

Scheme of Annual Transfers of Elders Rights Promotion Officers National Secretariat of Elders

1. Introduction

The National Council for Elders has been established under 2 (1) of Part I of the Protection of the Rights of Elders Act, No. 09 of 2000, which was amended by the Protection of the Rights of Elders (Amendment) Act, No. 5 of 2011 and the National Secretariat for Elders has been established in accordance with Section 10 of the same Act in order to assist the Council when performing its functions. As per a decision taken thereon, transfers are made by the Annual Transfer Board while considering the scheme of transfers for Elders Rights Promotion Officers of the National Secretariat for Elders. Annual transfers mentioned below should be effective from 1st of January in every year.

2. Particulars of the officers subjected to Annual Transfers

This annual transfer procedure applies to all Elders Right Promotion Officers of Grade I, II and III of the National Secretariat for Elders. Date of appointment of the Officers means the date on which Elders Right Promotion Officers were appointed to Grade III.

3. Term of service in a particular station

- I. The officers who have completed the service in their station continuously for a period of 03 years and have completed 5 years of service are eligible to apply for annual transfers.
- II. The officers who have served in a same station for more than 05 years are subject to transfers.
- III. If the officers, who have completed the service in their station less than 03 years and have applied for transfers, the final decision of considering those applications depends on exigencies of Service

4. Composition of an annual transfer committee

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| I. Assistant Director (Development) | - | Chairman |
| II. Administrative Officer | - | Member |
| III. A representative nominated by the trade union Elders Rights Promotion Officers representing the category of officers and service falling within the purview of the annual transfer committee, | - | Member |

5. Composition of Annual Transfer Proposals Review Committee

- I. Director
- II. Assistant Director (Development)
- III. Representative of an Institution attached to the Ministry

6. General Matters

1. Generally, every possible step should be taken to transfer an officer, at his/her request, to a work station close to the area where the service station of the spouse is situated. In selecting officers for service in unpopular stations, unmarried officers and married officers without school going children should wherever possible, be given priority rather than selecting married officers with school going children
2. Where an officer forwards documentary evidence to prove that his/her spouse is disabled during operational duties while serving in Armed Forces or in Police in the Northern and Eastern Provinces such officer should be transferred only at his/her request. Although officers beyond 53 years of age can be transferred within the district, they should not be transferred outside the district without their request.
3. Time of Transfer in connection to Annual Transfers will be calculated on 31st December in previous year.
4. When making transfers, requests made by officers along with the recommendations of the respective Head of Department including acceptable reasons such as school going children, disabled children and spouse paralyzed due to long term illnesses and cases where spouse is abroad should be taken in to consideration
5. When the transfer applications and appeals are produced, only the applications prepared according to the format are considered.
6. Every possible step is taken to give the first preference work station from the transfer order for every officer. In case an officer is not in a position to get a work station on first preference, his second preference will take as the first preference and attempts are taken give transfers accordingly. In case the second preference also fails, third preference of the officer will be considered as the first preference.

7. Time table for transfers;

Serial No:	Activity	Date
01	Issuance of the Transfer Notice	Before 30 th June
02	Submission of the duly filled transfer applications to the Director	Before 31 st July
03.	Submission of the applications, which are received to the Director to the Transfer Committee	Before 10 th August
04.	Submission of the transfer proposals in writing to the Director by the Transfer Committee	Before 31 st August
05.	Issuance of the notices on the annual transfer proposals	Before 15 th September
06.	Appointing of review committees (Appeal Boards) on annual transfer proposals	Before 30 th September
07.	Investigation of appeals to the review committees on annual transfer proposals	Before 15 th October
08.	Issuing final annual transfer orders	Before 01 st November
09.	Date on which the annual transfer orders should be implemented and effective	1 st of January of the following year

8. Special Matters to be considered

- I. Officers in Trade Unions should adhere provisions in the sub Section 7:5 of Chapter XXV of Establishments Code and other Circulars incidental thereto in case of transfer process.
- II. If an officer does not report to duties at new workstation as appropriate after he has been released from the previous work station (after the decision of the appeal) upon the annual transfer order, he shall be deemed to have vacated his post on his own accord

- III. The Head of Department or Head of Institution shall, when an officer in his staff receives an annual transfer order make arrangements to take charge of files, documents, other government properties, keys, computer passwords and official identity card etc. well in time from the custody of the officer on transfer. Likewise, it shall be the responsibility of the officer on transfer to make arrangements, in consultation with his superiors, to duly hand over such materials that are in his custody.
- IV The Appointing Authority may transfer a Public Officer on disciplinary grounds, outside the annual transfer process even without prior notice. The Appointing Authority shall convey the reasons in writing to the officer concerned.
- V. No transfer order is performed after calling applications for annual transfers other than the matter given above IV.

Procedures related to appeals submitted to the appeals review committee against Annual Transfer Orders

- 1. In accordance with Article 50(1) of the Constitution, If an Elders Rights Promotion Officer is not satisfied with his transfer order he can submit an appeal against any transfer order to appeal review committee. This appeal should be submitted in terms of the Appendix 23 of the Procedural Rule of the Public Service Commission and in order to prove the matters produced by the officer himself, certified photocopies of the relevant documents should be submitted.
- II An Elders Rights Promotion Officer should be submitted his appeal to the transfer appeals review committee against the transfer order in which the officer received through the Director of the National Secretariat for Elders and hence, a copy that appeal should be forwarded to the Director of the National Secretariat for Elders. The responsibility of the Director of the National Secretariat for Elders is to forward the appeal received to him to the appeal review committee along with his recommendations. The officer, on his/ her discretion can directly submit an advance copy of his/her appeal to the transfer appeal review committee
- III Any appeal against the annual transfer order made by the Director of the National Secretariat for Elders should be submitted by the Elders Rights Promotion Officer within 14 days of receiving the transfer order. Appeals not submitted within the due period are rejected by the transfer appeal review committee.
- IV. The appeal submitted by an Elders Rights Promotion Officer to forward to the National Council for Elders should be submitted to the Secretary of the transfer appeal review committee by the Director of the National Secretariat for Elders within 15 days of the receipt of the appeal along with all relevant files, documents, minutes and observations and recommendations in this regard.

Submission of appeals complying with the orders mentioned above is a responsibility of every officer and the appeals submitted deviating from these orders are not considered by the transfer appeal review committee.

A decision will be taken by the transfer appeal review committee with regard to the appeals submitted by the officers against a transfer order within 14 days of receiving the documents which have been submitted to the committee as per above orders.

The decision taken by the transfer appeal review committee with regard to an appeal submitted as above will be directly informed to the appellant, and copies will be sent to the National Secretariat for Elders in order to update relevant files.

Any public officer who is not satisfied with an order or a decision taken by the transfer appeal review committee is entitled to submit an appeal to the National Council for Elders in line with the provisions built up. However, the relevant transfer order shall be applied without any change until the final decision of the National Council for Elders is received.

Annual transfer orders are published in the web site of the institution.

Above all matters are on the order of the National Council for Elders.