

# A FRAMEWORK OF TRANSPARENCY AUDIT

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DIRECTORATE GENERAL OF SHIPPING

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1.5 Rules ,Regulations ,Instructions manual and records for discharging functions [section 4(1)(b)(v)]	<p><b>Section 4 (1) (b) (v) - RULES, REGULATIONS, INSTRUCTIONS, MANUALS AND RECORDS, HELD BY OR UNDER CONTROL OR USED FOR DISCHARGING FUNCTIONS.</b></p> <p>The following rules, regulations and instruction manuals are maintained by the Directorate General of Shipping to regulate its overall functions:-</p> <p><b>Administrative and Financial matters</b></p> <ol style="list-style-type: none"><li>1. Fundamental Rules and Supplementary Rules of 1992.</li><li>2. General Financial Rules of 1963.</li><li>3. Delegation of Financial Powers Rules, 1976.</li><li>4. Treasury Rules of the Central Government.</li><li>5. Central Civil Service (Conduct) Rules, 1964.</li><li>6. Central Civil Service (Classification, Control &amp; Appeal) Rules, 1965.</li><li>7. Central Civil Service (Pension) Rules.</li><li>8. Merchant Shipping Act, 1958.</li><li>9. Coastal vessel Act, 1838</li><li>10. Seamens provident Fund Act, 1966 (through Seaman Provident Fund Organization)</li><li>11. Multimodal Transportation of Goods Act, 1993</li><li>12. Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017</li><li>13. Recycling of Ships Act, 2019</li></ol> <p><b>Other allied matters</b></p> <ol style="list-style-type: none"><li>1. National Shipping Board Rules, 1960.</li><li>2. National Welfare (Board of Seafarers') Rules, 1963.</li><li>3. Merchant Shipping (Levy fee) Rules 1974.</li><li>4. Merchant Shipping (Seamen's Employment Office) Rules, 1986.</li><li>5. Merchant Shipping (Payment of Expenses to Witnesses) Rules, 1986.</li><li>6. Merchant Shipping (Sailing Vessels) Rules, 1997.</li><li>7. Merchant Shipping (Continuous Discharge Certificate-cum-Seafarers' Identity Document) Rules, 2001.</li></ol>
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## 8. Merchant Shipping (Recruitment & Placement Services) Rules, 2005.

### राजभाषा:

1. सूचना प्रबंधन प्रणाली
2. राजभाषा संबंधी प्रावधान
3. राजभाषा अधिनियम
4. राष्ट्रपति के आदेश
5. राजभाषा संकल्प
6. राजभाषा नियम

### TECHNICAL – NAUTICAL WING

1. Merchant Shipping (Registration of Indian Ships) Rules.
2. Merchant Shipping (Life Saving Appliances) Rules.
3. Merchant Shipping (Prevention of Collision at Sea) Rules.
4. Merchant Shipping (Safety of Navigation) Rules.
5. Merchant Shipping. (Distress, Safety & Radio Communication) Rules.
6. Merchant Shipping (Carriage of Cargo) Rules.
7. Merchant Shipping Merchant Shipping (Wreck & Salvage) Rules.
8. Merchant Shipping (Levy of Oil Pollution Cess) Rules.
9. Merchant Shipping (Medical Examination) Rules.
10. Merchant Shipping (Medicine, Medical Stores & Appliances) Rules.
11. Merchant Shipping (Standard of Training, Certification & Watch keeping) Rules.
12. Merchant Shipping (Dredge Master & Mates Examination) Rules.
13. Merchant Shipping (Examination of Skipper and Mates Fishing Vessel) Rules.
14. Merchant Shipping (Civil Liability for Oil Pollution) Rules. (Draft stage).
15. Merchant Shipping (International Oil Pollution Fund) Rules (Draft stage).

