



ग्रुप 'बी' सी.पी.डब्ल्यू.डी. ऑफिस स्टॉफ एसोसिएशन (ऑल इंडिया)
(भारत सरकार द्वारा मान्यता प्राप्त)

GROUP 'B' CPWD OFFICE STAFF ASSOCIATION (ALL INDIA)
(RECOGNISED BY GOVT. OF INDIA)

Central Office : 'A' Wing, Ground Floor, I.P. Bhawan, (Y-Shape Building), Ring Road Facing, New Delhi-110002

Website: www.gbcpwdosaai.in E-mail: groupbcpwd@gmail.com

No. GBCPWDOSAAI/ 25

Dated 30-3-2017

Ajay Kumar N.P.
President

Mob. : 09891904580

Ravi Kumar Bhatnagar
Gen. Secretary

Mob. : 09313171008
09999083637

Dinesh Kumar
Vice President
Mob.: 09313738645

Yashveer Singh
Vice President
Mob. : 09811724008

Pankaj Sharma (WR)
Vice President
Mob. : 09970727887

Avdesh Kumar
Joint Secretary
Mob. : 09868572286

Devender Ahuja
Joint Secretary
Mob.: 09891175364

B. Nagaraja (SR)
Joint Secretary
Mob.: 08977505313

Deepak Jain
Treasurer
Mob.: 9818561467

Harjeet Vashisth
Ladies representative
Mob. : 09911982511

T. S. Banga
Auditor
Mob. : 09968070488

Co-opted Member :
Bhaskar Saha (ER)
Mob.: 09089633723

Rajeev Sharma

To

Sh Abhay Sinha,
Director General,
Central Public works Department.
Nirman Bhavan, New Delhi.

Sub: Transfer of Sh.P.S.Babu AAO from Bhopal to Ghaziabad

**Ref: Office order No.21/2017 issued vide order No. 8/2/2017/ EC-IV
(SC) dated 28/02/2017**

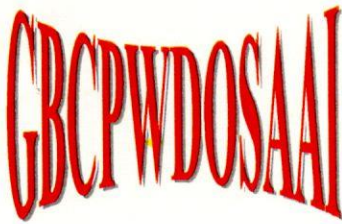
Revered Sir,

Please refer to your order referred above vide which Shri P.S.Babu AAO was transferred from Bhopal to Ghaziabad w.e.f 1-3-2017. In this context, the following facts and information for consideration was sent to the Deputy Director General (HQ) vide this association letter even No.19 dated 08.03.2017, which is reproduced below:-

- 1) That the order in regard to Sh.P.S.Babu, AAO was issued on 28/02/2017 i.e. after completion of 58 years of his age on 08/02/2017, as such these orders are issued in utter violation of the provisions of CPWD Manual Para 12.5 (iv) which stipulates that officer having less than two years of residual service before superannuation be posted at the station of his choice.
- 2) Sh.P.S.Babu AAO was posted in present office, on the specific recommendation of Hard Case committee of the department, vide order No. 87/2016 dt. 09/06/2016. Ordering transfer, against the recommendation of hard case committee amounts to disregard of Apex body and an attempt to challenge its authority. Therefore keeping In view of the above facts this association strongly protest the illegal transfer of Shri P.S.Babu AAO and demands its immediate cancellation.

It is very surprising that without discussion of the facts and communication to this association, order issued by the Directorate vide Office Memorandum No. 8/2/2017/EC-IV(SC) Dated 29th March, 2017 stating that the Sh P.S.Babu may be relieved from his duties immediately directing him to join O/o the CA(Trg.),CPWD, New Delhi.

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After careful examination of the matter, it has been observed that the transfer order of Sh. P.S.Babu, AAO is issued keeping in view of the letter of Vigilance Unit of CPWD issued vide No. 10/V-25/(A-172)/2016-VSI Dated 5th January, 2017. The para wise analysis is as under.

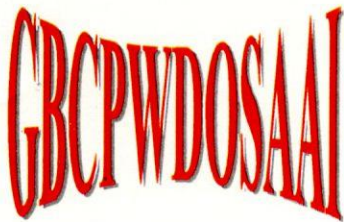
Para 1. During the investigation of a complaint, it has been observed that an official who joined CPWD as LDC remained posted in the same station in various capacities as LDC, UDC, Cashier, Head Clerk, OS and as AAO during his entire service in violation of CVC rotational policy guidelines.

