

ई-मेल

कार्यालय:- प्रधान जिला एवं सत्र न्यायाधीश, उज्जैन (म.प्र.)

पृष्ठांकन क्रमांक-¹³¹⁰³...../दो-6-1/2018,

उज्जैन, दिनांक-...../12/2024

17 DEC 2024

प्रतिलिपि -आदेशानुसार ।

01. समस्त न्यायिक अधिकारीगण, न्यायिक जिला स्थापना उज्जैन की ओर माननीय उच्च न्यायालय मध्य प्रदेश जबलपुर के ज्ञापन क्र. 1494/गोप./2023/II-15-47/95, दिनांक 16.12.2024 व स्थानांतरण गाईड लाईन-2022 की प्रति सूचनार्थ एवं पालनार्थ प्रेषित कर निर्देशित किया जाता है कि स्थानांतरण नीति के दायरे में आने वाले न्यायिक अधिकारीगण स्थानांतरण दिशा-निर्देश 2022 अनुसार स्थानांतरण अभ्यावेदन इस प्रकार प्रस्तुत करें कि अभ्यावेदन दिनांक **02.01.2025 तक अथवा इसके पूर्व** कार्यालय में अनिवार्य रूप से प्राप्त हो जावे ताकि समयावधि में माननीय उच्च न्यायालय मध्यप्रदेश जबलपुर की ओर प्रेषित किये जा सकें।
02. जे.एस.ए., कम्प्यूटर अनुविभाग, प्रधान जिला न्यायालय, उज्जैन की ओर माननीय उच्च न्यायालय म.प्र. जबलपुर के ज्ञापन क्रमांक-1494/गोप./2023/II-15-47/95, दिनांक 16.12.2024 व स्थानांतरण गाईड लाईन-2022 की प्रति न्यायिक जिला स्थापना उज्जैन पर पदस्थ समस्त न्यायिक अधिकारियों को ई-मेल के माध्यम से अविलंब भेजने हेतु संलग्न प्रेषित ।

संलग्न:-उपरोक्तानुसार ।



वास्ते/-प्रधान जिला एवं सत्र न्यायाधीश,
उज्जैन (म0प्र0)

HIGH COURT OF MADHYA PRADESH, JABALPUR

MEMO

No. 1494/Confdl./2023
II-15-47/95

Dated 16 December, 2024

To,

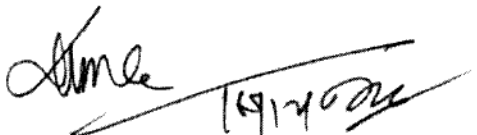
Principal District & Sessions Judges,
Agar-Malwa/ Alirajpur/ Anuppur/ Ashoknagar/
Balaghat/ Barwani/ Betul/ Bhind/ Bhopal/ Burhanpur/
Chhatarpur/ Chhindwara/ Damoh/ Datia/ Dewas/
Dhar/ Dindori/ Guna/ Gwalior/ Harda/ Indore/
Jabalpur/ Jhabua/ Katni/ Khandwa/ Mandla/
Mandleshwar/ Mandsaur/ Morena/ Narmadapuram/
Narsinghpur/ Neemuch/ Panna/ Raisen/ Rajgarh/
Ratlam/ Rewa/ Sagar/ Satna/ Sehore/ Seoni/ Shahdol/
Shajapur/ Sheopur/ Shivpuri/ Sidhi/ Singrauli/
Tikamgarh/ Ujjain/ Umaria/ Vidisha (M.P.),

Subject : Regarding General Transfer Exercise for the year 2025.

As directed, please find enclosed herewith, Transfer Guidelines - 2022 for distributing the same to all Judicial Officers working under you for information and necessary action.

The Officers should specifically be directed to make their representation strictly in accordance with the Transfer Guidelines – 2022.

Encl:- Transfer Guidelines -2022.


REGISTRAR GENERAL

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TRANSFER GUIDELINES OF THE HIGH COURT OF M.P.