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### **EXECUTIVE ORDERS**

1. Merchant shipping Notices and circulars pertaining to the Masters & Mates examinations.
2. Merchant shipping Notices and circulars to the Medical examination.
3. Merchant shipping notices and circulars pertaining to the Life saving appliances.
4. Merchant shipping Notices and circulars pertaining to the Radio communication

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	<p>equipments.</p> <p>5. Merchant shipping Notices and circulars pertaining to the Navigational equipments.</p> <p>6. Merchant Shipping Notices and circulars on single voyage permissions.</p> <p>7. Merchant Shipping Notices and circulars on Towage permission.</p> <p>8. Merchant Shipping Notices and circulars of various types of dispensations.</p> <p>9. Merchant Shipping Notices and circulars pertaining to maritime security.</p> <p>10. Casualty Circulars.</p> <p>11. Merchant Shipping Notices and circulars on Safe Manning.</p> <p><b>MANUALS</b></p> <p>1. Quality Manual on examination of Master &amp; Mate.</p> <p>2. META Manual as guidelines to the examiners of Masters &amp; Mates.</p> <p><b>Application of International Conventions under Nautical Wing</b></p> <p>(a) Safety of navigation</p> <p>1. SOLAS Chapter III, IV, V, VIII, XI and Chapter XII.</p> <p>2. SAR Convention.</p> <p>3. Salvage Convention.</p> <p>4. Stowaways Convention.</p> <p>5. INMARSAT Convention and agreement.</p> <p>6. Nuclear Convention relevant section.</p> <p>7. SUA Convention relevant section.</p> <p>8. UNCLOS Convention – pertaining to registration, manning, piracy, marine environment protection, scientific research, continental shelf and seabed authority.</p> <p>9. Registration of vessels under construction agreement.</p> <p>10. STCW Convention 1995 pertaining to Chapter II, IV, V, VI, VII – Deck and VIII – Deck.</p>
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	<p><b>11. COLREG Convention 1972.</b></p> <p><b>(b) Carriage of Passenger</b></p> <ol style="list-style-type: none"><li><b>Passenger and Luggage Convention.</b></li><li><b>Special Trade Passenger Convention relevant section.</b></li><li><b>Special Trade Passenger ships Space Convention.</b></li><li><b>FAL Convention.</b></li></ol> <p><b>(c) Carriage of Cargo</b></p> <ol style="list-style-type: none"><li><b>SOLAS Chapter VI and VII.</b></li><li><b>Container Convention.</b></li><li><b>Bill of Lading Convention.</b></li><li><b>Hague Visby Rules.</b></li><li><b>Hamburg Rules.</b></li><li><b>MARPOL 73/78 Annex III Hazardous Substances.</b></li></ol> <p><b>(d) Liability</b></p> <ol style="list-style-type: none"><li><b>CLC Convention.</b></li><li><b>Fund Convention.</b></li><li><b>LLMC Convention.</b></li><li><b>Liens and Mortgages Convention.</b></li><li><b>Jurisdiction in Collision Convention.</b></li><li><b>Arrest of Ship Convention.</b></li></ol> <p><b>(e) Pollution</b></p> <ol style="list-style-type: none"><li><b>MARPOL 73/78 - Annex I, Annex II, Annex III and Annex V.</b></li></ol>
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	<ul style="list-style-type: none"><li>2. HNS Convention pertaining to chemical pollution insurance coverage.</li><li>3. Ballast Water Management – Pertaining to Deck operation.</li><li>4. Anti fouling system pertaining to deck operation.</li><li>5. Pollution from waste under London Dumping Convention.</li><li>6. OPRC Convention.</li><li>7. Intervention Convention at High seas.</li></ul> <p>(f) <b>Insurance</b></p> <ul style="list-style-type: none"><li>1. Marine Insurance Act.</li><li>2. York Antwerp Rules.</li></ul> <p>(g) <b>Work environment</b></p> <ul style="list-style-type: none"><li>1. Safe working practices for living and working spaces during deck operations.</li><li>2. ILO Convention pertaining to medical examination and medicines, etc.</li><li>3. Prevention of accidents Convention on ships.</li><li>4. Occupational hazards, Safety and Health in the dock Control Provisions for deck operations.</li><li>5. Any other convention Codes pertaining to the main functions of Nautical Wing.</li></ul> <p><b>Application of various IMO Codes to ships registered under the Merchant Shipping Act, 1958.</b></p> <ul style="list-style-type: none"><li>1. LSA Code.</li><li>2. International Code of Signals.</li><li>3. Code for Cargo Stowage and Securing.</li><li>4. Code for Safe Carriage of Timber Deck Cargo.</li><li>5. Code for Safe Carriage of Grain Cargo.</li></ul>
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	<ul style="list-style-type: none"><li>6. <b>Code for Safe Carriage of Solid Bulk Cargo.</b></li><li>7. <b>Code for Safe Loading and Unloading of Bulk Cargo.</b></li><li>8. <b>IMDG Code.</b></li><li>9. <b>ISPS Code.</b></li><li>10. <b>IBC Code applicable only to the Cargo Carriage.</b></li><li>11. <b>IGC Code applicable only to the Cargo Carriage.</b></li></ul>
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## TECHNICAL – ENGINEERING

