

OFFICE OF THE COMMISSIONER OF CUSTOMS (GENERAL), MUMBAI ZONE-II,
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA, TALUKA: URAN,
DISTRICT: RAIGAD, MAHARASHTRA-400707.

F.NO.S/43-Gen-102/2018-19/PSO/JNCH

DATE:02.07.2019

STANDING ORDER, No..13../2019

Sub: Policy for Transfer/Rotation in the grade of Superintendents of Customs (Preventive) and Inspectors (Preventive Officers) at Nhava Sheva Customs Zone II-reg.

1. Introduction

1.1 Superintendents of Customs (Preventive) (Group B Executive Gazetted) and Inspectors (Preventive Officer) (i.e., Group B Non-Gazetted) are the cutting-edge level cadres. Their transfer / rotation is presently governed by S.O. No 15/2015 dated 21.4.15, S.O. No. 7448/1999 dated 04/05/1999 as amended from time to time.

1.2 Need for revision in the existing policy

1.2.1 There have been considerable changes in the JNCH administration. The jurisdiction and work allocation of Mumbai Customs Zone-II was redefined and rationalised among the six (6) Commissionerate namely NS Gen, I, II, III, IV, V vide Public Notice No. 91/2018 dated 30/05/2018. Further, vide notification No. 100/2018-Customs (N.T.) dated 27th December 2018, Board has notified NS-IV Commissionerate as Audit Commissionerate.

1.2.2 Human Resource management at Jawaharlal Nehru Customs House (JNCH) was streamlined and brought under a unified structure under Personnel and Establishment section vide Standing order No. 20/2018 dated 14.06.2018. The Standing Order emphasized on reorganising and consolidating the HRM functions of Group B, Group C and other Cadres at JNCH.

1.2.3 Direct Port Delivery (DPD) was introduced at JNCH vide PN No. 127/2016 dated 16.09.2016 to facilitate the trade and to reduce the handling cost and dwell time. Subsequently TURANT, a next generation reform for Ease of Doing Business (Public Notice No. 29/2019 dated 22.03.2019) has also been introduced.

1.2.4 A new 24X7 "Drive Through Scanner (DTS)" has been commissioned from 1st November, 2018 vide PN No. 146/2018 dated 9.11.18 which requires developing a domain knowledge among the officers in interpreting images and which also requires more number of officers to be posted at CSD.

Further in view of the increasing emphasis on Trade facilitation and 'Ease of Doing Business', need has been felt to review the existing transfer and posting policy of the officers.

02. General principles and objectives

2.1 This rotation policy has been formulated for officers in the rank of Superintendents of Customs (Preventive) and Inspectors (Preventive Officers).

2.2 The rotation policy has been re-formulated to balance the need for the officers to get well rounded exposure to a variety of postings on one hand with the need for continuity and institutional memory on the other. This is sought to be achieved by extending the normal tenure of most postings from existing six months to one year. This has been done particularly in those assignments where meticulous record keeping, or file maintenance is required.

2.3 Performance evaluation and proper appraisal of officer is a significant ingredient to ensure delivery standards. Therefore, rotation would be done in consonance with the skill/expertise required for an assignment and also in a manner that is conducive to performance evaluation.

3. Classification of charges: - Different charges in Mumbai Zone-II have been classified into two categories namely Sensitive and Non-Sensitive charges. With the restructuring and work expansion in Zone-II, some sections which had not been classified earlier, have now been categorized as Sensitive/Non-Sensitive section.

3.1 While making transfers and rotation in any grade, the general principle is of rotation from sensitive to non-sensitive charges and vice versa in so far as practicable. It can be seen that total number of sensitive charges are more in numbers than Non-Sensitive charges. Further there are always few officers with vigilance cases who cannot be given any sensitive assignment and therefore to be kept in Non-Sensitive assignments only. In case of JNCH, it is therefore a mathematical impossibility to carry out the broad principle of rotation from Sensitive to Non-Sensitive charges (and vice versa) in all the cases and a few officers would need to continue in sensitive (though different) charges beyond their normal tenure.

