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Government of India
Ministry of Finance
Department of Revenue
Central Board of Indirect Taxes & Customs
Directorate General of Human Resource Development
409/8, Deep Shikha, Rajendra Place,
New Delhi – 110008

Date: .12.2021

To

The Principal Chief Commissioners/Chief Commissioners (GST) (All CCA)
The Principal Chief Commissioners/Chief Commissioners (Customs) (All CCA)
The Principal Director Generals/Director Generals of Directorate General (All)
All Commissioners of Directorates
The Commissioner, CGST Goa, Customs Goa, & Customs Vizag.

Subject: Comments/Input for Transfer/Placement/Deputation guidelines for Group 'B'
Gazetted and Non-Gazetted Executive Officers (Posted to Customs formations)– reg.

Madam/Sir,

Please find enclosed herewith Ad. III B letter no. A-24015/4/2019-Ad. III B dated 13.12.2021 on the above cited subject. Also refer to Ad. III B letter no. A-24015/4/2019-Ad. III B dated 13.12.2021 addressed to all Cadre Controlling Authorities (CCAs) under CBIC regarding Deputation in respect of Group 'B' (Non-gazetted) & Group 'C' employees under CBIC, which are self-explanatory.

2. Board has desired that instruction issued vide letter F. No. 8/B/45/HRD (HRM)/2009(Part-II) dated 08.07.2010 of DGHRD (on transfer/placement guidelines for Group 'B' gazetted & non-gazetted executive officers posted to customs formations) may be revisited in light of DoPT guidelines. In this regard an issue was raised between DGPM (CCA of Directorates) and DGHRD regarding waiver of cooling off period for non- sensitive Directorates as provided in Para 10 of the letter. DoPT guidelines are silent regarding such waiver. In this regard, Board has conveyed that as the letter No. 8/B/45/HRD(HRM)/2009(Part-II) dated 08.07.2010 of DGHRD is more than a decade old, there is a need to align it not only with the changes in cadre control of Directorates but also with DoPT instruction issued from time to time. Board has further directed this office to consult with Directorates and field formations the necessity to continue with the DGHRD letter dated 08.07.2010 and forward recommendation to Board.

3. In view of the above, it is requested to provide inputs/comments on the necessity to continue with the DGHRD letter dated 08.07.2010, through Email at policy.dghrd@nic.in, by 27th December, 2021, so as to enable this office to forward the recommendations to the Board.

Yours faithfully,

Encl: As above

(Pallabika Dutta)
Joint Director (HRM-II)

Copy to: The Under Secretary (Ad. III B), CBIC, New Delhi - for kind information.

No.A-24015/4/2019-Ad.IIIB
Government of India
Ministry of Finance, Department of Revenue
Central Board of Indirect Taxes & Customs

New Delhi-66

To,

Director General
DGHRD under CBIC

(Through E-office/E-mail only)

Subject: Deputation issues of DGPM & DGHRD-Reg.

The undersigned is directed to refer to the meeting/discussion held on 05.02.2021 followed up by another meeting/discussion with DGPM on 24.11.2021 convened under the chair of Member (A &V) on the issues of depositions appointments & overstates of the officials of DDM to DGHRD and to convey that DGHRD's circular dated 08.07.2010 was stated to be meant for posting officials of customs formations, and hence it is not clear as to how DGHRD applied this circular for posting of Inspectors to their Directorate.

2. Furthermore, it is also to convey that as the circular dated 08.07.2010 of DGHRD is more than a decade old, and there is a need to align it not only with the changes in cadre control of Directorates but also with DoPT instructions issued from time to time, DGHRD may review the necessity to continue this circular in consultation with the Directorates and field formations, and forward recommendation to the Board. Another circular is under issue by Board stating that DGHRD's circular dated 08.07.2010 is under review and that till further instructions, all CCAs under CBIC must comply with DoP&T's O.M. No. 6/812009-Estt. (Pay II) dated 17.06.2010 amended from time to time and further DoPT instructions governing depositions issued from time to time, with immediate effect & until further orders.

Yours faithfully

(Mohammad Ashif)

Under Secretary to the Govt.

Mohammad.ashif@nic.in; 26162780

Signed by Mohammad Ashif

Date: 13-12-2021 14:49:43

Reason: Approved

1/38107/2021

No.A-24015/4/2019-Ad.IIIB
No Government of India
Ministry of Finance, Department of Revenue
Central Board of Indirect Taxes & Customs

New Delhi-66

CIRCULAR

Subject: Deputation in respect of Group "B"(non-gazetted) Group"C" employees under CBIC-Reg.

