भारत सरकार GOVERNMENT OF INDIA
वित्त मंत्रालय MINISTRY OF FINANCE
राजस्व विभाग DEPARTMENT OF REVENUE
केन्द्रीय अप्रत्यक्ष कर और सीमा शुल्क बोर्ड
CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS
प्रधान आयुक्त का कार्यालय
OFFICE OF THE PRINCIPAL COMMISSIONER
केन्द्रीय कर और केन्द्रीय उत्पाद शुल्क, कोच्चि,
CENTRAL TAX & CENTRAL EXCISE, KOCHI
केन्द्रीय राजस्व भवन, CENTRAL REVENUE BUILDING
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CIRCULAR

Sub: Circulation of Draft Guidelines for Transfer — Reg.

Draft Revised Guidelines for Transfer in Central Tax & Central Excise, Thiruvananthapuram Zone are hereby circulated for comments. The comments on the above guidelines may be addressed to the undersigned so as to reach latest by 20.01.2020. The final transfer guidelines will be issued with the approval of Principal Chief Commissioner.

10/01/2020

[Suresh Babu P.C.]
Assistant Commissioner (P&V)

To,

1. **The General Secretary, Kerala Central Excise Gazetted Executive Officers Association.**
2. **The General Secretary, All India Central Excise Inspector's Association, Kerala Circle.**
3. **The General Secretary, Kerala Central Excise and Customs Ministerial Officers Association.**
4. **The General Secretary, Kerala Central Excise Stenographers' Association.**
5. **The General Secretary, Kerala Central Excise and Customs Group 'C' Officers Association.**

6. **The General Secretary, Kerala Central Excise Drivers' Association.**

Copy submitted to:

1. **The Principal Chief Commissioner of Central Tax & Central Excise, Thiruvananthapuram Zone – for information.**
2. **The Principal Commissioner of Central Tax & Central Excise, Thiruvananthapuram.**
3. **The Commissioner of Central Tax & Central Excise, Audit, Kochi.**
4. **The Commissioner of Central Tax & Central Excise, Kozhikode.**
5. **The Commissioner of Customs (Preventive), Cochin.**
6. **The Commissioner of Central Tax & Central Excise, Appeals, Kochi.**

Copy to:

1. **The Superintendent (EDP) – for uploading in website.**
2. **Hindi Cell – for Hindi Version**

DRAFT GUIDELINES FOR TRANSFER

The Annual General Transfer Policy of the Thiruvananthapuram Central Tax & Central Excise Zone has been evolved broadly based on the guidelines issued by the Board vide F.No. A-35017/28/92-AD-III-B dated 30.06.94, revised transfer/ placement guidelines and various JCM decisions on the points raised by the recognized Staff Associations. However with the introduction of GST and reorganization of Customs formations the transfer policy needs to be revamped for better efficiency, transparency and to ensure adequate availability of officers in all the offices under the jurisdiction of the Zone. Officers of Central Tax & Central Excise working in Thiruvananthapuram Zone are transferable within the five Commissionerates and they are liable to be posted anywhere in the state of Kerala and UT of Lakshadweep at any time depending upon administrative requirements.

Station: With the introduction of GST, the Divisions were mainly on the basis of revenue Districts. Considering the transport facilities available in the state, it is now decided to treat each District as separate station for the purpose of transfer policy.

Tenure: The tenure shall be 6 years in Ernakulam, Trivandrum and Calicut and 4 years in other stations. However the tenure will only be two years in respect of stations where there exist only Ranges/units. In difficult/remote areas viz. Uduma, Manjeswar, Kanhangad, Kasargod, Munnar, Vandiperiyar, Kattappana, Kalpetta, Sulthan Bathery etc. the tenure shall be two years. The tenure of posting to Kavaratti will be for a period of one year. But for calculating tenure in a station, any kind of leave availed by the officer in excess of 60 days during the tenure in case of postings in places other than home district of the officer will be excluded.

