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No.15/2/NCST/2010-Admn.
Government of India
National Commission for Scheduled Tribes

6th Floor, 'B' Wing,
Loknaya Bhawan,
Khan Market,
New Delhi-110003

Dated: 17-09-2010

To

- (1) Shri Maurice Kujur, Hon'ble Vice-Chairperson
- (2) Shri Oris Syiem Myriaw, Hon'ble Member
- (3) Smt. K. Kamala Kumari, Hon'ble Member

Subject: Framing of Transfer Policy for the officers/staff of NCST.

Sir/Madam,

I am directed to enclose herewith a copy of the Agenda Note on the proposal of framing of Transfer Policy for the officers/staff for comments, if any.

2 The above proposal will be discussed in the Commission's meeting scheduled to be held on 21-09-2010.

Yours faithfully,


(Aditya Mishra)
Joint Secretary

Copy alongwith copy of the enclosure for information and necessary action to:-

- (i) Secretary
- (ii) Joint Secretary
- (iii) Director (RU-I & II)
- (iv) DS (Admn.)
- (v) Dy. Director (RU-III & IV)
- (vi) US (A)
- (vii) AD (Coord.)

AGENDA NOTE

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Subject: Posting and transfer of officers and staff under the NCST.

Issue: Framing of a Transfer Policy for NCST.

Background

The erstwhile NCSCST was bifurcated into two separate Commissions, viz., National Commission for Scheduled Castes and National Commission for Scheduled Tribes under the Constitution (89th Amendment) Act, 2003 which came into effect from 19-02-2004. The employees of the Commission can be broadly divided into two categories, e.g. Secretarial staff/officers and the Officers/staff belonging to the joint cadre of Ministry of Social Justice & Empowerment, National Commission for Scheduled Castes and National Commission for Scheduled Tribes. Secretarial employees at the Hqrs. of the Commission belong to the Central Secretariat Service (CSS), Central Secretariat Stenographers Service (CSSS) and Central Secretariat Clerical Service (CSCS) cadres which are controlled by the Ministry of Social Justice & Empowerment. The Secretarial staff in the Regional offices of NCST belongs to the Common cadre of NCST and NCSC which was under the control of erstwhile NCSCST and is presently managed by NCSC. The joint cadre staff comprises the posts of Directors, Deputy Directors, Assistant Directors, Research Officers, Senior Investigators and Investigators. The Ministry of Social Justice & Empowerment is the cadre controlling authority in respect of the Group 'A' posts of Directors, Dy. Directors, and Assistant Directors whereas the cadre in respect of the Group 'B' posts of Research Officers, Senior Investigators and Investigators has been under the control of NCSC. Recently, the Commission has decided to have its own cadre for the posts of Senior Investigators and Investigators.

Examination

2. It is necessary to have a well laid down transfer policy for the officers/staff in NCST so as to maintain transparency and to avoid any sort of discrimination in the matter of transfers and postings.

3. The posting and transfer of the Secretarial staff belonging to CSS, CSSS and CSCS cadres is governed by the Ministry of Social Justice & Empowerment as per the instructions issued by DoPT from time to time. As regards the posts belonging to the joint cadre at the Hqrs. and Regional Offices as also the Secretarial staff in the Regional Offices, the erstwhile NCSCST had laid down a transfer policy for maintaining transparency in the matter of transfer/posting of the staff. The main features of the policy followed by the erstwhile NCSCST were as under:-

- (i) As far as possible Group C and Group D employees should not be transferred except on promotion and non-availability of higher post at the station of working and for administrative reasons. This should, however, be subject to maintenance of efficiency, discipline and interest of the organisation.

- (ii) The Group A and Group B officers and officers of the level of Investigator and above may be made liable for transfer to the Hqrs./other State Offices on promotion or completion of 8 years of service in the same capacity at a particular station.
- (iii) In his/her service span each officer and staff member may be posted at least once in Hqrs. and once in the north-eastern region for a period of two years.
- (iv) Persons likely to retire on superannuation within a period of their last three years of service may be considered for transfer/posting to stations of their choice.
- (v) Normally, deputationists selected against a specific post and place should not be transferred to other stations during their tenure of deputation in the Commission.
- (vi) Transfer of employees, as far as possible should be made towards the end of the academic session so that education of children of employees is not affected due to transfer/posting but in special circumstances transfer could be made at any time.