3.2 To bring about transparency and to reduce discretion in the matter of transfers and postings it has been decided to apportion all postings at JNCH into three clusters with each of them having a more or less matching working strength. Most of the officers (barring few who have vigilance cases pending against them or those who are not considered for an assignment on administrative grounds etc) would get a chance work in each cluster for one year.

3.3 It is expected that this would improve transparency and fairness in the system of transfer and postings. It is also expected and mandated that respective Placement Committees shall decide on unavoidable deviations, if any (while keeping them to a bare minimum) in a rational and transparent manner keeping in view the performance of the officer, his general reputation, administrative needs etc. Placement Committees may also call the officers for an interaction, if so desired by them, before deciding on their postings.

4. Creation of posting clusters

4.1 Keeping in view the organizational necessity for stability and institutional memory and also need of giving officer an all-round exposure to the different aspects of department's working, all charges/assignments at JNCH are divided into three Clusters: Cluster A, Cluster B and Cluster C for the purpose of transfer/posting in different grades {Annexure A for Superintendent (P) & Annexure B for Inspector (PO)}. Cluster C has further been divided into two sub-clusters C1 and C2. The total tenure of one year in cluster C, in so far as practicable, would be divided into two tenures of 6 months in each sub-cluster viz. C1 and C2.

4.2 Classification of charges among Clusters are based on various considerations viz. grouping all like charges together (Import Examination, Export Examination/ Stuffing), placing all investigation agencies (CIU & SIIB) under single Cluster, need for equally distributing working strength among Clusters etc. Inputs from various staff associations have also been taken while deciding on Clusters.

4.3 A separate division among Clusters are proposed for different grade to account for the different roles they have to perform.

5. Following further guidelines are hereby laid down for the Placement Committee.

5.1 An officer shall be posted to any of charges in a cluster for a minimum tenure of one year, after that he/she shall be rotated to another cluster posting and thereafter to the remaining cluster. In other words, three-year tenure at JNCH shall be divided into three equal parts of one year in each cluster. For example, officer initially posted in cluster B shall

be rotated after one year to cluster A or C and after serving for one year in cluster A or C he shall be posted to cluster C or A (the remaining cluster) for the balance third year.

5.2 An officer posted in cluster C shall undergo two tenures of 6 months in each sub-cluster C1 and C2.

5.3 In case of POs posted to cluster B which are Gate Posting, there would be rotation every Four Months in the manner as decided by Commissioner (G). It is however clarified that this rotation would be within the same cluster B.

5.4 Selection of Superintendents (Preventive) in Import Docks Examination

At present there are 16 posts in import examination which are filled from the grade of Superintendent (Preventive). The criteria for selection of Superintendents in Import Docks Examination shall be strictly as per the guidelines prescribed as below: -

5.4.1 The posting to import docks shall strictly be in the order of seniority within Cluster C.

5.4.2. The Superintendents figuring in ODI list/Agreed list shall not be considered for posting in Import Docks Examination.

5.4.3. ACR grading shall be considered for making selection of officers for import examination. For this purpose aggregate of ACRs of the previous five years shall be considered with marking scheme of five marks for 'Excellent/Outstanding', four marks for 'Very Good' and three for 'Good' shall be adopted. In case, some ACRs are not available then the previous seven years ACRs shall be considered for selection. If an officer has 3 or more APAR of the preceding five APARs missing, he/she shall not be considered for posting to Import Examination.

5.4.4. All Superintendents who possess the bench marks of 20 marks on ACR grading shall be considered for selection. However after an officer qualifies on benchmark/cut-off limit, seniority and vigilance clearance are to be considered for the final selection.

5.4.5. Superintendents of Customs (Preventive) once posted in Import Docks Examination shall not be considered for the same posting again during the present tenure at JNCH, Zone-II.

5.4.6. In case of any dispute regarding applicability and interpretation of any the conditions as stipulated above, the same shall be put up to Commissioner (G), whose decision would be final in this case.

