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OFFICE OF THE CHIEF COMMISSIONER  
CENTRAL EXCISE & SERVICE TAX, AHMEDABAD ZONE  
AHMEDABAD

**Guidelines for Transfer / Rotation / Posting Policy 2015**

**F.No. II/03-01/CCO/2015**

Date: 08.05.2015

**Executive Officers (Superintendents / Inspectors) and Administrative Officers:**

1. As a result of reorganization and creation of new Central Excise & Audit Commissionerates and Commissioner (Appeals) in Ahmedabad Central Excise Zone, under the jurisdiction of the Chief Commissioner, Central Excise & Service Tax, Ahmedabad Zone, Ahmedabad, it has become necessary to frame revised guidelines for transfer and posting of officers / staff in Ahmedabad Zone, taking into consideration the administrative needs and constraint, geographical area of the Commissionerates and other allied factors. Accordingly, the following guidelines are framed in consultation with the Service Associations, for transfer and posting of Group "B" Gazetted and Non-Gazetted Executive Officers, non executive and Administrative Officers of Central Excise Ahmedabad Zone, in supersession of the earlier transfer policy dated 27.02.2004 issued from F.No. II/03-11/CCO/2002, issued by the Chief Commissioner's Office and amended from time to time.

a). The officers and staff posted in Central Excise Ahmedabad Zone are liable to be transferred anywhere in Central Excise Ahmedabad Zone as per the administrative exigency, if any arises.

b) The posting to the charge of Chief Commissioner, Customs Zone, Gujarat, Ahmedabad will be for 04 (four) years and detailed posting in the Customs formations will be decided by the Chief Commissioner / Commissioner of Customs.

c) The officers will be posted to Customs Gujarat Zone as per the Customs Policy. However, the officers simultaneously due for posting outside Ahmedabad Sector i.e. Rajkot Sector would not be considered for their posting in Customs formations. The same criteria would also apply in case of officers of Rajkot Sector who are due for posting to outstation i.e. Ahmedabad Sector.

d) The officers on completion of their tenure in Customs, would be transferred to Central Excise Zone.

e) The seniority of the officers will be decided in accordance with the Seniority List prepared by CCE, Vadodara as on 01.01.2014 except for Inspectors which will be in accordance with the Draft Seniority List prepared by CCE, Vadodara as on 01.01.2014.

2. For administrative convenience and for the purpose of Transfer Policy, the Commissionerates of Central Excise Ahmedabad Zone have been divided into two sectors:

a) **Ahmedabad Sector:** Commissionerates/ formations of Ahmedabad Sector are as follows:

- 1) Chief Commissioner's Office (CCO)
- 2) Central Excise, Ahmedabad - I
- 3) Central Excise, Ahmedabad - II
- 4) Central Excise, Ahmedabad - III

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- 5) Service Tax, Ahmedabad
- 6) Audit – I Commissionerate
- 7) Audit – II Commissionerate
- 8) Commissioner (Appeals) - I / II
- 9) CESTAT, Ahmedabad Bench

b) **Rajkot Sector** : Commissionerates/formations of Rajkot Sector are as follows:

- 1) Central Excise, Rajkot
- 2) Central Excise, Bhavnagar
- 3) Central Excise, Kutch
- 4) Audit – III Commissionerate
- 5) Commissioner (Appeals)- III

3. The officers would normally be rotated within the respective Sectors unless administrative exigencies arise. The tenure for all the Commissionerates of Central Excise Zone, Ahmedabad is for a period of 04 (four) years with the exception of the following formations:

a) **Chief Commissioner's Office (CCO)**: Tenure of posting to Chief Commissioner's Office should not exceed a period of two years unless the same is requested by the officer himself and the Chief Commissioner considered his continuation to CCO in public interest as per his/her convenience. No limit of tenure for CCO is therefore prescribed.

b) **Commissioner Appeals (I / II / III)** : The tenure for posting to Commissioner (Appeals) will be for a period of 2 (two) years.

c) **Audit – I / II / III** : The tenure for posting to Audit Commissionerates shall be for a period of 3 (three) years subject to policy changes being made by DG, Audit / Board.

d) **CESTAT, Ahmedabad Bench** : The tenure of posting to CESTAT, Ahmedabad Bench will be for a period of 2 (two) years.

e) **Rajkot, Bhavnagar and Kutch Central Excise Commissionerates**: The tenure of posting to Rajkot, Bhavnagar and Kutch Central Excise Commissionerates will be for a period of 06 (six) years with effect from the AGT of 2016. For the AGT of 2015, the tenure will be taken as 07 (seven) years.

f) In case the vacancy position warrants interchange of the officers from one Sector to another Sector, the same would be done according to the norms for a period of two years.

