

**POLICY FOR EFFECTING ANNUAL GENERAL TRANSFER-2009 AND BEYOND AND
SUBSEQUENT POSTING AND TRANSFER IN CCIT(CCA),KOCHI REGION IN GROUP 'B'
(Non Gazetted), GROUP 'C' AND GROUP 'D' OFFICIALS**

1.0 PRELUDE

1.1 A transfer policy is required to ensure fairness and transparency in the process of transfer of officials. The macro goal of the process of transfer will be the attainment of organizational goals which includes achieving Action Plan targets. A local transfer policy is to be formulated in accordance with the instructions issued by the CBDT. In respect Group C and D Instruction in F.No A-22015/12/89-Ad.VII dated 8th Feb 1991 forms the basic document.

1.2 The transfer policy is formulated after the draft provisions are circulated. Some were accepted and some were not accepted due to administrative needs. Certain modifications were made in deference to views of Staff Associations and the policy is finalized by CCIT(CCA) accordingly.

1.3 While effecting Annual General Transfer options will be obtained from the officials meeting the following criteria which will be the zone of consideration for effecting transfers. This will be Group 'B (Non-Gazetted)', 'C' & 'D' officials who will be completing 5 years of stay in a particular station as on 30th June of relevant Financial Year.

1.4 To ensure transparency and fairness, certain additional conditions in implementing the transfer of all officials including those covered in para 1.3 are included, taking the requirements of administration and employees, into consideration. This is on account of changed social milieu vis-à-vis time of issue of instructions referred in paragraph 1.1 and changes in legal and administrative framework over the last several years.

1.5 Administration will attempt to issue Annual General Transfer in April of every year.

2.0 POLICY.

2.1 This policy is on postings of public servants to whom public service is foremost. Their service is required to meet administrative requirements and officials will be posted in such a manner so that this objective is met. Coupled with this, requests for posting from officials to a place of choice will be considered at the time of Annual General Transfers and also at time the of promotion which will be decided on merits and in accordance with stipulations made in this policy.

2.2 **COUNTING OF YEARS:** Annual General Transfer will be effected after counting number of years in the manner determined as below

- A. Year means Financial Year.
- B. Posting for more than 9 months in a Financial Year will be counted as a Financial Year.
- C. Where a person who has been transferred prior to 1st of July and joins a new place of duty on or after 1st of July and such delay is attributable to (i) official nominated for training prior to orders of transfer or (ii) delayed relieving of official is due to other official work for which prior permission of CCIT(CCA) is taken, the extra time taken to join the new post (subject to a maximum of 30 days) along with joining time shall be treated as on duty in the new place if (A) no leave(except casual leave) is taken during the extended period and (B) the date of relief specified in the transfer order clashes with the period of extra duty.
- D. Year for the purpose of clauses 2.6.4 and 2.7.4 will count from 1st of April of the year in which transfer is considered.

2.3 POSTING ON PROMOTION AND TRANSFER

2.3.1. On promotion officials will normally be transferred to a new station. However, if a vacancy in the grade/cadre, to which the person has been promoted, is available at the same station, he may be adjusted/posted against the vacancy, as far as possible, subject to administrative constraints and exigencies of service.

2.3.2 Unless otherwise required, the main criteria for inter place transfer will be station seniority.

2.4 IMPROVING WORK SKILLS

2.4.1. Effort will be made to give opportunity to officials in different areas of work, to the extent administratively feasible.

2.5 TRANSFER BASED ON ADMINISTRATIVE BASIS

2.5.1 All conditions figuring in this transfer policy may be waived to select persons to be posted (a) in Investigation Wing on specific recommendation of DGIT(Inv.) in the rank of ITI(to be attached to ADIT/DDIT) and (b) three ITIs(for Vigilance, Public Relations and Service Litigation work) and two Group B(Non Gazetted)/Group C officials (both grades put together) for Confidential Section at Headquarters of CCIT(CCA).

2.5.2. Transfer of a person to any other place at any time will be made on (a) administrative grounds would be made on the basis of reasoned reports or presence of *prima facie* valid complaints and (b) on administrative needs.

