

F.No. 14012/01/2016.UTS-I
Bharat Sarkar/Government of India
Grih Mantralaya/Ministry of Home Affairs

North Block, New Delhi-110001
Dated 09th November, 2016.

To

1. The Chief Secretary, Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi-110002.
2. The Chief Secretary, Govt. of Mizoram, Aizwal-796001.
3. The Chief Secretary, Government of Arunachal Pradesh, Itanagar-791111.
4. The Chief Secretary, Government of Goa, Panaji-403001.
5. The Chief Secretary, Andaman & Nicobar Administration, Port Blair-744101.
6. The Chief Secretary, Govt. of Puducherry, Puducherry-605001.
7. The Commissioner of Police, Delhi Police Head Quarters, MSO Building, I.P. Estate, New Delhi-110002.
8. The Advisor to the Administrator, Chandigarh Administration, Chandigarh-160009.
9. The Administrator, Union Territory of Daman & Diu, Moti Daman-396220.
10. The Administrator, Union Territory of Lakshadweep, Kavaratti-682555.
11. The Administrator, Dadra & Nagar Haveli Administration, Silvassa-396230.

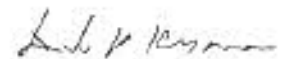
Sub:- Guidelines for Transfer/posting of IAS/IPS officers of Joint AGMUT cadre-2016.

Sir,

I am directed to enclose herewith a copy of the guidelines for Transfer/posting of IAS/IPS Officers of Joint AGMUT Cadre-2016 for your kind information and circulation among the IAS/IPS Officers of AGMUT Cadre posted in your State/UT.

Yours faithfully,

Encls: As above.



(Dilip Kumar)

Under Secretary to Govt. of India
Ph. 2309 2688

Copy to the NIC Cell, MHA along with a copy of the guidelines for Transfer/posting of IAS/IPS Officers of Joint AGMUT Cadre-2016 with the request to upload the same in the website of MHA in a prominent/accessible location.

INTERNAL DISTRIBUTION

PS to HM / PS to MoS(H) / PS to MoS(R) / PSO to HS / PPS to AS(P) / PPS to JS(UT) / PS to Director(S) / Guard file.



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**GUIDELINES FOR
TRANSFER / POSTING OF
IAS / IPS OFFICERS OF
JOINT AGMUT CADRE
2016**

**MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA**

**GUIDELINES FOR TRANSFER / POSTING
OF IAS/IPS OFFICERS OF
JOINT AGMUT CADRE – 2016**

1. The AGMUT Cadre of IAS/IPS, earlier known as the UT Cadre, caters to the needs of four units, viz., the three States of Arunachal Pradesh, Mizoram & Goa, and Union Territories viz., A&N Islands; Chandigarh; Daman & Diu, Dadra & Nagar Haveli; Delhi; Lakshadweep and Puducherry. The constituent units are far flung, geographically dispersed and sharply differ from each other, climatically, culturally, linguistically and administratively. There is a great amount of diversity amongst the constituents in terms of location, connectivity and educational/medical facilities etc. This has implications for the cadre management of IAS/IPS officers, especially, their transfer/postings and, therefore, requires careful and objective handling.
2. Guidelines to govern the transfer/postings of IAS/IPS officers were drawn up in June, 1990 and subsequently amended in 1992 and 2010 in order to ensure that Cadre officers serve hard areas at their turn and get the required experience in serving in different constituent units of the cadre.

Classification:

3. Due to the earlier classification of segments into 3 categories, the JCA is unable to allocate sufficient number of officers to the hard areas. The tendency of the officers is generally to stick to Delhi or at the most prefer to serve in Category 'B' areas (Soft). Therefore, it is proposed to classify the segments into only two categories namely **regular and hard areas** as indicated below:-

Category 'A' – Regular Areas -

Delhi, Chandigarh, Goa, Puducherry, Daman & Diu and Dadra & Nagar Haveli

Category 'B'- Hard Areas -

Arunachal Pradesh, Mizoram, Andaman & Nicobar Islands and Lakshadweep.