	<ul style="list-style-type: none"><li>1. <b>Merchant Shipping Act, 1958.</b></li><li>2. <b>Merchant Shipping (Construction and Survey of Passengerships ) Rules, 1981.</b></li><li>3. <b>Merchant Shipping (Carriage of Cargo) Rules, 1995.</b></li><li>4. <b>Merchant Shipping (Certificate of Service) Rules, 1970.</b></li><li>5. <b>Merchant Shipping (Cargo Ship Construction &amp; Survey) Rules, 1991.</b></li><li>6. <b>Merchant Shipping (Fire Appliances) Rules, 1990.</b></li><li>7. <b>Merchant Shipping (Fire Appliances) Amendment Rules, 1994.</b></li><li>8. <b>Merchant Shipping (Examination of Engineer Officers in the Merchant Navy) Rules 1994.</b></li><li>9. <b>Merchant Shipping (Examination of Engine Driver of Seagoing Ships) Rules, 1992.</b></li><li>10. <b>Merchant Shipping (Indian Fishing Boat Inspection) Rules, 1988.</b></li><li>11. <b>Merchant Shipping (Management for Safe Operation of Ships) Rules, 2000.</b></li><li>12. <b>Merchant Shipping (Prevention of Pollution from Ships by Oil) Rules, 2005 (under notification).</b></li><li>13. <b>Merchant Shipping (Registration of Indian Ships) Rules 1997.</b></li><li>14. <b>Merchant Shipping (Sailing Vessel) Rules, 1997.</b></li><li>15. <b>Merchant Shipping (Standards of Training, Certification and Watchkeeping for Seafarers) Rules, 1998.</b></li><li>16. <b>Merchant Shipping (Cancellation or Suspension of Certificate of Competency) Rules, 2003.</b></li></ul>
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	<p><b>EXECUTIVE ORDERS</b></p> <ol style="list-style-type: none"><li>1. Merchant Shipping Notices pertaining to the Engineers examinations.</li><li>2. Merchant Shipping Notices of various types of dispensations.</li><li>3. Merchant Shipping Notice on Safe Manning.</li></ol> <p><b>MANUALS</b></p> <ol style="list-style-type: none"><li>1. META Manual as guidelines to the Examiners of Engineers.</li></ol> <p><b>CONVENTIONS</b></p> <ol style="list-style-type: none"><li>1. SOLAS</li><li>2. MARPOL</li></ol> <p><b>TECHNICAL – NAVAL ARCHITECTURE WING</b></p> <ol style="list-style-type: none"><li>1. Merchant Shipping Act, 1958.</li><li>2. Merchant Shipping (Construction and Survey of Passengerships ) Rules, 1981.</li><li>3. Merchant Shipping (Cargo Ship Construction &amp; Survey) Rules, 1991.</li><li>4. Merchant Shipping (Life saving Appliances) Rules, 1991.</li><li>5. Merchant Shipping (Life saving Appliances) Amendment Rules, 1995.</li><li>6. Merchant Shipping (Fire Appliances) Rules, 1990.</li><li>7. Merchant Shipping (Fire Appliances) Amendment Rules, 1994.</li><li>8. Merchant Shipping (Carriage of Cargo) Rules 1995.</li><li>9. Merchant Shipping (Safety of Navigation) Rules, 1997.</li><li>10. Merchant Shipping (Distress and Safety Radio Communication) Rules, 1995.</li><li>11. Merchant Shipping (Safety Convention Certificates) Amendments Rules, 1995.</li></ol>