In supersession of all previous policies and guidelines, High Court of Madhya Pradesh issues this Transfer Guidelines, 2022 as a Guideline to process the General Transfer Exercise of the Judicial Officers of District Judiciary of the State.

Transfer Guidelines, 2022 shall come into force with effect from 1st January, 2022.

These Transfer Guidelines are intended to streamline the process of Transfer/Extension.

[1] The general transfer exercise of the Judicial Officers shall normally be initiated from 15th of January of each year and shall be finalized by 31st March of every year.

[2] These Guidelines may be relaxed generally or in individual cases by the Chief Justice in respect of all or any Judicial Officer and specifically with respect to Judicial Officers posted in the Registry at the Principal Seat, Jabalpur and the Benches at Indore and Gwalior, in MPSJA and with the State Government. Consequently transfers/postings/continuance prematurely or beyond the normal tenure of such Judicial Officers shall be decided by the Chief Justice.

[3] The normal approximate tenure of posting in a district shall be of 3 years. For the purpose of calculating the period, the date of 31st March of the year shall be the cut-off date from the date of joining and for the purpose of computing the tenure of posting the period exceeding six months shall be rounded off and treated as full year.

[4] The places available for posting are divided into 4 categories mentioned as A, B, C & D, as notified by the Chief Justice from time to time. The phrase "Outlying Courts" used in these Guidelines will not include the outlying courts mentioned in Category C. Category B will be deemed lower (not inferior) to Category A and so on.

[4(a)] Furthermore, the State shall be divided into following four zones:-

Zone No.	Name of Zone
I	Gwalior
II	Indore
III	Jabalpur
IV	Rewa

The details of these zones are shown as Annexure-'2'.

[5] A Judicial Officer who on 31st March of that Calendar Year is going to complete his normal tenure of posting at a place may submit a representation through Principal District Judge to the Registrar General by 15th January of the Calendar Year, provided that any representation seeking extension of tenure beyond normal period of tenure of one year shall be submitted to the Principal District Judge, who shall forward the same to Registrar General along-with his/her comments in the matter.

[6] Normally, the following grounds may be considered for extension of tenure.

- (a) That the child of the Judicial Officer is studying at the place of his current posting, and is in the Final Year of a Board Examination or University Examination.

- (b) Extension of tenure by a period of one year may also be granted in case the Judicial Officer, his spouse or children or aged parents (normally residing with the officer at his current place of posting) are suffering from any serious and acute (not chronic) ailment.
- (c) Any other substantial reason because of which in the opinion of the Hon'ble Portfolio Judge, as recommended by the Committee, the Chief Justice considers that the overstay is necessary.
- (d) If any Judicial Officer submits such representation covered by sub-clause (a), (b) or (c) above to his Principal District Judge for being forwarded to the Registrar General, it will be obligatory for the Principal District Judge to send the representation alongwith his comments through the Portfolio Judge concerned within one week of its receipt after the necessary verifications. The Registry will place the matter before the concerned Portfolio Judge within a week from the last date of receipt of representations, and the Portfolio Judge will return the file with his comments/opinion within a week thereafter.

Provided that any application seeking extension on present place of posting shall be entertained only in exceptional circumstances and when it is supported by cogent and substantial reasons.

[7] On the receipt of such representations for extension of tenure at a place in the Registry, the same shall be forwarded to Hon'ble the Portfolio Judge for the comments of His Lordship.

[8(a)] All such Judicial Officers, who are due for transfer may submit their option for posting in any 3 remaining zones and further may submit their option of 3 places of different categories in each zone namely, 9 options in all.

Normally, a Judicial Officer shall be transferred from category "A" to category "B", category "B" to category "C", category "C" to category "D" and from category "D" to category "A" within the opted 3 zones by such Judicial Officers. Therefore, a Judicial Officer may opt any lower category of place from that of the category of his present place of posting.

[8(b)] The places, so opted by the Judicial Officers, shall be approximately 200 KM away from the present place of his/her posting.

