

No.11015/2/2015-SSS
भारत सरकार
Government of India
सांख्यिकी एवं कार्यक्रम कार्यान्वयन मंत्रालय
Ministry of Statistics and Programme Implementation
अधीनस्थ सांख्यिकीय सेवा प्रभाग
Subordinate Statistical Service Division

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Sansad Marg, New Delhi-110001
दिनांक/Dated: 30th November, 2015

OFFICE MEMORANDUM

Subject: Framing of Transfer Policy of Subordinate Statistical Service Cadre (SSS)-regarding.

**Reference: 1. DOP&T OM No.11013/10/2013-Estt.A dated 02.07.2015
2. DOP&T OM No.11013/10/2013-Estt.A-IV dated 28.10.2015.**

1. DoP&T vide its OM dated 02-07-2015 has directed all Cadre Controlling Authorities to frame Rotational Transfer Policy for the respective services, *inter alia* prescribing (a) Mechanism of Civil Services Board (b) Prescribing Minimum and Maximum Tenure (c) Identification of sensitive posts and rotation of officers from sensitive posts.

2. The matter has been considered in this Ministry in the light of DoP&T instructions under reference, during a meeting taken by Secretary on 22.07.2015.

3. In this connection, it may be informed that this Ministry has already constituted a Civil Service Board (CSB) which has been mandated with the responsibility of transfer/posting of officers of SSS vide this Ministry OM dated 03.01.2014 and 24.01.2014 in compliance with the judgement of Hon'ble supreme Court of India in WP (Civil) No.82/2011 in the matter of Shri T.S.R. Subramaniam & Ors Vs. UOI. Minimum tenures had also been prescribed.

- (i). The CSBs are required to take a holistic view of the cases under consideration, *inter alia* on considerations of principle of 'right man on the right job', administrative requirements and public interest. The fundamental requirement of having tenures and a due consideration by a set of senior officers on objective, relevant and logical parameters was inherent in the scheme of CSBs and tenure fixation.

(ii). Having regard to the existing systemic arrangement of CSBs and tenures in place, and the CSBs being required and expected to make their recommendations *inter alia* on relevant considerations including principle of 'right man on the right job', administrative requirements and public interest (as well as, to the extent feasible and desirable, consideration for personal convenience), as also that general guidelines/instructions of DoP&T on the subject, including postings in North-East, J&K and hard areas, were available for guidance/ adherence by the CSBs, no other unstructured/misconceived/disjointed/ incomplete guidelines etc. were required. (This will enable smooth and appropriate functioning in the Ministry as well as avoid needless litigation/complaints/representations/mischievous letters, etc.).

4. **CSBs: The system is well institutionalised.** The **collective wisdom** of the CSBs is required to be exercised in a **fair** manner *inter alia* on:

- (a) the principle of 'the right man on the right job';
- (b) the administrative requirements;
- (c) the relevant administrative considerations;
- (d) public interest;
- (e) as well as to the extent feasible and desirable, consideration for personal convenience; and
- (f) as also the general guidelines/instructions of DoP&T referred above.

The recommendations of the CSBs are placed before the competent authority [Secretary (S&PI) & CCA of SSS] for decision.

5. **Minimum tenures:** Minimum tenures have been **prescribed** as an integral part of the scheme of CSBs. The same are as below:

- (a) SSO : 3 Years
- (b) JSO : 3 Years

Further, an officer is transferred before expiry of the minimum tenure **only and only if (a)** the transfer is considered on the officer's own request (where minimum tenure becomes irrelevant) and **(b)** the transfer is considered on administrative reasons (where minimum tenure becomes inapplicable). In all cases, reasons are recorded wherever appropriate and necessary and a carefully considered recommendation is made by the CSB and approved by competent authority [Secretary (S&PI) & CCA of SSS].

