsion of administrative reasons or litigational nature shall also not be included in the vacant posts for transfer.
- Note 3.- Each and every Department shall prepare the list of vacant posts for transfer and notify them for the benefit of stakeholders. Depending upon input from stakeholders, such list may be amended if required.
- (h) **‘Station’** means an institution for the purpose of calculation of prescribed tenure and entitlement of an employee for transfer from one station to another under this policy.

4. **General Principles:**

(i) **Time Schedule for online transfers:**

- (a) General transfers online will be made only once in a year. However, transfer/posting necessitated by promotion, direct recruitment, posts needed to be filled up in public interest, can be made anytime by the competent authority.
- (b) The online process will be completed upto 31st March and implemented after 31st March or as per exigency/convenience of the Department.

(ii) **Liable to be posted anywhere:**

Medical Officers are liable to be transferred under this Policy in any Station or anywhere in the State, in public interest, on completion of prescribed tenure.

(iii) **Computerization of relevant service record of doctors:**

The Department shall ensure concerned DDO shall enter service record of all doctors in HRMS. DDO shall be responsible for the accuracy and regular updation of data in the Management Information System in respect of credentials of his doctor.

(iv) **Rationalization and Blocking of posts:**

To avoid disproportionate concentration of Medical Officers at a particular station, the department should rationalize their sanctioned posts and also block actual vacant posts to be kept vacant in the transfer drive. In the long run, however, the department may increase/decrease the total number of sanctioned posts their assessment/requirement in consultation with Work Assessment Cell in the Administrative Reforms Department and Finance Department.

- (v) In ESI Hospitals, Dispensaries, specialists and other doctors would be posted strictly in accordance with staffing norms of ESIC. Transfer/posting will be done as per existing sanctioned post of this category.

- (vi) Medical Officers with postgraduate qualifications and those who have been trained in Local Spinal Anaesthesia (LSA)/Emergency Obstetric Care (EMOC)/Ultrasound (USG) training should be posted in ESI Hospitals only. The data base of all the Medical Officers shall be maintained in HRMS system which will have details of place of posting, specialization, tenure, stay etc. The HRMS System will support the transfer process as per transfer policy and should be posted in Hospitals only.

- (vii) Specialist with the qualification of PG degree/Diploma in medicine, surgery, gynaecology, orthopaedic, paediatrics, anaesthesia, radiology, pathology, microbiology, biochemistry and MBBS doctors trained in LSA/EMOC and ultra sound training should be posted in Hospitals. If specialist score is less than non-specialist medical officer whose score is high for a particular station, then preference will be given to specialist for transfer.
- (viii) There are four ESI Hospitals and two ESI Dispensaries where emergency is being run so these institutions should be provided with adequate number of MBBS doctors and specialists as per sanctioned strength.
- (ix) After the transfer, relieving and joining will be shown by the DDO/Checker.
- (x) As similar posts exist in other departments like Health, Medical Education within the state and outside the state including central Government, Medical Officers of ESI cadre will not be transferred to these departments due to shortage of doctors. However, posting in UT, Chandigarh will be exception as state has got 40% quota in filling up of UT Chandigarh posts.
- (xi) In case of clash of choice of more than one Medical officer for a particular health facility, it will totally depend upon score/merit.

5. Merit criteria for allotment of post:

- a. Merit for allotment of vacant post to an employee shall be based on the total composite score of points earned by the employee, out of **80 points** as described below. The employee earning highest points shall be entitled to be transferred against a particular vacancy.
- b. Age shall be the prime factor for deciding the claim of an employee against a vacancy since it shall have **weightage of 60 points, out of total points**.
- c. A privilege of maximum 20 points can be availed by the doctors of special categories as indicated below:-

(A) Age: The first set of merit points will be the age of the Government employee concerned enumerated below:-

Sr. No.	Major Factor	Sub-Factor	Max. Points	Criteria for calculation
1.	Age (Present date i.e. 1 st January of the year of consideration minus date of birth)	Eldest person shall be given maximum points	60	Age in number of days÷365 (maximum four decimal points only)

(B) Special Category: The second set of merit points will come from the special category enumerated hereinafter:-

Sr. No.	Major Factor	Sub –Factor	Max. Points	Explanation
1.	Gender	Female	10	10 points shall be given to female employee
2.	Special category female employees	Widow/divorced/ separated/unmarried female employee more than 40 years of age/ wife of serving Military Personal/Paramilitary personal working outside the state.	10	All female of this category shall be given 10 marks only.
3.	Special category male employee	Widower who has not re-married and has one or more minor children and / or unmarried daughter (s)	5	Eligible widowers shall be given 5 points only.
4.	Differently abled persons	Vision	20	40% to 60% disability = 10Marks Above 60% to 80% = 15 Marks. Above 80%=20 Marks
		Locomotors	20	
		Deaf & Dumb	20	

