PUBLIC WORKS DEPARTMENT
Government of Uttar Pradesh, India

UTTAR PRADESH STATE ROADS PROJECT
Under IBRD Loan No. 4684-IN

Technical Assistance for Implementation of Institutional Reforms in the Road Sector of Uttar Pradesh

REPORT ON STAFF MOBILITY AND CAREER DEVELOPMENT OF PWD OFFICERS
(FINAL)

Report No. 50

February 2008

LEA International Ltd., Canada
in joint venture with

LEA Associates South Asia Pvt. Ltd., India
in association with

Ministry of Transportation of Ontario, Canada
TABLE OF CONTENTS

1. INTRODUCTION .............................................................................................................................. 1
   1.1 THE IDS ACTION PLAN ........................................................................................................ 1
   1.2 OBJECTIVES OF THIS REPORT ....................................................................................... 2
   1.3 ROLE OF THE HRD AND TRAINING CELL .................................................................. 2
   1.4 THE STRUCTURE OF THIS REPORT .............................................................................. 3

2. CAREER DEVELOPMENT OF PWD ENGINEERS ........................................................................ 4
   2.1 CATEGORISATION OF CIVIL ENGINEERING STAFF .................................................... 4
   2.2 CAREER DEVELOPMENT OF GRADUATE ENGINEERS ............................................. 5
   2.3 EXISTING AND DESIRED CAREER PATH OF GRADUATE ENGINEERS .................. 6
   2.4 CAREER PATH DEVELOPMENT OF PWD ENGINEERS ............................................... 8
   2.5 STRATEGY FOR CAREER DEVELOPMENT OF PWD ENGINEERS ........................... 9

3. STAFF MOBILITY (TRANSFER) POLICY AND PRACTICES ..................................................... 12
   3.1 TRANSFER POLICY IN GOUP ..................................................................................... 12
   3.2 MAIN FEATURES OF UTTAR PRADESH GOVERNMENT ANNUAL TRANSFER POLICY FOR THE YEAR 2007 ................................................................. 12
   3.3 MODIFICATION OF ORDERS APPLICABLE FOR PWD OFFICERS AND STAFF ........ 14
   3.4 IMPLEMENTATION OF TRANSFER POLICY .................................................................. 14
   3.5 SALIENT POINTS OF CSR REPORT ON TRANSFERS ................................................ 15
   3.6 FUTURE OUTLOOK ......................................................................................................... 20

4. RECOMMENDATIONS ON CAREER DEVELOPMENT AND STAFF MOBILITY .............. 21
   4.1 STAFF MOBILITY ............................................................................................................. 21
   4.2 CAREER DEVELOPMENT ............................................................................................... 21

5. FOCUS GROUP MEETING ........................................................................................................... 23

6. PRESENTATION TO PROJECT STEERING COMMITTEE ......................................................... 24

LIST OF TABLES

Table 1 : Existing Career Path of a typical PWD Graduate Engineer ............................................. 6
Table 2 : Desirable Career Path of a typical PWD Graduate Engineer ........................................... 8

LIST OF FIGURE

Figure 1 : Career Path of a Graduate Engineer in PWD ............................................................... 9

ANNEXURES

Annexure – 1 : Annual Transfer Policy for Officers / Staff : 2006 – 07
Annexure – 2 : Extracts from Civil Services Reforms (HOTA Committee) Report 2004
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACR</td>
<td>Annual Confidential Report</td>
</tr>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
</tr>
<tr>
<td>AE</td>
<td>Assistant Engineer</td>
</tr>
<tr>
<td>ASCI</td>
<td>Administrative Staff College of India</td>
</tr>
<tr>
<td>BHU</td>
<td>Benaras Hindu University</td>
</tr>
<tr>
<td>CE</td>
<td>Chief Engineer</td>
</tr>
<tr>
<td>CEO</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>CPWD</td>
<td>Central Public Works Department</td>
</tr>
<tr>
<td>CRF</td>
<td>Central Road Fund</td>
</tr>
<tr>
<td>CRRI</td>
<td>Central Road Research Institute</td>
</tr>
<tr>
<td>CSDP</td>
<td>Core Skills Development Programme</td>
</tr>
<tr>
<td>CSR</td>
<td>Civil Service Reforms</td>
</tr>
<tr>
<td>DPR</td>
<td>Detail Project Report</td>
</tr>
<tr>
<td>EE</td>
<td>Executive Engineer</td>
</tr>
<tr>
<td>E-in-C</td>
<td>Engineer in Chief</td>
</tr>
<tr>
<td>ENC</td>
<td>Electrical and Mechanical</td>
</tr>
<tr>
<td>ESCI</td>
<td>Engineering Staff College of India</td>
</tr>
<tr>
<td>GO</td>
<td>Government Order</td>
</tr>
<tr>
<td>GOI</td>
<td>Government of India</td>
</tr>
<tr>
<td>GoUP</td>
<td>Government of Uttar Pradesh</td>
</tr>
<tr>
<td>GSDP</td>
<td>Gross State Domestic Product</td>
</tr>
<tr>
<td>HQ</td>
<td>Head Quarter</td>
</tr>
<tr>
<td>HR</td>
<td>Human Resource</td>
</tr>
<tr>
<td>HRD</td>
<td>Human Resource Development</td>
</tr>
<tr>
<td>HRM</td>
<td>Human Resource Management</td>
</tr>
<tr>
<td>IBRD</td>
<td>International Bank for Reconstruction and Development</td>
</tr>
<tr>
<td>IDS</td>
<td>Institutional Development Study</td>
</tr>
<tr>
<td>IDSP</td>
<td>Institutional Development and Strengthening Plan</td>
</tr>
<tr>
<td>IIM</td>
<td>Indian Institute of Management</td>
</tr>
<tr>
<td>IIT</td>
<td>Indian Institute of Technology</td>
</tr>
<tr>
<td>IRC</td>
<td>Indian Roads Congress</td>
</tr>
<tr>
<td>IRSE</td>
<td>Indian Railway Service of Engineers</td>
</tr>
<tr>
<td>IT</td>
<td>Information Technology</td>
</tr>
<tr>
<td>ISAP</td>
<td>Institutional Strengthening Action Plan</td>
</tr>
<tr>
<td>ISB</td>
<td>Indian School of Business</td>
</tr>
<tr>
<td>ISO</td>
<td>International Organisation for Standardisation</td>
</tr>
<tr>
<td>JE</td>
<td>Junior Engineer</td>
</tr>
<tr>
<td>JE (T)</td>
<td>Junior Engineer (Technical)</td>
</tr>
<tr>
<td>LAN</td>
<td>Local Area Networking</td>
</tr>
<tr>
<td>MDR</td>
<td>Major District Roads</td>
</tr>
<tr>
<td>MDI</td>
<td>Management Development Institute</td>
</tr>
<tr>
<td>MIS</td>
<td>Management Information System</td>
</tr>
<tr>
<td>MOST</td>
<td>Ministry of Surface Transport</td>
</tr>
<tr>
<td>MoRTH</td>
<td>Ministry of Road Transport and Highways</td>
</tr>
<tr>
<td>NGO</td>
<td>Non Government Organisation</td>
</tr>
<tr>
<td>NITHE</td>
<td>National Institute for Training of Highway Engineers</td>
</tr>
<tr>
<td>NH</td>
<td>National Highway</td>
</tr>
<tr>
<td>NHAI</td>
<td>National Highways Authority of India</td>
</tr>
<tr>
<td>NICMAR</td>
<td>National Institute of Construction Management and Research</td>
</tr>
<tr>
<td>ODR</td>
<td>Other District Road</td>
</tr>
<tr>
<td>PMS</td>
<td>Pavement Management System</td>
</tr>
<tr>
<td>PMGSY</td>
<td>Pradhan Mantri Gram Sadak Yojna</td>
</tr>
<tr>
<td>PSP</td>
<td>Private Sector Participation</td>
</tr>
<tr>
<td>PPU</td>
<td>Policy and Planning Unit</td>
</tr>
<tr>
<td>PR</td>
<td>Public Relations</td>
</tr>
<tr>
<td>PWD</td>
<td>Public Works Department</td>
</tr>
<tr>
<td>QM</td>
<td>Quality Management</td>
</tr>
<tr>
<td>R&amp;B</td>
<td>Road and Buildings Department</td>
</tr>
<tr>
<td>RES</td>
<td>Rural Engineering Services</td>
</tr>
<tr>
<td>RMIT</td>
<td>Royal Melbourne Institute of Technology</td>
</tr>
<tr>
<td>ROI</td>
<td>Return on Investment</td>
</tr>
<tr>
<td>RTI</td>
<td>Right to Information</td>
</tr>
<tr>
<td>SE</td>
<td>Superintending Engineer</td>
</tr>
<tr>
<td>SH</td>
<td>State Highway</td>
</tr>
<tr>
<td>STC</td>
<td>Staff Training College</td>
</tr>
<tr>
<td>STP</td>
<td>State Training Policy</td>
</tr>
<tr>
<td>TA</td>
<td>Technical Assistance</td>
</tr>
<tr>
<td>TCS</td>
<td>Tata Consultancy Services</td>
</tr>
<tr>
<td>TDLR</td>
<td>Training Deputation and Leave Reserve</td>
</tr>
<tr>
<td>TNA</td>
<td>Training Needs Assessment</td>
</tr>
<tr>
<td>ToR</td>
<td>Terms of Reference</td>
</tr>
<tr>
<td>UP</td>
<td>Uttar Pradesh</td>
</tr>
<tr>
<td>UPAAM</td>
<td>Uttar Pradesh Academy of Administration and Management</td>
</tr>
<tr>
<td>UPDESCO</td>
<td>Uttar Pradesh Development Systems Corporation</td>
</tr>
<tr>
<td>UPSRP</td>
<td>Uttar Pradesh State Road Project</td>
</tr>
<tr>
<td>UPSHA</td>
<td>Uttar Pradesh State Highway Authority</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
</tr>
<tr>
<td>VR</td>
<td>Village Roads</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
<tr>
<td>WFP</td>
<td>Workforce Planning</td>
</tr>
</tbody>
</table>
1. INTRODUCTION

Enhancement of PWD capacity to be capable of taking up bigger challenges in infrastructure development in the State is an integral component of the World Bank supported UPSRP II presently under implementation. It is envisioned that, as the economy of the state grows, the UP PWD should be capable of developing and managing a top quality road network in the State.

The Institutional Development Study (IDS) of the UP road sector carried out by TCE et al made a comprehensive set of recommendations for Institutional Strengthening and Capacity Enhancement of the PWD which were endorsed by the Government of UP in September 2001. The resultant Institutional Development and Strengthening Action Plan (IDSP) is now taken up for implementation with the assistance from the TA Consultants.

The IDS study report stated the following:

“Need to carry out a comprehensive human resource planning and development program as a part of the Institutional strengthening program. Its components should include Manpower need assessment, human resource planning, human resource development policy/guidelines, training policy and objectives and finally performance appraisal and career planning. This study has to be in line with the attempts under the CSR process, underway, for the complete State administration”.

The IDSP involves a wide range of reforms in the organisational structure, systems and processes of the PWD. The implementation strategy for the reforms encompasses diverse catalytic interventions aimed variously at PWD road management, capacity building, legislation, policy and process modernisation, organisational, systems and technological enhancements.