5.5 Subject to the above, the respective Placement committees shall recommend postings for all officers including those who are (on the date of issuance of this policy) working at JNCH and also officers coming on transfer from other zones. Placement committee while making its recommendations shall take into account history of postings of an officer, his work experience, vigilance status and other factors as considered relevant. Placement committee may also call an officer for interaction, if so desired by them, before making its recommendations.

06. Procedure to be followed while deciding transfer and posting (to be read with Standing Order 20/2018 dated 14.6.18)

The P&E Section, JNCH would prepare a list of eligible Superintendents of Customs (Preventive) and Inspectors (Preventive Officers) along with their history of postings and Vigilance status etc. and other relevant data and place them before the Placement Committee.

For transfer of Superintendents (P), the Placement Committee shall ordinarily consist of Commissioner (Gen), Commissioner (Exports), Commissioner (Audit) and one Commissioner (Imports) as nominated by the Zonal Principal Chief Commissioner.

For transfer of Inspectors (PO), the Placement Committee shall ordinarily comprise the Additional/Joint Commissioner (PG), Additional/Joint Commissioner (Vigilance), Additional/Joint Commissioner (CCO) as nominated by the Commissioner (General).

Draft Minutes of the deliberations of Placement Committee shall be prepared by P&E and the same shall be put-up to the competent authority for approval or otherwise. After necessary approval, orders shall be issued by P&E section.

07. Officers figuring in ODI List/Agreed List

The officers figuring in ODI list/Agreed list shall be accommodated in 'non-sensitive' postings only. Similarly, an officer against whom vigilance proceedings have been initiated shall not be posted in a 'sensitive' charge.

08. Training

It shall be the responsibility of the concerned Commissionerate to ensure that mandatory training of adequate duration is given to officers before each posting in order to acclimatize joined officers with the nature of the work in the respective stations. Further, all the officers posted to EDI based work environment (including RMS) shall invariably be given a familiarization/refresher course on a regular basis.

09. Posting before superannuation

The officers due to retire in the next 6 months should not ordinarily be considered for sensitive postings.

10. Floating

A reserve of officers shall be maintained with P&E section comprising of such numbers of POs as considered necessary by Commissioner (G) and the same shall be regarded as non-sensitive posts. Floating shall also be operated as leave reserve for the Zone-II and officers posted to floating shall be utilised for work as assigned to them depending on administrative requirements. Posting to floating shall be for a period of 06 months.

11. History of Postings (HOP)

History of Postings of all Superintendents of Customs (P) and Inspectors (Preventive Officers) shall be maintained by the P&E section, JNCH under the supervision of Addl/Joint Commissioner of Customs (P&E), JNCH. Further, the same shall be put up on the official website periodically to ensure transparency in administration.

12. Representation for or against any specific posting

Before undertaking any transfer/rotation exercise, P&E section shall issue a notice inviting representation from the officers likely to be affected. Minimum 7 days' time shall be given to make representation and choice of postings, if any. All such representations shall be placed before the Placement Committee for consideration.

All post-shift representations will be considered only in exceptional circumstances, after the concerned officer joins at the new place of posting. Post-shift representations shall be addressed to the Commissioner of Customs (General), Mumbai Zone II who will decide on the further course of action as deemed appropriate.

13. Transfer on administrative grounds or in public interest

These guidelines are mandatory but not directory in nature and therefore notwithstanding anything contained in this policy, the Principal Chief Commissioner/Chief Commissioner (Customs) JNCH or Commissioner of Customs (General), JNCH, may, if deemed necessary in public interest, transfer any officer to any other post.

14. Punishability of attempted influence in the matter of postings

Canvassing of political or other influence to bear upon superior authority to further the personal interest by any individual officer amounts to misconduct as per the CCS (Conduct) Rules, 1964 and the Government servant would be liable to be proceeded against accordingly (Rule 20 of conduct rules).


