

INFORMATION UNDER RTI ACT, 2005

No.C-30019/2/2017-Estt.VI/598
 Government of India
 Central Water Commission

528 (N) Sewa Bhawan,
 R.K. Puram, New Delhi-66.

Dated the 7th September, 2018.

To

Shri Dinesh,
 S/o Shri Hardyal Gangwar,
 J-27A, Shastri Nagar,
 Bareilly, UP-243122

Sub: Online RTI Application dated 24.08.2018 received under RTI Act, 2005.

Sir,

I am directed to refer to your RTI application Regd.No.CWCND/R/2018/ 50143 dated 24.08.2018 and to furnish information under RTI Act, 2005 in respect of Estt.VI Section/CPIO.

Information sought	Information being given
यदि पति तथा पत्नी दोनों ही केन्द्रीय जल आयोग में ग्रुप बी में कार्यरत हो तो क्या उनकी नियुक्ति एक ही स्थान पर हो सकती है यदि हाँ तो उसके लिए क्या नियम तथा क्या औपचारिकतायें संबंधित कर्मचारी द्वारा करनी होगी	केन्द्रीय जल आयोग की स्थानान्तरण प्रक्रिया (Transfer Policy) सलग्न है।

2. As for provision 19(1) of RTI Act, Shri N. Mukherjee, Director (Estt.VI), Seventh Floor (South), Central Water Commission, Sewa Bhawan, New Delhi-110066, is the 1st Appellate Authority.

Yours faithfully,

(R.N. Bharti) 7/9/18

UNDER SECRETARY (Estt.VI) & CPIO
 Tel.No.29583534

Copy to :

1. Shri S.D. Verma, Under Secretary & Nodal Officer w.r.t. letter No.A-49012/8/2017/RTI/327 dated 27.8.2018.
2. DD, SMD to upload the letter on CWC website.

Akl
 10/9/2018
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SMD
 ज.सं./Sec./नि.दि./Dis.
 डा. सं./Dy. No. 1078
 दिनांक/Date 11-9-18

**GOVT OF INDIA
MINISTRY OF WATER RESOURCES, RIVER DEVELOPMENT & GANGA
REJUVENATION
CENTRAL WATER COMMISSION**

***Transfer Policy of Central Water Commission Applicable to
Group 'A' & 'B' Officers of CWES Cadre***

Preamble

In Central Water Commission (CWC), a good number of posts on its establishment are meant for field formations, and therefore, periodical transfer of its employees from one station to another is a normal feature of the requirement of service in CWC. All appointments to Group 'A' & 'B' in CWC inter-alia include a provision for transfer or posting to any part of the country and outside. This policy also covers officers posted on encadred posts of CWES outside CWC.

Nature of functions of CWC varies considerably requiring specialization in specific subjects suggesting a minimal disturbance. At the same time, growth of knowledge/skill of various other functions including the working of field formations is considered essential from the view point of career planning of the officer. This calls for transfer at certain interval from one functional unit to other so that CWC officers can effectively handle various issues that emerge in the water resources sector.

The "Transfer Policy" has been evolved to ensure harmonizing the essential needs of the organization and the interests of the employees as well.

The Transfer Policy offers only general guidelines to the competent authority and does not constitute rules and restricts its powers. General directives issued by the Govt. of India on matters related to transfer from time to time will prevail over the transfer policy of CWC. Delegation of administrative powers in regard to transfers is made separately.

Clause 1

The Policy is applicable to all Group A (except SAG including change of station and HAG level Officers) and Group B officers of CWC including those posted on encadred posts of CWES outside CWC.

Clause 2

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The transfer of Group A and Group B personnel are required to be effected from one station to another to meet various contingencies, some of which are listed next:

- a) For filling up vacancies at any station resulting due to retirement/promotion transfer etc. of the personnel at that station;
- b) On promotion of an individual when the promotee cannot be adjusted at the same station;
- c) Due to administrative reasons including but not limited to:
 - i) Transfer of personnel from sensitive post after completion of specific tenure;
 - ii) requirement from vigilance angle;
- d) On compassionate grounds to address the genuine problems of personnel (to the extent possible) as elaborated under clause 11 and 12;
- e) For meeting obligatory requirements on account of
 - i) transfer of personnel working in NE Region as per Govt. policy;
 - ii) posting of personnel coming back from deputation to other organizations;
 - iii) to ensure that the personnel acquire the requisite field experience to meet the requirements of Recruitment Rules;
 - iv) posting of personnel coming back from foreign deputation;
- f) For fulfilling the Organizational requirements like
 - i) requirement of personnel with known specialization or skill at a particular location;
 - ii) developing all round experience to personnel for his career planning;
- g) For the purpose of adjusting surplus staff/making up deficiencies of staff or shifting/closing/opening of an office of the Commission;

Clause 3

1. Unless governed by some specific provisions/ instructions of Govt. of India, the normal minimum tenure at a station will be of three years duration subject to certain other conditions indicated in this policy.