Within the overall organisational capacity building initiative, the ‘Human Resource Management and Development’ is one of the critical areas for reforms and capacity enhancement. The HR and Training enhancements to be implemented in the PWD has a range of initiatives including Staff requirement study through robust work force planning exercise, Training Needs Assessment (TNA) of PWD officers and training for skills development under a Core Skills Development Programme (CSDP), Career Planning and development strategies, staff mobility etc.

1.1 THE IDS ACTION PLAN

The IDS Action Plan (serial 6 B) objective states: “Strengthen staff appraisal, career development and performance incentives / factors.”

The Action milestones to be achieved in this regard are:

- Implement revised CSR-linked staff performance appraisal policy and processes
- Develop realistic staff mobility and development initiatives for PWD

Report No. 37 on “Implementation of Revised CSR Linked Staff performance Appraisal policy and processes” has been submitted earlier.
1.2 OBJECTIVES OF THIS REPORT

This report addresses to the TA Consultants’ deliverables:

Report No. 50: Report on Staff Mobility and Career Development of PWD Officers

The report description in the TA Agreement reads: “Report on staff mobility and career development of PWD”. It is presumed that ‘envelopment’ is a typographical distortion of the word ‘development’. The term ‘career development’ is relevant in the context of HRM and is consistent with the stated objective of ‘staff mobility and development initiatives’. The word ‘maintenance’ appears to be out of context to the objective of the report. Therefore, the title of the report is revised as: “Report on staff mobility and career development of PWD Officers”.

1.3 ROLE OF THE HRD AND TRAINING CELL

This is the last report in the series in the area of Human Resource Management and Training. The subject of this report is meant to address two specific areas i.e. staff mobility and career development of PWD staff which were originally scheduled for implementation in the 22nd month of TA Implementation plan. The chronological development of HR enhancements planned in the TA takes into cognisance that a series of substantial HRD initiatives are already in motion and various HR Management and Development systems and processes are in place. The sequence of this report in the series of total TA reports and among the HR related reports suggests that the actions pertaining to this report would be largely dependent on the progress of implementation of the preceding reports.

Implementation of the HRD and training initiatives is the responsibility of the HRD and Training Cell. The need for a dedicated HRD and Training Unit in PWD was established as essential for carrying on the HR and training interventions including staffing realignment for the restructured PWD Organisation. It was mandated that a full-fledged HRD and Training Cell under the charge of a Chief Engineer with adequate staffing and resources would be in place for implementation of reforms in UP PWD. Report no. 4 on the subject due within first 2 months of TA is relevant in this regard. The availability of the full-fledged HRD and Training Cell is far from satisfactory even at this late stage of TA implementation. As a result, the implementation of HRD and Training initiatives is yet to start in the right earnest.

At the time of writing of this report, a beginning has been made towards the establishment of the HRD and Training Cell by issue of the necessary Government Orders on 05 October 2007. An EE has been assigned to the HRD and Training Cell who is yet to assume charge. A consultant has been appointed on contract to look after two areas; HRD as well as Quality Management. It would be necessary to assign suitable officers to the HRD and Training Cell as per Report no. 4, which was discussed and accepted by the Project Steering Committee (PSC) meeting on 26 July 2007. The HRD and Training Cell requires the leadership of a dedicated Chief Engineer (Human Resources) and other professionals to be able to undertake the wide ranging HRD, Organisation Development and Training activities. In the long run the HRD Cell is responsible for placing ‘right people with the right skills and competencies in all positions in PWD and to be able to do so, the Cell itself needs to be staffed rightly.
Career development and staff mobility are two important issues which have an impact on maintenance of motivation and morale of the workforce. Mobility of the workforce is essential for optimum deployment of staff where they are needed. It is an administrative provision built into the service condition of the government employment with the Government maintaining absolute authority to transfer an employee at any time, to any place, it is always more productive when the mobility is effected to provide the necessary career development opportunities, by way of progressive job rotations and opportunities for learning and development in tune with an individual’s career progression path.

1.4 THE STRUCTURE OF THIS REPORT

This report is in 4 sections as described below:

Section 2: Discusses the career development of PWD workforce
Section 3: Discusses the staff mobility policies and issues.
Section 4: Provides recommendations on career developments and staff mobility.
2. CAREER DEVELOPMENT OF PWD ENGINEERS

PWD staff comprises both technical staff and non-technical and are classified under different cadres. PWD’s role as the engineering services provider of the Government, it is the technical staffs that perform the various engineering tasks assigned to the PWD. The technical staffs belong to various disciplines of Civil Engineering, Mechanical Engineering, Electrical Engineering and Architecture. However, Civil Engineers form the core of the staff strength of PWD (over 90%), and having the responsibility of fulfilling the major functions of PWD assigned to executive positions as head of the units like Divisions, Circles and Zones.

The primary responsibility of PWD is planning, design, construction, maintenance and project management of road sector projects. The works concerning buildings and other engineering works having been reduced to a low level and involving only a small section of PWD staff and organisation. The present project, which is a part of UPSRP II, is aimed at capacity enhancement of the ‘Roads Organisation’ of PWD, where over 95% of the PWD staff is employed.

2.1 CATEGORISATION OF CIVIL ENGINEERING STAFF

The categorisation of Civil Engineer cadres in PWD is based on the types of entry, minimum qualifications for entry to a cadre, and the standard career pattern available to the cadre. On the basis of the above, the engineering staffs are in the following two categories:

a. **Graduate Engineers**: Minimum qualification for entry is a Degree in Civil Engineering. The recruitments are made by the State Public Service Commission. This cadre consists of AEs (Class II) and Class I officers in the ranks of EEs, SEs, CE and E-in-Cs. All entries are made in the level of AEs and the higher level positions are filled exclusively by promotions from the next lower levels.

b. **Diploma Engineers**: Minimum qualification is a Diploma in Civil Engineering. JE (Civil) and JE (Technical) belong to this category. The recruitments are made by the Staff Selection Commission.

The above classification is based on the minimum qualifying need for entry to a cadre. It is noted that there are a good number of Post graduate degree holders amongst AE’s to E-in-C, those who joined service after acquiring the PG qualification or have acquired the higher qualifications while in service. Similarly there are a number of graduate (and a few post-graduate) degree holders in the JE cadre, because, either they decided to join the cadre for which the minimum entry requirement is a Diploma or they have acquired a degree subsequent to joining the PWD. It is also likely that there are a small number of Diploma Engineers in the AE cadre who were promoted from JE. But by and large it is taken that the Class II and Class I engineers are Graduate Engineers and JE’s are Diploma Engineers.

In this report we shall deal with career development opportunities for graduate engineers and diploma engineers.
2.2 CAREER DEVELOPMENT OF GRADUATE ENGINEERS

Graduate Engineers have the most contribution to working of PWD as they occupy almost all the management and executive positions in PWD. The salient points concerning the career of a Graduate Engineer are below:

a) Graduate Engineers join as AE and move up in the hierarchy to the highest level available in PWD. All top level position holders in the PWD, i.e. the E-in-C, the CE’s SE’s and EE’s are the engineers who entered service as AE, after going through the rigorous recruitment process of the UP Public Service Commission.

b) All recruitments are in Class II (AE) level. This is unlike some other PWD’s who have direct Class I entry also (like Gujarat R&BD and CPWD). Not having direct Class I recruitment has both positive and negative effects on the cadre. The positive factor being that there is homogeneity in the cadre.

c) On the flip side, the impact of only class II entry combined with purely seniority based promotions (no accelerated promotion for high performers) is that the average age of the senior level engineers (CE’s and SE’s) is 55+ Thus the top level post holders have only a very limited tenure; a few months to at best a couple of years.

d) All graduate engineers are ‘generalists’ and are posted to any of the functions/positions in PWD without any limitations and can be inter changed easily. This means that any of the EEs can be posted to any of the 366 sanctioned EE posts without any impunity.

e) There is no induction of specialists like transport planners, transport economists, environmental engineers and social scientists. There is no scheme of training the engineers in specialist functions like transport planning, transport economics, structural engineering etc. Due to non availability of specialists in the PWD, these functions are not carried out in a professional manner.

f) There are separate quotas for general candidates and candidates belonging to reserved categories. This quota system is operative right from the intake level through various levels of career progression in keeping with the Government policies of reservation. There are wide gaps in career progression profiles of the two categories of staff.

g) The levels of graduate engineers starts from AE and progresses to EE, then SE, CE and E-in-C.

h) There are two levels of CE’s: CE Level II and CE Level I. The number of CEs Level I is only 3. The rest of the CE’s are at Level II. This arrangement is peculiar to UP PWD. No other PWD / Road department has two levels of CE’s.

i) Once a graduate engineer joins as AE, he spends the major part of his service career as AE only. The earliest opportunity for getting promoted to EE comes after 25-28 years of service for a general candidate. There is no post of either Addl. EE or Deputy EE in UPPWD unlike such a post existing in many other PWD’s. The long period of time to be spent in the same entry level has led to sanction of scaled pay progression to compensate the officer monetarily.
In the absence of a level between the EE and AE, all AE’s are treated as equal and are interchangeable. The equation of a fresh AE with an AE with 25 + years of work experience is anachronistic even if the pay scales could be different.

The slow career progression of a PWD graduate engineer and continuation in the entry level post for 25 + years is a serious distortion in equation with other officers in Government.

2.3 EXISTING AND DESIRED CAREER PATH OF GRADUATE ENGINEERS

In terms of the time spent at various levels, the existing career path of an average PWD officer is given at Table 1 below:

<table>
<thead>
<tr>
<th>Event</th>
<th>Duration of Tenure</th>
<th>Average age at Entry into the Level</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry into service</td>
<td>-</td>
<td>25 Years (23 to 30)</td>
<td>Age bracket is 21 to 30 years</td>
</tr>
<tr>
<td>AE</td>
<td>22 - 27 Years</td>
<td>25 years (48 to 55)</td>
<td>Minimum service required for promotion to EE is 7 years</td>
</tr>
<tr>
<td>EE</td>
<td>4 - 6 years</td>
<td>50 - 55 years</td>
<td>Average tenure 3-4 years</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Many retire as EE</td>
</tr>
<tr>
<td>SE</td>
<td>2 - 4 years</td>
<td>52 - 57 years</td>
<td>Small number reaches SE and higher level. Average tenure 2-3 years.</td>
</tr>
<tr>
<td>CE</td>
<td>0 - 2 years</td>
<td>58 - 59 years</td>
<td>Average tenure is less than 2 years</td>
</tr>
<tr>
<td>E-in-C</td>
<td>0 - 2 years</td>
<td>59 + years</td>
<td>Only 0.1% of the Graduate Engineers reach this level</td>
</tr>
</tbody>
</table>

The average service career of a PWD engineer is taken at 35 years. If there is regular annual intake, it is likely that a fresh graduate may join service earliest at the age of 23-24 and can have service tenure of 37 years. Another person who joins the service when he is nearer to the upper age limit of 30 years would have tenure of 30 years.

