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कार्यालय महानियंत्रक एकस्व, अभिकल्प और व्यापार चिह्न

Office of The Controller General  
Patents, Designs & Trade Marks

वाणिज्य और उद्योग मंत्रालय

Ministry of Commerce & Industry

उद्योग संवर्धन और आंतरिक व्यापार विभाग

Department for Promotion of Industry and Internal Trade

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संख्या/No. CGPDTM-11037/1/2025-CGOFFICE/ 3128

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## Transfer Policy for Group B/C/D Officers/staffs of O/o CGPDTM

The transfer policy for Group B/C/D Officers/staffs of O/o CGPDTM is formulated to govern and guide the movement of all types of Group 'B' Gazetted Officers, Group 'B' Non-gazetted officers, Group C and D staffs in Patents & Designs office(s) and Trademarks; GI and Copyright office(s) as per criteria, process, and considerations outlined below. The policy will be implemented in a manner to ensure overall administrative efficiency & effectiveness of the IP office.

### 2. Constitution of Placement Committee

2.1 Transfers and Postings of the Group 'B' Gazetted officers, Group 'B' Non-gazetted officers, Group C and D staffs will be effected based upon recommendations of the placement committees consisting of the following members:

| Level of Officer/Staff under consideration for Transfer/ Posting                               | Composition of Placement Committee  | Approving Authority |
|--|---|---------------------|
| All Group 'B' Gazetted officers (Patent, Design, TM, GI & Copyright)                           | 1. Director, O/o CGPDTM (Chairperson)<br>2. Sr. Joint Controller / Joint Controller of Patents & Designs, O/o CGPDTM (Member)<br>3. Sr. Joint Registrar/ Joint Registrar of TM, GI & Copyright, O/o CGPDTM (Member) | CGPDTM              |
| All group 'B' non- gazetted officers and group C, D staff (Patent, Design, TM, GI & Copyright) | 1. HO (Chairperson)<br>2. Sr. Joint Registrar/ Joint Registrar of TM, GI & Copyright, O/o CGPDTM (Member)<br>3. Administrative Officer / Drawing & Disbursing Officer (DDO) (Member)                                | CGPDTM              |

2.2 The Placement Committee's recommendations for transfer under this policy shall be placed before the Approving authority, i. e. CGPDTM for his/her approval.

2.3 However, if CGPDTM differs with the Placement Committee's recommendations, he/she may refer the matter back to the Placement Committee along with his/her observations for reconsideration by the committee.

2.4 The Placement Committee will review the observations and revisit the recommendation, and shall put up recommendations again for the approval by the CGPDTM.

### **3. Types of Transfers**

#### **3.1 Rotational Transfer:**

(i) Rotational transfer will be effected in respect of officers/staffs who have already completed the prescribed station tenure as on the cut-off date.

(ii) In case of rotational transfer, the period of stay in a post/station shall be counted as of 30<sup>th</sup> November of the concerned year.

(iii) For rotational transfer, officers/staffs may be considered in descending order of their length of stay at a station subject to the need of administration.

#### **3.2 Transfer on promotion:**

An officer/staff may be considered for transfer on promotion. However, to the extent vacancies in the promoted grade are available at the station and station tenure has not been completed, he may request to be retained at the same station. Such requests may be considered as per the length of stay at the station and administrative requirement of the office.

#### **3.3 Request Transfer:**

The transfer may be considered based on a request of an officer/staffs who has served a minimum tenure of at least 2 (two) years at the current station, on a case-to-case basis, with the recommendation of Placement Committee and the approval of CGPDTM. However, the request transfer will not be more than 1/3 (one-third) of all the transfers effected in a particular year.

#### **3.4 Mid-term Transfer:**

The transfer may be considered on a case-to-case basis on administrative or exceptional personal grounds with reasons to be recorded in writing.

#### **3.5 Mutual Transfer:**

Mutual transfer may be carried out in respect of officials holding analogous post subject to the conditions that are deemed to be fit for the needs of the organisation :

(i) Both the officers/staffs have completed at least two years at their respective stations.

(ii) Both the officers/staffs must be clear from the Vigilance Angle.

(iii) The request of both the officers/staffs shall be recommended by the Head of Office concerned.

(iv) Tenure on mutual transfer in the new office will be counted afresh to count station tenure for further transfer under this policy.