Provided that Officers may be transferred at any place other than opted places in Administrative Exigencies and the preferences opted by the Judicial Officers may, if so required, be taken into consideration while making transfers.

[9] The Judicial Officer(s), seeking extension of tenure on the grounds stated hereinabove shall also simultaneously submit representations indicating the option of places from categories as per Guidelines as mentioned above.

[10] In cases where a Judicial Officer has not completed his normal posting tenure at a place but for any substantial reason wants premature transfer from his present place of posting, such Officer may also submit his representation through the Principal District Judge for Premature transfer, to the Registrar General. Alongwith his representation, the officer shall also indicate minimum 9 options of places from categories as per the Guidelines as mentioned above.

Provided that any application seeking premature transfer shall be entertained only in exceptional circumstances and when it is supported by cogent and substantial reasons.

[11] In cases of Husband and Wife, who are Judicial Officers and are working in the State of Madhya Pradesh, attempt would be made to post them at the same place, as far as possible. However, if posting of Husband and Wife at one place is not possible, endeavour shall be made to post them at nearby places, subject to the administrative exigencies and other factors which may be considered relevant.

[11 A] Above clause 11 of Transfer Guidelines 2022 is also applicable for the judicial officers whose spouse are in other service subject to the other provisions of Transfer Guidelines and in the following terms :-

- I. Spouse of Judicial Officers must be working in the State Government of M.P. or Central Government of India or Public Sector Undertakings (PSUs) and spouse must be in transferrable post.
- II. Judicial Officers shall not be entitled to seek midterm transfer on the basis of his / her spouse transfer.
- III. Judicial Officers can be transferred under this clause at one place as one time measure and should not be allowed continuous posting.
- IV. If posting of judicial officers at the place of his / her spouse under this Clause is not possible for any reasons then endeavor shall be made to post such judicial officers at nearby places subject to the Administrative Exigencies and other factors which may be considered relevant.

Full Court in its meeting held on 31.03.2023 has approved recommendation of transfer committee regarding amendment as clause [11 A]

[12] Where the spouse, child or parent or any other first degree relative of a Judicial Officer is suffering from terminal ailments like cancer, kidney failure warranting dialysis, or who has undergone open heart surgery in the recent past, provided they are normally residing with the Judicial Officer, such officer may be granted preference by posting him in a place where or near which proper treatment facilities for these ailments are available. However, adjustment in this category shall be granted only on production of proper medical certificate from the District Medical Board and certified by the Principal District Judge concerned upon verification.

[13] A Judicial Officer, who is on deputation with the government except those who are performing judicial work shall normally be required to come back to the parent department after completing a maximum of two years of such posting. The normal period for Ex-Cadre assignment shall be three years. No extension of deputation shall be granted after a period of two years. However, under exceptional circumstances, if requested by the Foreign Department and if approved by the Chief Justice, extension of one year may be granted.

Judicial Officers working at the Main Registry and Benches at Indore, Gwalior shall be deemed to be performing judicial work. Therefore, they will also be covered by this Guideline.

[14] A freshly promoted/appointed Judicial Officer, or a Judicial Officer posted on a post which does not involve the normal judicial/adjudicatory functions, will normally not be allowed to go to another non-judicial post, unless he completes at least a three years tenure on a post involving judicial functions.

[15] A Judicial Officer, who is suffering from a physical disability restricting his/her normal mobility and such disability is certified to be more than 40% by the appropriate Medical Board, shall not be required to hold link Court.

[16] Representations of Judicial Officers regarding transfer / premature transfer / extension of tenure at present place of posting should be submitted in the prescribed format attached with the Transfer Guidelines.

[17] Notwithstanding anything contained herein, the Chief Justice or on his behalf, the Committee of Hon'ble Judges nominated by the Chief Justice will have powers to pass any order in the matter of the transfer or posting of Judicial Officers in the cases of Administrative exigencies.

