No.A.22019/I/VIII/2013/MF.CGA(A)/NG/Trf/Vol.II | 565

Government of India
Controller General of Accounts
Ministry of Finance
Department of Expenditure
Mahalekha Niyantrak Bhawan
GPO Complex, E-Block, INA
New Delhi – 110023.

Dated, the 20th January, 2017

OFFICE MEMORANDUM

Subject:- Inter-ministry unilateral/mutual transfer of MTS/LDC/Acctt./ Sr.Acctt. of CCAS at same or other station and seniority thereof – regarding.

The undersigned is directed to invite a reference to this office's O.M. No. A-22015/2/77/MF-CGA(A) dated 16.12.1978 regarding inter-ministry unilateral/mutual transfer of Group 'C' and 'D' employees of CCAS at same or other station.

2. References are still being received in this office seeking approval for inter-ministry transfers of MTS/LDC/Acctt./Sr.Acctt. from one station to another. With a view to avoid unnecessary references to this office, it is reiterated that each ministry/department has its own separate and independent cadres of Group 'C' posts in terms of recruitment rules of the posts under Central Civil Accounts Services. Therefore, the cadre of Group C staff is under administrative control of the respective ministry/department. Hence, the Pr.CCAs/CCAs/CAs of the Ministry/Department concerned are competent to consider such requests for inter-ministry unilateral/mutual transfer at same or other stations and take appropriate action in accordance with existing instructions of this office's O.M. ibid dated 16.12.1978 and existing rules/provisions of DoP&T on the subject matter without making a reference to this office, exceptions wherever required.

3. Further, the instructions contained in this office's O.M No. A.11020/1/99-2000/ MF.CGA(A)/829 dated 28.10.1999 and subsequent O.M. No. A.11020/1/2000-01/MF.CGA(A)/ 1621 dated 05.12.2000 are recalled for the purpose of determination of seniority of individuals transferred on unilateral/mutual basis from one ministry to other at same or other station. It is reiterated that such individuals will be placed as junior to the junior most for seniority purpose in the Ministry/Department to which they are transferred. However, their past services within CCAS shall count towards determination of eligibility for promotion. Their immediate seniors in the cadre cannot claim any relief on the plea of their getting promoted earlier, as this office, for limited

purpose of promotion on seniority basis, treats the different cadres of CCAS as a whole by pooling in all the vacancies available in different cadres. Therefore, it is once again clarified that the sole objective of the proviso to Rule 5(2)(C) of RRs is to preserve the seniority maintained by respective Pr.CCAs/CCAs/CAs and not otherwise, while preparing the combined select list in this office on the basis of length of service in the feeder grade.

The contents of this O.M. may please be brought into notice of all concerned for reference and compliance.

20/1/17

(Chander Prakash)
Accounts Officer

To

The Pr.CCAs/CCAs/CAs.

Copy to:-

ITD with the request to upload on official website of CGA

No.A-22015/2/77/MF-CGA(A)/
MINISTRY OF FINANCE
DEPARTMENT OF EXPENDITURE
CONTROLLER GENERAL OF ACCOUNTS
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New Delhi, the 16th December, 1978

OFFICE MEMORANDUM

SUBJECT:- Transfer of Group 'C' staff from one Ministry/ Department to another at different stations or at the same station.

A number of requests from employees working in the departmentalised accounts offices of Ministries/Departments for transfer to other Ministries/Departments at the same station or other stations are being received by this office.

Consequent on the notification of Central Civil Accounts Service (Group 'C') Recruitment Rules, 1978, the cadres of Group 'C' staff are now under administrative control of the respective Ministries/ Depts. I am, therefore, directed to request you that such requests from staff for inter-Ministry transfers need not be sent to this office in future. Instead, the Ministries/Departments concerned may take up the matter with the respective Ministries/Departments who may be in a position to accept such staff at the stations desired by them on unilateral or mutual transfer basis.

The question of regulating seniority of such persons transferred unilaterally/mutually from one Ministry to another is under consideration of this office and further instructions in this regard may be awaited. Meanwhile, it may be specifically indicated in the transfer orders for inter-Ministry/Department transfers that the seniority of the transferred persons in the new Ministry will be regulated in accordance with the orders to be issued by Controller General of Accounts.

(K.S. RAO)
ACCOUNTS OFFICER

Hari/Smt./Km.