The stay of an officer in a particular station for the purpose of transfer will be computed with reference to the total period of continuous stay at a station regardless of the different posts held by the officer on the station. Postings to UB based on the willingness of officers will not be considered as a transfer from earlier station for computation of tenure at that station (and where the officer proceeded to the UB) and if the officer comes back to the same station from where he proceeded to the UB, his tenure in that station will be counted from the date from which he is continuously working in the station even before proceeding on UB Posting. Exceptions will be made in respect of officers who go on deputation to Airports outside Kerala or to organizations like Directorate of Anti-

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evasion, DRI etc. Their period of deputation will be ignored and will not be counted for the purpose of stay in a particular station.

Postings to the Customs Preventive Commissionerate and the Audit Commissionerate will be for a period of three years.

Periodicity: General transfer will normally be issued by the 2nd week of April each year with a direction to implement the same before commencement of next academic year.

GENERAL POLICY:

1. The Cadre Controlling Authority shall issue the transfer orders of Inter Commissionerate transfers with the approval of Chief Commissioner. Only Commissionerate postings will be issued. However an 'information sheet' specifying the place of posting in respect of the newly posted officers in each Commissionerate shall be communicated to the respective Commissionerate. In respect of postings to Airport/ UB also only Commissionerates postings will be issued by the Cadre Controlling Authority showing that the postings are to particular Airport/ UB. Specific postings in all the above cases will be issued from the jurisdictional Commissionerates.

2. An officer may be transferred to another station at any time irrespective of the period alrcady spent in the existing station, if the transfer is made necessary consequent on his promotion to a higher post. Efforts would however be made to retain him in the same station till the end of the academic year, if a natural vacancy is available in the station concerned, and there is no necessity to fill up immediately the vacancies in the other stations/Commissionerates.

3. Any officer may be transferred from his existing place of posting at any time if such transfer is considered necessary on administrative reasons. CCA, may if it considers necessary to do so in public interest and in furtherance of organizational objectives, transfer, retain or post any officer to any station/formation.

4. Persons who are on the verge of retirement (within a period of 2 years) would be given, as far as possible, home station posting or a place of his choice, if so requested for.

5. To the extent possible, efforts will be made to post or retain an officer in the station where his/ her spouse is working.

6. Physically challenged officers will be posted to a place near to their residence subject to availability of vacancies and administrative exigencies.

7. When requests for a station far exceeds the vacancies available, the following order of priority may be applied to the extent possible, and subject to administrative exigencies:-
   a) Officers who are on the verge of retirement.
   b) Request on medical grounds.
   c) Those who have not worked/ least worked at the place of request.
   d) Officers requesting transfer after completion of tenure period at Hill Stations/ Remote places/Island posting.
   e) Lady Officers who are having children below 2 years will also be given priority.
   f) Officers whose children are studying in 10th & 12th standard will not be transferred from their station during that particular academic year if asked for retention/ will be given their choice station if working elsewhere.
   g) All representations for transfer on compassionate grounds will be considered by a Committee which will make appropriate recommendations as per transparent parameters.

   In respect of officers who obtain a transfer on grounds shown in clauses (b),(f) and (g) above, to a particular station are not entitled to claim the full tenure as per this policy at that station, and shall be liable to transfer in the next AGT or in any AGT before completion of the prescribed tenure.

8. One office bearer either the President or the General Secretary of the Association may be posted at the station requested by the respective Associations.

9. Transfer from a station will be of those who have completed the normal period of stay in that station, on first-in-first-out basis. No officer, who has not completed the normal period of stay in a station, will be transferred out of that station except on administrative grounds.

10. Officers who have completed tenure period in Hill Stations and remote places will not be posted again to such station except on their choice.

11. Interchange between Customs and GST function shall be considered wherever possible at the time of transfer.

12. Generally requests for station to station transfer would not be considered unless the person requesting for transfer has completed a minimum of 2 years tenure in that station, except from hilly/remote/Island postings.

13. Requests for posting back to a station from where an officer has come would be considered in the following cases wherever possible:-
    a) The place requested is an unpopular station and nobody opts for a posting to that place.
    b) The officer is returning from a hardship posting.

14. Posting to and out of Chief Commissioner's office shall be done in consultation with ADC/ JC (CCO).

15. While posting to Customs Preventive / Audit Commissionerate are considered preference will be given to those officers who have not worked in these Commissionerates.

16. While Ministerial Officers are also liable to transfer like Executive Officers, routine transfer of Ministerial Officers from one station to another will be avoided, except on administrative or compassionate grounds.

