



सत्यमेव जयते
भारत सरकार

GOVERNMENT OF INDIA

पोत परिवहन मंत्रालय

MINISTRY OF SHIPPING

नौवहन महानिदेशालय

DIRECTORATE GENERAL OF SHIPPING

"बीटा बिल्डिंग", 9 वी मंजिल / "BETA BUILDING", 9th FLOOR

आइ-थिंक टेक्नो कॅम्पस / I-THINK TECHNO CAMPUS

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Dated: 03.01.2019

To,

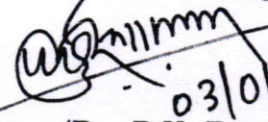
- (1) All Officers of the Directorate
- (2) All Allied Officers of the Directorate

Subject: Policy for forwarding application of Officers/Staff of Directorate General of Shipping and Mercantile Marine Departments for Deputation within Central Government, State Governments, Autonomous/Statutory bodies, Public Sector Undertakings, Universities, Union Territories administration, Local bodies etc.

Sir,

I am directed to forward herewith the policy guidelines for deputation of officers/staff of the Directorate General of Shipping, Mumbai and its allied officers, duly approved by the competent authority for information and necessary compliance.

Yours faithfully,


03/01/2019

(Dr. P.K. Raut)

Deputy Director General of Shipping (Personnel)

Encl: As above

Copy forwarded for information to

1. The Secretary to the Govt. of India, Ministry of Shipping, Transport Bhavan, 1, Parliament Street, New Delhi-110 001.
2. Sr. PS to DG (S), GoI, Mumbai.
3. Sr. P.S to Addl. DG (S), Mumbai.
4. Computer Cell for uploading on DGS Website

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justify with holding of his/ her application even if otherwise the application would have been forwarded. It may be added for information that where for good & sufficient reasons an application is withheld no infringement of any constitutional right is involved.

(O.M. No. 170/51 ESTS. Dated 21.10.1952)

3.3 In view of the above, the Directorate General of Shipping in exercise of delegation of financial & administrative powers conferred upon her, prescribes the following general principles for forwarding the application of officer for deputation.

4. General Principles for forwarding applications of officer for deputation:

4.1 Applications from the officers/Staff of DGS/MMDs:-

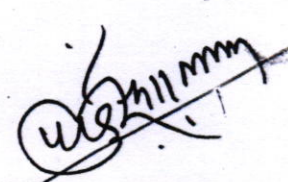
These applications could be forwarded only when minimum 70% of the sanctioned cadre strength for that particular post is available in the organization at that particular point of time. He/she cannot justifiably complain of hardship or harsh treatment if his/her application for any other posts or employment is withheld

4.2 Application of officers/ staff of DGS & MMDs who have been given some technical training at government expenses after commencement of service:-

Such officers cannot justifiably complain of hardship if he/she is retained in DGS and MMDs to capitalize the special qualifications so gained by withholding his/her applications for deputation.

4.3 Application of office/staff of DGS & MMDs within 3 years of their promotion:-

These applications could be forwarded only when he/she completes 3 years of regular service after his/her promotion from one grade to the next grade. Such officers cannot justifiably complain of hardship if their applications of deputation are being withheld within 3 years of their Promotion.


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4.4 Application of officers/ staff of DGS & MMDs for employment in Private Business, Industrial firms etc.:-

Where the officers/staff seek permission for applying for such employment, he/she should submit his resignation or notice of retirement as the case may be before applying for private employment. He/she cannot complain of hardship if his/her application is withheld. While a person remains in Government service, the state can legitimately refuse to surrender its claim on his/her services in favour of private employer.

(O.M No.170/51-ESTS., dated the 21.10.1952 ; OM No. 70/ 10/ 60- ESTT(A) dated 09.05.1960; OM NO 1/6/64 -SCT.I dated 19.03.1964; O.M. No. 5/2/68-ESTT(C) dated 06.05.1968; OM No 8/ 7/ 69 ESTS(C) dated 01.11.1970; OM No 8/ 15/ 71 ESTS(C) dated 16.09.1971; OM No 8/ 22/ 71 ESTS (C) dated 16.10.1971)

4.5 Application of officers/staff of DGS & MMDs before completion of five years of regular service:-

The applications of the officer who has not completed five years of regular service from the date of appointment in DDG/MMDs will not be considered.

4.6 Circumstances in which the applications should not be forwarded:

- a. i) He/ She is under suspension; or
- ii) Disciplinary proceedings are pending against him/her and a charge sheet has been issued; or
- iii) Sanction for prosecution, where necessary has been accorded by the competent authority; or
- iv) Where a prosecution sanction is not necessary, a charge sheet has been filed in a Court of law against him/her for criminal prosecution.
- v) Where he/she is undergoing a penalty- no application should be forwarded during the currency of such penalty.



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b. When the conduct of a Government servant is under investigation (by the CBI or by the Controlling Department) but the investigation has not reached the stage of issue of charge-sheet or prosecution sanction or filing of charge-sheet for criminal prosecution in a court, the application of such a Government servant may be forwarded together with brief comments on the nature of allegations and it should also be made clear that in the event of actual selection of the Government servant, he would not be released for taking up the appointment, if by that time any of the situations in (a) above arises.

4.7 The Competent Authority is empowered to take the final decision for forwarding the application of officers/staff of DGS & MMDs for deputation on case to case basis. Whenever there is any deviation from the above guidelines, the competent authority will examine the same by following the guidelines for manning consciously the balance between utilization of officers for normal functioning of office and avoiding the problems in smooth management of the cadre.

4.8 Tenure of Deputation:-

Period of deputation shall be as per the Recruitment Rules of the ex-cadre post or 5 years in case of no tenure regulations exist for ex-cadre posts in case where the period of deputation prescribed in Recruitment Rules of ex cadre post is 5 years or less than 5 years. The administrative ministry or borrowing organization may grant extension upto 6th year after obtaining orders of their Secretary/ equivalent officer and for the 7th year with the approval of the Minister of borrowing Ministry/ Department with which they are administratively concerned.

(O.M 2/6/2018 ESTS. (Pay -II) dated 18.05.2018)

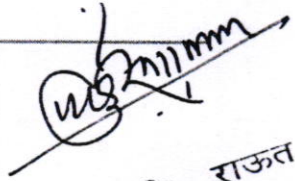

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4.9 Cooling off period:-

There shall be a mandatory cooling off period of 3 years after every period of deputation upto Joint Secretary level posts and 1 year for Additional Secretary level posts

(DoPT O.M. 2/1/2012-Estt(Pay. II) dated 04.01.2013)

5. The above issued guidelines are issued in line with the guidelines issued by Department of Personnel and training (DoPT) from time to time and keeping in view the interests of the organization.


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