Proposal

4. The transfer policy of NCST may be broadly based on the transfer policy followed by the erstwhile NCSCST. The instructions issued by DoPT regarding the posting of the husband and wife at the same station (**Annex.I**) may also be taken into account for framing the transfer policy. Accordingly, the transfer policy for the staff and Officers under the control of this Commission may be framed on the following lines:-

- (a) As far as possible groups C and D employees should not be transferred except on promotion and non-availability of higher post at the station of working and for administrative reasons. This should, however, be subject to maintenance of efficiency, discipline in the interest of the organisation.
- (b) The Group A Officers (Directors, Deputy Directors and Assistant Directors) and Group B Officers (Research Officers, Senior Investigators and Investigators) of the joint cadre and the Office Superintendents (Group B post in the Regional Offices of NCST) would be liable for transfer to the Hqrs./other Regional Offices on promotion or on completion of 8 years of continuous service in the same capacity or in different capacities at a particular station.
- (c) In the entire service career, each Group A and Group B officer/staff of the joint cadre will serve at the Commission's Hqrs. for a period of at least 3 years.
- (d) Each Group A and Group B officer/staff (including the Office Superintendent in Regional Offices) will be liable to be posted in the North-Eastern Regional for a period of two years in the entire service career.
- (e) Officers and staff retiring within three years may be considered for posting to the stations of their choice.
- (f) Deputationists selected for posting at a particular station should not normally be transferred to other station during their normal deputation tenure.

- (g) As far as possible and within the constraints of administrative feasibility, the husband and wife should be posted at the same station taking into account the guidelines in this respect issued by DoPT from time to time.
- (h) The rotational transfers under this policy should, as far as possible, be made towards the end of academic session so that the education of the children of the Officers/staff is not adversely affected.

5. At present the following Group 'A' and Group 'B' of joint cadre under the Commission have completed more than 8 years service at their present station (including the service under the erstwhile NCSCST):-

S. No.	Name	Designation	Station	Date of posting at same station
1.	Dr. G.S. Somawat	Director	Jaipur	01-10-1993
2.	Smt. K.D. Bhansor	Dy. Director	New Delhi (Hqrs.)	24-01-1994
3.	Smt. P. Syiemlieh	Assistant Director	Shillong	17-01-1998
4.	Shri S.P. Meena	Assistant Director	New Delhi (Hqrs.)	31-12-1991
5.	Shri R.K. Mishra	Assistant Director	Bhubaneswar	12-01-1982
6.	Shri R.K. Dubey	Assistant Director	Bhopal	01-08-2001
7.	Shri V.P. Singhal	Research Officer	Jaipur	19-10-1981
8.	Km. Deepika Khanna	Research Officer	Bhopal	31-07-1987
9.	Shri H.R. Meena	Sr. Investigator	New Delhi (Hqrs.)	17-10-1990

6. Out of the abovementioned officers/staff, Dr. G.S. Somawat, Director and Shri R.K. Mishra, Assistant Director will be retiring on attaining the age of superannuation within three years. Therefore, they may not be disturbed at this stage. Regarding transfer/ posting of the remaining officers/staff the fact that 2 posts of Director, 1 post of Deputy Director, 6 posts of Sr. Investigator and 9 posts of Investigator are vacant under the Commission at present may also be taken into consideration. A statement showing the number of sanctioned posts and number of posts vacant in various grades of the joint cadre is enclosed (Annex.II)

Proposed Suggestions

7. The Commission may consider the transfer policy as proposed in para 4 above. Present course of action for implementation of the policy may also be decided taking into account the position explained in paras 5 and 6 above.

Annex.II**Sanctioned strength and incumbency position of the joint cadre posts under National Commission for Scheduled Tribes.**

S. No.	Designation	Sanctioned Posts	Post filled	Posts Vacant	Remarks
1.	Director	4	2	2	One post circulated for filling up on deputation basis but only one eligible officer has applied. The case is being referred to M/SJ&E for further necessary action. The second post which fell vacant on 01-09-2010 is to be filled up by promotion. Several communications have been sent to M/SJ&E for filling up of the post urgently.
2.	Dy. Director	2	1	1	MSJE requested to fill up the post
3.	Assistant Director	5	5	-	-
4.	Research Officer	6	6	-	-
5.	Sr. Investigator	8	2	6	It is proposed to fill up the vacancies on contract basis
6.	Investigator	10	1	9	
Total		35	17	18	