C.A./C.A./D.C.A.(Ministry/Department of)

'x' It has subsequent been circulated that transferred staff would be the junior most in new Ministry

A. 11020/1/99-2000/MF.CGA(A)/ 829
CONTROLLER GENERAL OF ACCOUNTS
MINISTRY OF FINANCE
DEPARTMENT OF EXPENDITURE
LOK NAYAK BHAVAN
NEW DELHI

28 October, 1999

OFFICE MEMORANDUM

Sub: InterMinistry transfer on unilateral/mutual basis of Gr.C and Gr.D staff belongingto the Central Civil Accounts Service-eligibility for transfer after unilateral/mutual transfer.

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Reference is invited to this office OM No. A.11019/46/87/MF.CGA(A)/NGE/1806-39 dated 25.11.87wherein it was laid down that in case of inter-ministry transfer on unilateral basis at one's own request or on mutual basis of staff belonging to Central Civil Accounts Service, the government servant concerned loses his/her seniority for the purpose of promotion to the next higher grade.

2. In the light of Hon'ble Supreme Court's ruling in Renu Mullick vs Union of India, (1994) 1 SCC 373, regarding eligibility for promotion after unilateral/mutual transfer, the existing policy has been considered afresh in consultation with Department of Personnel and Training. Accordingly, **henceforth Gr.C and Gr.D employee belonging to Central Civil Accounts Service on his/her unilateral/mutual transfer within Central Civil Accounts Service will be entitled to count past service rendered within Central Civil Accounts Service for the purpose of his/her eligiblility for promotion in Central Civil Accounts Service.** Para 2(iii) of this office OM No.A.11019/46/87/MF.CGA(A)/NGE.1806-39 dated

25.11.87 stands modified accordingly. This will be applicable from the date of issue of this OM i.e. transfers taking place after the issue of this OM and past cases decided otherwise need not be re-opened.

3. Under the new dispensation the persons transferred on unilateral basis shall continue to be placed as junior to the junior most in the Ministry/dept to which they are transferred for the purpose of seniority. The benefit of past service will be restricted only to determine eligibility for promotion to the next higher grade.

4. The above provisions do not apply to cases of unilateral transfers from outside Central Civil Accounts Service.

(S.N.Sahi)
Assistant Controller General of Accounts

All CCA/CA/Dy.CA
Ministry/Dept
New Delhi.

A.11020/1/2000-01//MF.CGA(A)/1621
CONTROLLER GENERAL OF ACCOUNTS
MINISTRY OF FINANCE
DEPARTMENT OF EXPENDITURE
LOK NAYAK BHAVAN
NEW DELHI

5 December, 2000

Office Memorandum

Sub : Clarification regarding proviso to Rule 5(2)(C) of CCAS Gr.C (LDC, Acct, Sr.Acct) Recruitment Rules 2000.

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Attention is invited to Rule 5(2)(c) of CCAS Gr.C(LDC, Acct, Sr.Acct) Recruitment Rules 2000 regulating promotion on seniority basis. In terms of aforesaid provisions, on the basis of select list of "those found fit" by DPCs of respective cadres, this office prepares a combined select list. The **inter-se-seniority of candidates from different Ministries in the combined select list is determined on the basis of length of service rendered by them in the feeder grade**. Further the provisio to the rule ibid provides that while preparing the combined select list, the inter se seniority of candidates from the same Ministry/Dept(cadre) shall be retained in the combined select list. To facilitate implementation of the above clause, CCAs/CAs while forwarding the select list of those found fit have been asked to preserve the seniority as per the seniority list maintained at their end.

2. In view of the above, as a result of unilateral transfers individuals though placed junior to the junior most in the seniority list of the cadre to which they are transferred, count their past service within CCAS towards eligibility for promotion. Their immediate seniors in the cadre, can not claim any relief on the plea of their junior getting promoted earlier, as this office, for the limited purpose of promotion on seniority basis, treats the different cadres of CCAS as a whole by pooling in all the vacancies available in different cadres. Therefore it is clarified that the sole objective of the proviso to Rule 5(2)(C) is to preserve the seniority maintained by respective CCAs/CAs and not otherwise, while preparing the combined select list in this office on the basis of length of service in the feeder grade.

(V.K.Mehta)
Senior Accounts officer

CCA/CA/Dy.CA
All Min./Dept
New Delhi