The undersigned is directed to refer to DGHRD (CBIC)'s letter F.No.8/B/45/HRD (HRM) /2009 (Part II) dated 08.07.2010 on transfer/placement guidelines for group "B" gazetted & non gazetted executive officers, posted to customs formations.

2. DGHRD's letter referred to above is under review and hence, till further instructions, all CCAs under CBIC must comply with DoP&T's O.M. No. 6/812009-Estt. (Pay II) dated 17.06.2010 amended from time to time and further DoPT instructions governing deputations issued from time to time, with immediate effect & until further orders.

Yours faithfully

(Mohammad Ashif)
Under Secretary to the Govt.
mohammad.ashif@nic.in; 26162780

To,
All Cadre Controlling Authorities under CBIC through CBIC's website.

Signed by Mohammad Ash
Date: 13-12-2021 14:53:13
Reason: Approved



Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs
Directorate General of Human Resource Development
409/8, Deep Shikha, Rajendra Place,
New Delhi - 110008

F. No. 8/B/ 45/HRD (HRM)/2009 (Part-II)

Dated: 8th July, 2010

To,

All the Chief Commissioners of Central Excise & Customs

All the Directors General

All the Commissioners in-charge of Directorates

Subject: Revised Transfer/ Placement Guidelines for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Customs formations) - Approved by the Board on 19th May, 2010.

Sirs / Madam,

The existing Guidelines for Transfer / Placement of Group 'B' Gazetted and Non-Gazetted Executive Officers, issued in the year 1994, required reconsideration in view of the complexities arising out of the last cadre restructuring done in the year 2001-02, which led to creation of smaller and more compact Commissionerates with officers having shorter stay at different postings/ charges. Hence, it was desirable to review and revise the transfer/ placement Guidelines, so as to have uniformity and to ensure a fair and merit based administration. Accordingly, the Board during its meeting held on 19.05.2010 approved fresh guidelines for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Customs formations). The said fresh guidelines are enclosed.

Chief Commissioners / Directors General are requested to take suitable steps to implement these guidelines.

Encl.: As above

Yours faithfully,

(T. Premkumar)
Director General

D.G.H.R.D., C.B.E. & C.
DISPATCHED
S. No. 2774 to 2831
Date 12/07/2010
Dispatched

Subject: Revised Transfer/ Placement Guidelines for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Customs formations) - Approved by the Board on 19th May, 2010.

Existing Guidelines of Transfer / Placement for Group 'B' Gazetted and Non-Gazetted Executive Officers (posted to Customs Commissionerates), issued in the year 1994, required reconsideration in view of the complexities arising out of the last cadre restructuring done in the year 2001-02, which led to creation of smaller and more compact Commissionerates with officers having shorter stay at different postings/ charges. Hence, the existing guidelines were reviewed and the Revised Transfer/ Placement Guidelines are as under:

Posting and Transfer Guidelines Group 'B' Executive Gazetted as well as Non-Gazetted officers

Aim of the Policy:

The aim of the revised transfer & posting policy guidelines for Group 'B' Executive Gazetted & Non-gazetted officers is to provide standardization of norms, transparency, objectivity and increased perception of fair-play and clarity in annual general transfers. Further, due care has been taken to ensure that the proposed guidelines promote integrity, efficiency, improved performance and at the same time provide necessary flexibility to senior management and empower them to formulate zonal transfer policies taking into account local factors.

These Posting and Transfer Guidelines for Group 'B' Gazetted and Non-Gazetted Executive Grades for Customs Formations would supercede all previous guidelines, issued in respect of the posting & transfer of Executive Officers to Customs formations. Chief Commissioners may formulate the transfer & posting policy in respect of the Customs formations under their charge within the framework of these guidelines. The guidelines are as detailed below:

1.0 General Transfers in Group 'B' Gazetted and Non-gazetted Executive grades, and in particular involving a change of station, should be effected once in a year, at the end of the academic year.

