

F.No.50/8/2013-HRD.1
Government of India
Ministry of Commerce & Industry
(Department of Commerce)
Directorate General of Foreign Trade

Udyog Bhawan, New Delhi
Dated the 31st March, 2014

OFFICE MEMORANDUM

Subject: Implementation of Supreme Court's Judgement dated 31.10.2013 in W.P. (Civil) No. 82/2011 in the matter of Shri T.S.R. Subramaniam & Other vs Union of India & Others – Constitution of Committees for recommending posting/transfer of Indian Trade Service (ITS) and other officers in the Directorate General of Foreign Trade – regarding.

The undersigned is directed to refer to Department of Personnel and Training (DoP&T)'s O.M. No. 11013/10/2013-Estt.A dated 09.01.2014, on the subject mentioned above.

2. In compliance of the Hon'ble Supreme Court's Order dated 31.10.2013 in W.P. (Civil) No. 82/2011, it has been decided to constitute a Committee for recommending posting/transfer in each grade of Indian Trade Service (ITS) and other officers in the Directorate General of Foreign Trade (DGFT), as indicated below:-

Sl. No.	Grade	Composition of the Committee	Authority competent to approve the recommendations of the Committee
1.	Section Head ₹ 4,200/- (Grade Pay) (PB-2: ₹ 9300-34800)	(i) Senior most ITS officer working in the Zonal Office of DGFT. (ii) Joint Director General of Foreign Trade (Administration) in the Zonal Office of DGFT. (iii) Deputy/Assistant Director General of Foreign Trade (Administration) in the Zonal Office of DGFT.	Zonal Additional Director General of Foreign Trade
2.	** Foreign Trade Development Officer (FTDO) ₹ 4,600/- (Grade Pay) (PB-2: ₹ 9300-34800)	(i) Joint Director General of Foreign Trade (HRD) in DGFT Headquarters. (ii) Deputy Director General of Foreign Trade (HRD) in DGFT Headquarters. (iii) Deputy Director General of Foreign Trade (HRD.III) in DGFT Headquarters.	Additional Director General of Foreign Trade (HRD) in DGFT Headquarters.
3.	Assistant Director General of Foreign Trade ₹ 5,400/- (Grade Pay) (PB-3: ₹ 15600-39100)	(i) Additional Director General of Foreign Trade (HRD) in DGFT Headquarters. (ii) Joint Director General of Foreign Trade (HRD) in DGFT Headquarters. (iii) Deputy Director General of Foreign Trade (HRD) in DGFT Headquarters.	Director General of Foreign Trade.

4.	Deputy Director General of Foreign Trade ₹ 6,600/- (Grade Pay) (PB-3: ₹ 15600-39100)	(i) Additional Director General of Foreign Trade (HRD) in DGFT Headquarters. (ii) Joint Director General of Foreign Trade (HRD) in DGFT Headquarters. (iii) Deputy Director General of Foreign Trade (HRD) in DGFT Headquarters.	Director General of Foreign Trade.
5.	Joint Director General of Foreign Trade ₹ 7,600/- (Grade Pay) (PB-3: ₹ 15600-39100)	(i) Additional Director General of Foreign Trade (HRD) in DGFT Headquarters. (ii) Joint Director General of Foreign Trade (HRD) in DGFT Headquarters. (iii) Deputy Director General of Foreign Trade (HRD) in DGFT Headquarters.	Director General of Foreign Trade.
6.	Additional Director General of Foreign Trade ₹ 10,000/- (Grade Pay) (PB-4: ₹ 37400-67000)	(i) Director General of Foreign Trade. (ii) Additional Director General of Foreign Trade (HRD) in DGFT Headquarters. (iii) Senior most ITS officer working in DGFT Headquarters.	Commerce Secretary.

**** As the transfers/postings in respect of FTDOs are decided in DGFT Headquarters, the Committee mentioned at Sl. No. 2 above will decide the transfers/postings of FTDOs both within the Zones as well as outside the Zones.**

3. The Committee would take up the following while recommending to the Competent Authority:-

- a) Section Heads and Foreign Trade Development Officers are liable for transfer within the Zones. ITS officers are liable for transfer all over India. At the time of transfer, officers may indicate options for choice of postings and transfers would be made subject to exigencies of work.
- b) **Normal Tenure:** Normally ITS officers will be allowed a minimum tenure of 3 years in a post.
- c) **On Promotion:** Officers will be transferred on promotion, irrespective of the number of years spent at the place of posting, except in cases where the officer is retiring within a period of 2 years.
- d) **Tenure of Deputation:** As per approved guidelines, the maximum period of service of an ITS officer to an ex-cadre/foreign service/cadre post outside DGFT will be 5 years and on completion of 5 years tenure, the officer will revert to his parent organization, i.e. DGFT and serve for 2 years as cooling off period in the Zonal Offices/Regional Authorities of DGFT. The period of deputation/posting outside DGFT beyond 5 years can be extended only in exceptional circumstances with the specific approval of the Hon'ble Commerce and Industry Minister. Extension beyond 7 years will not be permitted.