With the above career path a typical graduate engineer spends:

80% of his service as AE

20% of his service as EE, SE and CE

Apart from the demoralising effect of this slow career development which has been described above, the situation is not conducive for utilisation of the energy and potential of the engineers.

a) The average engineer, having to spend 80% of his total service life at the basic field level assignment, does not get an opportunity to handle enhanced job content and wider responsibilities. He does not get an opportunity to develop his managerial and leadership skills which are essential for effective performance as EE and higher positions.
b) An AE is required to perform serious field level work. But to expect similar work from an AE with 20+ years' service and 40+ years of age is unjustified.

c) By the time the AE receives his first promotion as EE, where he is to assume real project management responsibility, he is already experiencing a decline in energy levels. The ideal age to become an EE is considered to be 32-35 years. This was possibly the original career plan and accordingly, a service requirement of 7 years as AE was set as eligibility condition for promotion to EE.

d) The minimum service of 7 years was fixed taking into consideration the length of field level experience needed for the EE assignment. Some 15-20 years back, an AE got his promotion to EE in around 10 years time.

e) The time for promotion from AE to EE have gradually increased to the present level of 25+ years due to various factors. Uneven intake pattern from year to year, bunching of recruitments at some point of time and uneven retirements are a few of them. The cadre itself remained more or less stagnant with little expansion in the higher level posts. And recruitments were stopped for quite some time. Promotions are effected strictly on seniority against vacancies that arise from time to time. Members of smaller batches benefitted when more retirements were due. On the other hand, members of larger batches, chasing smaller number of vacancies, had to wait longer for their turn. The variation in time for promotion is very wide. The situation is like waiting in a random queue which is beyond one's control; some lucky ones getting a quicker service and some others having to wait much longer.

f) Considering that the most contribution of an average PWD engineer is expected when he performs as an EE (and above), it is necessary that the time spent as EE (and above) should be substantial. At present only about 20% of service is spent as EE and above and 80% of the service is spent as AE. It is suggested that the time as AE should be around 30% of the total service, i.e. 10-12 years at the optimum, sufficient for the officer to gain the requisite field experience. About 70% of service of an average graduate engineer should be spent as EE and higher positions.

g) The PWD officer should spend ideally 10-12 years as EE where he is required to deliver invaluable project management services. This would mean on an average, managing 3 major projects before moving into higher assignments as SE and CE.

h) At the top end of the service career, it is necessary that a CE gets to spend a minimum of 5 years (ideally 8 to 10 years in case of a promising officer), so that he is able to provide a consistent leadership to the PWD top level assignment. The career planning of a PWD officer should ensure that an SE is promoted to the rank of CE at 50-55 years age bracket.

i) The tenure as SE should similarly be for 6-8 years where he handles two assignments.
Based on the above desirable end results, a desirable career path of a typical PWD graduate engineer has been worked out backwards from E-in-C / CE level to the AE level. The desirable career path is given at Table 2 below.

Table 2: Desirable Career Path of a typical PWD Graduate Engineer

<table>
<thead>
<tr>
<th>Event</th>
<th>Duration of Tenure</th>
<th>Average age at entry into the Level</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-in-C / CE</td>
<td>5 - 8 years</td>
<td>52 - 55 years</td>
<td>A tenure of 5 to 8 years</td>
</tr>
<tr>
<td>SE</td>
<td>6 - 8 years</td>
<td>44 - 48 years</td>
<td>Average tenure of 6 to 8 years</td>
</tr>
<tr>
<td>EE</td>
<td>10 - 12 years</td>
<td>32 - 36 years</td>
<td>Average tenure of 10-12 years</td>
</tr>
<tr>
<td>AE</td>
<td>8 - 12 Years</td>
<td>24 - 30 Years</td>
<td>Tenure of 8-12 years is sufficient for adequate field level technical experience</td>
</tr>
<tr>
<td>Entry</td>
<td>--</td>
<td>23 - 30 Years</td>
<td>As per existing age limits</td>
</tr>
</tbody>
</table>

2.4 CAREER PATH DEVELOPMENT OF PWD ENGINEERS

PWD would be required to induct fresh talent in good numbers in the near future. An indication of the intake requirements for PWD in the coming years is provided in Report no. 43 and 49. The career path of a PWD engineer needs to be defined and maintained so that it is attractive enough for the prospective entrants to choose the PWD service in preference to the other competing service avenues. The job market in the civil engineering sector is at a premium on account of the huge infrastructure boom and it is anticipated that attracting the required number of right talent into PWD would be a big challenge.

The Government Engineering service like the PWD was attractive enough in the past. But with stoppage of recruitments over the past 10-12 years there is a need to re-connect with the prospective college pass outs. There is a need to define a standard career progression path for engineers. The career path is an important indicator of the attractiveness of a service career.

Successful recruitments into the cadre will be largely dependent on the perception of potential entrants about the service conditions and the likely career growth. Well defined career paths exist for established services and they are publicised in the recruitment brochures.

In UP PWD all graduate engineers start at Class II level. An option to allow direct class I entry with a better career growth path, as in a few other States like Gujarat, may be considered. But prima facie, this option is likely to create many disturbances in the existing cadre and undermine the morale of the existing staff.

It is necessary to redefine a desirable career path for graduate engineers. The new career path will be more relevant to the new entrants than to the existing officers who have already spent major part of their service career. A desirable career path is suggested in the Figure 1 below.
Figure 1: Career Path of a Graduate Engineer in PWD

2.5 STRATEGY FOR CAREER DEVELOPMENT OF PWD ENGINEERS

PWD need to transition from the existing career path to the desirable career path in a phased manner by following various career development measures. This process will be long drawn one and need to be planned rather than left to itself.

Some of the strategies that would correct the career path towards the desired one are:

a) Introduction of regular and calibrated intake of AE’s based on sound HR planning.

b) Introduction of merit based promotions or seniority cum merit promotions rather than pure seniority based.
c) Introduction of a minimum tenure for CE positions so that there is continuity in the leadership level positions is essential. Ideally this tenure should be minimum 5 years. It could be up to 7-8 for those select officers who would be going up the ladder to occupy the E-in-C / Director General / Addl. Director General positions so that such officers have an assured tenure of 2-3 years in those positions. In the prevailing demographic profile of PWD officers, it would be impossible to think of 5-8 years tenure for CE’s. Therefore, initially the minimum tenure may be fixed as 2 years and gradually enhance to 3 years and finally 5 years.Fixing minimum tenure for CE’s position would mean that deep selection process will have to be adopted and younger (and relatively junior) officers who have the requisite minimum years of service left are promoted. When this is done, as a one-time measure, all those officers who are senior but have lesser time before retirement are also given promotions but they are not assigned to the Executive positions; instead, they are utilised in other developmental positions where their experience and expertise can be put to full use for the benefit of future PWD. The IDS implementation project has brought out many such requirements and such qualified and experienced officers if willing may be employed in specialist assignments / as resource persons / trainers / consultants beyond their retirement.

d) The system of minimum tenure at CE level is already in vogue in Tamil Nadu. In Tamil Nadu, promotion of SE to CE is possible only in case the eligible candidate has at least the minimum stipulated service left (at present one year). Otherwise, the eligible person with less than the stipulated service left is promoted as ‘Special Chief Engineer’ and is assigned to a non-executive level position.

e) Implementation of restructuring of PWD organisation would improve the promotion situation to some extent particularly at the level of SE’s and EE’s. But with promotion of a higher number of AE’s to EE, the strength of already depleted AE’s would reduce further which can be made good only through urgent induction of new AE’s.

f) At present, typical bottleneck in the promotion chain occurs at AE to EE level. Majority of the current lot of AE’s have already spent more than 15 years as AE, many even upwards of 20 to 25 years. Once the positions and EE and higher levels are filled, almost all eligible and experienced AE’s would receive promotions. The numbers have to be made good by fresh induction. Such a cadre is existing in many PWDs such as Gujarat, Karnataka, Maharashtra etc.

g) Introduction of a cadre of Deputy EE/Additional EE in between the AE and EE may be considered as an option for providing a more fitting designation for AE’s with more than 10 years service.

h) With regular intake planned in the near future, soon there will be good no. of young AE’s, though they will be eligible for promotion to EE only after 7-10 years.
i) It is recommended that, in future, two separate tracks be planned for career development of officers. Officers in the regular track should receive promotion as per the desirable career path and for those who do not merit such career path, a slower track (something similar to present career path) will operate. This would mean that one section of select graduate engineer entrants would have a career progression up to CE level; and a select few out of them would proceed to E-in-C / ADG / DG levels. Stringent and transparent selection criteria for promotions will be adopted starting with a competitive examination for promotion of AE’s to EE and due weightage to performance records. At higher levels of EE to SE and SE to CE, performance records should be the primary criteria. The Performance Management System needs to be made objective and transparent as suggested in the Report no. 37. The AE’s who are unable to get through the regular track will follow a career track which is a slower one, similar to one existing at present. These officers would wait for a longer time for promotion to EE and many of them would retire as EE and SE.

j) The brighter lot of engineers who are high performers and who display the competencies and potential for higher positions will receive incentives in the form of relatively quicker promotions to EE and above levels. It is mostly this category of officers who will occupy most of the SE / CE and higher management positions. They will reach these positions at an younger, age and will have a career track that is comparable to other cadres in the State Government.

k) The opportunity for faster track promotion should be available to all officers including the AE’s who were promoted from JE level. Merit alone should be the criteria and exceptional merit should be rewarded objectively.

l) With promotions accelerated from the AE to EE level for the merit candidates, there will be sufficient number of younger talent for higher positions.

m) Similar examination cum performance based promotion scheme should be introduced for JE to AE. Once promoted to AE, they will compete with other AE’s for upward career promotion based on their merits. Majority of the JE’s would continue to remain as JE’s for most part of their career and they should be provided with at least one time-based promotion to AE on completion of stipulated years of satisfactory service (say 25 or 30 years).
3. STAFF MOBILITY (TRANSFER) POLICY AND PRACTICES

Staff mobility is an important factor in career development of an Officer. It is also an important issue affecting the morale and motivation of the officer. Mobility is effected through transfers and placements which are essential conditions of Government Service. Transfers are required for the Department to make sure that each of the positions at each location is filled by an officer of appropriate rank. At the same time it is necessary that an officer is exposed to working at different job levels and different projects, under different bosses, so that he obtains the necessary experiences required for his career progression.

Staff mobility is essential for career development of an officer. When transfers and placements are effected to provide relevant progressive work experience to a staff member, they are welcomed by the staff. However, today transfers have become too frequent affecting the stability of tenure and there is a constant fear of transfer looming large in the mind of the staff. The mobility which was essentially a career development tool has now become a nightmare. It is in this context that the staff members have expressed that too frequent and unpredictable transfers are one of the major causes of poor performance in the job.

This is not an issue peculiar to PWD, but rather it is an endemic symptom of present day governance practices. In this section we shall discuss the transfer policies and the implications of their implementation or rather over implementation.

3.1 TRANSFER POLICY IN GOUP

The PWD officers are transferred from one post / location to other based on the GoUP policies on Transfers. The transfer policy is issued from year to year and most of the planned transfers are effected during April - May, coinciding with the Academic year of school going children.