2.0 Allocation / Posting of Officers

- i. In case of the cadre having transfer liability to more than one Zone, Inter-zonal allocation of Group 'B' Gazetted and Non-gazetted officers should be based on an inter-zonal rotation policy, evolved and circulated amongst the Chief Commissioners of all the Zones sharing common staff cadres.
- ii. Allocation to a particular Commissionerate within a Zone will be based on a well defined rotation policy to be circulated by the Chief Commissioner.
- iii. Allocation of officers to the office of Commissioner (Appeals) / Commissioner (Adjudication) / Commissioner (TAR) / Large Tax Payers Units will be in consultation with the concerned Commissioner.
- iv. Posting of officers within a Commissionerate should be done by the Commissioner in-charge of the Commissionerate.
- iv. **Deviation:** Commissioner shall take approval of the Zonal Chief Commissioner in cases of deviation from this policy or any other guidelines prescribed by the Zonal Chief Commissioners.

3.0 **Classification of Charges:** Different charges in Customs Field Formations should be classified as Sensitive or Non-sensitive by the concerned Chief Commissioner. An illustrative list in this regard is provided in Enclosure-A to this Note. Any other section / unit, which in view of the concerned Chief Commissioner should be treated as Sensitive Charge, but are not listed here, can be added to the lists provided in the **Enclosure-A**.

4.0 Rotation between Sensitive and Non-sensitive postings:

- (i) There should be strict rotation and adherence to tenure of postings in case of all the posts - sensitive as well as non-sensitive- to ensure all round exposure and efficiency. However, in case where sufficient number of officers are not available due to administrative / vigilance reasons for posting to sensitive charges, officers can be rotated from one sensitive charge to another sensitive charge.
- (ii) As far as possible, an officer in the subsequent cycle of postings should not be posted in the same sensitive charge.
- (iii) There should be a gap of minimum one year between one sensitive posting to another.
- (iv) On reversion from a sensitive Directorate, as far as possible, officers would be posted to a non-sensitive charge for a minimum period of one year.

- (v) Posting to a sensitive charge should normally not exceed two years for each posting.
- (vi) First posting of the officers to a Customs Zone / Commissionerate should be, as far as administratively possible, to a non-sensitive charge.

5.1 Minimum tenure in a charge: Chief Commissioners may fix minimum tenure for each charge, which should not be less than one year normally, except for the tenure in hardship stations identified by the Chief Commissioners.

5.2 Period of Stay at one Station: The total period of stay at one station of an officer, belonging to a cadre with liability to serve at more than one station, except difficult areas, should not be for less than two years irrespective of the rank. Further, as far as possible, the officers should not be shifted from one station to another frequently. Chief Commissioners may prescribe station tenure as per local conditions.

5.3 Period of Stay in a Commissionerate: Posting tenure of officers in a Commissionerate should be prescribed by the Zonal Chief Commissioners.

5.4 Posting to Difficult Areas: Posting to Customs formations located in difficult and inhospitable areas should ordinarily be for one year only. In exceptional cases, concerned Chief Commissioner may specify tenure of six months. As far as possible, all officers should be rotated to such postings on the basis of roster, which should be circulated in advance of transfers every year. Illustrative List of such difficult postings is provided at **Enclosure-B**. However, the concerned Chief Commissioner would have the authority to add / delete the formations to/from the said list, as per his/her discretion.

6.0 Last Posting before Superannuation: Officers who are due for superannuation within two years should be, as far as feasible, posted to the station of his/her choice or, to the nearest station.

7.0 Posting of spouses at same station: If the spouse of an officer is also working in a Central/ State Government Office, he/she should be posted to the station where spouse is working or a nearby station as far as administratively possible, in terms of the DOP&T's extant guidelines in this regard.

8.0 Inter-cadre Deputation within the Department: Inter-cadre deputation shall be allowed to the willing officers for a period of three years. Extension of the said deputation period can be made up to one year by the concerned Commissioner and for a further period

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of one year by Chief Commissioners / Directors General concerned on mutually agreed basis, in terms of the provisions contained in the Ministry's letter F. No. A-22015/3/2004 Ad. III A dated 19.02.2004 read with Ministry's another letter F. No. A-22015 /24/2008 Ad. III A dated 21.11.2008.

9.0 **Posting of Appraisers:** Cadre Controlling Authorities for three cadres of Appraiser Grade Officers, viz. Mumbai Customs, Chennai Customs and Kolkata Customs, should ensure that the officers belonging to Appraiser cadre under their respective control are also posted outside the cadre controlling Commissionerates (viz. Custom Houses at Kolkata, Chennai & Mumbai) to other Zones/ Commissionerates/ Directorates, which draw working strength in the grade of Appraiser from these three Appraiser Cadres. Rotation of the Appraisers to the formations outside cadre controlling Custom House should be done by a duly circulated roster. Continuous stay of Appraisers in these outside Zones/ Commissionerates / Directorates should be minimum 3 years.

