

**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/5-Gen-58/2018-19-P&E/JNCH

DATE: 03.07.2019

STANDING ORDER, No 15/2019

Sub: Policy for Transfer/Rotation in the grade of Appraisers and Inspectors (Examiners) at Nhava Sheva Customs Zone II –reg.

1. Introduction: -

1.1 Appraisers (Group-B Executive Gazetted) and Inspectors (Examiners) (Group-B Non-Gazetted) are the cutting-edge level carders. Their transfer / rotation is presently governed by S.O. No 19/2015 dated 13.05.2015 as amended from time to time.

1.2 Need for revision in the existing transfer and posting policy: -

1.2.1 There has 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 reorganization 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 introduced 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.

2. General principles and objectives: -

2.1 This rotation policy has been formulated for officers in the rank of Appraisers and Inspectors (Examiners).

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 required.

2.3 Performance evaluation and 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 are to be kept in non-sensitive assignment 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 to 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 performance of the officers, 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 for 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 Appraisers & Annexure B for Examiners (EO)}. 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 like charges together {Import Examination, Import Groups, 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 of charges 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 tenure of 6 months in each sub-cluster C1 and C2.

5.3 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.

6. 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 Appraisers and Inspectors (Examiners) along with their history of postings and Vigilance status etc. and other relevant date and place them before the Placement Committee.

For transfer of Appraisers, the Placement Committee shall ordinarily consist of Commissioner-Gen, Commissioner (Export), Commissioner (Audit) and One Commissioner-(Import) as nominated by the Zonal Principal Chief Commissioner.

For transfer of Inspectors (Examiners), the Placement Committee shall consist of the Additional/Joint Commissioner(P&E), Additional/Joint Commissioner(Vigilance) and 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.

7. 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.

8. 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 officer 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.

9. Posting before superannuation: -

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

10. History of postings (HOP): -

History of Postings of all Appraisers and Inspectors (Examiners) 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.

11. representation for or against specific posting:-

Before initiating rotation/transfer exercise, ASO (P&E) section shall issue a notice inviting representations 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 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 postings. Post-shift representations shall be addressed to Commissioner of Customs (General), Mumbai Zone-II who would decide on the further course of action as deemed appropriate.

12. Transfer on administrative grounds 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, JNCH/Commissioner of Customs (General), JNCH, may, if deemed necessary in public interest, transfer any officer to any post.

13. 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.

14. 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 cover those officers also who are presently working in JNCH and who are hitherto been governed by earlier SOs.

Earlier SOs provided 6 monthly tenures to most of the charges. With this policy almost two thirds of the charges have been prescribed a 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.

Sd/-

(UTKAARSH R TIWAARI)
Commissioner of Customs (General)
JNCH, Mumbai Zone-II.

Encl: - As above

Copy to:

1. The Principal Chief/Chief Commissioner of Customs, Mumbai Zone-I, II & III.
2. All Principal Commissioner/Commissioner of Customs, Mumbai Zone-I, II & III.
3. All Addl./Joint Commissioner of Customs, JNCH, Mumbai Zone-II.
4. The Asstt./Dy. Commissioner of Customs, EDI, JNCH, Mumbai Zone-II for uploading.
5. Notice Board.
6. Office Copy.

ANNEXURE-A FOR APPRAISERS

CLUSTER A	CLUSTER B	CLUSTER C
Gr. I & IA	CCO	C1
Gr.II (A-F)	Commr. (Appeal)	Import Docks (NS-I)
Gr. IIG	Audit	Import Docks (NS-III)
Gr. II (H-K)	EP Schemes Management & Monitoring Cell	Import Docks (NS-V)
Gr. III	CRAC	C 2
Gr. IV	CAC	ASO
Gr. V	Disposal	EDI
Gr. VA	CRRC	AM (Import)
Gr. VB	CCSP CELL	AM (Export)
Gr. VI	Vigilance	CLC
Arshiya SEZ	CSD	CVC
CIU	CEAC	DBK Recovery Cell
SIIB (X)	Drawback	AEO Cell
SIIB (Imp)	CRC	DPD
		DPD/RMS facilitation Centre

* Sensitive Charges in
bold

ANNEXURE-B FOR EXAMINERS		
CLUSTER A	CLUSTER B	CLUSTER C
Gr. I & IA	CCO	C 1
Gr.II (A-F)	Commr. (Appeal)	Import Docks NS-I
Gr. IIG	Disposal	Import Docks NS-III
Gr. II (H-K)	ASO	Import Docks NS-V
Gr. III	P & E	C 2
Gr. IV	EDI	Export Docks
Gr. V	AM (Import)	
Gr. VA	AM(Export)	
Gr. VB	CLC	
Gr. VI	CRAC	
CIU	CVC	
SIIB (X)	CAC	
SIIB (Imp)	DBK Recovery Cell	
Vigilance	DYCC	
CEAC	CRRC	
Drawback	APAR/IPR Cell	
SAD Refund	MSO/Group C Estt.	
CRC	Audit Commissionerate	
	AEO Cell	
	DPD	
	DPD/RMS facilitation Centre	
	EP Schemes Management & Monitoring Cell	

* Sensitive Charges in bold