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	<p>12. Merchant Shipping (Carriage of Grain) Rules, 1991.</p> <p>13. Merchant Shipping (Load Line) Rules 1979.</p> <p>14. Merchant Shipping (Tonnage Measurement of Ships) Rules, 1987.</p> <p>15. Merchant Shipping (Crew Accommodation) Rules, 1960, as amended in 1967 and 1970.</p> <p>16. SOLAS 74, as amended.</p> <p>17. MARPOL 73/78.</p> <p>18. Load Line Convention 1966 and Protocol 88.</p> <p>19. International Tonnage Convention 1969.</p> <p>20. ILO 147</p> <p>21. International Safety Management Code (ISM Code).</p> <p>22. International Ship &amp; Port Facility Security Code (ISPS Code).</p> <p>23. International Code for the Construction and Equipment of ships carrying Dangerous Chemicals in Bulk (IBC Code).</p> <p>24. Code for the Construction and Equipment of ships carrying Dangerous Chemicals in Bulk (BCH Code).</p> <p>25. International Life-saving Appliance Code (LSA Code).</p> <p>26. International Maritime Dangerous Goods Code (IMDG Code).</p> <p>27. Code on Intact Stability for all types of ships covered by IMO instruments (IS Code).</p> <p>28. Code of practice for the safe loading and unloading of Bulk Carriers (BLU Code).</p> <p>29. Code of Safe Practice for Cargo Stowage and Securing (CSS Code).</p> <p>30. Code of Safety for Dynamically Supported Craft (DSC Code).</p> <p>31. Code of Safe Practice for Solid Bulk Cargoes (BC Code).</p> <p>32. International Code for Fire Safety Systems (FSS Code).</p> <p>33. International Code for application of Fire Test Procedures (FTP Code).</p> <p>34. Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk (GC Code).</p> <p>35. International Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk (IGC Code).</p> <p>36. International Code for the Safe Carriage of Grain in Bulk (Grain Code).</p>
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	<p>37. International Code of Safety for High-Speed Craft (HSC Code 1994). 38. International Code of Safety for High-Speed Craft, 2000 (HSC Code 2000). 39. International Code for the safe carriage of packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes on board ships (INF Code). 40. Offshore Supply Vessel Code (OSV Code) [A.469 (XII)]. 41. Code for the Construction and Equipment of Mobile Offshore Drilling Units (MODU Code). 42. Code of Safety for Special Purpose Ships (SPS Code) [A.534 (13)]. 43. Code of Safe practice for Ships carrying Timber deck Cargoes (Timber Code) 44. Code of Safety for Diving System [A.536 (13)]. 45. Code on Noise Levels on Board Ships [A.468 (XII)].</p>
	<p><b>(iv) Transfer policy and transfer orders</b></p> <p><u>Directorate General of Shipping, Ministry of Shipping, Govt. of India, 9<sup>th</sup> Floor, Beta Building, I-Think Techno Campus, Kanjur Marg (East), Mumbai-400 042</u></p> <p><u>Transfer/Placement/Posting policy Guidelines for officers of the DGS &amp; its MMDs.</u></p> <p>1. <u>Rationale:</u></p> <p>The paradigm of transfer and placement of officials in a fair, objective and structured manner is a very important means of ensuring efficiency and transparency in administration. Rotating officers amongst various charges/ postings, periodically, albeit on a calibrated mode, also fosters administrative capacity building.</p> <p>It promotes a culture of wider exposure to, experience gathering and expertise development of</p>