Need to revise policy guidelines

4. Based on the experience of operation of these guidelines and the lacunae/ distortions observed, it is proposed to revise the guidelines. The revision is to ensure that no unit serviced by the Cadre remains starved of Cadre officers and that onus to serve in the constituents outside Delhi and also in both 'Hard Area' and 'Soft Area' is shared among the officers equitably.

Tenure of IAS Officers

5. (i) Consequent upon the categorization of segments into two i.e. Category 'A' (Regular Areas) and Category 'B' (Hard Areas) necessitated calculation of tenure in both the categories. As against 49 Cadre posts of IAS in Senior Scale in Category 'A' (Regular Areas), there are 61 in category 'B' (Hard Areas). Adding Central Deputation Reserve posts (44) to Category 'A' (Regular Areas), the strength of posts in Category 'A' (Regular Areas) may go up to 93. Thus, 60% posts in Senior Scale are in Category 'A' (Regular Areas) and remaining 40% are in Category 'B' (Hard Areas). It, therefore, means that an IAS officer in Senior Scale would be required to spend about 60% of his/her Senior Scale tenure in Category 'A' (Regular Areas) and remaining 40% in Category 'B' (Hard Areas). An IAS officer remains in Senior Scale roughly for 14 years before he gets Super Time Scale in the Cadre.

- (ii) Similarly, as against 52 Cadre posts of IAS in Super Time Scale and above in Category 'A' (Regular Areas), there are 21 posts in category 'B' (Hard Areas). Adding Central Deputation reserve posts (29) to Category 'A' (Regular Areas), the strength of posts in Category 'A' (Regular Areas) may go up to 81. In that case, an officer in Super Time Scale and above would be required to spend about 80% of his tenure in Category 'A' (Regular Areas) and only 20% in Category 'B' (Hard Areas) (ratio of posts being 81 for Category 'A' against 21 outside). An IAS officer remains in Super Time Scale and above roughly for 19 years.

Tenure of IPS officers

6. (i) Consequent upon the categorization of Segments into two categories necessitated the review of existing guidelines for transfer/posting. As against 67 Cadre posts of IPS in DIGP & below in Category 'A' (Regular Areas), there are 49 posts in Category 'B' (Hard Areas). Adding Central Deputation reserve posts (46) to Category 'A' (Regular Area), the strength of posts in Category 'A' may go up to 113. Thus, about 70% posts in DIGP grade and below are in Category 'A' (Regular Areas) and remaining 30% are in Category 'B' (Hard Areas). It, therefore, means that an IPS officer in DIGP grade & below would be required to spend about 70% of his/her DIGP and below grade in Category 'A' (Regular Areas) and remaining 30% in Category 'B' (Hard Areas). An IPS officer remains in DIGP grade and below roughly for 16 years before he gets IGP grade in the Cadre.
- (ii) Similarly, as against 36 Cadre posts of IPS in IGP level & above in Category 'A' (Regular Areas), there are 8 posts in Category 'B' (Hard Areas). Adding Central Deputation Reserve posts (18) to Category 'A', the strength of Category 'A' may go up to 54. In that case an officer in IGP grade

and above would be required to spend about 87% in Category 'A' (Regular Areas) and only 13% in Category 'B' (Hard Areas) (ratio of posts being 54 for Category 'A' against 08 in Category 'B'). An IPS officer remains in IGP grade and above roughly for 17 years.