6. **Sensitive posts:** With regard to the identification of sensitive posts, instructions of Central Vigilance Commission in their Circular dated **11.09.2013** reiterate that sensitive posts should be identified and staff working in these posts should be strictly rotated after every two/three years to avoid developing vested interests. Regarding

identification of sensitive posts as envisaged in CVC's said circular, it may be seen that **SSS** is essentially a Central Civil Service (Group-B) of **statisticians**. The primary duties of SSS officers is collection, compilation and analysis of statistical data for its dissemination for use by government and other entities in matters of planning, policy formulation, decision-making, evaluation, etc. The general policy of CVC for rotation of Officers in sensitive posts is mainly applicable with reference to posts involving administrative authority like regulatory functions, heavy purchases/procurements, vigilance & administration matters, etc., which are **not** related to the core functioning of the SSS. The issue of **rotational transfer** in case of SSS officers is, therefore, **not** very **germane**.

7. There are broadly two Wings in the Ministry—Statistics Wing and Programme Implementation Wing. There is **no** post in either Wing which may require to be classified as a '**sensitive post**'. However the general status and reputation for integrity (as well as the competence of the officer concerned) is *inter alia* taken into consideration by the CSBs while exercising their collective wisdom on *inter alia* the principle of the right man on the right job.

8. **Maximum tenures:** Maximum tenures have **not** been prescribed, either as an integral part of the scheme of CSBs or otherwise. This aspect was carefully deliberated in the meeting on 22.07.2015.

9. It may be seen that Ministry of Statistics and Programme Implementation has a unique structure. Simply put:

- (a) Administration, Coordination and Internal Finance Divisions and Programme Implementation Wing comprise the Ministry;
- (b) Central Statistical Office (CSO) is an Attached Office of the Ministry;
- (c) National Sample Survey Office (NSSO) is a Subordinate Office of the Ministry;
- (d) Both CSO and NSSO together constitute the National Statistics Office (NSO), which functions as the executive wing of the Government of India in the field of Statistics;
- (e) NSO is headed by Chief Statistician of India (CSI); and
- (f) CSI also functions as Secretary of National Statistical Commission (NSC) as well as Secretary of the Government of India in the Ministry of Statistics and Programme Implementation.

10. **SSS officers** are posted:

- (a) In the Ministry, comprising Administration, Co-ordination and Internal Finance Divisions and Programme Implementation Wing;
- (b) CSO and NSSO;

- (c) NSC Secretariat;
- (d) Participating Ministries/Departments/Organisations of SSS;
- (e) On deputation in Ministries/Departments of Central/State Governments.

11. Due to promotions and requests for transfer on personal reasons, transfers on administrative reasons, etc., there is **fairly large turn-over** of **SSS** officers in the **normal course**.

12. In view of the facts that there is **no** sensitive post/function in the context of the role and functions of the SSS and the fairly large turn-over in the normal course, fixation of maximum tenures is **not** very **necessary** or **appropriate**. On the contrary, fixation of maximum tenures will also lead to **unnecessary** (and albeit undesirable) **dislocation** with **concomitant financial implications** by way of TA etc.

13. SSS Rules, 2013 were notified vide extra-ordinary Gazette Notification dated 31.05.2013. Consequential DPCs for promotion as per the model calendar prescribed by the DoP&T, as well as consequential CSBs for transfers and postings are being undertaken. In this scenario, also, there is **no immediate** need to prescribe maximum tenures for SSS officers in the normal course.

14. It was felt appropriate in the meeting on 22.07.2015 that a 2-membered committee, under DG, NSSO with assistance of Joint Director SSS, may, within **3** months, carefully deliberate on the logic, appropriateness and feasibility of **(a)** maximum tenures and **(b)** a **formal** transfer policy. DG, NSSO may co-opt senior officers from the ISS/SSS and the Administration and Internal Finance Divisions to enable a careful and comprehensive examination of the whole gamut, to facilitate arriving at a logical, appropriate and feasible recommendation on the subject.

15. This issues with the approval of the Secretary (Statistics & PI).

Saraswathy

(K. Saraswathy)

Under Secretary to the Govt. of India

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Copy to:

1. DG(I/C), NSSO, (FOD), R.K. Puram, New Delhi for information
2. DDG, Computer Centre with the request to place this OM on the website of this ministry.