15. Transitional Provisions

This policy takes effect from the date of its issuance and all matters connected with transfer and postings in the jurisdiction of JNCH shall be governed by it. This covers those officers also who are presently working in JNCH and who are hitherto governed by earlier SOs.

Earlier SOs provided 06 monthly tenure to most of the charges. With this policy almost two thirds of the charges have been prescribed tenure of one year.

In this regard it is mandated that respective Placement Committee may take a decision as to the next posting of an officer who is presently posted at JNCH keeping in view his history of postings, work experience and other relevant factors. Decision of committee, as approved by competent authority shall be final in this regard. All those officers who would be joining JNCH from other zones shall be similarly governed.

This issues with the approval of Principal Chief Commissioner of Customs, Zone-II, JNCH.


(UTKARSH R. TIWARI)
02/07/19
Commissioner of Customs (General)
JNCH, Mumbai Zone-II.

Encl: As Above.

Copy to:

1. The Principal Chief Commissioner of Customs, JNCH, Zone-II.
2. All Principal Commissioners/Commissioners of Customs, JNCH, Zone-II.
3. Notice Board.
4. Office Copy.

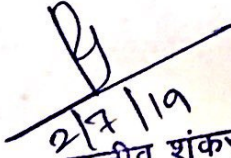
ANNEXURE-A FOR SUPERINTENDENTS

CLUSTER A	CLUSTER B	CLUSTER C
CIU	Centralised Adjudication Cell	C1
SIIB (X)	Centralised Legal Cell	Export Stuffing
SIIB (I)	RTI (X), (I), Sevottam	Export Examination
Vigilance	P & E (PSO, P&E GEN, APAR/IPR, MSO/FSP CELL)	
CSD	CHS	C2
SEZ Arshiya	MCD	Import Examination
Drawback	ONGC	Boarding
CEAC	Centralised Revenue Recovery Cell	U. B.
Import Noting	BBG CELL	Parking Plaza
SAD	Sample Collection	
CRC	Centre Valuation Cell	
Audit/Inspection Cell	Container Cell	
	EGM Coordination Cell	
	Drawback Recovery Cell	
	IGST Refund	
	EP SCH/DEEC	
	Import Bond	
	DPD/RMS Facilitation Centre	
	CCSP	
	Disposal	
	DPD/ AEO Cell	
	Review Cell (X) GEN,II,IV	
	AM(X)	
	Review Cell (I),III,V	
	CCO	
	Appeal	
	R.A./TRA/License	
	PG-Tech	
* Sensitive charges are shown in bold.		


 27/11/19
राजीव शंकर
RAJIV SHANKAR
 संयुक्त आयुक्त सीमाशुल्क
 Joint Commissioner of Customs

ANNEXURE-B FOR PREVENTIVE OFFICERS

CLUSTER A	CLUSTER B	CLUSTER C
CIU	Gate Duties	C1
SIIB (I)		Boarding
SIIB (X)		UB Centre
Vigilance		Export Examination
CSD		
SEZ Arshiya		C2
CCO		FSP Cell
Appraising Main Export		RTI Import
Centralised Adjudication Cell		RTI Export
Centralised Legal Cell		Sevottam / Visitors Pass Section
Disposal		BBG Cell
P & E (PSO, PG TECH, IPR APAR)		Floating
Centralised Revenue Recovery Cell		Container Cell
PCA Audit/ Inspection Cell		Parking Plaza
CHS/MTO/MSO		Oil Bond
EPCG Monitoring Cell		EDI H/W
AEO Cell		Sample Collection
Drawback Verification		CONTROL ROOM
DEC Monitoring Cell		
Review		
Drawback Recovery Cell(BRC Cell)		
CCSP Cell		
R.A/TRA/License		
EGM Coordination Cell		
* Sensitive Charges are shown in bold		


 2/7/19
 राजीव शंकर
 RAJIV SHANKAR
 संयुक्त आयुक्त सीमाशुल्क
 Joint Commissioner of Customs