[18] In regard to matters, which are not specifically provided or covered in these Guidelines the Chief Justice may issue such general or particular directions as may be considered necessary. In case any doubt arises with regard to these Guidelines or its implementation, the same will be clarified by the Chief Justice and such clarification will be treated as part of these Guidelines.

Sd/-
REGISTRAR GENERAL

CATEGORY OF PLACES

Category	Places
A.	(1) Bhopal (2) Gwalior (3) Indore (4) Jabalpur (5) Ujjain
B.	(1) Datia (2) Dewas (3) Guna (4) Narmadapuram (5) Katni (6) Khandwa (7) Morena (8) Narsinghpur (9) Raisen (10) Rewa (11) Sagar (12) Satna (13) Sehore (14) Vidisha (15) Chhatarpur (16) Chhindwara (17) Dhar (18) Khargone (19) West Niwar (Mandleshwar) (20) Ratlam (21) Dr. Ambedkar Nagar
C.	District Headquarter : (1) Ashoknagar (2) Alirajpur (3) Anuppur (4) Barwani (5) Balaghat (6) Betul (7) Bhind (8) Burhanpur (9) Damoh (10) Dindori (11) Harda (12) Jhabua (13) Mandla (14) Mandsaur (15) Neemuch (16) Panna (17) Rajgarh (18) Seoni (19) Shahdol (20) Shajapur (21) Sheopur (22) Shivpuri (23) Sidhi (24) Singrauli (Waidhan) (25) Tikamgarh (26) Umaria <u>Tehsil Headquarters:-</u> (1) Ashta (2) Basoda (3) Bina (4) Biaora (5) Dabra (6) Gadarwara (7) Multai (8) Sironj (9) Sonkatch (10) Shujalpur (11) Gohad (Bhind) (12) Barwaha (Mandleshwar)
D.	Places not included in the above categories.

Zonal Distribution of Districts

Zone	SL.No.	District
I Gwalior	1	Sheopur
	2	Morena
	3	Bhind
	4	Gwalior
	5	Shivpuri
	6	Datia
	7	Guna
	8	Ashoknagar
	9	Vidisha
	10	Tikamgarh
II Indore	1	Neemuch
	2	Mandsaur
	3	Ratlam
	4	Jhabua
	5	Alirajpur
	6	Barwani
	7	Khargone / Mandleshwar
	8	Dhar
	9	Ujjain
	10	Indore
	11	Dewas
	12	Shajapur
	13	Rajgarh
	14	Bhopal
	15	Harda
	16	Sehore
	17	Burhanpur
	18	Khandwa
III Jabalpur	1	Sagar
	2	Raisen
	3	Narmadapuram
	4	Betul
	5	Chhindwara
	6	Seoni
	7	Balaghat
	8	Damoh
	9	Narsinghpur
	10	Katni
	11	Jabalpur
	12	Mandla
	13	Dindori
IV Rewa	1	Chhatarpur
	2	Panna
	3	Satna
	4	Rewa
	5	Shahdol
	6	Anuppur
	7	Sidhi
	8	Singrauli
	9	Umaria

FormatRepresentation for transfer / premature transfer / extension of tenure.

Entries to be filled by Judicial Officer (Applicant).

1.	Name of the officer	
2.	Post held	
3.	Tenure at present place of posting	
4.	Reasons / Grounds for transfer / premature transfer / extension of tenure, in short (Relevant documents, if any, may be attached separately)	
5.	Options in any 3 remaining zones of 3 places of different categories other than the zone and category in which the officer is serving	Zone 1..... 1..... 1..... 2..... 2..... 2..... 3..... 3..... 3.....
6.	Information regarding previous representations with date / dates submitted from the present place of posting	
7.	Judicial Officers while making representation should specify all the previous representation like seeking extension of tenure / premature transfer request / routine representation and the result thereof.	
8.	Dated	

Signature of Judicial Officer

Comments of Principal District Judge:-

Principal District Judge

Comments of Hon'ble Portfolio Judge:-

Judge