2. As per guidelines of Govt. of India, tenure for posting in North-East region would be three year during first ten year's of service and thereafter, the tenure would be two year. Periods of leave, training etc. in excess of 15 days per year will be excluded in counting the period of stay in the region.
3. In order to allow more number of Officers to get experience of working in various Wings of Ministry of Water Resources, the normal tenure of posting on encadred posts of MoWR will be three years.
4. As there is no provision of project related special allowance and due to remote location, encadred posts of Farakka Barrage Project are less preferred. The tenure on these posts would be two years and on completion of the same the officer would be posted on a station of his/her choice, to the extent possible.

Clause 4

While selecting persons for transfer from one station to the other, the following prioritization, in general, would be considered:

1. To provide an opportunity to the officers for completing the obligatory field service under the Recruitment Rules, necessary for promotions.
2. Transfer of persons willing to go to a particular place where such transfers are possible and necessary in the interest of work, subject to completion of required tenure at the current station.
3. Officers with longest stay at the place of their present posting at all stations (HQ as well as field) will be considered for transfer. While estimating the period of longest stay, the following points shall be taken into account:
 - i) Officers available for the post/grade in question from the list of promotees to that post/grade shall be simultaneously considered (provided the DPC meeting has been held) along with those already holding that post in that grade.
 - ii) Period spent on deputation within the country in any organisation/project shall be treated at par with CWC posting at that place/region. The time of longest stay shall be counted from the time of his continuous stay at that place/region including the period of deputation.
 - iii) For counting the stay at any particular station/region, the period will be counted from the date of return to that station/region from last posting outside the station/region provided such last posting had been for not less than two years, unless transferred earlier in public interest. Even if transferred

earlier in public interest, a stay of minimum period of one year outside that station should be the criteria for break for deciding the longest stay in that station. Periods of leave in excess of 30 days per year will be excluded in counting the period of stay at that station/region.

- iv) In respect of Gr-B Officers and AD/AEE level Officers of Gr-A, the stay in the region will be considered for counting the longest stay. In general the jurisdiction of the field Chief Engineers will be considered as a region. However, the Delhi region will consist of Delhi, Faridabad and NOIDA.
- v) A list indicating the longest stayees at each station in each grade/post will be published by the CWC administration every year before inviting applications for rotational transfers.
- vi) While considering transfer to a particular location from amongst a number of officers desirous for the posting, preference will be accorded to the officer having lowest aggregate service in the region (jurisdiction of field offices)

Clause 5

While transferring personnel from one station to the other, the following aspects will be kept in view:

1. Officers who have undergone specialised training abroad of more than one month duration shall be required to work atleast for two years in the concerned discipline as soon as it is possible to effect such posting.
2. Officers who have served in the North Eastern Region for a minimum period of two/three years shall not ordinarily be transferred again to that region before the expiry of seven years from the date of their return, unless they desire so.
3. Exigencies of work and other administrative reasons may require transfer of an officer at any time even though he may not have spent sufficiently long time at that particular place/region.

Clause 6

In order to ensure that specialized nature of work is not hampered, while effecting transfers it needs to be ensured that not more than two officers of the same Directorate would be transferred at a time. An indicative list of fields of specialization is given ahead:

- *Design of Civil and Hydro-mechanical Structures*
- *Hydrological studies*

- Remote sensing and GIS Techniques
- Basin Planning and Systems Engineering
- Thermal Civil Design
- Flood Control Applications/Flood Forecasting
- Cost Appraisal and Construction Equipment Planning
- Irrigation Planning

Clause 7

Officers returning from Foreign posting/service shall be liable to be posted at any location (preferably to a post, filling up of which is otherwise difficult) depending upon the requirement. An indicative list of such stations is given next:

- | | |
|-----------------------------------|---|
| • Berhampore (West Bengal) | • Farakka (West Bengal) |
| • Maithon (Jharkhand) | • Jalpaiguri (West Bengal) |
| • Siliguri (West Bengal) | • Srinagar (Jammu & Kashmir) |
| • Asansol (West Bengal) | • GFCC, Patna |
| • Burla (Odisha) | |

Clause 8

Employees due for retirement on superannuation within a period of two years before their superannuation shall not ordinarily be transferred if persons of lesser age are available for manning the post.