- e) Request for transfer posting on exigencies can be considered on file with the approval of the Competent Authority.
- f) An officer who has less than 2 years of service left prior to superannuation will not normally be transferred unless there are compelling circumstances.
- g) Postings of spouse in the same station can be considered and also providing station of their choice to officers on return from postings in harsh areas like Srinagar, North-East, etc. would be considered as far as possible.
4. The transfer policy and guidelines prescribing the tenure for posting of ITS and other officers in DGFT are only directory in nature and not mandatory. Any officer can be transferred by the Competent Authority at any time to any post on administrative grounds.



(Nirmal Kumar)

Deputy Director General of Foreign Trade

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☎ 011 - 23061562/Extension: 255

To

All ITS Officers through Zonal/Regional Offices of DGFT.

Copy to:-

1. The Additional Secretary, Department of Commerce, Udyog Bhawan, New Delhi.
2. PPS/PS to DG/all Additional DGsFT/all Joint DGsFT, DGFT Headquarters.
3. The Director (Establishment), (Shri J.A. Vaidyanathan), DoP&T, North Block, New Delhi w.r.t. their O.M. No. 11013/10/2013-Estt.A dated 09.01.2014.
4. Shri G.B. Upadhyay, Deputy Secretary (E.I), Department of Commerce, Udyog Bhawan, New Delhi.
5. The Deputy DGsFT (HRD/HRD.III), DGFT Headquarters, Udyog Bhawan, New Delhi.
6. The Zonal Additional DGsFT/Joint DGsFT of Regional Authorities of DGFT.
7. HRD.II/HRD.III and O&M Sections/ *EDI for uploading on the website*
8. Guard file.



(Nirmal Kumar)

Deputy Director General of Foreign Trade

F.No.50/8/2013-HRD.I 2504
Government of India
Ministry of Commerce & Industry
(Department of Commerce)
Directorate General of Foreign Trade

Udyog Bhawan, New Delhi
Dated the 21/8 August, 2015

OFFICE MEMORANDUM

Subject: Implementation of the Supreme Court's Judgement dated 31.10.2013 in W.P. (Civil) No. 82/2011 in the matter of Shri T.S.R. Subramaniam & Others vs. Union of India & Others – Constitution of Committees for recommending posting/transfer of Indian Trade Service (ITS) and other officers in the Directorate General of Foreign Trade – regarding.

The undersigned is directed to refer to this Directorate's O.M. No. 50/8/2013-HRD.I dated 31.3.2014, on the subject mentioned above, and to convey that the following modification has been made in the composition of the Committee for recommending posting/transfer in the Senior Administrative Grade (SAG) of the Indian Trade Service (ITS):-

Sl.No.	Grade/Post	Composition of the Committee	Authority competent to approve the recommendations of the Committee
6.	<u>SAG</u> (Additional Director General of Foreign Trade/Development Commissioner (SEZ)/Trade Advisor) Pay Band – 4 (₹ 37400-67000) Grade Pay: ₹ 10,000/-	(i) Director General of Foreign Trade. (ii) Additional Director General of Foreign Trade (HRD) in DGFT Headquarters. (iii) Joint Secretary (SEZ), Department of Commerce. (iv) Senior most ITS officer working in DGFT Headquarters.	Commerce Secretary.

2. The other contents of the above mentioned O.M. dated 31.3.2014 shall remain unchanged.

3. This issues with the approval of the Competent Authority.

(Nirmal Kumar)
Deputy Director General of Foreign Trade
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☎ 011 – 23063918

To

All ITS officers through Zonal Offices/Regional Authorities of DGFT.

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Copy to:

1. PPS to Commerce Secretary.
2. The Additional Secretary, Department of Commerce, Udyog Bhawan, New Delhi.
3. PPS/PS to DG/all Additional DGsFT/all Joint DGsFT in Headquarters.
4. Department of Personnel and Training {Shri Mukesh Chaturvedi, Director (Estt.)}, North Block, New Delhi.
5. Department of Commerce {Shri Madhup Vyas, Director (SEZ)}, Udyog Bhawan, New Delhi.
6. Department of Commerce {Shri G.B. Upadhyay, Deputy Secretary (E.I)}, Udyog Bhawan, New Delhi.
7. All Zonal Offices and Regional Authorities of DGFT.
8. EDI for uploading the O.M. on this Directorate's website.
9. HRD.II/HRD.III/O&M Sections.
10. Guard file.