10. Posting / Deputation to Directorates General / Directorates / LTUs:

a. **Tenure of Posting in Directorates / LTUs:** Tenure for intra - department deputation to DGRI and DGCEI would be for an initial period of five years – extendable by two years, one year at a time with the approval of designated authority – as per existing guidelines. For other Directorates, the tenure would be three years – extendable by two years, one year at a time.

b. **Cooling-off Period:** There should be a two years 'Cooling Off' period between the two of the following sensitive postings:

- i. Posting to DGRI
- ii. Posting to DG (Central Excise Intelligence)
- iii. Directorate of Vigilance

For posting to other non-sensitive Directorates, the condition of 'Cooling off Period' shall not be applicable. Further, for computation of station tenure in Customs & central Excise Zones, the period of posting to a Directorate, including DGRI, DGCEI and DG (Vigilance), would not be counted.

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11. Record Management and Transparency Regarding History of Postings:

History of Postings of all Group 'B' Gazetted & Non-Gazetted Executive officers should be maintained by the concerned cadre controlling authority. Further, each cadre control authority should ensure that the same is put up on the website, maintained by it, within a period of one year of the issue of the guidelines to ensure transparency in administration.

12. Training: Concerned Chief Commissioners shall ensure that the officers from Central Excise formations are provided mandatory training of adequate duration in Customs work before their first posting to Customs charges in order to acclimatize them with the nature of work in ICDs/ CFSs, Airpool, etc. Further, all the officers posted to EDI based work environment (including RMS) shall invariably be given a familiarization / refresher courses on regular intervals.

13.0 Powers to the Chief Commissioners:

13.1 Chief Commissioners are empowered to issue Zonal Transfer Policies, which are consistent with these guidelines.

13.2 **Deviation from the guidelines:** Chief Commissioners have the discretion to deviate from the transfer guidelines, subject to recording the reasons for deviation in file.

13.3 **Disposal of Representations:** All the representations by the officers in respect of transfers / postings would be disposed by the Chief Commissioner, after obtaining the report from the Commissioner on the representation preferably within 15 days of the receipt of representation.

Illustrative List of Sensitive Charges within a Customs Zone/ Commissionerate:

1. Following Major Charges are proposed to be treated as sensitive in a Customs Formation:

(a) Commissionerate Headquarters:

- (i) Special Investigation Unit /SIIB/ Special Division/ CIU
- (ii) Rummaging & Intelligence Unit
- (iii) Vigilance Section
- (iv) Bond Section
- (v) Risk Management Cell
- (vi) Drawback and Refund Section
- (vii) Disposal Section

(b) International Airports:

- (i) Passenger Baggage Clearance
- (ii) Preventive Unit & Air Intelligence Unit
- (iii) Mishandled and Detained Baggage Section

(c) International Air Cargo:

- (i) Baggage Section
- (ii) All Appraising Import and Export Groups (including Import Assessment Unit and Export Assessment Unit)
- (iii) Preventive Section

(d) Land Customs Stations having facility for Transit of Goods as well as passenger / vehicular Traffic:

- (i) All postings

(e) Seaports (Docks) / Inland Container Depots / Container Freight Stations/ Post Offices:

- (i) Unaccompanied Baggage Clearance Cell
- (ii) Import Assessment Unit
- (iii) Export Clearance Unit
- (iv) Preventive Section
- (v) Import Shed
- (vi) Export Shed
- (vii) Postal Appraising Department / Foreign Post Office.

2. **List of Non-sensitive Charges within a Customs Zone/ Commissionerate:**

Following Charges are proposed to be treated as non-sensitive in a Customs Formation:

(a) Classification of charges in Chief Commissioner's Office:

All charges, except Vigilance section, in Chief Commissioner's Office are proposed to be treated as 'Non-sensitive'.

(b) Commissionerate Headquarters:

- (i) Legal & Technical Section
- (ii) Administration & Posting Section
- (ii) Adjudication & Appeals Unit
- (iii) Prosecution
- (iv) Computer Cell
- (v) Control Room
- (vi) Statistics Section

(c) International Airports & Aircargo:

- (i) Office & Administration
- (ii) Statistics Section

(d) Land Customs Stations having low Trade & Transit Density, or located in the difficult areas:

All posts at such stations, subject to approval of these LCS as 'non-sensitive' by the concerned Chief Commissioner, based on specified limit of trade / passenger movement.

