

No. GBCPWDOSAAI/ 36

Dated 17-1-2020

**Ajay Kumar N.P.**  
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**Ravi Kumar Bhatnagar**  
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**Deepak Jain**  
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**Satish Kumar Sharma**  
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**Harjeet Vashisth**  
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To

**The Director (S&D)**  
**Directorate, CPWD**  
**Nirman Bhawan, New Delhi – 110011.**

**Sub: Draft Inter regional Transfer Guidelines in respect of AAO, ASO, SO (Hort.), PS (Subordinate Cadre), Steno Grade-I & Technical Officer, Assistant (AD) – reg.**

**Ref: Directorate OM No. 5/4/2019-S&D/19 dated 07/01/2020.**

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Respected Sir,

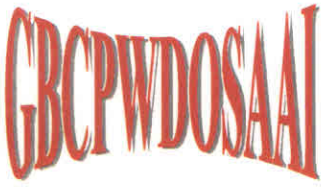
Kindly refer the above mentioned draft in respect of AAO of ministerial cadre. Before discussing the draft guidelines we want to bring the following for broad insight of the cadres and their prospects in the present situation.

The Directorate had fixed following periods as station tenure for various posts in CPWD (Ref: CPWD Establishment Manual, 2013).

Sl. No.	Name of post	Station		
		Delhi, Mumbai,	Chennai & Kolkatta	Other places
1	Junior Engineer (C/E)	12 Years	8 Years	6 Years
2	Assistant Engineer (C/E)	10 Years	6 Years	4 Years
3	AAO	10 Years	10 Years	4 Years

- 1) The post of Junior Engineer (C/E) is a direct recruitment post with all India transfer liability. A Junior Engineer can get his transfer to any place in India without loss of seniority and in public interest if station tenure of 4 years is completed.
- 2) The post of Assistant Engineer (C/E) is 1<sup>st</sup> promotional post for the Junior Engineer (C/E) with all India transfer liability. An Assistant Engineer can also get his transfer to any place in India without loss of seniority and in public interest if station tenure of 4 years is completed.
- 3) However, the post of AAO is 3<sup>rd</sup> promotional post of LDC. The post of LDC is non-transferrable with regional seniority. A transfer to any other place outside the region of origin for LDC is treated as inter-regional transfer. He has to forego seniority, no TA/DA & joining time in the event of his inter-regional transfer is allowed.

Contd.



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(भारत सरकार द्वारा मान्यता प्राप्त)

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- 4) The post of UDC is 1<sup>st</sup> promotional post for LDC with regional seniority. No inter-regional transfer is granted to a UDC as there is no element of direct recruitment. A UDC can get his inter-regional transfer only if he is willing for reversion to the post of LDC and forego seniority, and also no TA/DA/JT etc are allowed.
- 5) The same is the case as of UDC in respect of Office Superintendent also. It is the 2<sup>nd</sup> promotional post for LDC. LDC becomes at par with JE in terms of pay & allowances once he reaches to the post of Office Superintendent. Unfortunately it takes around 25-30 years of service for a LDC to be promoted to the post of OS.
- 6) At the time of promotion of OS to the post of AAO, station tenure in all grades are counted i.e. from LDC to OS. Counting of periods of stay in the grade of LDC & UDC is unjustified as these posts are with regional seniority and non-transferable.
- 7) In view of above following proposal for fixing the station tenure of AAO is submitted.
  - 1) The station tenure at Delhi, Mumbai, Chennai & Kolkata may be fixed as 12 years at par with the Junior Engineer (C/E).
  - 2) The station tenure at other places be fixed as 10 years (two terms of office tenure)
  - 3) While counting the continuous period of stay at a station, the periods spent in the grades of LDC & UDC are to be excluded.
  - 4) Now vide Directorate OM No. 05/04/2017-S&D/536 Dated 11/12/2018 many provisions of the transfer posting provisions of manual have been changed but the paras concerning to LDC,UDC and OS were unchanged, but in the final para of the said OM says that **“The Normal period of continuous stay of all officers/officials shall be 3 years at any post as well as any station.”** It means all categories of staff Officers/officials were covered in 3 year criteria.