- After going through the transfer and posting detail of Sh. P.S.Babu available on PIMS Portal, it is true that during his whole service period he is posted at Bhopal. But during the period of 33 years he was transferred 12 times from one office to another office.
- During his 33 years of service, he was posted twice at sensitive post and transferred to correspondence Branch within the stipulated tenure of sensitive post.
- Correspondence Branch posting is not sensitive. Out of 33 years he was posted in Accounts branch only for 6 years and 4 month in two spells.
- As per CPWD Establishment Manual Para 12.6(i)(i-vii) there is no violation of transfer policy.
- Kindly See Para 12.6(i)(i) wherein it is clearly mentioned that LDC/UDC are normally not transferred to a different station except in case of administrative exigency.

Para 2. Posting the same person in various capacities for such a long time in one station is not desirable as during such long tenure the person will develop vested interests which will adversely affect the transparency and impartial working which are very essential for good governance. This instance is also in violation of rotational policies/principals as given by the Central Vigilance Commission.

- As stated against the para 1 above, there is no violation of rotational policy is involved in this case.

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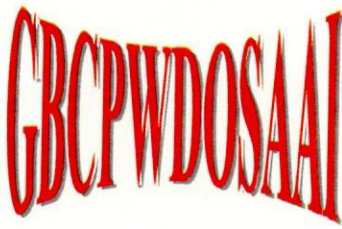
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- As per the transfer policy framed for the Ministerial cadre and maximum period spent on non sensitive post at the station the point of developing vested interests is not correct, while making of such comments it is not considered that frequent transfers of a low paid employee will also create problems for survival of his family and settlement of their children's future also. If CVC feels that their guidelines are correct then it will apply on all cadres of Government. As such almost employees spent their whole service at one station and in different office, this is unfortunate that the employees of CPWD cannot change their offices out of CPWD and bound to rotate in same offices of CPWD itself.
- The question of affective and transparency and impartial working are very essential, this is the duty of controlling officer to make such arrangement not the individual responsible for making such arrangements.

Para 3. It has, therefore, been directed by DG,CPWD to request you to formulate a comprehensive, transparent transfer policy guidelines for transfer posting of the office staff up to the rank of AAO in CPWD and follow a proper rotational policy guidelines as enunciated by CVC. Maximum tenure in one station at one level and combined tenure at different levels may also be clearly defined. Kindly accord it top priority.

- Is it not a unlawful act of Directorate that six months before his case for retention at the station was considered by the apex body and he has been transferred subsequently? This is already opposed by this association.
- After considering his request by the apex body, and also completing the age of retention at the station i.e. 58 years on 8-2-2017 he was transferred w.e.f. 1-3-2017.
- If he was wrongly retained at station such a long period of more than 33 year (Which is not correct) this is also wrong to transfer him against the policy i.e. not to be transferred before two years of superannuation.
- If the decision of retain him at the station by the hard case committee was correct and found justified, Why the vigilance Unit is not considering the facts and circumstances explained by the officer in his representation.
- If the decision of retain him at the station by the hard case committee was wrong and found not justified, what action is initiated against the defaulter committee members, as their decision is set-aside by the Vigilance Unit, which is also a question mark on the integrity of the hard case committee.

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- When the case of retention has been considered by the hard case committee on his request of both self and spouse are working in same station as well as same department, later on the person has been again transferred, what is the authenticity of hard case committee?
- Whether as per the directions of CVO/CVC/DG the comprehensive, transparent transfer policy guidelines for transfer posting of the office staff up to the rank of AAO has been formulated and circulated by the Directorate, if not, why only Sh.P.S.Babu has been targeted whereas the observation of the CVO under reference was in general and no specific recommendations were made for transfer of Shri P.S. Babu in particular.
- Why the comprehensive, transparent transfer policy guidelines should be formulated for transfer posting of the office staff up to the rank of AAO, why not for other cadres.
- Whether the Directorate is not aware that the other cadre officers are working in Directorate beyond their normal tenure and also getting special allowances and zero posting facility to avoid outside transfer.


Keeping in view of the above mentioned facts, the transfer of Sh P.S.Babu, AAO after attaining of age of 58 years is unlawful, unjustified, with malafide intention and discrimination with him and Ministerial Cadre of CPWD and resulting the confrontation between Directorate and Ministerial Cadre and will also increase the unnecessary litigations.

This Association made several requests to your good self for conducting a meeting for resolving various long pending issues related to Ministerial cadre but it is regretted to point out that in spite of repeated requests our requests were denied.

Therefore this Association strongly condemn this kind of unlawful activities by involving the CVO to harass the Ministerial Cadre and requests your good self for personal intervention in the matter and also request for cancellation of transfer orders of Sh. P.S.Babu under question immediately and a meeting may be fixed at the earliest to resolve the long pending issues to avoid any unwanted situation otherwise this Association will take up the matter with appropriate level as deemed fit.

Thanking you in anticipation and with regards,

Yours faithfully,


Ravi Kumar Bhatnagar,
General Secretary