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the officers. In effect, it enables a perspective human resource development [HRD] & career management profiling.

### 2. Background:

2.1 The Directorate General of Shipping [DGS], Ministry of Shipping, Govt. of India, is organized into a head-quarters office and 05 District level Mercantile Marine Departments [MMDs], as well as 09 other smaller MMDs [administratively subsumed within the fold of the 05 District MMDs]. Apart from that, there are 09 other field offices, such as [three each];

2.1.1 Govt. Shipping Offices.

2.1.2 Seamens' Employment Offices &

2.1.3 Regional Offices (Sails).

All these are under the administrative control of the Director General of Shipping.

2.2 The DGS performs several statutory, as well as executive functions. It is, therefore, desirable that broad guidelines for the placement, transfer and rotation of its officials, at various levels, in different formations, are formulated & made applicable, Pan-India, uniformly, to ensure an effective, merit-based & norm-driven administration.

### 3. Proposed guidelines :

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	<p>3.1 <u>Aims &amp; objects of the Policy:</u></p> <p>3.1.1 The aim of the proposed transfer, placement &amp; posting policy guidelines is to provide standard norms, transparency, objectivity, perception of fair-play and clarity in transfers &amp; postings. Further, due care has been taken to ensure that the proposed guidelines promote integrity, efficiency, improved performance / service delivery and at the same time provide necessary flexibility to the senior management in running an effective &amp; result oriented administration.</p> <p>3.1.2 The Principal Officers, District Mercantile Marine Departments [05], are required to put in place transfers &amp; postings policies in respect of the officials under their own charge, in their respective formations, within the letter &amp; spirit of the framework of these guidelines, under a formal &amp; immediate intimation thereof to the DGS.</p> <p>3.1.3 <i>The transfer policy would apply only to the regular in-house officers and would exclude, consequently, the officers who are on second deputation to this outlet, for duly approved tenures that are location specific.</i></p> <p>3.2. <u>Periodicity:</u></p> <p>3.2.1 General transfers in respect of Group-A officers may be done in the following schedule, contextual to such positions thereof which are identifiably relocatable in the DGS hdqrs. &amp; MMDs;</p>
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Sr. No.	Station	No. of years of tenure in the given station, at one time
(1)	(2)	(3)
1.	DGS hdqrs. and MMD, Mumbai	8 years [consisting of separate spells of posting at the DGS hdqrs. & MMD, Mumbai, inter-se, within the said overall 8 years, by way of rotation]
2.	Chennai, Kolkata & Examination Centre, NOIDA (NCR-Delhi).	4 Years
3.	All other stations [barring sr. nos. 1,2 & 4 of this table]	3 Years
4.	Port Blair*	2 years (considered as a hard station)

Note :

1.\* An officer completing a full tenure of 2 years at Port Blair would be considered for the next posting of his choice, as far as may be possible.

3.2.2 Non-Group - A officials, manning sensitive positions may be rotated every 03 years and those manning non- sensitive posts may be rotated every 04 years, within the same station.

3.3 Identification of sensitive posts:

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	<p>3.3.1 Any position which involves regular interactions with clients / public/ stakeholders/ staff and / or collection of revenue or where discretionary power vested by statute or executive order is exercisable, would be deemed to be a sensitive posting. In view of this, all the Technical Branches of this Directorate General (which deals with Survey Certification, Inspection/Dispensation &amp; Examination work) along with Shipping Development [SD] Branch, Multimodal Transport Operators [MTO] Branch, Training Branch, MSL Branch, are identified as sensitive Branches of this Directorate General, for this purpose. Further following branches are considered as non-sensitive Crew Branch, Administration Branch, Personnel Branch, Vigilance Branch and Coastal Shipping Branch</p> <p>3.3.2 Similarly, postings of Group-A technical officers in field formations are also identified as sensitive, as they involve examination, survey, inspection, certification and investigation work, bearing underlying discretionary powers.</p> <p>3.3.3 In the foregoing cases, the Group-A officers concerned may be rotated every 3 years, inter-se, within such sensitive Branches of the DGS headquarters</p> <p>3.3.4 Principal Officers [P.O] &amp; Surveyors-in-Charge [S.I.C.], MMDs are required to identify similar sensitive positions in respect of the non-Group-A officials posted within their respective charges.</p>
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	<p>3.3.5 Postings of officers/officials [non-Group - A] within a MMD should be done by the jurisdictional PO/S.I.C in respect of their formations, in the light of these transfer guidelines.</p> <p>3.3.6 They shall keep the DGS duly informed thereto, in writing, immediately thereafter.</p> <p>3.4 <u>Deviation:</u></p> <p>3.4.1. Ordinarily there shall be no deflection from these guidelines.</p> <p>3.4.2 A P.O./S.I.C, MMD, shall take the prior &amp; formal approval of the DGS in the case of any proposed deviation from this policy or any other direction prescribed by the DGS, in this regard, with cogent &amp; justifiable administrative reasons to be recorded in writing.</p> <p>3.5 <u>Rotation between sensitive and non-sensitive postings:</u></p> <p>3.5.1 There shall be a rotation based adherence to the tenure of postings in the case of all posts; sensitive, as well as non-sensitive, to ensure an all-round exposure to and efficiency promotion. However, in case where an adequate numbers of officials are not available due to administrative/vigilance reason(s) and / or due to the ground reality of most field or hdqrs. positions being sensitive in orientation, for posting to sensitive charges, officials may be rotated from one sensitive charge to another sensitive one, inclusive of in different stations.</p> <p>3.5.2 As far as is feasible, an officer in the subsequent cycle of postings may not be considered to be</p>
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posted in the same sensitive charge as an earlier one.