The GoUP Transfer Policy 2006-07 issued in Hindi is reproduced at Annexure 1 to this Report. Salient points of the Transfer policy are given below:

3.2 MAIN FEATURES OF UTTAR PRADESH GOVERNMENT ANNUAL TRANSFER POLICY FOR THE YEAR 2007

1. Transfers to be effected during the year 2006-2007 as per following process:
   a) Transfers will be effected based on administrative needs
   b) Transfer will be effected on promotions, retirements and superannuation
   c) On ground of personal, medical treatment and children education etc. transfer can be effected
   d) In case of husband and wife both in government service, they can be transferred as far as possible, so that they are posted in same station/town/district

2. Group ‘A’ and Group ‘B’ officers who have completed 6 years of service in a district are to be transferred. Likewise those officers (Group ‘A’ and Group ‘B’) who have completed 10 years in a Revenue Division will be transferred out of that Revenue Division.
3. An officer in the HQ, if he (excluding the HOD) has completed continuous 6 years in the HQ will be transferred to an equivalent post outside the HQ, if such post is available.

4. This provision is not applicable for the secretariat staff.

5. The number of officers/staff transferred should be kept within 10% of the total officers/staff strength. But if falling under section 2 and 3, they can be transferred beyond the 10% limit. If there is a requirement to cross the 10% limit, approval need to be obtained from the Chief Minister in case of Group ‘A’ and Group ‘B’ officers and from the Departmental minister in case of Group ‘C’ and Group ‘D’ staff. Transfers will be effected within the allocated funds for transfers, but in case of unavoidable seasons, if extra expenditure is warranted, additional allocation should be made from the Finance Department on the recommendations of the Minister in-charge of the Department.

6. The transfer orders is respect of Group ‘B’ Officers will be issued by the Head of the Department (HOD).

7. All transfers at the Government level, HQ, Revenue Division and District levels should be completed by 31.05.2006. After 31.05.2006 no transfer will be effected at the Government level, unless approved by the Chief Minister. Similarly for Group ‘B’ officers approval will be required from the Departmental Minister and for Group ‘C’ and ‘D’ officers the approval will be required by a senior officer of the Department designated for the purpose.

8. Any department which wishes to modify any provisions of the transfer policy should obtain approval of the Chief Minister through the Department Minister by 15.05.2006.

9. Other Guideline Principles:-
   a) Doubtful / Integrity employee is not posted at sensitive post.
   b) Parents of Mentally deranged children be posted to a place where facilities of treatment are available on the basis of Medical Certificate of Authorized Government Doctor.
   c) Group ‘A’ Officers will not posted in his home Revenue Division.
   d) Group ‘B’ Officer will not be posted in his home district. The said provision will be applicable for only district level department / offices.
   e) Handicapped employees or such employee whose dependent family member is handicapped will be exempted from general transfer. Handicapped employee at his request may be considered for posted in the home district if such post is available.

10. Orders regarding relieving / taking charge

11. Office bearers of recognized staff Associations

12. Request and recommendations for stopping transfers. No request for stopping of transfers to be entertained. If an employee tries to put pressure against such transfer orders disciplinary action would be initiated against him/her.

   If an officer fails to hand over his charge within the stipulated dates, his pay will not be disbursed.
13. Charge Note

14. Group ‘A’ and ‘B’ officers are to issue a charge not for the benefit of new incumbent.

15. The Chief Minister has the authority to transfer any employee any time of the year in public interest.

16. Any duration to the policy would be possible only with the prior order of the Chief Minister.

3.3 MODIFICATION OF ORDERS APPLICABLE FOR PWD OFFICERS AND STAFF

1. The date of transfer extended from 31.05.2006 to 15.07.2007 for PWD employees.

2. For those officers who are in non-executive posts in HQ and Zonal HQ, such tenure will not to be included for the 6 years / 10 years stipulation; so that willing and experienced officers are available in these important posts for a longer period.

3.4 IMPLEMENTATION OF TRANSFER POLICY

There are clear-cut policies for transfers at the GoUP level as well as special modifications to the overall State annual transfer policy for the PWD, to cater for the special needs of PWD. For example, the extension of transfer time for completion of transfers from 31st May to 31st July could be for the reason that works are not hampered during the peak working season of PWD just before the monsoons.

Transfers after a fixed tenure can be planned well in advance allowing sufficient time to an officer to plan for relocation and schooling of children. While any transfer does affect the family of the officer, in many cases it becomes a welcome move and in some others a hindrance. By and large, a government employee is quite geared up to such transfers except when the posting happens to an unfavourable location/ assignment.

By and large, transfer policies are sound and are based on the organisational needs as well the individual needs. However, the actual implementation on ground is far from satisfactory. In fact, sudden and too frequent transfers are major hindrances for successful completion of important projects.

Apart from the routine transfers which are predictable and which happens once in 3-4 years, what is most disturbing is the sudden transfers that are effected in the middle of the academic year on ‘administrative grounds’. In practice, transfers are effected too frequently and used as an immediate method of ‘punishment’ which is not required to be justified.

‘Administrative grounds’ is a blanket term which is sufficient cause of transfer by the Government (at whatever level the powers to transfer may be vested) without assigning a specific reason for it. Thus often, local political and other interferences and extraneous reasons generally get translated into transfer orders on ‘administrative grounds’.
Frequent transfers are a bane in many State Governments and every other day newspapers carry list of senior officers transferred from one post to another after remaining for months in a post. The average tenure of officers gets reduced to less than one year. The question of frequent transfers has been a matter of much concern. The CSR report 2004 deals with the issue in detail. Salient points of the CSR report are reproduced below and a full text of the report is included at Annexure 2 to this report.

The points worth noting are that regulating transfers is an important issue. Ensuring minimum tenure of 3-4 years in an important assignment is essential for success. But various governments have not been able to curb this menace in spite of their best intentions. The issue of an Ordinance by Government of Maharashtra in August 2003 as a self-disciplining mechanism is a case in point.

The solution to the problem probably lies in the political will of the Government rather than on the PWD. However, in case of planned transfers, it is possible to reduce much of the problems faced by individual officers through meticulous advance planning, taking the options from individuals and linking the transfers to the career development plan of the officer.

### 3.5 SALIENT POINTS OF CSR REPORT ON TRANSFERS

#### Ensuring Minimum Tenures:

Article 309 of the Constitution provides that “Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or of any State, provided that it shall be competent for the President, or such person as he may direct, in the case of services and posts in connection with the affairs of the Union, and for the Governor of a State, or such person as he may direct, in the case of services and regulating the recruitment, and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under this article, and any rules so made shall have effect subject to the provisions of any such Act.” The Civil Services Recruitment Rules, Pension Rules, Conduct Rules, and Discipline and Appeal Rules have the sanction of law by virtue of the proviso to Article 309 of the Constitution.

#### Problem of Frequent Transfer of Officers:

Despite the rules and various instructions issued from time to time, there is a genuine problem being faced by officers, especially in the case of All India Services serving in the State Governments, relating to their tenures. It has been noticed that with every change in government there is usually a reshuffling of officers, especially in key postings in districts, with the result that the average tenure in certain States for District Magistrates/Collectors and for Superintendents of Police has now come to less than a year only.
Such a rapid turnover of officers adversely affects delivery and quality of services provided to the common man. The ever-present threat of transfer also affects the morale of the officers and their capacity to stand up to undesirable local pressures. In the long run, frequent transfer of officers of the All India Services in the States delays implementation of projects and also prevents officers from picking-up meaningful experience which would enhance their value to the State Government and the Central Government when they hold higher positions at the policy making levels.

Efforts to ensure a Minimum Tenure: Maharashtra example

In August 2003, the Government of Maharashtra promulgated an Ordinance for regulating transfer of officials and prevention of delay in discharge of duties by such officials. The main provisions of the Ordinance are as follows:

- It is applicable to all government servants in the State Services including the All India Service officers of the Maharashtra Cadre but it is not applicable to employees appointed on non-transferable posts in isolated cadres and employees under the administrative control of the judiciary.
- Transfer of a government servant means posting of a government servant from one post or place of work to another post or place of work and includes posting from one office to another office in the same town.
- Normal tenure of a Group ‘A’ official / official of All India Service in a post is three years.
- No government servant shall ordinarily be transferred unless he has completed his tenure.
- The Competent Authority to transfer a government servant shall prepare, in the month of January every year, a list of government servants due for transfer and transfer shall be effected in April-May of that year. Thus, an official will have prior intimation of his impending transfer and can take timely steps to sort out his personal and family related problems,
- For officers of the All India Services and officers of Group ‘A’ of State Services having pay scale of Rs. 10,650-15,850/- or more, the Competent Authority to order transfer is the Chief Minister in consultation with the Chief Secretary,
- For other officers of Group ‘A’ of State Service with pay scales below Rs. 10,650-15,850/- the Competent Authority is the Minister in charge in consultation with the Secretary of the Department,
- For the officers of the State Government in Group ‘B’, the Competent Authority for transfer is the Head of the Department,
- For employees of Group ‘C and ‘D’, the Competent Authority for transfer is the Regional Head of the Department,
- Group ‘D’ officers shall not be ordinarily transferred except in special circumstances as specified,
• Stipulation of transfer after a fixed tenure of three years shall not apply if an official has only a year for his retirement on superannuation or if the official has special qualifications for the job and a suitable replacement is not readily available or if transfer of an official will cause serious dislocation in timely completion of a project,

• The Ordinance also stipulates time limits for disposal of official business and mandates disciplinary action against an official for wilful and intentional delay or negligence.

The Government of Maharashtra had to promulgate the Ordinance to give tenure of officers a statutory basis, as consolidated circular orders issued by the Government in 1997 and 1998 regarding policy of fixed tenure were not being implemented scrupulously. In other words, the government had to bind themselves down by an Ordinance to give legal sanctity to the fixed tenure of officials to prevent frequent transfers.

We are of the opinion that absence of a fixed tenure of officials is one of the most important reasons for tardy implementation of government policies, for lack of accountability of officers, for waste of public money because of inadequate supervision of programmes under implementation and for large-scale corruption. We feel that if an officer of the higher civil service is given a fixed tenure of at least three years in his post and given annual performance targets, effectiveness of the administrative machinery will register a quantum jump. In our view, there is considerable force in the oft repeated adage that good administration is not possible without continuity and intelligent administration is not possible without local knowledge.

We have received overwhelming evidence that at present, officials of the State Government - particularly officials of the All India Service serving in connection with affairs of the State - are quite demoralized as they are transferred frequently at the whims and caprices of local politicians and other vested interests, who successfully prevail upon the Chief Minister / Minister to order such transfers. Often Chief Ministers have to oblige powerful factions in their own party by transferring senior officers who may be honest, sincere and steadfast in carrying out government’s programmes but are otherwise inconvenient as they do not oblige local politicians. We are distressed to note that owing to faction ridden party politics in some States, public interest suffers and Collectors / District Magistrates, Senior Superintendents of Police, Superintendents of Police / Deputy Inspector General of Police and Commissioners and Divisional Forest Officers, Conservators of Forests and other senior officials are asked to pack their bags at frequent intervals and ordered to move out.

