



**SIVAJI VASIREDDY**  
Secretary General

No. FNPO/1-1/Rule 38/Postman/MTS

dated 21-03-2025

To  
The Member (Personal),  
Department of Posts,  
Dak Bhawan  
New Delhi - 110001

Respected Madam,

Sub: - Rule 38 transfer – in Postmen & MTS cadre - Reg.

My Federation wish to bring to your attention the ongoing issues in implementation of Rule 38 transfers for Postman and MTS cadres since 2021. These problems have severely impacted employees seeking transfers under Rule 38, and we request you to escalate this matter to the Directorate and add it as a priority issue in the union agenda until it is resolved.

**Issues in Rule 38 Transfer for Postman and MTS\***

**1. Impact of "Zero Vacancy" Clause in Rule 38 Transfer Guidelines\***

The Rule 38 transfer guidelines state that if a notification for the LDCE (Limited Departmental Competitive Examination) for Postman/MTS is issued, the vacancy position should be updated as "zero" in the Rule 38 portal for these cadres. Due to this clause, the only vacancies considered for Rule 38 transfers in the March cycle are retirement vacancies up to February. Since retirements are minimal, very few employees from the Postman and MTS cadres get transferred.

In the June Rule 38 cycle, the vacancies arising from retirements in March, April, and May are added. However, the major vacancies are created in July when Postman and MTS employees are promoted to Postal Assistant (PA) through the LDCE exam. Unfortunately, within a month of this promotion, the LDCE notification for Postman/MTS is issued, leading to all unanticipated vacancies from the promotions being reserved for the GDS to Postman/MTS exam instead of being considered for Rule 38 transfers. This issue arises because of the clause stating that "zero vacancies" should be updated once the notification is issued.

**2. Discrepancies in Vacancy Allocation Post-2021**

Until 2021, departmental exams considered vacancies from the previous year. For example, the 2020 vacancies were added to the exam only in 2021. However, after 2021, the government introduced "Mission Recruitment Mode" to speed up hiring across all central government departments. As a result, our department started adding current-year vacancies to the same year's exams. From 2022 onwards, anticipated and unanticipated vacancies arising in the same year were included in the same year's LDCE exam.

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While this was a positive move for recruitment, the "zero vacancy" clause in the Rule 38 guidelines for Postman and MTS meant that after the June transfer cycle in 2022, not a single vacancy was considered for Rule 38 transfers.

In Tamil Nadu, 981 employees from the Postman and MTS cadres were promoted to Postal Assistant in 2022, yet none of these vacancies were added to any Rule 38 transfer cycle. In 2023, 200 vacancies arose due to promotions, again not added to Rule 38. In 2024, 700 vacancies have arisen but remain unconsidered for Rule 38 transfers. This issue has resulted in not a single vacancy being added to Rule 38 transfers after the June cycle in Tamil Nadu since 2021.

### **3. Long Wait for Senior Officials Seeking Transfers**

Due to this flawed implementation, many senior Postmen and MTS officials appointed in 2021 are still waiting for a Rule 38 transfer. Even those recruited under Compassionate Grounds and Sports Quota in 2021 are still waiting. Only a few received transfers due to early retirements before June; otherwise, they too would still be waiting.

### **4. Contradictory Clauses in Rule 38 Transfer Guidelines - The Rule 38 guidelines contain two conflicting clauses:**

One states that all vacancies till the publication of final vacancies must be added to the Rule 38 transfer cycle. The other, the "zero vacancy" clause, blocks vacancies after the LDCE notification is issued.

Some circles follow the first clause and add unanticipated vacancies from promotions to the Rule 38 transfer cycle. However, Tamil Nadu strictly follows the zero vacancy clause, preventing these vacancies from being considered for transfers.

### **5. New Selection Process in 2024 and it's Impact on Rule 38**

From 2024, Postman and MTS selection has also been centralized at the circle level, similar to Postal Assistants. This means that allowing vacancies to be utilized for Rule 38 transfers will not reduce the number of vacancies available for exams. Instead, the vacancy will simply shift from one division to another, maintaining the overall strength within the circle.

#### **Request for Immediate Action**

1. The zero vacancy clauses must be removed from the Rule 38 transfer guidelines for Postman and MTS.
2. All anticipated and unanticipated vacancies arising in 2025 must be added to at least one transfer cycle, either in March or September, as the number of transfer cycles has been reduced to two per year.
3. If the zero vacancy clause is not removed, even in September 2025, senior officials from the 2021 batch will still not receive transfers, continuing the backlog.
4. Every year, this issue is raised at the union level, but not in a detailed manner. Many believe that Rule 38 transfers are being denied due to another clause stating that 66.66% staff strength must be maintained in the parent division. However, this clause only affects certain divisions with low staff strength, while the zero vacancy clause affects the entire circle.

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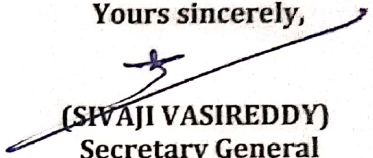
Keeping in view of the hardship facing by the Postmen/MTS staff and their family members my Federation requests Hon'ble Member P madam's kind intervention in this serious issue and consider the following modifications in Rule 38 policy of Postmen & MTS cadre.

1. Remove the 66% working condition as there is provision for substitute arrangement in vacant Postmen/MTS post for avoiding dislocation of work.
2. Roster system should be maintained at Circle level instead division like in PA/SA cadre as recruitment is going on at circle level merit system.

An early action in this subject will be highly appreciated.

Thanking you Madam,

Yours sincerely,

  
(SIVAJI VASIREDDY)  
Secretary General