7. In the light of the proposed classification of segments into two categories, the projected tenure of IAS/IPS officers in Category 'A' (Regular Areas) and Category 'B' (Hard Areas) has been worked out. If the normal expected period that IAS/IPS officer serves in the Senior Scale (13 to 14 years) and in Super Time Scale and above (approx. 19 years) is divided among the 2 categories of administrative units roughly in the proportion to the number of posts, the picture that emerges is as given below:-

IAS Officers

	Category A (Regular Areas)	Category B (Hard Areas)	Total
	Delhi, Goa, Chandigarh, Puducherry, DD, DNH and Central Deputation	Arunachal Pradesh, Mizoram, Andaman & Nicobar Islands and Lakshadweep	All Segments
Senior Scale Posts	49 (+44 CD)	61	110
Tenure	<u>9 years</u> 3 tenures	<u>5 years</u> 2 tenures	<u>14 years</u> 5 tenures
Super Time Scale & above posts	52 (+29 CD)	21	73
Tenure	<u>15 years</u> (4 tenures including Central Deputation)	<u>4 years</u> 2 tenures	<u>19 years</u> 6 tenures

IPS Officers

	Category A (Regular Areas)	Category B (Hard Areas)	Total
	Delhi, Goa, Chandigarh, Puducherry, DD, DNH and Central Deputation	Arunachal Pradesh, Mizoram, Andaman & Nicobar Islands and Lakshadweep.	All Segments
DIGP & below	67 (+46 CD)	49	116
Tenure	<u>12 years</u> 4 tenures	<u>4 years</u> 2 tenures	<u>16 years</u> 6 tenures
IGP & above	36 (+ 18 CD)	8	44
Tenure	<u>15 years</u> 4 tenures including Central Deputation	<u>2 years</u> 1 tenure	<u>17 years</u> 5 tenures

8. While posting IAS/IPS officers to different areas, as indicated above, following factors would be kept in view:-
- (i) Direct recruits may have their field training depending upon the facilities for training as well as the nature of experience available there. Their first posting in Junior Time Scale may be in the same segment in continuation of where they have taken training.
 - (ii) Direct recruits on promotion to Senior Time Scale may invariably be posted from Category 'A' to Category 'B' and vice-versa, for a tenure of 3 years in view of the table in para 7. In case sufficient vacancies are not available in Category 'B', the officers shall be posted to other segments in Category 'A'.
 - (iii) The local officers desirous of posting outside may be considered for such postings for exposure and gaining experience.

- (iv) Officers of Super Time Scale and above would have tenure of 4 years in Category 'B' (Hard Area), which can be divided into two spells of '2' years each (as indicated in the table at para-7).
- (v) The following periods will be excluded from the calculation of tenure spent outside Delhi segment:
 - (a) Period spent on long leave of any kind (more than 30 days in year), including study leave during a posting outside Delhi.
 - (b) Period spent on a training course of duration longer than six weeks.
 - (c) An officer functioning as Resident Commissioner and based in Delhi for any administrative duty of the constituent Government would be treated, as if, he is on Delhi posting.
- (vi)(a) The transfer/posting guidelines of AGMUT cadre mutatis-mutandis shall apply to the officers of DANICS/DANIPS/ State Civil Service/State Police Service inducted into IAS/IPS.
 - (b) The officers immediately after induction shall be liable for posting to the outside segments from where they are inducted.
 - (c) IAS/IPS officer inducted from SCS / DANICS / DANIPS / SPS may be posted back to his/her home segment one year before his/her retirement at his/her request.

- (d) The tenures in Category 'B' done by officers of DANICS /DANIPS shall be considered for the purpose of calculation of hard area. The station seniority will be counted from the allotment year.