Frequent transfer of officers and its harmful effect on implementation of government’s programmes has also attracted adverse notice of the political executive. The Conference of Chief Ministers on 24 May 1997 had observed that frequent and arbitrary transfer of public servants affects the ability of the system to deliver services effectively to the people. Though the Conference had some misgivings about constitution of Civil Services Boards (i.e. Establishment Boards in different States presided over by respective Chief Secretaries on the pattern of the Establishment Board of Government of India presided over by the Cabinet Secretary), they were assured that such Boards to be set up in States were meant to implement a streamlined transfer and promotion policy to assist the political executive, who would ultimately decide regarding such matters based on identifiable criteria.
We found that some States complied with the recommendations of the Conference of Chief Ministers and set up Civil Services Boards / Establishment Boards with Chief Secretary of the State as the Chairman and other senior officials of the State as Members. But the Boards set up by executive order in different States have failed to inspire confidence as more often than not, they have merely formalized the wishes of their Chief Ministers in matters of transfer of officials. We are firmly of the view that a Civil Services Act has to be enacted to make the Civil Services Board / Establishment Board both in the States and in the Government of India statutory in character. In the proposed set up in the Government of India, the Appointments Committee of the Cabinet will be the final authority for transfer of officers under the Central Staffing Scheme. The same principle of fixed tenure should apply to senior officers, who are not under the Central Staffing Scheme, but are working under the Government of India for which the Departmental Minister in charge is the final authority for transfer. The Chief Minister will be the final authority for transfer of all Group ‘A’ officers of State Service and AIS officers serving in connection with affairs of the State. If a Chief Minister does not agree with the recommendations of the Civil Services Board / Establishment Board, he will have to record his reasons in writing. An officer transferred before his normal tenure even under orders of the Chief Minister can agitate the matter before a three-member Ombudsman. The Chairperson of the Ombudsman will be a retired official of proven honesty and integrity. The other two members can be on part-time basis from among serving officers. In all such premature transfers the Ombudsman shall send a report to the Governor of the State, who shall cause it to be laid in an Annual Report before the State Legislature. The Ombudsman may also pay damages to the officer so transferred to compensate him for dislocation and mental agony caused due to such transfer. We are conscious that we are recommending a statutory barrier to frequent transfer of senior officials but the matter has come to such a pass that it requires a statutory remedy. We also clarify that the Chief Minister as the highest political executive has the final powers to order transfer of an officer before his tenure is over.

We are also of the opinion that postings of all Group ‘B’ officers must be done by the Head of the Department in a State and the same tenure rule shall be given a statutory backing. We were advised by some witnesses that only the Chief Minister’s orders for transfer should be taken in case of Group ‘A’ officers / officers of All India Services and no Minister of a State should have any powers to order a transfer or approve a proposal for transfer of any official either of any State Service or of the All India Service. We agree with the view, as in our opinion owing to reasons of political expediency or even due to unwholesome reasons, Ministers in States often are not able to make proper use of the power vested in them for transfer of their departmental officers. If a Minister has cogent reasons to ask for transfer of an official before he completes his tenure, he will move the Civil Services Board to be set up under the new Civil Services Act and the Civil Services Board, with its views on report of inquiry by a designated officer, shall submit the case to the Chief Minister for final orders. Thus in a State Government, a Minister’s proposal for transfer of any officer of Group ‘A’ / Group ‘B’ will be formally decided by the Chief Minister of the State.
In our opinion, Civil Services Boards must be set up in all States on similar lines as at the Centre. The Central Act should have a provision to enable the States to adopt the law and make it applicable in the States, without going through the long process of drafting a new law and getting it passed in the Legislature. The Civil Services Board in a State - chaired by the Chief Secretary and comprising senior officers - shall perform the functions relating to transfer, empanelment, promotion, and deputation of officers performed by the Establishment Board of Government of India / Special Committee of Secretaries of Government of India, both of which are chaired by the Cabinet Secretary. Under Article 309 of the Constitution, Parliament may also enact a Civil Services Act setting up a Civil Services Board for the Union Government which will perform the functions being performed at present by the Establishment Board presided over by the Cabinet Secretary. The Civil Services Act may also provide for a Special Committee of Secretaries to prepare panel of names for appointment for posts of Additional Secretaries and Secretaries to Government of India. Under the new Civil Services Act, a Cabinet Minister / Minister of State with independent charge in Government of India may be given a time limit to accept / send back proposals for the Establishment Board regarding posting of officers with his observations. In any particular case, if the Establishment Board after giving the views of the Minister in charge its utmost consideration does not change its original recommendation, the Cabinet Secretary may send proposals of the Establishment Board with observations of the Minister in charge through the Home Minister, a Member of the ACC to the Prime Minister, who heads the ACC for a final decision.

Inter alia, a Civil Services Board of a State shall also perform functions of recommending officers of All India Service / Group ‘A1 service of the State for transfer to different posts under the State Government. It would be expedient before an officer is sought to be transferred in the public interest when he has not completed his tenure, that an administrative inquiry of a summary nature is held to ascertain if the transfer is justified as a matter of public policy. The administrative inquiry will be conducted as expeditiously as possible by a designated officer nominated by the Civil Services Board. In appropriate cases, the Civil Services Board may also direct the officer to proceed on leave on full pay and allowances till the administrative inquiry is over and a decision is taken regarding his transfer. The designated officer to conduct the inquiry will be ordinarily the Reporting Officer of the officer sought to be transferred. The Civil Services Board on receipt of the report of inquiry of the designated officer shall advise the Chief Minister regarding justification for transfer of the officer in the public interest before his normal tenure is over. Ordinarily the Chief Minister is expected to agree with the recommendations of the Civil Services Board as transfer of an official is a routine administrative matter on which a Civil Services Board must have a decisive role. But if the Chief Minister does not agree with the Civil Services Board and orders transfer of an official before his tenure is over, he may have to record in writing reasons for such transfer. If the official is transferred before his tenure without adequate justification, he will have the right to approach a three member Civil Service Ombudsman set up for the purpose.
We also deprecate the practice of change of Chief Secretaries and other senior officials in a State if there is a change of a Chief Minister due to elections to the State Legislatures or other reasons. In a Parliamentary democracy, a civil service has to be politically neutral and this tradition of political neutrality has to be nurtured at all levels. It has to be zealously guarded by the political executive and by the senior officials including the Chief Secretaries, Director Generals of Police and Principal Chief Conservators of Forests. We are aware of the magnitude of problems of management of political forces / political factions by Chief Ministers in different States. We are also aware that some senior officials in different States belonging to All India Services align completely with some functionaries of political parties in power. We only wish that healthy traditions will be built up in governance and the political executive and the permanent executive will appreciate their respective roles in our democratic polity.

3.6 FUTURE OUTLOOK

The awareness about the need for stable tenures is growing and various Governments including the Government of India are ceased of the problem of frequent transfers. The worst affected are the top level Government officials. It is hoped that in the coming years, certain self-regulating mechanisms would be in place to minimise the unpredictability of transfers. This process has to start at the All India Services Level and various discussions are on going through the CSR process and Administrative Reforms agenda. In the meantime, PWD may work toward minimising the effects of such unpredictable transfers and gearing the planned transfers to career development needs of officers.
4. RECOMMENDATIONS ON CAREER DEVELOPMENT AND STAFF MOBILITY

In the preceding Sections we have discussed the career development needs of PWD officers and the issues concerning mobility. In this section we shall list out certain recommendations on the two areas.

4.1 STAFF MOBILITY

The issue of overuse and misuse of transfers is a larger state level issue with very little in PWD’s control. However, in respect of routine mobility, PWD may implement a transparent and staff friendly transfer plan.

- Transfers should be planned to provide the different kinds of experience required in the career path of an officer. The career planning and development should form an integral component of the annual Performance Management (Appraisal) system as suggested in Report no. 37. Choice of the officer should be obtained for particular placements depending on his career aspirations and development plans and this should be endorsed by the Supervisor. These inputs are to be used for planning transfers.

- Officers who specialise in a particular area should be allowed to work in that area for a stable period and not be transferred to a totally unrelated job.

4.2 CAREER DEVELOPMENT

- The suggested career path of PWD officers be debated and approved.

- Develop a plan for transitioning to new career path and the enabling policy changes required for implementation.

- Initiate policy level changes such as introduction of merit-based / merit-cum-seniority-based promotions, objective measurement of performance through a revised Performance Management System, minimum tenure for CE positions etc. These need to be introduced in a planned manner.

- Initiate policy changes for fixing minimum tenure for CE positions initially as 2 years; and promoting those having less than 2 years’ service left as ‘Special Chief Engineers’ (As in Tamil Nadu).

- Implement restructuring of PWD organisation to improve career development opportunities to existing staff.

- Consider introduction of a single cadre of Chief Engineers in place of existing CE (Level II) and CE (Level I). All CE’s should be placed in the Rs.18400- 22400 scale as in CPWD.

- Urgently carry out steps for regular intake of fresh AE’s and JE’s.
• Consider introduction of a cadre of Deputy EE / Additional EE in between the AE and EE as an option for providing a more fitting designation for senior AE’s. (10 + years’ service).

• Develop plans for two tracks for career progression from AE to EE with transparent selection criteria and departmental competitive examinations.

• Similar examination-cum-performance based promotion scheme should be introduced for JE to AE. JE’s should be provided with at least one time-based promotion to AE on completion of stipulated years of satisfactory service (25 or 30 years).
5. FOCUS GROUP MEETING

A meeting of Focus Group ‘E’ was held on 27th February 2008 to discuss the Report No.50. In addition to the Focus Group members the following officers were present.

- Shri. Ramavtar, CE (NH and IDS)
- Shri. K. C. Garg, CE, HQ–II and CE- in-charge of HRD and Training
- Dr. G. P. S. Chauhan Consultant HRD

The suggestions made by the Focus Group Members have been incorporated in the Final Report.
6. PRESENTATION TO PROJECT STEERING COMMITTEE
UPSRP

Report No. 50 : Report on Staff Mobility and Career Development of PWD Officers

<table>
<thead>
<tr>
<th>PWD Focus Group – E</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sri Sushil Kumar</td>
<td>CE, Bareilly Zone, Bareilly</td>
</tr>
<tr>
<td>Sri Jitendra Kumar Srivastava</td>
<td>EE, PD, Farukhabad</td>
</tr>
<tr>
<td>Sri Arun Kumar Srivastava</td>
<td>EE, CD 1, Bahraich</td>
</tr>
<tr>
<td>Sri V. K. Rai</td>
<td>AE, Planning 1, Lucknow</td>
</tr>
<tr>
<td>Sri Salil K. Yadav</td>
<td>AE, W.B. Division 1, Lucknow</td>
</tr>
<tr>
<td>Sri P. K. Saxena</td>
<td>E E, CD- 3 Ghazipur</td>
</tr>
<tr>
<td>Sri Sandeep Saxena</td>
<td>AE, IDS Cell</td>
</tr>
</tbody>
</table>

**LEA International Ltd. and LEA Associates South Asia Pvt. Ltd.**

Cdr. Narayan Mishra Human Resource Management Specialist
BACKGROUND

The Institutional Development Study (IDS) study report by TCE stated the following:

“Need to carry out a comprehensive human resource planning and development program as a part of the Institutional strengthening program. Its components should include Manpower need assessment, human resource planning, human resource development policy/guidelines, training policy and objectives and finally performance appraisal and career planning. This study has to be in line with the attempts under the CSR process, underway, for the complete State administration“.