4. **Administrative Control**: For allocation of officers to Ahmedabad Sector and Rajkot Sector and further posting to the respective Commissionerates, the final authority lies with the Chief Commissioner, Central Excise Zone, Ahmedabad. For the purpose of administrative convenience, the following policy will be followed:

a) In the case of transfer from Central Excise Zone to Customs Gujarat Zone, the Chief Commissioner, Central Excise Zone and Chief Commissioner, Customs, Gujarat Zone will accord joint administrative approval to the recommendations of the Committee of Commissioners of Central Excise Zone and Customs Zone, constituted for this purpose by the Chief Commissioner, Central Excise Zone, Ahmedabad. The orders in this regard will be issued by the office of the Chief Commissioner, Central Excise Zone, Ahmedabad. Similarly,

orders for transfer/ rotation from Customs Gujarat Zone to Central Excise Zone, Ahmedabad will be issued by the office of the Chief Commissioner, Central Excise Zone, Ahmedabad only.

b) In the case of transfer amongst the Commissionerates of Ahmedabad Sector, Rajkot Sector and inter-sector transfer from Ahmedabad Sector to Rajkot Sector or vice versa, the Chief Commissioner, Central Excise Zone, Ahmedabad will accord administrative approval to the recommendations of the Committee of Commissioners of Ahmedabad Sector and Rajkot Sector constituted for this purpose by the Chief Commissioner, Central Excise Zone, Ahmedabad. However, in the case of transfer / postings in routine course (i.e. except AGT) like promotions / repatriation from deputations etc, the transfer / posting orders will be issued by the office of the Chief Commissioner with the approval of the Chief Commissioner, Central Excise Zone, Ahmedabad. The transfer / rotation of officers within the Commissionerates will be done by the concerned jurisdictional Commissioner.

c) In the case of promotion to the cadre of Inspector and / or Superintendent, the Chief Commissioner, Central Excise Zone, Vadodara (Cadre Controlling Authority) will allocate the officers to Central Excise Ahmedabad Zone and in turn the Chief Commissioner, Central Excise Zone, Ahmedabad will allocate the officers proportionately to the different Sectors and Commissionerates, taking into consideration the vacancy position.

d) In case the officers posted to Ahmedabad Sector / Rajkot Sector are required to be posted to the other Sector due to administrative exigencies like proportionate shortage of staff, excess number of officers etc, the posting of the officers would be decided on the basis of seniority of the officers and the juniormost officers would be transferred to the other Sector for a period of two years. Such officers will not be considered for posting to Customs Zone and for deputations to other agencies or postings to SEZs. In the case of Inspectors, juniormost Inspectors for this purpose will be officers who have put in atleast 1 (one) year of service in the cadre of Inspector. However, unless and until other officers are not available, officers who had been earlier posted to outstation charges of Central Excise Zone (Rajkot Sector in the case of officers of Ahmedabad Sector and vice versa) except on deputation basis, would not be transferred out the Sector for a period of 8 (eight) years.

e) The officer on completion of their tenure of outstation posting of 02 (two) years would be brought back to the parent sector and the replacement if necessary, would be made by the next junior most officers according to their seniority. An officer will be considered to have worked in outstation posting only if the said officer has worked in the outstation posting (other sector - Ahmedabad / Rajkot Sector) for a continuous period of at least 01 (one) year.

f) The officers posted to Rajkot Sector from Ahmedabad Sector will fill up the vacancies of Central Excise, Bhavnagar and Central Excise, Kutch Commissionerates first. The officers posted to Ahmedabad Sector from Rajkot Sector would be distributed amongst all the Commissionerates of Ahmedabad Sector.