2.6 POSTING IN SPECIAL CIRCUMSTANCES AND COMPASSIONATE CASES

2.6.1. As far as possible husband and wife will be posted in the same station in a case where both are working. Where both husband and wife are working in the IT Department, effort would be made to ensure that the total number of such persons would not exceed one third of the sanctioned strength in that place

2.6.2 Those officials with children going to be in Class X and class XII in Financial Year for which Annual General Transfer is made will be retained to the place of study of child on request.

2.6.3. The general conditions may be waived for posting in cases of extreme hardship, being cases where the official himself or his spouse or children is suffering from serious disease/disability. The decision as to whether a particular case deserves to be treated as one of 'extreme hardship', will be taken by the CCIT(CCA) for placing before Placement Committee and the decision of the Committee shall be final. For invoking the clause, a declaration is sufficient in transfer application. The administration will ordinarily repose faith on these declarations but in select cases may direct officials to produce documentary evidence.

2.6.4 Efforts will be made to post officials having less than 2 years to retire to their place of choice on request at the discretion of placement committee and subject to point 2.7.4 (b).

2.6.5 The provisions of clauses 2.6.1 to 2.6.4 will be subject to availability of vacancies and administrative exigencies.

2.6.6 Official(s), if any, who file false declaration to gain benefits of paragraphs 2.6.1 to 2.6.3 may attract attendant consequences, if detected. These consequences will include in addition to normal provisions (a) not considering his application for a period of five years from the end of the year in which such declarations are received by Head of Office and (b) transferring him

Office of the
Chief Commissioner of Income Tax(CCA), Kochi

out of the place, if orders has been passed, at the earliest available opportunity. These will be carried out after affording the official concerned reasonable opportunity of being heard.

2.7 OTHERS

2.7.1. Two principal office bearers (President/Secretary/Treasurer) of recognized Association would be retained/posted at the headquarters of Association/Federation in Kochi.

2.7.2 All transfers and postings will be made treating Mattanchery, Aluva, Kakkanad and Ernakulam as one station

2.7.3 (a) While considering a request for transfer from Tiruvalla to Kottayam, request from a person posted at places at any station other than Tiruvalla will take precedence over the request of person working at Tiruvalla in relatively deserving cases. This provision applies vice versa also

(b) While considering a request for transfer from Thrissur to Guruvayur, request from a person posted at places at any station other than Thrissur will take precedence over the request of person working at Thrissur in relatively deserving cases. This provision applies vice versa also

2.7.4 (a) Except in proven extreme cases, officials having joined a new place on promotion or on new appointment or on inter-state transfer will not be transferred out of the place on request within 1 year. The decision as to whether a particular case falls in the specified category in this regard will be taken by CCIT(CCA)

(b) Officials who had applied for and obtained transfer to a particular place will not be transferred on request out of the place within 2 years except under clause 2.6.3 in proven extreme cases

2.7.5 The placement committee will post officials covered in clauses 2.6.3, 2.5.1, 2.6.4 and 2.7.1 first and thereafter decision on remaining cases will be taken.

2.7.6 Normally the total continuous stay of officials covered in this policy at a station, put together in all ranks, shall be 18 years for Group B (non Gazetted) officials and Income Tax Inspectors, 25 years for Group C officials and 30 years for Group D officials notwithstanding the extensions and exemptions from transfer granted to them on personal request.

3.0 POWER TO RELAX AND REMOVE DIFFICULTIES

3.1 If any difficulty arises in giving effect to the provisions of this policy, the CCIT(CCA) may take such decisions not inconsistent with the provisions of this policy as may be necessary or expedient for removal of the difficulty.

3.2 Such decisions as spelt in paragraph 3.1 shall include (a) one where there is conflict amongst different provisions in the policy while considering a specific case, he may take a decision invoking one of the provisions, (b) rectification of mistakes and (c) to effect marginal relaxations. The decision of CCIT(CCA) in this regard shall be final

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(A.G. Oommen)

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