The IDS Action Plan (serial 6 B) objective states:

“Strengthen staff appraisal, career development and performance incentives/ factors.”
BACKGROUND (contd…)

The Action milestones to be achieved in this regard are:

• Implement revised (CSR-linked) staff performance appraisal policy and processes
• Develop realistic staff mobility and development initiatives for PWD

Translated into the following action for T. A. input:


Report No. 50: Report on staff mobility and career development of PWD Officers

Report No. 50: title modified as: “Report on staff mobility and career development of PWD Officers”
This Report covers two topics:

- Career Development of PWD Engineers
- Staff Mobility (Transfer) Policy and Practices
Career Development of PWD Engineers

Categorisation of Civil Engineering Staff

Graduate Engineers:
- Minimum qualification for entry is a **Degree** in Civil Engineering.
- Recruitment by State Public Service Commission.
- Cadre consists of Class II officers (AE’s) and Class I officers (EEs, SEs, CEs, E-n-Cs.)
- Entry at AE level only. Higher level positions filled exclusively by promotion

Diploma Engineers:
- Minimum qualification is a **Diploma** in Civil Engineering.
- JE (Civil) and JE (Technical) belong to this category.
- Recruitment by the Staff Selection Commission.

*There are a good number of PG degree holders amongst AE’s to E-in-C and Graduates / PG degree holders amongst JE’s. Most of them joined PWD after attaining higher qualifications. A smaller number acquired higher qualifications whilst in service.*
Career Development of PWD Engineers (contd…)

Career Development of Graduate Engineers

• Graduate Engineers join as AE (Class II) and move up the hierarchy. E-in-C, CE’s, SE’s and EE’s entered service as AE.

• Rigorous recruitment process of the UP Public Service Commission.

• A few PWDs have direct Class I entry scheme (Gujarat, CPWD) in addition to class II entry. Direct class I entrants enjoy accelerated career advancement over class II entrants.

• With only Class II entry UP PWD cadre is more homogenous and provides equal opportunity to all for career advancement.

• On the flip side, the career path is longer. This is one of the reasons for Engineers reaching senior levels after longer service and at a higher age (SE at 50+ and CE at 55+).
Career Development of PWD Engineers (contd…)

Career Development of Graduate Engineers

• The other reason for late promotion is the purely seniority based promotion scheme. No scheme of accelerated promotions for high performers.

• Very short tenures at top posts; few months to a couple of years.

  Direct class I entry may be a possible solution for officers to reach top posts at a younger age. But this does not appear to be a viable option.

• All engineers are ‘generalists’ and are posted to any of the functions/positions. On the plus side this provides tremendous flexibility in postings. Any EE can be posted to any of the 366 sanctioned EE posts without any impunity.

• No induction of specialists like transport planners, transport economists, environmental engineers, pavement specialists, ITS specialists, structural engineers, social scientists etc. No scheme of training engineers in specialist functions.

• Due to non availability of specialists, above functions are not carried out in a professional manner.
Career Development of PWD Engineers (contd…)

Career Development of Graduate Engineers

• Quotas for general and reserved categories at all levels, at times creates wide gaps in career progression profile of the two categories of staff.

• There are two levels of CE’s: CE Level II and CE Level I. The number Level I CEs is only 3. The rest of the CE’s are at Level II. This arrangement is peculiar to UPPWD.

• A graduate engineer joins as AE and spends major part (25-28 years) of his service career as AE. There is no post of Addl. EE / Deputy EE in UPPWD unlike a few other PWD’s.

• The long period of time spent in the same entry level has led to sanction of scaled pay progression to compensate the officer monetarily. But this does not address the organisational issues.
Career Development of PWD Engineers (contd…)

Career Development of Graduate Engineers

• In the absence of a level between the EE and AE, all AE’s are treated as equal and are interchangeable.

• The equation of a fresh AE with an AE with 20+ years’ work experience is anachronistic.

• The slow career progression of a PWD graduate engineer and continuation at entry level post for 25+ years leads to serious distortion in equations with officers of other departments.
### Career Development of PWD Engineers (contd…)

#### Existing Career Path of Graduate Engineers

<table>
<thead>
<tr>
<th>Event</th>
<th>Duration of Tenure</th>
<th>Average age at Entry into the Level</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry into service</td>
<td>-</td>
<td>25 Years (23 to 30)</td>
<td>Age bracket is 21 to 30 years</td>
</tr>
<tr>
<td>AE</td>
<td>22 - 27 Years</td>
<td>25 years (48 to 55)</td>
<td>Minimum service required for promotion to EE is 7 years</td>
</tr>
<tr>
<td>EE</td>
<td>4 - 7 years</td>
<td>50 - 55 years</td>
<td>Average tenure  3-4 years  Many retire as EE</td>
</tr>
<tr>
<td>SE</td>
<td>2 - 4 years</td>
<td>52 - 57 years</td>
<td>Small number reaches SE and higher level. Average tenure 2-3 years.</td>
</tr>
<tr>
<td>CE</td>
<td>0 - 2 years</td>
<td>58 - 59 years</td>
<td>Average tenure is less than 2 years</td>
</tr>
<tr>
<td>E-in-C</td>
<td>0 - 2 years</td>
<td>59 + years</td>
<td>Only 0.1% of the Graduate Engineers reach this level</td>
</tr>
</tbody>
</table>
Career Development of PWD Engineers (contd…)

• A fresh engineering graduate can join service earliest at the age of 22-23 (if there is regular annual intake). He/she will have a service tenure of 37-38 years.

• A late entrant (joining service nearer to the upper age limit, 30 years) would have a tenure of 30 years.

• The average career span can be taken as 33-35 years

• In the existing career progression profile a typical graduate engineer spends:
  
  • 80% of his service as AE
  
  • 20% of his service as EE, SE and CE
Career Development of PWD Engineers (contd…)

Desirable career path of a PWD Graduate Engineer

<table>
<thead>
<tr>
<th>Event</th>
<th>Duration of Tenure</th>
<th>Average age at entry into the Level</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-in-C / CE</td>
<td>5 - 8 years</td>
<td>52 - 55 years</td>
<td>A tenure of 5 to 8 years</td>
</tr>
<tr>
<td>SE</td>
<td>6 - 8 years</td>
<td>44 - 48 years</td>
<td>Average tenure of 6 to 8 years</td>
</tr>
<tr>
<td>EE</td>
<td>10 - 12 years</td>
<td>32 - 36 years</td>
<td>Average tenure of 10-12 years</td>
</tr>
<tr>
<td>AE</td>
<td>8 - 12 Years</td>
<td>24 - 30 Years</td>
<td>Tenure of 8-12 years is sufficient for adequate field level technical experience</td>
</tr>
<tr>
<td>Entry</td>
<td>--</td>
<td>23 - 30 Years</td>
<td>As per existing age limits</td>
</tr>
</tbody>
</table>
Career Development of PWD Engineers (contd…)

Career Path of Graduate Engineer in PWD

Existing Career Path

<table>
<thead>
<tr>
<th>Rank</th>
<th>Entry Age</th>
<th>Current Age</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>AE</td>
<td>25 Years</td>
<td>60 Years</td>
<td>80%</td>
</tr>
<tr>
<td>EE</td>
<td>50 Years</td>
<td>55 Years</td>
<td>20%</td>
</tr>
<tr>
<td>SE</td>
<td>58 Years</td>
<td>60 Years</td>
<td>20%</td>
</tr>
<tr>
<td>CE</td>
<td>60 Years</td>
<td>55 Years</td>
<td>20%</td>
</tr>
</tbody>
</table>

Desirable Career Path

<table>
<thead>
<tr>
<th>Rank</th>
<th>Entry Age</th>
<th>Current Age</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>AE</td>
<td>25 Years</td>
<td>35 Years</td>
<td>30%</td>
</tr>
<tr>
<td>EE</td>
<td>35 Years</td>
<td>45 Years</td>
<td>30%</td>
</tr>
<tr>
<td>SE</td>
<td>45 Years</td>
<td>52 Years</td>
<td>30%</td>
</tr>
<tr>
<td>CE / E-in-C</td>
<td>60 Years</td>
<td>52 Years</td>
<td>20%</td>
</tr>
</tbody>
</table>

Age at Entry: 25 Years
Career Development of PWD Engineers (contd…)

Strategy for Career development of PWD Engineers

PWD may transition from the existing career path to the desirable career path in a phased manner by following various career development measures. This process will be long drawn. Needs to be planned with accompanying changes in intake, performance evaluation and promotion policies.

A few strategies that would correct the career path towards the desired one:

• Regular and calibrated intake of AE’s based on sound HR planning.

• Introduction of merit based or merit-cum–seniority based promotions.

• Introduction of requirement of minimum tenure for E-in-C and CE positions to ensure continuity in the leadership level positions. Ideally this tenure should be minimum 5 years.
Career Development of PWD Engineers (contd…)

Strategy for Career development of PWD Engineers

• The system of minimum tenure at CE level is in vogue in Tamil Nadu. Promotion to CE is possible only in case the eligible candidate has at least the minimum stipulated service left. At present this time is one year.

• An eligible SE with less than the stipulated service left, is promoted as ‘Special Chief Engineer’ and is assigned to a non-executive level position.

• Two separate career tracks be planned for officers. Meritorious officers should receive promotions as per the desirable career path. Those who do not merit such career path may progress on a slower track similar to present career path.

• The ratio of the fast track: regular track may be fixed as 40:60 (or 30:70) depending on the anticipated positions in higher level positions.

• The brighter lot, the high performers, who demonstrate the competencies and potential for higher positions, will receive relatively quicker promotions to EE and above levels. It is this category of officers who will reach SE/CE positions at a younger age and will occupy most of the higher management positions.
Career Development of PWD Engineers (contd…)

Strategy for Career development of PWD Engineers

➢ At present, bottleneck in the promotion chain occurs at AE to EE level. Introduction of a cadre of Deputy EE/Additional EE in between the AE and EE may be considered as an option for providing a more befitting designation for AE’s with more than 10 years service. Such a cadre is existing in many PWDs such as Gujarat, Karnataka, Maharashtra etc.

➢ Over next 5 to 7 years, majority of the current AE’s who have spent more than 15-20 years service are likely to be promoted to higher level. Implementation of restructuring of PWD organisation would improve the promotion situation at the level of SE’s and EE’s.

➢ The strength of already depleted AE’s is likely to reduce further. AE strength need to be made good through urgent induction of new AE’s.

➢ Young AE’s inducted through regular intake would form the backbone of PWD operational workforce. Suggested intake is 730, 610, 360, 360 and 370 during next 5 years (Report No. 43 and 49)

➢ The new entry AE’s will be eligible for promotion to EE after 7-10 years. That would also be the ideal time to introduce the fast track career path.
Career Development of PWD Engineers (contd…)

Strategy for Career development of PWD Engineers

- The opportunity for faster track promotion should be available to all officers including the AE’s who were promoted from JE level. Merit alone should be the criteria and exceptional merit should be rewarded objectively.

- Merit based career advancement would require formulation and implementation of transparent selection criteria, performance assessment methodology and possibly a professional examination.