3.5.3 Normally, save to the extant of para 3.5.1. above, there may be a gap of a minimum of 02 years, inter-se, as between one sensitive posting & another.

3.5.4 On reversion from a sensitive posting, as far as is possible, an officer may be posted to a non-sensitive charge for a minimum period of 02 years.

3.5.5 Posting to a sensitive charge may, normally, not exceed 03 years in each assignment as per CVC guidelines in place.

### 4. General norms :

4.1 General transfers ought to be effected by the end of April, annually. Officers in the zone of consideration of transfer in the subsequent year would have to submit [3] choices for postings, coupled with cogent reasons for the same, in order of preference, formally, by December end of the previous year.

4.2 Effort would be made to position officers and their working spouses at the same station or as proximate a station, as far as is administratively possible. Towards this end, the officers concerned will have to formally make due submissions.

4.3 Medical conditions effecting officers and their dependents, as is forthcoming from official record,

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would be given an adequate consideration while effecting transfers.

4.4 Educational grounds of the dependents of officers would be duly factored while making transfers.

4.5 Officers/officials retiring superannuation within the next two years will also be given due consideration while effecting transfers.

4.6 First posting on an appointment/promotion, may, as far as is administratively possible, to be a non-sensitive charge.

4.7 A number of officers manning the administrative branches in the hdqrs. of the DGS, at the level of DDG & ADG, are on deputation and hence, in order to ensure an organizational memory and institutional continuity, as far as is feasible, at-least one regular officer shall be posted, either at the level of Executive Officer/Assistant Director General/Deputy Director General in the branches performing core/ substantive functions of the DGS. Further the officers on deputation are to be posted in DG(s) headquarters only.

4.8 Stability of tenure, as reflected above, shall be respected under all circumstances.

4.9 Transfers involving change of station shall, as far as is feasible be effected at the end of an academic year.

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	<p>4.10 <i>The officer/official who is within two years of his superannuation retirement will be considered to be posted to a place of his or her choice or as close as is possible thereto his choice, subject to administrative service exigencies.</i></p> <p>4.11 <i>An aggrieved officer may request against his transfer order through proper channel, to the competent authority i.e., the officer who has approved the given transfer and may, if required, prefer an appeal there against to the next higher authority, as per the provisions of the CCS[Conduct] Rules in force.</i></p> <p>4.12 The DGS reserve the right to effect any transfer, at any given point of time, on administrative ground(s) or otherwise, to be recorded in writing, irrespective of any guidelines contained in this policy.</p> <p><u>Transfer Orders are posted in the Office Order on the</u></p> <p><a href="https://www.dgshipping.gov.in/Content/OfficeOrders.aspx">https://www.dgshipping.gov.in/Content/OfficeOrders.aspx</a></p>
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