9. The transfer/posting policy will be operated as follows:

- (i) The transfer and postings of Chief Secretary/ Administrator and the senior most police officer heading the police force in State/UT may be decided with the approval of Home Minister in consultation with Chief Minister of States concerned. A panel of 3 names can be suggested to Chief Minister of the State, who may convey their response with reasons thereof on the panel within a period of 15 days. After considering the response received from the Chief Minister, the MHA may issue the orders for posting of Chief Secretary/ Administrator / Director General of Police. In case no response is received within a period of 15 days, the MHA may decide the matter at its own level. The transfer and posting of other officers shall be decided by Joint Cadre Authority of AGMUT Cadre.
- (ii) List of officers in each scale may be prepared on the basis of total period that they have spent in Category 'A' (Regular Areas). Those who have done the least tenure in hard areas and most in Category 'A' (Regular Areas), should be transferred first to the Category 'B' (Hard Areas).
- (iii) Primary consideration for inter-constituent transfer is to ensure availability of the officers in outlying constituents in adequate numbers. It would be desirable to get options in Senior Scale and Super Time Scale for hard area postings so that postings could be done, inter alia, taking such preferences into consideration.
- (iv) The proposals for postings/transfers may be worked out six months in advance so that decisions on transfers generally take place and are issued in the month of March/April.

- (v) Due regard may be given to representation of an officer who has completed 3 years in Category 'B' area and 2 years in a Segment of Category 'A' area other than Delhi/Chandigarh (Total five years) and is due for transfer but whose children are studying in 12th class for stay in Delhi or other place of his posting. For this purpose, every officer will notify MHA immediately that his/her child has entered 12th class so that MHA gets the opportunity to take due note of the fact before taking a decision regarding posting of the officer. However, such officer should also submit an undertaking in writing that he/she is willing to be relocated outside the segment on transfer after his/her child has completed 12th Class.

- (vi) Husband and wife may, subject to availability of posts, be posted in the same constituent in accordance with the extant instructions of the Govt. of India. The cadre clearance of the spouse for Central deputation, etc. would be decided, subject to his/her having completed mandatory tenures in hard areas, as per policy.

- (vii) After issue of transfer order, request for leave of any kind should be made to and would be considered only by the Government of the constituent to which he/she has been transferred. The transfer order shall not be cancelled on the grounds of long leave or foreign training, etc. In that eventuality transfer order will be kept in abeyance and order will be implemented on completion of leave or training as the case may be. Similarly the officers serving Category 'B' areas drafted for special assignments like Private Secretaries/ OSDs to the Ministers, etc. before completion of their prescribed tenure shall be posted back to the Category 'B' areas on completion of their assignments.

- (viii) The officer would be relieved to join a segment on transfer within 15 days from the effective date of transfer. Should non-compliance of orders persist, he/she would be deemed 'stand relieved', his/her salary stopped, issued 'displeasure' with the approval of the competent authority and debarred from getting promotion or going on Central Deputation. The onus of joining a segment will lie on the officer.
 - (ix) The JCA in its meeting held on 26.04.2016 took a serious view regarding non-implementation of the transfer/posting order. JCA also decided that IAS/IPS officers who do not comply with the transfer/posting orders either due to delay in being relieved or delay in joining after being relieved, suitable entries should be made in their personal dossiers.
 - (x) The segment shall relieve the officer within fifteen days of transfer order issued with the approval of Competent Authority.
10. To enforce these guidelines, the following provisions would be considered:-
- (i) An officer would not be considered for promotion to the pay scales above the Senior Time Scale unless he/she has completed the allotted tenure as per policy.
 - (ii) The officers shall be considered for Central Deputation or any other deputation provided,
 - (a) They shall have completed minimum three years of service in Category 'B' (Hard Areas) below Super Time Scale for consideration to the post of Deputy Secretary / Director level in the Government of India.
 - (b) It is desirable that the officers should complete three years of service in Category 'B' (Hard Areas) and two years in a segment of Category 'A' (Regular Areas) other than Delhi/Chandigarh (total five years), for

consideration to the posts of Joint Secretary Level in the Government of India. This condition may not be applied for the officers who have been empanelled for the post of Additional Secretary and Secretary to Government of India.