#### 5. Sequence for Transfer and Posting Orders:

a) The first step in the transfer process of AGT will be to finalise the draft list of officers to be sent to Customs, Gujarat Zone, Ahmedabad for further posting to Kandla & Mundra Commissionerates based on the willingness of the officers and

subject to the scrutiny of the Committee mentioned at 4 a) above as per Customs Policy. Officers can give their willingness to work in Kandla and Mundra Customs Commissionerates only after completing an immediate continuous working tenure of four years in Central Excise Zone. The officers to be transferred on willingness basis to Kandla / Mundra Commissionerates will be transferred to Customs Gujarat Zone and further posting to Kandla / Mundra will be decided as per Customs Policy.

b) As a second step, in case the Committee is of the opinion that there is a requirement for inter – sector transfer on the basis of proportionate percentage of comparative vacancies or excess of staff in a particular sector viz. Rajkot / Ahmedabad Sector, the list of officers to be transferred to the other sector for a period of two years will be finalized. If it is found that any of the officers whose names had been finalized in the list for posting at 5 a) above are featuring in this list of inter-sector transfer, such names will be deleted from the list at 5 a) above and the next eligible officer will be taken into consideration.

c) As a third step, the list of officers to be transferred to Customs Gujarat Zone will be finalized as per the Customs Policy. The number of officers to be transferred to Customs Gujarat Zone will be decided taking into account the proportionate number of vacancies of both the Zones. For the purpose of calculation of proportionate number of vacancies, the sanctioned strength of Customs Gujarat Zone will be the total sanctioned strength of Kandla, Mundra, Jamnagar and Ahmedabad Customs Commissionerates from which the proportionate sanctioned strength of South Gujarat Customs and the proportionate sanctioned strength of Kandla / Mundra Customs allocated to Vadodara Central Excise Zone will be deducted. The officers will be posted to Customs Gujarat Zone in proportion to the sanctioned strength of Ahmedabad Central Excise Sector and Rajkot Central Excise Sector in the 2/3<sup>rd</sup> category as well as 1/3<sup>rd</sup> category. If an officer has worked in Customs for a continuous period of less than one year, such officer will be considered as "Not Worked in Customs". For calculating the tenure of the continuous period of one year, the continuous period of work by the officer combined as Inspector as well as Superintendent will be taken and the last date of "Worked in Customs" would be taken as date on which the officer was last relieved from Customs. Further, the tenure of postings at Airports on deputation including Sardar Vallabhbai International Airport, Ahmedabad will not be considered as Customs Postings.

d) As a fourth step, the list of officers to be posted to Audit Commissionerates will be finalized.

e) As a fifth step, in the case of Ahmedabad Sector, the list of officers to be posted to Service Tax Commissionerate, Ahmedabad will be finalized.

#### 6. Posting to Audit Commissionerates:

i) The tenure of posting to Audit Commissionerates will be for a period of 03 (three) years subject to policy changes being made by DG, Audit / Board. In respect of the officers who were working in old audit formations (audit sections of Commissionerates prior to 15.10.2014) and were posted from the said audit formations to the new Audit Commissionerates, the tenure in Audit Commissionerates of 3 (three) years will include the continuous tenure of both the old audit formations as well as the present Audit Commissionerate.

ii) Keeping in view of the fact that there are very less number of posts in Audit Commissionerates which are non-sensitive in nature, the officers to be posted to Audit Commissionerates should be free from Vigilance Angle. Further, they

should have worked in a non-sensitive charge for the past 02 (two) years. If an officer has handled a sensitive charge as additional charge during a non-sensitive tenure, the charge will be considered as "Sensitive" charge.

iii) Once an officer has completed his tenure in Audit Commissionerate, he would be eligible for posting to Audit Commissionerate only after a "Cooling Off" period of 04 (four) years. Further, for the purpose of "Cooling Off" period of 04 (four) years, the tenure in Audit Sections of Commissionerates prior to 15.10.2014 will be considered as "Worked in Audit".

iv) The posting to Audit Commissionerates will be made from the pool of officers who are due for posting to Central Excise Zone from Customs after completion of their tenure in Customs and officers who are due for rotation after completion of their tenure in a particular Commissionerate or formations like CCO, Commissioner (Appeals), CESTAT etc. and who fulfill the criteria at ii) and iii) above.