3. Posting to the **Offices of Commissioner (Appeals)/ Commissioner (Adjudication) / Commissioner (TAR)** should be considered as 'Non-sensitive'.

4. Chief Commissioners are proposed to be empowered to declare any other post /charge as 'Sensitive' or 'Non-sensitive' in consultation with the concerned Commissioner.

Note: For classification of Charges in Central Excise Zones/ Commissionerates, separate guidelines are proposed to be issued, along with guidelines for transfer and posting in Central Excise Formations.

Enclosure-B
Illustrative List of Customs formations in Difficult Areas

Sl. No.	Zone	Commissionerate	Name of the Departmental Office / Duty post	Location of Duty post
1	Bangalore Customs	Mangalore Customs	Customs Preventive Unit (CPU)	Kumta
			Customs Preventive Unit	Bhatkal
			Customs Preventive Unit	Kundapura
2	Shillong Zone	Shillong Customs	CPFs/ LCSs (Agartala Customs Division)	Srimantpur
				Sonamura
				Belonia
				Mhurighat
				Manubazar
				Sabroom
				Howaighat
				Dholaighat
				CPFs/ LCSs (Aizawl Customs Division)
			Champhai	
			Zawkhotare	
			CPFs/ LCSs (Dhubri Customs Division)	Melbuk
				Bagmara
				Ghasupara
				Dalu
	Mahendragani			
	Mankachar			
	Golaganj			

				Ultapani
				Hatisar
			CPFs/ LCSs (Dimapur Customs Division)	Namong
			CPFs/ LCSs (Guwahati Customs Division)	Daranga
			CPFs/ LCSs (Imphal Customs Division)	Moreh
			CPFs/ LCSs (Karimganj Customs Division)	Badarpur
				Sutarkandi
				Dharmanagr
				Kailasahar
				Manu
				Olda Rahana
			CPFs/ LCSs (Shillong Customs Division)	Dawki
				Bholaganj
				Shella
				Ryngku
				Borsora
				Balat
				Ichamati
				Umkiang
3	Coimbatore CE	Selam CE	Coonoor	Coonoor
			Ooty	ooty
			Gudalur	Gudalur
4	Customs (P) Chennai	Trichy	Point Calimere	Point Calimere
5	Kolkata Customs	WB Customs	North Sikkim	Nathula
			Darjeeling	Pashupati Gate

			Siliguri	Sukhaiyapukari
			Dinajpur	Chamorchi
			Raiganj	Goalpukur
				Radhikapur
				Singhabad
			Nadia	Gede
				Banpur
			North 24 Pargana	Hingalganj
6	Cochin CE	Cochin	CE Range	Munnar
		Cochin Customs (P) Commrt.	CPU	Chavakkad
			CPU	Malappuram
			SPU	Beyepore
			CPU	Badagara
			CPU	Thalassery
			CPU	Kasargod
			CPU	Kanhangad
			CPU	Uduma
			CPU	Manjeshwaram
7	Mumbai-I Customs	Mumbai Customs (P) Commrt.	RSR, R&I	Mumbai Coast
		Mumbai Customs (P) Commrt.	M&P Wing	Mumbai Coast
		Mumbai Customs (P) Commrt.	Ali Baug Division	Alibaug
		Mumbai Customs (P) Commrt.	M&P Wing	Mumbai Coast
8	Patna Customs (P)	Lucknow Customs (P) Commissionerate	LCS	Jhulaghat, Uttarakhand

			LCS	Dharchula, Uttarakhand
			LCS	Gunji
			Circle	Pithoragarh
			LCS	Jarwa
		Patna Customs (P)	LCS	Galgalia
			LCS	Kunouli
			LCS	Balmiki Nagar
			Circle	Chhoradano
			Circle	Ghorasahan
			Circle	Sikta
9	Pune Central Excise	Pune Customs	Ratnagiri Division	Ratnagiri Division
10	Delhi Customs (P)	Jodhpur Cus.(P)	Bikanaer Division	Pugal Range
			Barmer Division	Gadra Road
				LCS, Mumabao
			Jaisalmer Division	Maizlar
				Sam
				Ramgarh
				Anoopgarh
11	Chandigarh CE	Amritsar Customs (P)		LCS, Shipkila
		Jammu & Kashmir	CPS	Akhnoor
			CPS	Rajouri
				LCS, Kaman Post