- With promotions accelerated from the AE to EE level for the merit candidates, there will be sufficient number of younger talent for higher positions.

- Similar examination cum performance based promotion scheme should be introduced for JE’s and a small % of meritorious JEs promoted to AE. On entering AE cadre, they will compete with other AE’s. One career advancement be provided to all JE’s on completion of stipulated years of satisfactory service.
Staff Mobility (Transfer) Policy and Practices

• Staff mobility (transfer) is an important career development tool for an Officer.
• Transfers and placements are essential conditions of Government Service.
• Transfers meet the twin objectives of filling each position at each location and provide opportunity to an officer to work at different job levels, on different projects and under different bosses to obtain relevant experiences for career progression.
• Transfers impact on the morale and motivation of an officer. When transfers and placements are effected to provide relevant progressive work experience, they are welcomed by the officer.
• Too frequent, unpredictable transfers affect both the work accomplishment and morale of the officer. Officers cited ‘frequent and unpredictable transfers’ as a major cause of poor performance on the job. Constant fear of transfers looming large in the mind of the staff seriously affects the morale and motivation to work.
Staff Mobility (Transfer) Policy and Practices

• Government Policies and guidelines on Transfers (GoUP transfer policy of 2006-07) are generally sound but implementation is a problem.

• Increasingly transfers are being effected as an instrument of punishment.

• The issue of overuse and misuse of transfers is a larger state level issue with very little in PWD’s control.

• Awareness about the need for stable tenures is growing. Various Governments including the Government of India are ceased of the problem of frequent transfers. Civil Service Reforms (CSR) Report 2004 recommends various measures to minimise the transfer menace through various self-regulating mechanisms. (Example: Maharashtra Govt. Ordinance of 2003)

• PWD may work towards minimum 3-4 years’ stable tenures of officers on specific projects / assignments and align the transfers to the maximum extent to career development needs of officers.

• Minimising unpredictable transfers to the extent possible.
Recommendations on Staff Mobility

• In respect of routine mobility, PWD may implement a transparent and staff-friendly transfer plan.

  • Transfers should be planned to provide the different kinds of experience required in the career path of an officer. The career planning and development should form an integral component of the annual Performance Management (Appraisal) system (suggested in Report No. 37).

  • Choice of the officer should be obtained for particular placements depending on his career aspirations and development plans and recommendations of Supervisor. These inputs are to be used for planning transfers.

  • Officers who specialise in a particular area should be allowed to work in that area for a stable period and not transferred to an unrelated job.
Recommendations on Career Development

• The suggested career path of PWD officers be debated and approved.

• Develop a plan for transitioning to new career path and the enabling policy changes required for implementation.

• Initiate policy changes for fixing minimum tenure for CE positions. Initially this tenure may be 2 years. Those eligible but with less than 2 years’ residual service may be promoted as ‘Special Chief Engineers’ (as in Tamil Nadu).

• Implement restructuring of PWD organisation to improve career development opportunities to existing staff.

• Introduction of a single cadre of Chief Engineers in place of existing CE (Level II) and CE (Level I). All CE’s be placed in the Rs.18400-22400 scale as in CPWD.
Recommendations on Career Development

• Urgent steps for regular annual intake of fresh AE’s and JE’s. All new entrants must be computer proficient.

• Consider introduction of a cadre of Deputy EE/Additional EE for providing a more fitting designation for senior AE’s (10 + years’ service).

• Scheme for fast-track career progression from AE to EE with transparent selection criteria and departmental competitive examinations for merit-based promotions.

• Similar merit based promotion scheme for promotion of meritorious JEs to AEs.

• Scheme for at least one promotion for JEs to AE on completion of stipulated years of satisfactory service (25 or 30 years)
ANNEXURE - 1 : ANNUAL TRANSFER POLICY FOR OFFICERS / STAFF : 2006-07

नवीन ब्रह्म शासक
मुख्य सचिव,
उत्तर प्रदेश शासन।

सेवा में,
1. समस्त मुख्य सचिव/ सचिव,
उत्तर प्रदेश शासन।
2. समस्त विभागाध्यक्ष/मुख्य कर्मचारियों,
उत्तर प्रदेश।

कार्यनिष्ठ अनुमान-4

लक्षण:: दिनांक: 11 मई, 2006

विषय:- सरकारी अधिकारियों / कर्मचारियों की वार्षिक स्थानांतरण नीति।

महत्त्व,

सरकारी अधिकारियों/कर्मचारियों के संबंध में पूर्व में जारी स्थानांतरण नीति दिशक-शासनाधीन प्राधिकारों को अनुकूलित करने हेतु, शासन बारा वर्ष-2006-2007 के लिए निर्देश-स्थानांतरण नीति नियुक्त की जाती है।

1. स्थानांतरण निर्णय प्रक्रिया के अनुसार किये जाने हेतु:

(क) प्रशासनिक पृष्ठ से आवश्यक बिना स्थानांतरण किये जा सकेंगे।
(ख) प्रौद्योगिक, सेवा समीक्षा, सेवानिर्धारण आदि स्थितियों में स्थानांतरण किये जा सकेंगे।
(ग) किसी अधिकारी/कर्मचारी के ब्लैकलेट रूप से वैश्विक कारण, जैसे-विकास मा बच्चों की शिक्षा इत्यादि के आधार पर स्थान रिहा होने पर या दूसरे अधिकारी/कर्मचारी के सहमत होने पर स्थानांतरण/स्थानोत्तरण किया जा सकेगा वहाँ कि उस पर प्रशासनिक आपत्ति न हो।
(घ) यदि पत्नी पति दोनों सरकारी सेवा में हों, तो उनमें यथामूल्य एक ही जनपद /नगर/स्थान पर तैनात करने हेतु स्थानांतरण किया जा सकेगा।

2. जिलों में समूह-“क” तथा “ख” के जो अधिकारी अपनी योजना में कुल 06 वर्ष पूर्ण कर चुके हैं, उन्हें जिलों से स्थानांतरित कर दिया जाय, एवं हेतु समूह-“क” तथा “ख” के जो अधिकारी मण्डल में 10 वर्ष पूर्ण कर चुके हैं, उन्हें मण्डल से स्थानांतरित कर दिया जाय।

3. विभागाध्यक्ष कार्यालयों में विभागाध्यक्ष को छेड़कर यदि अन्य अधिकारियों के समक्ष पद मुख्यालय के बाहर विधायन है तो एक विभाग में 06 वर्ष होगार्दार कार्यरत रहने वाले अधिकारियों को उनके समक्ष पदों पर मुख्यालय से बाहर स्थानांतरित कर दिया जाय।

4. उत्तर प्रदेश सचिवालय में यह प्रावधान लागू नहीं होगा।

5. प्रत्येक विभाग में उपर आयातित पर स्थानांतरित अधिकारियों/ कर्मचारियों की संख्या विभाग के समस्त अधिकारियों/ कर्मचारियों की संख्या के 10 प्रतिशत तक सीमित रखी जाय,
किन्तु उपर्युक्त प्रस्ताव-2 एवं 3 से आच्छादित होने वाले प्रकरणों में 10 प्रतिभाज की सीमा से अधिक स्थानांतरण किए जा सकते हैं। यदि उक्त सीमा से अधिक स्थानांतरण की आवश्यकता हो, तो समूह-“क” एवं “ख” के लिए माननीय मुख्य मंत्री जी का एवं समूह-“ग” एवं “घ” के लिए माननीय विभागीय मंत्री जी का अनुमोदन प्राप्त कर लिया जाय।

6. आय-ब्यक्त में स्थानांतरण यात्रा ब्यक्त पद में प्रविधियत धनराशि की सीमा के अन्तर्गत ही स्थानांतरण किये जायें किन्तु यदि अपरिहार्य कारणों से प्रविधियत सीमा से अधिक धनराशि ब्यक्त होती है, तो माननीय विभागीय मंत्री जी के अनुमोदनाद्वारा, विभाग की सहमति से पुनःबिनयोजन कराकर आय-ब्यक्त में अतिरिक्त धनराशि का प्रविधियत कराया जाय।

7. समूह-“ख” के कार्यिकों के स्थानांतरण संबंधित विभागों के विभागविभाग द्वारा किये जायेंगे।

8. शासन स्तर, विभागविभाग स्तर, मण्डल स्तर एवं जिला स्तर के समस्त स्थानांतरण दिनांक 31.5.2006 तक पूर्ण कर लिये जायें। दिनांक 31.5.2006 के उपर्युक्त शासन स्तर से कोई स्थानांतरण नहीं किये जायेगी, जब तक माननीय विभागीय मंत्री जी के माध्यम से माननीय मुख्य मंत्री जी का अनुमोदन न प्राप्त कर लिया गया हो, इसी प्रकार समूह-“ख” के अन्य कार्यिकों के स्थानांतरण हेतु माननीय विभागीय मंत्री जी का अनुमोदन तथा समूह-“ग” एवं “घ” के कार्यिकों के स्थानांतरण के लिए निर्धारित स्तर से एक स्तर उच्च अधिकारी का अनुमोदन प्राप्त करने ही स्थानांतरण करना अनुमंत होगा।

9. यदि किसी विभाग द्वारा विभाग की विशिष्ट आवश्यकताओं के क्रम में स्थानांतरण नीति में कोई परिवर्तन अपेक्षित है तो दिनांक 15.5.2006 तक माननीय विभागीय मंत्री जी के माध्यम से माननीय मुख्य मंत्री जी का अनुमोदन प्राप्त कर लिया जाय।

10. अन्य मार्गदर्शक सिद्धांत :-

(1) लघुधारा संस्थाओं को तैनाती संदेहनशील पदों पर कदापि न करा जाय।

(2) व्यापारिक रूप से विकसित बच्चों के माला-पिता की तैनाती अधिकृत सरकारी डॉक्टर के विचित्रता प्राप्त-पत्र के आधार पर, विकल्प प्राप्त करने वाला ऐसे स्थान पर की जाय, जहां चिकित्सा की समुचित व्यवस्था उपलब्ध हो।

(3) समूह-“क” के अधिकारियों को उनके गृह मण्डल में तैनात नहीं किया जाय।

(4) समूह-“ख” के अधिकारियों को उनके गृह जनपद में तैनात नहीं किया जाय।

प्रतिभाद के निर्देशानुसार, वे स्तरीय बिभागीय कार्यालयों में लागू की जाय।
Technical Assistance for Implementation of Institutional Reforms in Road Sector of Uttar Pradesh

Report No. 50

February 2008
भी विचार किया जाय। नियार्थित अवधि में कार्यमार ने छोड़ने पर उस अधिकारी/ कर्मचारी के वेतन का अनुस्वार न दिया जाय तथा उसकी सूचना संबंधित कौशलाधिकारी को दे दी जाय।
14. चार नोट :-