Clause 9

Officers under zone of consideration of transfer, including officers returning from a foreign posting should give their preference for a place of posting, well in time, before annual rotational transfers, so that the same will be considered subject to the exigencies of work and administrative requirements along with requests of other officers in the grade entered in the request register maintained for the purpose. The options given will be valid for that particular year only. In addition, all the CWES (Gr-A) officers are urged to keep their bio-data updated on the Bio-Data Information System for CWES (Gr-A), on CWC web-page <http://cwc.gov.in/cwesbis/index.asp> which will be utilized for recommending/taking decision by Placement Committee with regard to their transfer/posting.

Clause 10

As far as possible, transfers shall be ordered in the months of **February to March** and compliance of these orders latest by May end as this will cause least disruption of the

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educational schedule of the School/College going wards of the employees except in the cases of postings ordered in view of promotion, closing/opening of units, additional/expansion of activities of the existing units and any other time bound activity.

The transfer of Group B officers are also required to be made by the field Chief Engineers within their jurisdiction in accordance with these guidelines. Such transfers shall be issued only after the transfer/posting orders are issued by the headquarters.

Chief Engineers shall maintain a list of Group B officers in their region in descending order of longest stay within the region, also indicating the period of stay at each of the stations within the region. This list shall be updated every year and made available to CWC headquarter by the first week of January each year.

Clause 11

Requests for posting to station where the employee's spouse in Govt. service in posted would be considered; and efforts will be made to the extent possible to accommodate the official at or near the place of posting of the spouse subject to the administrative conveniences. While doing so, the existing guidelines issued by the Govt. of India will be operated. Such transfers may be treated as transfers "on request" on compassionate grounds if effected within a period of stay of 3 years at that station; otherwise, the transfer will be treated as in the "public interest".

Clause 12

The following procedures will apply to transfers/postings on compassionate grounds:

1. Employee seeking posting/transfer on compassionate grounds shall apply to the concerned cadre controlling authority/competent authority to order transfer, through proper channel in the prescribed proforma; no application for such transfer received from relatives or sent by the employee direct shall be entertained;
2. Applications for transfers on compassionate grounds shall invariably be forwarded by the existing office of the applicant with suitable remarks to the competent authority;
3. On receipt, these applications shall be entered in compassionate transfer register maintained for each grade/post separately by competent authority for processing/dealing such requests in the order of receipt of the request by the concerned Section. Transfers shall be decided by the competent authority on the merits of each case;

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4. Consideration of applications for transfers on the compassionate grounds shall be subject to verification by and satisfaction of the department of the grounds indicated by the applicants. Applications on medical grounds shall be accompanied by appropriate medical certificate from the authorised medical attendant (where authorised medical attendant is not available, from a Civil Surgeon or a Medical Supdt. of a Govt. hospital) indicating the nature of illness and reasons justifying transfer of the individual;
5. All transfers on compassionate grounds shall be at the expense of the individual, if effected within a period of stay of three years at that station. The request for or against transfer on compassionate grounds will be considered only for the purpose of overcoming immediate personal difficulties faced by the officer on furnishing an assurance by the officer that he would proceed on transfer/re-transfer within a short period. Apart from the degree of personal difficulty of the officer, the general record of the past performance of the officer, the time already spent by the officer in difficult area etc. will be considered.

Clause 13

Officers posted to sensitive places such as involving work of secret/confidential nature or involving procurement/handling of stores, award of contracts etc. shall not ordinarily be retained in that post for a period of more than three years and shall also not be brought back to the same post within three years of transfer from that post. A list indicating such sensitive posts, is embedded in CWC O.M. No. 4/12/2012 – CM&V dated 05.10.2012.

Clause 14

Placement Committees shall be constituted from time to time for recommending transfer/posting in various cadres of CWC as per order of MoWR.

Clause 15

Representations, if any, against the transfer/posting orders shall be made through proper channel, by the individual, within seven (7) days from the date of the receipt of posting orders. The controlling officer shall ensure that the representations alongwith his comments reaches the appropriate authority in the least possible time not exceeding twenty one (21) days in any case. When the representation received through proper channel is considered and rejected by the appropriate authority, the concerned individual shall move without further delay and in no case exceeding fifteen (15) days, failing which the official shall be relieved, /deemed to have been relieved by the competent authority. No further representation in the matter shall be forwarded by the controlling officer.

Clause 16

Appropriate authorities for considering representations against transfers shall be cadre controlling authority for Group B officers as delegated by the Chairman, CWC and Chairman, CWC for Group A officers.

Clause 17

Notwithstanding anything contained hereinabove, Chairman, CWC may at his discretion relax or deviate from the guidelines detailed above and order transfer/posting of any officer in public interest as per the exigencies of work.

This Policy containing 8 pages was adopted in the 137th Commission Meeting of CWC held on 08th July 2014 in New Delhi. Issued vide CWC OM no. 1/5/2014-O&M/1209 dated 06th August, 2014