

No.14020/05/2008-UTS-II (Vol.II)
Government of India
Ministry of Home Affairs

North Block, New Delhi-110 001
Dated, the 27th August, 2015.

To

The Chief Secretary,
Govt. of NCT of Delhi.

The Chief Secretary,
A & N Administration.

The Administrator,
DD & DNH Administration.

The Administrator,
Lakshadweep Administration.

Subject: Revised Guidelines for transfer/posting of DANICS/DANIPS officers- reg.

Sir,

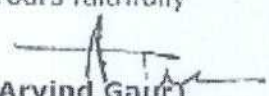
I am directed to refer to the subject mentioned above and to say that in compliance of the Order dated 29.05.2015 passed by the Hon'ble CAT in O.A. No. 1373/2015 a Committee was constituted to re-visit the transfer policy of DANICS/DANIPS.

2. After going through the entire matter, the Committee recommended revised guidelines for transfer/posting of DANICS/ DANIPS. The recommendations of the Committee were submitted to the Competent Authority for consideration.

3. Keeping in view the recommendations of the Committee and other aspects in totality, a revised set of guidelines for transfer/posting of DANICS/DANIPS has been prepared with approval of the Competent Authority i.e. Hon'ble Union Home Minister, copy of which is enclosed.

4. It is requested that the revised guidelines for transfer/posting of DANICS/DANIPS officers, which will come into force with immediate effect, may be circulated among the cadre officers.

Yours faithfully


(Arvind Gaur)

Under Secretary to the Govt. of India
Tel.: 2309 2688

Copy to: SO (IT), MHA- with a request to upload the order in the website of the Ministry at appropriate place.

REVISED GUIDELINES FOR TRANSFER / POSTING OF
DANICS/ DANIPS OFFICERS

The Delhi, Andaman & Nicobar, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli (Civil) Services (DANICS) and Delhi, Andaman & Nicobar, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli (Police) Services (DANIPS) provide officers to administer the Civil and Police Administration, respectively, of the Union Territory segments, i.e., Delhi, Andaman & Nicobar, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli (to be categorized 'hereinafter' as Delhi and the outlying segments comprising the remaining UT segments). DANICS and DANIPS officers are liable to be transferred from one Union Territory to the other.

2. It has to be ensured that no constituent segment serviced by the Cadre remains starved of Cadre officers and that ones to serve in the constituents outside Delhi and also in Delhi is shared among the officers equitably. In the interest of cadre management and transparency in transfer/posting of the DANICS/DANIPS officers, following guidelines for transfer/posting of DANICS/DANIPS officers are framed.

(i) The tenure of the DANICS/ DANIPS officers in the 'outlying segments' will be as follows:

The promotee DANICS/ DANIPS officers will have to serve in one of the outlying segments for a minimum period of 2 years. The direct recruit officers are required to serve in the outlying segments in two spells - the first spell will be of minimum 3 years and the second will be of minimum 2 years. However, the number of stints and duration in outlying segments may vary subject to availability of suitable officers.

(ii) The following periods will be excluded from the calculation of tenure spent in outlying segments:

- (a) Period spent on long leave, including study leave.
- (b) Period spent on a training course of duration longer than six weeks.
- (c) Duration of posting as Deputy Resident Commissioner etc. or any administrative duty of the outlying UT administration based in Delhi for a period of 15 days or more.

(iii) The transfer and posting of DANICS/ DANIPS officer would be decided with the approval of the Joint Secretary (UT), MHA.

(iv) Seniority list of officers in each grade may be prepared. Officers, normally, may be posted to the outlying segments on the basis of seniority.

(v) If the request of any officer to defer his first outlying posting for one reason or the other is accepted, it will have no consequential effect on his second outlying posting. The second outlying posting will be ordered in accordance with the seniority list irrespective of the period of posting of the first outlying posting. The second outlying posting of such officer, which will come on the basis of the seniority list, will not be deferred/cancelled on the ground that the period of posting in Delhi between two postings is less as compared to the others. Further, any officer, whose request for deferment of outlying posting is deferred, for one reason or the other, will be debarred from getting promotion or going on deputation/ training etc. till he/she joins in outlying segment in compliance of the order of the Ministry.

(vi) Due to the service conditions of DANICS/DANIPS and the number of officers/vacancies available in these cadres, it is not possible to distinguish the places of posting as hard/soft areas. The place of second outlying posting of any DANICS/DANIPS officer will be decided irrespective of the fact that where he/she remained posted during his first outlying tenure. However, the DANICS/DANIPS officer who has done his first posting at DD&DNI will not normally be posted again at DD&DNI. Further, while deciding the posting of DANICS/DANIPS officers after their induction to IAS/IPS, their posting profile in DANICS/DANIPS will be considered. The officers who have done two tenures at A&N or Lakshadweep in DANICS/DANIPS, will be given due consideration while getting posted in IAS/IPS against those who have not done any posting or have done only a single tenure in these UTs.

(vii) Primary consideration for inter-constituent transfer would be to ensure availability of the officers in outlying constituents in adequate numbers.

(viii) Due regard may be given to representation of an officer, who is due for transfer but whose children are studying in 10th /12th class, for stay in Delhi or other place of his posting. For this purpose, every officer will notify MHA at the beginning of academic session that his/her child has entered 10th/ 12th class so that MHA gets the opportunity to take due note of the fact before taking a decision regarding posting of the officer.

However, such officer should also submit an undertaking in writing that he /she is willing to be relocated outside the segment on transfer after his/her child has completed 10th/12th Class. In order to ensure availability of officers and to fairly distribute the onus of serving in the outlying segment, the continuance in Delhi / any segment on the ground that child is studying in 10th/12th Standard may be subject to availability of officers in outlying segments.

(ix) The officers whose retirement is due within two years may not, normally, be posted in the outlying segments. However, at the request of the officer, his/her transfer/ retention at an outlying constituent may be permitted even on the verge of retirement. It is further clarified that this stipulation will not be applicable to those officers, who resort to delaying tactics on one account or the other to avoid getting posted to outlying segments.

(x) The officer willing to be posted or continued in outlying segment, may make a representation in that regard and the same would be considered and they may be allowed to do so subject to availability/requirement of officers.

(xi) Husband and wife may, subject to availability of posts, be posted in the same constituent in accordance with the extant instructions of the Govt. of India.

(xii) The officer would be relieved to join a segment on transfer within 15 days from the effective date of transfer. Should non-compliance of orders persist, he/she would be deemed 'stand relieved', his/her salary stopped, issued 'displeasure' with the approval of the competent authority and debarred from getting promotion or going on deputation. The onus of joining a segment will lie on the officer.

(xiii) Medical certificate, furnished by an officer in order to seek his transfer or cancellation of transfer on medical grounds would be placed in his ACR dossier and a note to that effect will be made in the column relating to State of health in the ACR of the relevant period.

(xiv) Transfer orders once issued after due consideration will be strictly enforced. Disciplinary action may be initiated against those officers who bring extraneous pressures for cancellation of the transfer orders. Moreover, in each case, a record shall be kept in the ACR dossier of the officer concerned to this effect.

(xv) Notwithstanding anything contained in this policy, Ministry of Home Affairs has the absolute right, if necessary, to transfer or post any

officer to any constituent at any time on administrative grounds / in public interest.

(xvi) The Policy shall come into effect from the date of issue. The policy is being issued in order to facilitate the cadre officers and to provide better management. However, the Ministry reserves its right to change any provision of this policy at any time for any reason to be recorded in writing with approval of the competent authority.