v) For the purpose of posting to Audit Commissionerates, in the case of Inspectors, only those Inspectors will be eligible who have a working experience of atleast two years in the cadre of Inspector.

vi) After selection of the officers for posting at Kandla / Mundra Commissionerates, inter-sector transfer (Rajkot Sector / Ahmedabad Sector) and posting to Customs Gujarat Zone, out of the remaining pool of eligible officers as per the criteria at ii) to v) above, the selection of officers will be done in the following manner:

a) The proportionate number of vacancies which need to be filled in Audit Commissionerates at Ahmedabad Sector and Rajkot Sector will be identified out of which, the vacancies at Ahmedabad Sector and Rajkot Sector will be filled by officers of Ahmedabad Sector and Rajkot Sector respectively.

b)  $2/3^{\text{rd}}$  (two third) of the proportionate vacancies will be filled up by the seniormost eligible officers from the pool of officers mentioned at vi) above.

c)  $1/3^{\text{rd}}$  (one third) of the proportionate vacancies will be filled up by the juniormost eligible officers from the pool of officers mentioned at vi) above.

#### **7. Posting to Service Tax Commissionerate, Ahmedabad:**

After selection of the officers for posting at Kandla / Mundra Commissionerates, inter-sector transfer (Rajkot Sector / Ahmedabad Sector), posting to Customs Gujarat Zone and posting to Audit Commissionerates of Ahmedabad Sector, out of the remaining pool of officers, the selection of officers for Service Tax, Ahmedabad Commissionerate will be done in the following manner:

a)  $2/3^{\text{rd}}$  (two third) of the proportionate vacancies will be filled up by the seniormost officers from the pool of officers who have never worked in Service Tax.

b)  $1/3^{\text{rd}}$  (one third) of the proportionate vacancies will be filled up by the juniormost officers from the pool of officers who have never worked in Service Tax.

c) In the case of both a) and b) above, officers who have worked in Service Tax Commissionerate earlier for a period of atleast 2 (two) years will be considered as "Worked in Service Tax Commissionerate" and will not be posted to Service Tax Commissionerate subject to availability of eligible officers. If officers who

have Not "worked in Service Tax Commissionerate" are not available, officers with the longest gap of "Worked in Service Tax Commissionerate" will be given priority to be posted to Service Tax Commissionerate.

**8. Posting to CCO, Commissioner (Appeals) and other Commissionerates in Ahmedabad Sector:**

After the posting of officers to Rajkot Sector, posting to Customs, Gujarat Zone including posting by willingness to Kandla / Mundra Commissionerates, posting to Audit Commissionerates and posting to Service Tax Commissionerate, Ahmedabad has been decided, from the remaining pool of officers who are due for posting to Central Excise Zone from Customs after completion of their tenure, in Customs and officers who are due for rotation after completion of their tenure in a particular Commissionerate or formations like CCO, Commissioner (Appeals) etc, a Commissionerate wise list as per -seniority i.e. Commissionerate-wise list with the seniormost officer due for rotation at the top will be made. Then,

a) **Posting to CCO, Commissioner (Appeals)- I / II & CESTAT:** The posting of officers to CCO, Commissioner (Appeals) – I / II and CESTAT will be made from the list above, based on the recommendations of CCO / Commissioner (Appeals), CESTAT as the case may be.

b) **Posting of officers to other Commissionerates:** The number of proportionate vacancies in all the Commissionerates will be identified and accordingly, the Committee will recommend the posting of officers from the pool of officers due for rotation / transfer between the Commissionerates taking into consideration the History of Posting of the officers.