Keeping in view of above circumstances, LDC is the initial recruitment post in ministerial cadre in CPWD, when lot of LDCs allocated to the department by the SSC have been posted in directorate and thereafter directorate is allocating further regions for posting thereafter their seniority is being kept in the region. The promotions of these LDCs are being made on regional basis therefore due to regional conditions a junior can get early promotion than their senior who is posted in other region.

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This is the basic fundamental violation of right of promotion and which is happening in CPWD since last 165 years but the ministerial cadre accepted this dichotomy because they do not want to be transferred from the region as it has already been mentioned in the chapter 12 of CPWD manual Para 12.6 (i) for LDC/UDC/ stenographers which says:-

- 1) that they are normally not transferred to different stations except in case of administrative exigencies. However, request for transfer made by a LDC/UDC is to be considered subject to the availability of vacancy and requirement at the station of posting.
- 2) Those promoted to UDC against examination quota are liable to be transferred out depending on the administrative requirement of the department.

Owing to the above two conditions those do not want transfer from the stations have not opted for promotion in exam quota resulting they get promotion after completion approximate 25 years and retired from the service before getting second promotion.

If a LDC/UDC seeks inter- regional transfer due to his/her personal circumstances he/she has to forgo his/her seniority in the grade and he/she bound to forgo his/her chance of promotion to the next grade. For example we are mentioning a recent case of a female LDC who got transferred from NR to WR on her personal request after completion of more than 24 years of service as LDC and as per the present policy she has been placed at the bottom of seniority list of LDC of WR. As per present situation she will never get the promotion to the next grade in seniority quota, further if she wants further change of region she will be again placed at the bottom of seniority of the respective region.

It has been observed that since last 1 year the directorate is concentrating only on transfer and posting guidelines vide O.M. dated 07.09.2018 regional SDGs authorized for making transfers in the exigencies of work thereafter on 11.12.2018 many clauses of CPWD manual 2013 were modified with further directions that the normal period of continuous stay of all officers/ officials shall be 3 years at any post as well as at any station which is not practically possible to shift/transfer all the staff every 3 years including extra financial implications on the department on account payment of T.A.

Thereafter it has been decided vide OM dated 26/09/2019 that the transfer and posting of group B and C staff in CPWD will be done by the regional coordination units for which this association made a request to DG/CPWD for discussion in the matter vide letter No. GBCPWDOSAAI/29 Dated 27-11-2019 for removal of doubts/ apprehensions of the ministerial cadre before implementing the said orders but it is regretted to point out that no meeting has been convened and the region allocation orders have been issued arbitrarily on promotion to the post of OS to AAO.



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In spite of declaration of station tenure it has also been observed that a region office called option for further posting without completing the station tenure on the pretext of exigencies of work. It has also been observed that some officials have been given undue advantages and have been posted on their choice stations without completing station tenure.

Thereafter, now all the transfer posting aspects a new inter-regional transfer policy is placed for comments and its implementation. This association received many telephonic calls/messages from the members of the associations even other cadres regarding transfer posting matters and therefore we feel that this is not a good working situation in the department because everyone is worried and discussing about the transfer and implications and future aspects of the transfer policy.

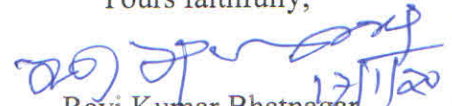
In view of the above mentioned facts and circumstances if the department is keen to enforce inter-regional transfer policy on ministerial cadre of CPWD i.e. AAO, this association demands that imbalances in promotions from LDC to UDC, UDC to OS may please be regularized as per the initial posting orders issued by the STAFF SELECTION COMMISSION and seniority lost by the individuals may be regularized, so that everyone will get his right of promotion at appropriate time with monetary benefits from the respective dates.

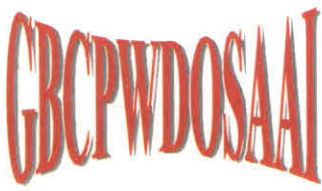
In view of the above circumstances this association not accepting the interregional transfer policy in respect of AAO and request your goodself that AAOs may be exempted from the inter-regional policy and recent orders issued by the directorate/ regional co-ordinations in respect of AAO may please be reviewed and suitable/ proper transfer and posting orders may please be issued as per previous transfer policy for AAO. However Para-wise comments on draft IRT is annexed with this letter for consideration please.

Thanking you and with warm regards,

Encl: As Above.

