

No.1/5/2013.Adm.I (CEA)
Government of India
Ministry of Power
Central Electricity Authority
Sewa Bhawan, R.K. Puram

New Delhi, the 27th February, 2014

OFFICE MEMORANDUM

Subject:- Constitution of Committee/Board in the Central Electricity Authority (CEA) for transfer/posting of CPES Officers of CEA in order to implement the Supreme Court's Judgement dated 31.10.2013 in WP (Civil) No.82/2011 in the matter of Shri T.S.R. Subramanian & Others Vs. Union of India & others regarding fixation of tenure of Civil Servants.

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In pursuance to the directions of DoP&T for compliance of the Judgement dated 31.10.2013 of the Hon'ble Supreme Court in WP (Civil) No.82/2011 in the matter of Shri T.S.R. Subramanian & Others Vs. Union of India & others, it has been decided to constitute a Board in the Central Electricity Authority (CEA) to enable and facilitate transfer/posting of CPES officers of CEA. This Board is named as '**Board for CPES Officers transfer/posting**' (BCOT). The Board shall recommend cases for transfer/posting of CPES officers from headquarter to subordinate offices & vice versa and amongst the subordinate offices of CEA. The Board shall comprise of the following :-

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|-----------------------------------|---|-------------|
| (i) Senior most Member, CEA | - | Chairperson |
| (ii) All remaining Member(s), CEA | - | Member(s) |
| (iii) Secretary (CEA) | - | Convener |

2. The Transfer/posting of CPES officers recommended by the BCOT shall be recommendatory and shall be approved by the Chairperson, CEA.

3. The Board shall also consider the cases of transfer/posting of non CPES officers from headquarter to subordinate offices & vice versa and amongst the subordinate offices of CEA.

4. The minimum tenure of an officer at a particular post at a particular place will be TWO YEARS under normal circumstances.

5. **The General Guidelines for Transfer/posting would be as under :**

5.1 **The transfer from one station to another would be made to meet any of the following contingencies:-**

- i) Exigencies of service or administrative requirements;
- ii) Requirements of different formations of Headquarters and subordinate offices of the Authority;
- iii) Providing field experience as per Service Rules, as also for development of officers for manning right positions in the organization; and,
- iv) On promotion/retirement of an individual.

5.2 **The recommendation for transfer/posting of Officers shall inter-alia take into consideration the following :**

- i) Functional requirement of the post(s) ;
- ii) Area of expertise of the Officer ;

- iii) Optimization of the existing manpower ; and,
- iv) Feasibility of posting considering the prospects of promotion in near future and the availability of funds.

5.3 The guiding principles for consideration of cases for transfer/posting shall be as under :

- i) Officers & staff due for retirement on superannuation within a period of 2 years shall not normally be transferred if suitable persons of lesser age are available for manning the post.
- ii) Normally the Officers & staff would not be considered for outside transfer/posting if he/she has already served a tenure of minimum 2 years outside Delhi during the preceding 5 years.
- iii) The posting of Officers & staff to North Eastern (N.E.) Region will be governed by the order of G.O.I. in this regard.
- iv) The Officers & staff who have served in North Eastern (N.E.) Region for a minimum period of Two years as per G.O.I. guidelines shall not ordinarily be transferred again to that region before the expiry of seven years from the date of their return from that place, unless they desire so.
- v) The preference for place of posting may be sought from Officers & staff under the zone of consideration of transfer, for appropriate recommendation subject to the exigencies of work and administrative requirements.
- vi) The period spent by an Officer on deputation/foreign service abroad will be treated as period spent at the place from where the officer proceeded on deputation.

5.4 Transfers on compassionate grounds/ mutual transfers will be governed by the orders of Government of India and the following procedure will apply:-

- a) Employees seeking posting/ transfer on compassionate grounds/mutual transfer shall apply to the competent authority for transfer, through proper channel. No application for such transfers received from relatives or sent by the employee direct i.e, not through proper channel, shall be entertained.
- b) Applications for transfers on compassionate grounds/mutual transfer shall invariably be forwarded by the existing office of the applicant with suitable remarks to the competent authority.
- c) Consideration of applications for transfers on the compassionate grounds/mutual transfer shall be subject to verifications of the grounds indicated by the applicants and satisfaction of the BCOT. Applications on medical grounds shall be accompanied by appropriate medical certificate from the authorized medical attendant indicating the nature of illness and reasons justifying transfer of the individual. The BCOT, if required, may refer the officer & staff to Medical Board for examination prior to acceding to the request for transfer on medical grounds.

5.5 As far as possible, transfers shall be effected ensuring the least disruption to the education schedule of the School/College going wards of the employees except in the cases of posting orders in view of promotions or exigencies of service or administrative requirements.

5.6 There will be a system for making representation on the issue of transfer/posting as per the procedure outlined below :

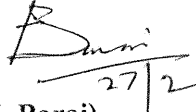
- a) Representation, if any, against the transfer/ posting orders shall be made only through proper channel, by the concerned Officers & staff, within fifteen days of the receipt of transfer/posting orders.
- b) Appropriate authority for considering the representation sent through proper channel against transfer/posting shall be Chairperson,CEA.
- c) In case the representation received through proper channel is considered and rejected by the appropriate authority, the concerned individual shall move without any further delay, failing which the official shall be relieved/deemed to have been relieved by the competent authority.

5.7 No official shall bring or attempt to bring any political or other outside influence to bear upon his superior authority against the transfer/posting order issued. The same shall be viewed adversely and dealt with in accordance with relevant provisions of CCS (Conduct) Rules.

6. The BCOT may, in public interest, recommend the names of officers to the Chairperson, CEA, for transfer before completion of minimum tenure with reasons to be recorded in writing.

7. This OM will supersede the earlier OMs of even number dated 24th December, 2013, 31st December, 2013 and 31st January, 2014.

This issues with the approval of the Chairperson, CEA.


(T.K. Barai)
Secretary

To

1. PPS to Chairperson/Members/Secretary, CEA.
2. All CPES officers & Staff of CEA.
3. Director(IT), CEA – for uploading on CEA website

Copy to:- Shri Ashok Kumar, Deputy Secretary (A), Ministry of Power, Shram Shakti Bhawan, New Delhi