*\*All types of transfers shall be processed in accordance with Para 2.*

### **4. Station Tenure:**

#### 4.1 Minimum and Maximum Station tenure for different posts:

| Post Name              | Minimum Station Tenure | Maximum Station Tenure                    |
|------------------------|------------------------|---|
| Group 'B' Gazetted     | 2 years                | 8+2*(extendable with justifiable reasons) |
| Group 'B' non-gazetted | 2 years                | 8+2*(extendable with justifiable reasons) |
| Group 'C' staff        | 2 years                | 8+2*(extendable with justifiable reasons) |
| Group 'D' staff        | 2 years                | 8+2*(extendable with justifiable reasons) |

4.2 The maximum permissible continuous tenure at a particular station will be 8 (eight) years that may be further extended by 2 (two) years on consideration of a request made by the officer/staffs for further extension of the tenure with justifiable reasons. An officer/staff may however, seek or be considered for transfer, prior to completion of maximum permissible tenure in accordance with para 3.2 to 3.5.

4.3 To count the station tenure, the continuous period of service rendered at that station in all the grades shall be considered. The periods of continuous leave/ training etc., 30 days per year would be excluded for counting station tenure. Also, the period spent on deputation will not be counted towards station tenure.

4.4 All six locations of IP office i.e. Delhi, Kolkata, Ahmedabad, Mumbai, RGNIIPM, Nagpur & Chennai, wherein the service records of the officer/staffs are maintained, will be treated as station for the purpose of this Transfer Policy.

#### 5. Transfer Principles:

5.1 All transfers to be effected in a year will normally be considered from 1<sup>st</sup> December to 15<sup>th</sup> January so that transfer orders are issued by the end of January of the same year.

5.2 The O/o CGPDITM will compile the data regarding the residency period of each official at a station by 30<sup>th</sup> November of the concerned year and submit it to the placement committee by 1<sup>st</sup> December of the following year.

5.3 In order to maintain continuity of work, not more than one-fifth of the total working strength shall be considered for transfer in a year.

5.4 Officer(s)/Staff(s) posted in the sensitive posts shall strictly be rotated every three years to avoid developing vested interests and in strict compliance with the CVC guidelines.

5.5 The O/o CGPDITM shall identify the sensitive posts as per the CVC/DoP&T guidelines regarding functionality and position in the O/o CGPDITM and submit the same to this Department for approval.

5.6 If the request for transfer is made by an officer/staff on its own and is considered, then the same shall be at his own cost.

5.7 Efforts will be made to ensure that the DOP&T guidelines regarding posting husband and wife at the same station are followed.

5.8 Officer/staffs against whom disciplinary proceedings are pending/envisaged shall not be posted against sensitive posting or at the same station where the cause of such proceedings originated.

5.9 The officer/staff returning from deputation will have to complete at least two years at a station before making any request transfer.

5.10 Transfer during the probation period will not be in general considered.

## **6. Exceptions from Transfer Policy:**

6.1 The person with disabilities according to the scope of disability covered under DoP&T O.M. No. 42011/3/2014-Estt.(Res) dated 8<sup>th</sup> October 2018 are exempted in general from the exercise of rotational transfer.

6.2 Officers/Staffs of all grades within two years of superannuation will be exempted from rotational transfer. In case of a transfer on promotion, officers/staff with less than one year of service left before superannuation will, as far as possible, be accommodated at their current station by transferring the required post to that location. Upon retirement of the incumbent officer/staff, the transferred post will be reverted to the original office.

6.3 Officers/Staffs serving in critical functions in the O/o CGPDTM may be given exemption of a year at a time from the rotational transfer to avoid hampering the important functions of O/o CGPDTM. However, maximum two such exemptions may be provided to any official.


## **7. Transfers on administrative grounds:**

Notwithstanding anything contained in this Transfer Policy, the Competent Authority may transfer any official at any time, based on administrative requirements, to any of the six locations of IP offices in the country.

## **8. Redressal of Grievances:**

Representations, if any, shall be addressed to the authority competent to approve the orders of transfer/posting (CGPDTM). Any representation against an order shall be submitted within 15 days from the date of issue of such order, failing which it may not be considered. Such representation shall ordinarily be reviewed by the CGPDTM within one month.

This issues with the approval of Controller General of Patents, Designs & Trade Marks.



**(Vickey Kumar)**  
**Director & Chief Vigilance Officer**  
**O/o CGPDTM**

Copy to:

1. Head of all IP Offices.
2. Guard file.