17. For Ministerial Officers the normal period of stay in one station will be 5 years when transfer requests are considered.

18. In case there are more applicants in Ministerial cadre requesting for posting to a station, priority will be applied as stated in para 6 of the general policy.

19. While Drivers are also liable to transfer like Executive Officers, routine transfer for the sake of transfer, from one station to another will be avoided except on administrative or compassionate grounds. Home Town postings will be given as far as possible.

20. Group "C" officers are liable to transfer anywhere within the Zone. However, frequent or routine transfers would be avoided. While ordering transfers, the distance from the place of their permanent residence would also be given due consideration subject to availability of vacancy. Officers who have completed five years of service at a station may be given transfer to his Home town or to the nearest station, if requested for, subject to availability of vacancies,

The following points will be kept in mind while issuing posting in the cadre:-

a) Representations on compassionate/ medical grounds will be considered to the extent possible keeping in mind administrative requirements.

b) Posting to AP/ UB will be done strictly on the basis of seniority in terms of completion of cooling off period cum willingness. For postings to UB those who have not worked in UB but have worked Airport will be given preference.
c) Two sensitive postings will be given to each cadre i.e., two sensitive postings each in Head Havaldar, Havaldar and Sepoy respectively.
d) Posting to sensitive formations are strictly as per station seniority.

Postings to Airport/UB

Posting to Airport/UB would be done based on willingness cum seniority basis subject to eligibility. Willing and eligible officers who have not worked in the above formations will be given preference. If sufficient numbers of willingness are not available for posting to Airport/UB, seniority in the station or nearest station shall be considered, subject to eligibility, except in the case of Superintendents. In the case of Superintendents, newly promoted officers shall be considered subject to eligibility, if adequate numbers of eligible officers are not available for posting on willingness cum seniority basis. Even after if there is not sufficient number of Superintendents available for posting to AP/UB then officers shall be posted based on the seniority in station or nearest station, subject to eligibility.

Postings to Trivandrum International Airport shall be strictly in accordance with the policy circulars issued by the Board in respect of postings to Airpool.

Postings to Directorates on local rotational transfer basis

Posting of Officers to Directorates on local rotational transfer basis shall be done on the basis of willingness and in consultation with DGRI or DGGI as the case may be. The period of posting shall for a minimum period of two years and may be extended to another one year. During the tenure the officer will not be considered for AP/UB postings.

Posting to NACIN on local rotational transfer basis shall also be on the basis of willingness.

GUIDELINES FOR ROTATION/TRANSFER WITHIN COMMISSIONERATES

1. Rotation/ Transfer Orders within the Commissionerate shall be issued by the respective Commissioners soon after the Inter-Commissionerate Orders are issued by the Cadre Controlling Authority. While issuing Commissionerate Transfer orders the newly posted officers may be posted to the extent possible in the place shown in the 'Information sheet' specified in clause 1 of the General policy above.

2. While issuing Commissionerate transfer orders all the above guidelines may be followed subject to administrative requirements.

3. When station change is required in respect of officers who completed the specific tenure to meet administrative requirements the policy of first-in first out may be followed.

4. Rotation of officers completing 2 years shall be done from desk to Ranges/ Units and vice versa. However suitability and aptitude shall also be borne in mind while making such changes so that interest of the administration and development of expertise is not lost sight of.

5. Sensitive to sensitive postings shall be avoided and the tenure in a sensitive posting shall only be two years and there shall be a minimum gap of two years between two sensitive postings. As per CVC guidelines rotation of officers between sensitive and non-sensitive postings shall be made periodically to ensure all round exposure and efficiency.

As far as possible, the rotation will be carried out so as to give officers exposure to all types of work to develop overall personality. For instance, it may be from executive from Desk type and vice-versa from Commissionerate Hqrs. or Division to Ranges and vice-versa, Range office to Preventive formations, GST work to Customs work, Statistics/ policy sections to establishment and administration or adjudication and so on. Officers will be rotated between these sections as far as possible before a second posting for same type of work.

Further, rotation of officers from sensitive to sensitive charges is to be avoided as a rule, unless justifiable on specific grounds. All such exceptions shall only be made with the prior approval of the Chief Commissioner and this applies to rotations made for whatever reason during the course of the year as well.