Yours faithfully,

  
Ravi Kumar Bhatnagar  
General Secretary



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**Annexure-1**

**Comments on the proposed Inter Regional transfer policy in respect of AAOs are as under:-**

Description	Comments
a. The Inter Regional imbalances of Officers shall be worked out once every year so as to determine the necessity and extent of the Inter Regional Transfer is effected during the year. For working out the imbalances, sanctioned strength and available strength of Officers in each region as on 31 <sup>st</sup> December shall be intimated by concerned Coordinate Circle to the Directorate for working out the regional imbalances for subsequent years.	Assistant Administrative Officer post is a promotional post and the imbalance situations occurred due to delay in promotion process in the Directorate whereas this Association is demanding regularly for timely promotions. Therefore, it is suggested that the Directorate may take necessary steps for issue of promotion orders timely as per existing guidelines issued by the DoPT instead of introducing IRT,  Also, this para indicates that the Directorate is taking remedial steps by invoking the IRT policy and indirectly encouraging the delay process in promotions. There is a need of making policy for timely promotions so that the question of imbalance could not arise.
b If the inter regional transfers are necessitated to remove imbalances in the working strength of Officer in the various regions, the same shall be effected as under	Not recommended IRT keeping in view of remarks (a) above.



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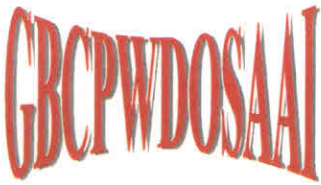
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i.	Any officer <i>who</i> voluntarily opts for inter-regional transfer on his/her own volition shall be considered for inter-regional transfer.	Yes, this option is still available in present transfer system for ministerial cadre LDC to AAO.
ii.	A list of all Officers with age less than 50 years as on 1 <sup>st</sup> of January of each year shall be prepared and circulated by the concerned Regional Coordination Office This list will be made public and shall be forwarded to Directorate General on or before 31 <sup>st</sup> January of each year. The list of longest stayee Officer received in the Directorate from Coordination will be sorted out in the order of seniority based on the length of the stay in the region and it will be the basis on Inter-Regional Transfer.	Agree. In this context, it is stated that in the recent order of promotion to the post of AAO in the month December 2019, Directorate has transferred those promotees having the age of 50 years and above to other regions whereas the present proposal is for officers with less than 50 years of age will be transferred under ITR policy.  Therefore it is requested that the present transfer orders in respect of newly promoted AAOs may be kept in abeyance and issued only after the finalization of IRT policy to avoid injustice to the concerned employees and also can avoid unnecessary litigation in this regard.
iii.	In case of the officers <i>returning</i> from hard area, their stay in the region shall be counted from the date of return from hard area. Similar condition shall apply for those coming on inter regional transfer from another region.	Yes agreed.
iv.	The inter-regional transfer would be made through the aforesaid criteria in order of sequence brought out above.	Yes agreed.



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v. Officer likely to be sent on inter-regional transfer, may forward their option/choice of three regions in order of preference to the concerned Regional Coordination Office for onward transmission to Directorate General of works. CPWD This option shall reach the Directorate by 28<sup>th</sup> February of each year Choice of region would be considered depending upon availability

No. Previous system may be continued as it has no flaw and all the transfer and posting orders should be made by the Directorate directly and the request of transfer should be made to Directorate only.

vi. One year retention may granted to those officers whose children are studying in Class XII

Yes agreed.

vii. In case of working spouse, the case may be dealt as per DoP&T guidelines.

Yes agreed.

viii. Priority shall be given to fill the post outside Regional Head Quarter, whereas at Regional Head Quarter, vacant post can be looked after by the other staff posted at the same station. When staff on inter region transfer join in a region they should report to Regional Headquarter.

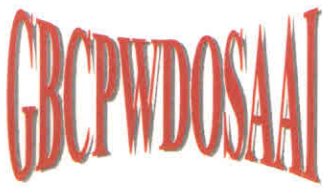
No IRT is required in case of AAO, all the posts should be filled by issue of timely promotion orders by the Directorate with specific posting orders.

C. While making Inter- Regional transfers. station tenure shall not be a parameter for consideration

Not acceptable, as stability of the staff compromised and the family will be affected badly.

d The tenure of stay in hard area shall be 2 years and 3 years in other areas in case of inter-regional transfer Application for inter-regional transfer, on completion of tenure, back to choice region, shall be accepted 6 months before the successful completion of stipulated tenure Transfer-order authorizing posting back of the Officers would

Agreed, if IRT implemented in case of AAO.