**9. Transfer / Rotation in Rajkot Sector:**

a) The tenure of officers in Central Excise, Rajkot, Bhavnagar and Kutch will be 6 (six) years, the tenure of Audit – III Commissionerate will be 3 (three) years and the tenure in Commissioner (Appeals) – III will be 2 (two) years. Once an officer has completed his tenure in Audit Commissionerate, he would be eligible for posting to Audit Commissionerate only after a "Cooling Off" period of 4 (four) years. The other criteria for posting to Audit Commissionerates as per Para 6 above will also apply. However, since these new changes contemplated will have a significant impact on many officers, time should be given for them to prepare themselves for changes if any. In order to ensure a smooth transition, for AGT – 2015, the tenure of officers in Central Excise Rajkot, Bhavnagar and Kutch Commissionerates will be 07 (seven) years. However, the said tenure will be treated as 06 (six) years from AGT – 2016 onwards.

b) Willingness will be called for from officers who are due for rotation to other Commissionerates within Rajkot Sector and officers of Rajkot Sector who have been repatriated from Customs after completion of their tenure in Customs for posting to Rajkot, Bhavnagar and Kutch Commissionerates. An officer, who has completed his tenure in Rajkot / Bhavnagar / Kutch Commissionerate will be eligible for posting in the same Commissionerate only after a "Cooling Off" period of 02 (two) years. Though the tenure in a particular Commissionerate is 06 (six) years, officers who have been posted to Commissionerates, can, on request, be posted back to the Commissionerate where he is willing to work after the said "Cooling Off" period of 2 (two) years and the same will be subject to availability of vacancy and administrative approval. Priority will be given to the officers who had the longest tenure in that Commissionerate from where he is requesting to return back to another Commissionerate.



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c) At the time of AGT, after selection of the officers for posting to Kandla / Mundra Commissionerates (by willingness), inter-sector transfer (Rajkot Sector / Ahmedabad Sector), posting to Customs Gujarat Zone and posting to Audit - III Commissionerate, the remaining pool of officers, including officers repatriated from Customs after completion of their tenure will be rotated from one Commissionerate to another in the following manner :

i) The proportionate number of vacancies in the Commissionerates of Rajkot Sector will be identified.

ii) Willingness / priority for working in a particular Commissionerate will be called for from the officers at c) above. Over and above these officers, in the case of officers who have completed the "Cooling Off" period of 02 (two) years, willingness for posting to Commissionerate within Rajkot Sector will be taken into consideration subject to availability of vacancy and administrative approval. This will include officers who are repatriated from Customs after completion of their tenure. In case there is a situation where the proportionate number of vacancies are less than the number of willingness for a particular Commissionerate, priority will be given to the officers who had the longest tenure in the Commissionerate from where he is requesting to be posted to another Commissionerate.

d) Officers who have completed the age of 57 years shall to the extent administratively possible be posted to the Commissionerate as per the request of the officer.

e) Newly recruited officers shall be equally distributed amongst all the Commissionerates of Rajkot Sector. Newly promoted officers shall, to the extent administratively possible be accommodated in the Commissionerate from where they were promoted. For such newly promoted officers in the cadre of Superintendents, the tenure of the Commissionerate will include the continuous tenure of both the periods prior to promotion and after promotion.

f) Officers of Ahmedabad Sector who are posted to Rajkot Sector for a period of two years shall fill up the vacancies at Central Excise Bhavnagar and Central Excise Kutch first.

g) The transfer and posting in AGT in Rajkot Sector will be undertaken by a Committee of Commissioners consisting of Commissioners of Rajkot Sector appointed by the Chief Commissioner, Central Excise Zone, Ahmedabad for the purpose of posting within Rajkot Sector.

h) To the extent possible, proportional working strength shall be maintained in all the Commissionerates of Rajkot Sector.

10. The postings on rotational transfer basis to DRI, DGCEI, ADG (Vigilance) and ADG (Audit) will be made by the Chief Commissioner's Office in consultation with the concerned jurisdictional ADG on the basis of the willingness of the officers, subject to scrutiny and suitability.

11. The recommendation for posting to encadred SEZs will be made by the Committee headed by the Chief Commissioner and will include the jurisdictional Central Excise Commissioner and the posting will be made in consultation with the jurisdictional Development Commissioner.