- (c) The above conditions shall also apply respectively for long term foreign training course of any duration or foreign assignment or Study Leave of any kind with or without fellowship.
 - (d) For the purpose of calculation of tenure in Category 'B' areas, the district training during probation period and the tenure in Junior Time Scale shall also be included.
 - (e) The tenure of officer served in Category 'B' areas while in DANICS/DANIPS will be counted for the purpose of service in hard area for considering for any kind of deputation.
 - (f) The officers, who avoided joining the hard areas after issue of transfer orders on one ground or the other, shall not be allowed for any kind of deputation until they complete the hard area posting as per guidelines.
- (iii) Medical certificate furnished by an officer in order to seek his transfer or cancellation of transfer on medical grounds would be placed in his/her APAR dossier and a note to that effect will be made in the column relating to State of Health in the ACR of the relevant period. Also every request / representation of officer for cancellation / change of transfer / posting shall be placed in APAR dossier.
- (iv) Transfer orders once issued after due consideration will be strictly enforced. Disciplinary action may be initiated against those officers who bring extraneous pressures for cancellation of the transfer orders. Moreover, in each case, a record shall be kept in the APAR dossier of the officer concerned to this effect.

- (v) The officer selected for special assignments who have not completed required hard area tenure, shall furnish an undertaking to the effect that they would serve in hard area immediately after completion of such assignments.

Allocation of officers among constituents

11. Allocation of officers will be done among four constituents of AGMUT cadre by JCA in terms of Rule 5(1) of AIS (Joint Cadre) Rules, 1972 namely Arunachal Pradesh, Mizoram, Goa and Ministry of Home Affairs (representing all UTs). The Ministry of Home Affairs shall further allocate officers placed at the disposal of MHA within the all UT segments.

Providing full strength in each Segments

12. Sanctioned strength of Senior Duty Posts in every segment shall be ensured to its full strength. No unit serviced by the Cadre shall be allowed to remain starved of cadre officers. Also the State Deputation Reserves (SDRs) shall be distributed proportionately/equitably among all segments.

Calculation of Station Seniority

13. Station seniority shall be prepared on the basis of the total period that the officers spent in Category 'A' & 'B' areas. The transfer to Category 'B' areas shall be based on the station seniority in Category 'A'. The officers who have completed specified periods in Category 'B' areas shall be considered for transfer to Category 'A' areas.

Posting of officers after completion of Central Deputation

14. The officers reporting back to the cadre from Central Deputation or Foreign training/course shall be posted to

Category 'B' areas invariably in case they have not served prescribed periods in Category 'B' areas. The officers posted in Category 'B' areas deputed for foreign training before completion of their prescribed tenure shall furnish an undertaking that they would complete their tenure in the Category 'B' areas after completion of foreign training.

Tenure of officers in Category 'B' areas while on deputation

15. The tenure spent by officers of AGMUT cadre in Category 'B' areas of AGMUT cadre, Jammu & Kashmir and North Eastern States while on Central Deputation / any other Deputation may be considered as tenure in Category 'B' areas. For this purpose, every officer will notify MHA immediately about his place of posting during Central Deputation in Category 'B' areas, J&K and North-Eastern States. The deputation tenure other than these places shall be considered as tenure in Category 'A' areas. The tenure of officers on Central Deputation / any other deputation posted to other than Category 'B' areas of AGMUT Cadre, J&K and North-Eastern States", shall be treated as served in Category 'A' areas.

Cadre posts

16. The Cadre posts shall be filled by the cadre officers only in all constituents of AGMUT cadre. Specific approval of JCA shall be taken in case any constituent appoints non-cadre officers to Cadre posts.

Miscellaneous

17. Notwithstanding anything contained in this policy, Government (MHA) has the absolute right, if necessary, to transfer or post any officer to any constituent at any time on administrative grounds / in public interest.
18. The practice of placing service/posting profiles of all the IAS/IPS officers on the website and updating it on an on-going basis will be continued
19. The JCA meetings should be held from time to time or on the request of any constituent to address the issues related to transfer and postings.
20. The Policy shall come into effect from the date of issue and the past history of postings of the officer shall be taken into account in future transfer/postings in accordance with this policy.