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be issued well in time Officer shall not be retained by concerned Controlling Officer under any circumstances except by express order of Special DG of the Region for a period not exceeding three months.	
e Non-completion of stay in Delhi PWD or at any other station/posting will not come in the way for inter-Regional transfer if it is due as per these guidelines.	Not Agreed, as detailed in the reply of para 'c' above.
f. Period of continuous stay in hard area, Border fencings, Border Roads & Flood Lightings work will be 2 years. On successful completion of posting in above areas, Officer shall not be posted outside their region for next 3 years	Agreed if IRT implemented in case of AAO.
g. The Officer who has completed 50 years of age and ladies will normally not be posted to hard area or out of the region subject to Administrative exigencies	Agreed if IRT implemented in case of AAO, but not agreed with "subject to administrative exigencies" as the AAO is doing only administrative works which can be assigned to OS also, but if promotion orders issued in time there will be no reason for administrative exigencies. So kindly remove the condition "subject to Administrative exigencies" from this proposal.
h. The order issued under the authority/ delegation of power of Directorate General in term of these guidelines shall be binding on all controlling officers, at the time of joining and relieving after successful completion of their tenure.	Agreed if IRT implemented in case of AAO.





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(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](http://www.gbcpwdosaai.in) E-mail: [groupbcpwd@gmail.com](mailto:groupbcpwd@gmail.com)

No. GBCPWDOSAAI/

Dated

**Ajay Kumar N.P.**  
President

Mob.: 09891904580

**Ravi Kumar Bhatnagar**  
Gen. Secretary

Mob. : 09313171008

09999083637

**Tara Singh Banga**  
Vice President

Mob. : 09968070488

**Yashveer Singh**  
Vice President

Mob. : 09811724008

**Florence Edward Fernandes**  
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**Deepak Jain**  
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**Devender Ahuja**  
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**Satish Kumar Sharma**  
Joint Secretary

Mob.: 98105 41243

**Dinesh Kumar**  
Treasurer

Mob. : 09582897001

**Rajeev Sharma**  
Auditor

Mob. : 09868717143

**Harjeet Vashisth**

Ladies representative

Mob. : 09911982511

i. All controlling Officers shall initiate preparatory action three months in advance to enable them to relieve Officers in time, after successful completion of their tenure.	Agreed if IRT implemented in case of AAO.
j. The inter regional transfer order issued by the authority of Director General shall also serve as an authority to relieve back Officer from their Region, to the Region of their choice. However Special D G of the region, considering exigencies shall have power to extend the tenure Stay not exceeding 3 months.	Agreed if IRT implemented in case of AAO.
k. Officer aged more than 50 years who volunteer for inter regional transfer shall also be considered by interpolating their name in the longest stayee.	Agreed if IRT implemented in case of AAO.
l. The Officer/their family as per their service records, who are suffering from terminal illness, shall be considered for exemption from inter regional transfer on purely medical grounds on submission of such medical certificate from any competent Government Hospital or Hospital approved by CGHS Similarly Officer having their children mentally retarded/spastic needing special schools for their education training shall normally be allowed retention in the region on request and on submission of medical certificate from any competent Government Hospital or Hospital approved by CGHS	Agreed if IRT implemented in case of AAO.



ग्रुप 'बी' सी.पी.डब्ल्यू.डी. ऑफिस स्टॉफ एसोसिएशन (ऑल इंडिया)  
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m. Notwithstanding these guidelines .  
Director General, CPWD shall have full power to order transfer/posting or retention of any Officer keeping in view the exigencies of public service, compassionate grounds, administrative requirements and merits of the individual cases

Agreed if IRT implemented in case of AAO.

n. Director General, CPWD shall have full power to order transfer/ posting of Officer from one region to another or in any manner according to exigencies of public service, compassionate grounds, administrative requirements and merits of individual cases, as well as making any changes in these guidelines

Agreed if IRT implemented in case of AAO.

  
Ravi Kumar Bhatnagar

General Secretary

GENERAL SECRETARY  
Group 'B' C.P.W.D.  
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I. P. Bhawan, Ring Road, Facing  
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