

**ALL INDIA ASSOCIATION OF CENTRAL EXCISE GAZETTED EXECUTIVE OFFICERS;**  
**CHENNAI UNIT**  
**121, Nungambakkam High Road, Chennai 600 034**

Assn.Letter No. 15/2015

Dated 12<sup>th</sup> June 2015

To

The Chief Commissioner,  
Central Excise/Service Tax, Chennai Zone

Sir,

Sub: AGT 2015 – Regarding

Please refer to your letter C.No. II/3/21/2012-CCA Est dated the 11<sup>th</sup> June 2015 on the above subject.

2. We appreciate the stand of the administration to reply to the Association for the first time on this issue, as lack of such written responses had led to the communication gap and the consequent actions on both sides. Without prejudice to our stand of evolving Transfer Policy in Consultation with the Association, we are submitting our response on certain points in the above said letter that are incorrect and inappropriate. It has been impliedly mentioned in S.No.2 of the letter that the Association has sought that the AGT 2015 be deferred which is not correct. The Association had made the following requests:

- a. Even distribution of vacancies
- b. Posting of 300 newly promoted Superintendents
- c. For others, based on the time tested policy dated 13.2.2008

This is because, two AGT'S were done- one in June 2014 and another in December 2014, which had already messed up the situation considerably.

3. On S.No. 3 of the letter,

Though the stated objectives of better exposure of officers to all wings is laudable, the same has been applied only to officers working in select wings like Central Excise and Service Tax. On the contrary, there are officers who have worked only in Central Excise in their entire career spanning more than 25 years who have been spared of the provisions of policy (4.2.2) advocated by the administration. In addition to this, there are officers who are working for more than 10 years in a single seat in DG Systems and between 5 to 10 years in

other Directorates as well as in TAR beyond reasonable tenure. The Association requests that this category of officers should also be subjected to the same kind of exposure prescribed in the policy provisions 4.2.2. The proposal to exempt tenure in CCO/Commissioner (Appeals)/LTU/TAR/Settlement Commission, etc lacks rationale as all the posts are en-cadred posts. Also, this provision is likely to create a big pool of officers under the exempted category and subjecting the same set of officers outside the exempted category to repeated transfers which is wholly unfair. There are officers whose names figure in the Central Excise seniority list but have done more than 50% of their entire career outside the department on deputation without any norms as to cooling period and other attendant conditions. The present Transfer order has also kept the officers of CCP intact. There is no mention in the policy about SEZs, Airports etc as officers are posted there on seniority whereas the policy mentions seniority only for Audit. The policy also seeks to deal with tenure in legal cells of other Commissionerates which is not correct as the posting to Legal cells is the prerogative of the Commissioner concerned.

Even the policy prescribed by the administration unilaterally has not been applied properly in the present AGT order NO. 35/2015 dated 01.06.2015. For example 4.2.3 says that while applying provisions of 4.2.2 ( c), it will be ensured that it is subject to the condition that officers should have completed minimum 2 years in their present place of working. IN the present order, officers who have not completed 2 years have been shifted. All officers who have been proposed for transfer outside their present station of posting should have been issued alert notice seeking their choice of posting atleast two months before the issue of the Final orders, as was the practice followed earlier.

**A comparison of the Transfer Policy 2008 and 2015**

S.No.	Particulars	Transfer Policy 2008	Transfer Policy 2015
1	Normal tenure in Central Excise Commissionerate	6 years	6 years (4 years in Central Excise and 2 years in CCO/LTU/Appeals)
2	Normal tenure in Service Tax Zone	4 years	4 years *(No Prescription made for CCO Service Tax)

3	Puducherry	NIL	Continuous tenure 10 years
4	LTU	3 years extendable by one year at a time *(There is no such prescription as LTU has not been mentioned in the Transfer Policy)	2 years extendable by 1 years (because 4 years is exhaustive & 2 years LTU/CCA eventually to balance sanctioned/Working Strength)
5	Mofussil locations like Vellore, Hosur and Ranipet, etc	Maximum of 4 years *(There is no prescription of maximum tenure as stated)	Minimum 1 year and maximum 4 years *(minimum tenure alone may be prescribed)
6	Transfer out of Chennai AGT	One year	One year *(not clearly mentioned in the policy as Housing is linked)
7	Transfer out of Chennai on Promotion	Two years	Two years
8	Posting to Audit	No Policy	Policy of officers being posted to LTU/CCO compulsorily. Also, senior officers to be posted in Audit) * Posting of Senior officers to Audit not mentioned in the Policy and lacks logic, as seniority has not been clearly defined. This is because postings to certain places like SEZs and Airports are done based on seniority only.

9	Compassionate grounds	<ul style="list-style-type: none"> <li>(i) Officer is suffering from serious illness</li> <li>(ii) Single parent having school going Son/Daughter (upto 12<sup>th</sup> Std without any adult relative staying with them *(There is no mention of adult relative in the policy)</li> <li>(iii) Son/Daughter studying in 10<sup>th</sup> or 12<sup>th</sup> Std in the coming academic year and spouse employed/working outside Chennai</li> <li>(iv) Dependent family members suffering from serious/ terminal illness requiring constant present/ attention of the officer.</li> </ul>	<ul style="list-style-type: none"> <li>(i) Serious self sickness affecting mobility of the officer</li> <li>(ii) Officer having an autistic or special/ differently abled child</li> <li>(iii) Child studying in Class 10/12</li> <li>(iv) Spouse working in Central/State government in a non-transferable job and not yet due for transfer under their policy *(not clear)</li> <li>(v) Lady officers who are having children below 2 years *(Lady officers who are above 58 and having problems peculiar to them)</li> <li>(vi) *Officers suffering from special conditions/ disabilities should be considered for posting to nearby places</li> </ul>
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**\*Represents corrections/suggestions made by this Association.**

This Association, therefore, requests you to consider all the above suggestions made and to take fair and compassionate review of the order. **The Association also request that the Date of Relief for the officers mentioned in the Transfer Order NO. 35/2015 dated 01.06.2015 be deferred till the conclusions reached after deliberations by the Committee said to have been appointed for the purpose.** This is because; it is not only the case of

representations made by the officers; It is also the Association case that who have benefitted by the errors committed in the order will also be relieved and cannot be undone at a later date. This Association also requests that an appointment may please be given to the representatives of this Association to present its case before relieving the officers.

Thanking you,

Yours faithfully,



(M.V. RAMESH)  
PRESIDENT

Copy to:

1. Shri Ravi Malik, Secretary General, AIACEGEO, New Delhi
2. The Chairman, CBEC, New Delhi
3. The Member (P&V)/Member (SZ), CBEC, New Delhi
4. All Commissioners in Chennai Cadre Control Zone
5. CENGO Chennai Website
6. NOTICE BOARDS