5.	Diseases "Debilitating Disorders" i.e. (a) Currently suffering from cancer, or (b) Having undergone by-pass heart surgery; or (c) Kidney transplant; or (d) Currently undergoing dialysis.	Self	10	Valid medical certificate issued during last one year by AIIMS (Including its branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI Chandigarh, Medical college of Haryana Government or a Medical Board so constituted.
6.	Diseases "Debilitating Disorders"	Spouse/unmarried Children	10	Valid certificate issued during last one year by AIIMS (Including its branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI Chandigarh, Medical College of Haryana Government or a Medical Board so constituted.
7.	Differently abled or mentally challenged Children	Male/Female employee having Mentally challenged or 100% differently abled child	10	Male/Female employee having mentally challenged or 100% differently abled children shall be provided maximum 10 points.
8.	Couple case	Only applicable to females	5	Employees' spouses working in any Department/Board/ Corporation under any State Government or Government of India.

(C) Marks for negative performance:

Sr. No.	Major Factor	Sub -Factor	Max. Points	Explanation	
1.	Negative Performance	Employees awarded With punishment under rule -7 & 8*	7 (Minus) under 7 and 3.5 (Minus) under 8	Under rule 7	Under rule 8
				Ist= 1	Ist= 0.5
				2 nd = 2	2 nd = 1
				3 rd =4	3 rd =2
				4 th =5	4 th =2.5
				5 and above=7	5 and above=3.5
				If a employee is punished under rule 7 as well as 8 then both deduction on this account will consider upto maximum 10.5 points	

* Rule 07 & 08 of Haryana Civil Service (Punishment & Appeal) Rules, 2016

- d. The employees who are 100% blind or having 80% or more locomotors disabilities involving both the legs shall be given their choice of posting.
- e. Marks of the negative performance will be deducted from the maximum of 20. To elaborate, firstly the positive marks will be calculated subject to the maximum of 20 and then the marks for negative performance will deducted from those maximum of 20 marks.

6. Procedure to be adopted:

- (i) Head of Department shall seek preferences for choice of station from the eligible doctors for transfer. The transfer exercise shall be carried out only through approved web based application.
- (ii) The option once availed and confirmed by the doctor shall be final and cannot be changed. In case of doctors who exhaust their preferred choices, before posting them under 'Anywhere in the State' option, the department shall again seek their options against the remaining available posts at that point of time. Changes in the transfer software may be made accordingly so that they are not randomly posted too far away from their places of posting.

- (iii) A doctor who is due for superannuation within one year or less service shall not be eligible to participate in the transfer drive unless he so desires.
- (iv) Merit criteria for allotment of station will be as per Para 5 above.
- (v) All transfers shall be implemented within seven days of their issuance. The Treasury Officers concerned shall not draw the salary of the doctors who have not complied with the orders.
- (vi) A Committee headed by the Deputy Commissioner and comprising of CMO and District Officer of the concerned Department, may recommend deputation/temporary transfer of a doctor after the transfer drive, on the basis of genuine and compelling reasons. A web portal should be provided for taking online applications from the doctors for this purpose. The Committee will scrutinize such cases and send their recommendations to the Government which will be dealt under relaxation clause of the Transfer Policy.
- (vii) Online general transfer due to completion of prescribed tenure of five years shall be treated as 'transfer in public interest' and in such case the joining time and composite transfer grant shall be admissible as per provision in Haryana Civil Service Rules, 2016.
7. **Bar against canvassing:** No doctor shall canvass for his case except through a representation to the Head of Department or to higher authorities in Haryana, as per this policy. All other individual representations shall be treated as an attempt to bring extraneous influence on the due process. No relief can be sought except the one already sought as per para 6 above.
8. **Appointment by promotion/direct recruitment:** Doctors taken in a cadre through direct recruitment /promotion/repatriation shall be posted in the station of eligibility and availability.
9. **Opportunity of option to certain categories:** The following categories of employees will not be transferred unless they desire to participate in the transfer drive:-
- (a) Employees having 12 months or less in retirement on the date of next transfer drive;
- (b) Unmarried female employees upon marriage;
- (c) Married female employees upon divorce; or
- (d) Widow or widower employees;
- They may be permitted to participate in the transfer drive after the event. After the transfer drive, the 'newly married' or 'recently divorced' female employees shall be given preferred place of posting against vacancy upon request. However, they shall have to participate in the next transfer drive being married or widowed and at that time they shall be adjusted at any of their top three choices against available vacant posts.
10. **Clarification & Implementation:** In case of any doubt or difficulty in making out the true intention of the provisions of this policy, the Administrative Department in consultation with General Administration Department shall be the competent authority to clarify such doubt or to remove such difficulty by issuing a reasoned order to this effect.
11. **Power to relax:** Notwithstanding anything contained in the policy, the Administrative Secretary of ESI Department, Haryana with the prior approval of the Hon'ble Chief Minister, Haryana, shall be competent to transfer any doctor to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.

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