12. No requests for Inter-Commissionerate Transfer from Rajkot Sector to Ahmedabad Sector shall be entertained in normal course.
13. In the case of officers whose wards are studying in 12<sup>th</sup> standard or if officers or their immediate family members are facing extreme medical problems or any other genuine problem, such officers shall specifically make representation to the Chief Commissioner, Central Excise Zone, Ahmedabad with supporting documents, seeking exemption from Customs posting / posting to other Sector. Such cases will be decided by the Chief Commissioner, Central Excise Zone, Ahmedabad after due recommendations of the Committee of Commissioners. If the said exemption is granted, the officer will be compulsorily posted to non-sensitive charge during the period of such exemption. Further, in the next year, the names of such officers will be on top of the list as "Due for Customs posting" / Due for "other Sector (Ahmedabad or Rajkot)".
14. Lady officers whose name appears in the probable list for posting to another sector (Ahmedabad / Rajkot) are liable to be posted in the other sector like other officers.
15. All posts in the Commissionerates shall be divided into two categories namely sensitive and non-sensitive and an officer would be, generally, rotated from sensitive to non-sensitive post after a fixed tenure. Ordinarily, an officer shall not be posted for more than two years in a sensitive post. Integrity and efficiency of the officers would be the main criteria for posting of officers to sensitive posts.
16. In case an officer seeks a posting to a particular station in the Commissionerate on medical or other extreme grounds with appropriate supporting evidence, the jurisdictional Commissioner is empowered to take a decision on genuine request, the reasons for which must be recorded in writing.
17. The officers who have completed 57 years of age would be exempted from outstation posting ( Rajkot Sector in the case of Ahmedabad Sector and vice versa ) and posting to Customs. However, if such officers give their willingness in writing, the officers can be considered for both outstation postings as well as Customs postings as and when they are due for the same.
18. Officers against whom vigilance / non vigilance cases are pending / are being contemplated by the Competent Authority shall not be posted to any sensitive posting till they are exonerated from all such charges.
19. Grievances, if any, arising out of implementation of the Transfer Policy shall be expeditiously disposed off by the concerned Chief Commissioner/ Jurisdictional Commissioners.
20. The cut-off date of transfer and posting would be 31<sup>st</sup> May irrespective of the actual date of relieving / joining of such officers.
21. The advance list of officers likely to be posted to Rajkot / Ahmedabad Sector and / or Customs formations shall be prepared and circulated by the first week of April and placed on the notice board / website and copy of the same shall be endorsed to Service Associations well in advance, to enable the officers to make their representations in time.
22. The transfer / posting / rotations will be made by the respective Commissionerates in time, keeping in view the guidelines issued by the Board from time to time and the History of Posting of the officers.





23. Any representation / grievance regarding repatriation / transfer / posting of the officers shall be forwarded by the respective Commissionerate, within a week's time with their comments, to the Chief Commissioner Office.

**24. Transfer on administrative ground or in public interest:**

a) Whenever sufficient reason for deviation from the policy exists, the Chief Commissioner may do so after recording the reasons in writing for the same.

b) Notwithstanding anything contained in this policy, an officer may, if necessary in public interest, or on administrative ground, be transferred or posted to any station or post in Central Excise Zone, Ahmedabad.

**25. Ministerial Officers:**

i) The rotation and transfer of Ministerial Officers from one station to another station need not be issued as a matter of routine. As far as possible, they should be posted in their present station. If there is no vacancy, they can be posted to other stations where a vacancy exists. They may, however, be transferred and posted outside their present place of posting on administrative grounds.

ii) To facilitate smooth repatriation / implementation of this policy for Ministerial Officers posted outside his/ her parent Commissionerate, the concerned Commissioner of Parent Commissionerate, shall send an intimation to Cadre Controlling Authority.

26. This policy shall come into force with immediate effect and supersede all existing, earlier policies.

**Note:**

1. During AGT 2015, the officers presently posted in Audit Commissionerate may be allowed to continue and remaining vacant posts be filled as per norms. The tenure of three years (subject to policy changes being made by DG, Audit / Board) of the officers working in Audit Commissionerates will include the continuous period of working in Audit Sections of Commissionerates prior to 15.10.2014 and the present tenure of the Audit Commissionerates.

This issues with the approval of the Chief Commissioner, Customs, Gujarat Zone, Ahmedabad and Chief Commissioner, Central Excise, Ahmedabad Zone.

  
(DR. MANOJ KUMAR RAJAK)  
ADDITIONAL COMMISSIONER (CCO)

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