नवीन स्थान पर कार्यमार प्रहृण करने के उपरांत संबंधित “क” एवं “ख” के अधिकारी को कार्य की जानकारी होने मागित समय हालत स्वामविक है, अतः स्थानान्तरित अधिकारी को चाहिए कि वे महत्वपूर्ण प्रकारणों/विकास कार्यवाही/परियोजनाओं आदि के संबंध में एक चार नोट बना दें, ताकि नये अधिकारी को कार्य सम्पादित करने में लुप्तिव हो।
15. जानकार में माननीय मुख्य मंत्री जी द्वारा कभी भी किसी कार्यको स्थानान्तरित किये जाने के आदेश दिये जा सकेंगे।
16. यह स्थानान्तरण नीति, जब तक शासन द्वारा विभिन्न न कर दी जाय, यथावतू लागू रहेगी। इस नीति में हिचाल, कार्यक्रम विभाग के परामर्श के उपरांत माननीय मुख्य मंत्री जी के आदेश प्राप्त कर, किया जा सकेगा।

भवदीय,
(नवीन चतुर्भजपेई)
मुख्य सचिव।

लंबवा-1/3/96(1) का-4-2006 ताबदिनाक।
प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु विनिमय:-
1. प्रमुख सचिव, श्री राज्यपाल जी।
2. प्रमुख सचिव, माननीय मुख्य मंत्री जी।
3. निजी सचिव, माननीय मंत्रीगण।
4. प्रमुख स्टाफ अफिसर, मुख्य सचिव, उत्तर प्रदेश।
5. प्रमुख सचिव, विश्वास परिषद/विश्वास सभा, उत्तर प्रदेश।
6. समस्त वंड़ापुर्व/जिला अधिकारी, उत्तर प्रदेश।
7. तन्त्र कौशलविधिक, उत्तर प्रदेश।
8. सचिवालय के समस्त अनुभाग।

आशा से,
(अभिषेक सिंह)
सचिव।

February 2008
प्रेमक,  
सुरेश चन्द्र,  
सिमिद,  
उत्तर प्रदेश शासन।  

सेवा में  
प्रज्ञा अभियंता, (विकास) एवं विभागाध्यक्ष  
लोक विभाग विभाग,  
0900, लखनऊ।  

लोक विभाग अनुबंध-4  
लखनऊ  
1 जून, 2006  

विषय—लोक विभाग विभाग के सेवकों, अधिकारियों एवं कार्यालयों की वार्षिक  
आयोजनार्थ विधि।  

महोदय,  

उपर्युक्त विषयक कुप्रया अनुसार पं॰ संख्या-484/सैंनी-प्रु.अ/बहू (विकास)/  
15/2006-प्रशासनिक निर्देश 15 मई, 2006 का संदर्भ बनाने।  

उपर्युक्त निर्देश के कारण में मुझे यह कार्य करना किया है कि कार्यक्रम की  
शास्त्रार्थ संख्या-1/3/96-वा-4-2006 निर्देश 11 मई, 2006 के  

विषय—सरकारी अधिकारियों/कार्यालयों की वार्षिक आयोजनार्थ  

t. 2006-07  

में लोक विभाग विभाग हेतु विभाग प्राध्यापक कर्तव्य किये जाने का शास्त्र द्वारा  

निर्देश दिया गया है—  

1- राज्य वार्षिक आयोजना हेतु कार्यक्रम विभाग द्वारा विधिवत् बनाने की गाजी  

विभाग/स्थानीय रीमा विभाग 31-5-06 को कपड़क 15-7-2006 तक  

विभाग की।  

2- जो अधिकारी अनिवार्य स्थिति में कार्य कर रहे हैं,उनकी राज्य कार्य  

को गणना 06 वर्ष के बाद 10 वर्ष में सम्बन्धित ज की जानकारी तकनी  

क गणना हेतु अथवा क्षेत्र में सामान्य अनिवार्य स्थिति पर  

कार्यक्रम इसी के अनुसार अनुमंडलों की उपलब्धता सुनिश्चित की  

जा सके।  

3- कार्यभार छोड़ते एवं कार्यभार विभागीय विभाग विभाग प्रति  

राज्य निर्माण किया जाय।  

अतः अनुसार है कि उपरोक्त के परामर्श में विभागीय कार्यालय  

उपर्युक्त कार्य को लागू करें।  

अभियंता,  

(सुरेश चन्द्र)  
सिमिद।  

संख्या-1802/23-4-06-दार्दिलक प्रतिलिपि लोक विभाग अनुभाग-3 एवं 8/को सूचनार्थ एवं आवश्यक  

कार्यावाही देखते प्रसिद्ध।  

आज्ञा से,  

(सुरेश चन्द्र)  
सिमिद।
ANNEXURE - 2 : EXTRACTS FROM CIVIL SERVICE REFORMS (HOTA COMMITTEE) REPORT 2004

Ensuring Minimum Tenures:

1. Article 309 of the Constitution provides that “Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or of any State, provided that it shall be competent for the President, or such person as he may direct, in the case of services and posts in connection with the affairs of the Union, and for the Governor of a State, or such person as he may direct, in the case of services and regulating the recruitment, and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under this article, and any rules so made shall have effect subject to the provisions of any such Act.”

2. The Civil Services Recruitment Rules, Pension Rules, Conduct Rules, and Discipline and Appeal Rules have the sanction of law by virtue of the proviso to Article 309 of the Constitution. Insofar as the All India Service Regulations are concerned, these have been framed under the All India Services Act 1952. The All India Services Act has been framed under Article 312 of Constitution, empowering Parliament to provide by law for the creation of one or more All India Services common to the Union and the States.

Problem of Frequent Transfer of Officers:

3. Despite the rules and various instructions issued from time to time, there is a genuine problem being faced by officers, especially in the case of All India Services serving in the State Governments, relating to their tenures. It has been noticed that with every change in government there is usually a reshuffling of officers, especially in key postings in districts, with the result that the average tenure in certain States for District Magistrates / Collectors and for Superintendents of Police has now come to less than a year only.

Such a rapid turnover of officers adversely affects delivery and quality of services provided to the common man. The ever-present threat of transfer also affects the morale of the officers and their capacity to stand up to undesirable local pressures. In the long run, frequent transfer of officers of the All India Services in the States delays implementation of projects and also prevents officers from picking-up meaningful experience which would enhance their value to the State Government and the Central Government when they hold higher positions at the policy making levels.
Need for a Minimum Tenure:

4. In August 2003, the Government of Maharashtra promulgated an Ordinance for regulating transfer of officials and prevention of delay in discharge of duties by such officials. The main provisions of the Ordinance are as follows:

(i) It is applicable to all government servants in the State Services including the All India Service officers of the Maharashtra Cadre but it is not applicable to employees appointed on non-transferable posts in isolated cadres and employees under the administrative control of the judiciary.

(ii) Transfer of a government servant means posting of a government servant from one post or place of work to another post or place of work and includes posting from one office to another office in the same town.

(iii) Normal tenure of a Group ‘A’ official/ official of All India Service in a post is three years.

(iv) No government servant shall ordinarily be transferred unless he has completed his tenure.

The Competent Authority to transfer a government servant shall prepare, in the month of January every year, a list of government servants due for transfer and transfer shall be effected in April - May of that year. Thus, an official will have prior intimation of his impending transfer and can take timely steps to sort out his personal and family related problems.

For officers of the All India Services and officers of Group ‘A’ of State Services having pay scale of Rs. 10,650-15,850/- or more, the Competent Authority to order transfer is the Chief Minister in consultation with the Chief Secretary, (vii) For other officers of Group ‘A’ of State Service with pay scales below Rs. 10,650-15,850/- the Competent Authority is the Minister in charge in consultation with the Secretary of the Department, (viii) For the officers of the State Government in Group ‘B’, the Competent Authority for transfer is the Head of the Department, (ix) For employees of Group ‘C’ and ‘D’, the Competent Authority for transfer is the Regional Head of the Department, (x) Group ‘D’ officers shall not be ordinarily transferred except in special circumstances as specified, (xi) Stipulation of transfer after a fixed tenure of three years shall not apply if an official has only a year for his retirement on superannuation or if the official has special qualifications for the job and a suitable replacement is not readily available or if transfer of an official will cause serious dislocation in timely completion of a project, (xii) The Ordinance also stipulates time limits for disposal of official business and mandates disciplinary action against an official for wilful and intentional delay or negligence.

5. The Government of Maharashtra had to promulgate the Ordinance to give tenure of officials a statutory basis, as consolidated circular orders issued by the Government in 1997 and 1998 regarding policy of fixed tenure were not being implemented scrupulously. In other words, the government had to bind themselves down by an Ordinance to give legal sanctity to the fixed tenure of officials to prevent frequent transfers.
6. We are of the opinion that absence of a fixed tenure of officials is one of the most important reasons for tardy implementation of government policies, for lack of accountability of officers, for waste of public money because of inadequate supervision of programmes under implementation and for large-scale corruption. We feel that if an officer of the higher civil service is given a fixed tenure of at least three years in his post and given annual performance targets, effectiveness of the administrative machinery will register a quantum jump. In our view, there is considerable force in the oft repeated adage that good administration is not possible without continuity and intelligent administration is not possible without local knowledge.

7. We have received overwhelming evidence that at present, officials of the State Government - particularly officials of the All India Service serving in connection with affairs of the State - are quite demoralized as they are transferred frequently at the whims and caprices of local politicians and other vested interests, who successfully prevail upon the Chief Minister / Minister to order such transfers. Often Chief Ministers have to oblige powerful factions in their own party by transferring senior officers who may be honest, sincere and steadfast in carrying out government’s programmes but are otherwise inconvenient as they do not oblige local politicians. We are distressed to note that owing to faction ridden party politics in some States, public interest suffers and Collectors / District Magistrates, Senior Superintendents of Police Superintendents of Police/Deputy Inspector General of Police and Commissioners and Divisional Forest Officers, Conservators of Forests and other senior officials are asked to pack their bags at frequent intervals and ordered to move out.

8. Frequent transfer of officers and its harmful effect on implementation of government’s programmes has also attracted adverse notice of the political executive. The Conference of Chief Ministers on 24 May 1997 had observed that frequent and arbitrary transfer of public servants affects the ability of the system to deliver services effectively to the people. Though the Conference had some misgivings about constitution of Civil Services Boards (i.e. Establishment Boards in different States presided over by respective Chief Secretaries on the pattern of the Establishment Board of Government of India presided over by the Cabinet Secretary), they were assured that such Boards to be set up in States were meant to implement a streamlined transfer and promotion policy to assist the political executive, who would ultimately decide regarding such matters based on identifiable criteria.

9. We found that some States complied with the recommendations of the Conference of Chief Ministers and set up Civil Services Boards / Establishment Boards with Chief Secretary of the State as the Chairman and other senior officials of the State as Members. But the Boards set up by executive order in different States have failed to inspire confidence as more often than not, they have merely formalized the wishes of their Chief Ministers in matters of transfer of officials. We are firmly of the view that a Civil Services Act has to be enacted to make the Civil Services Board / Establishment Board both in the States and in the Government of India statutory in character. In the proposed set up in the Government of India, the Appointments Committee of the Cabinet will be the
final authority for transfer of officers under the Central Staffing Scheme. The same principle of fixed tenure should apply to senior officers, who are not under the Central Staffing Scheme, but are working under the Government of India for which the Departmental Minister in charge is the final authority for transfer. The Chief Minister will be the final authority for transfer of all Group ‘A’ officers of State Service and AIS officers serving in connection with affairs of the State. If a Chief Minister does not agree with the recommendations of the Civil Services Board/ Establishment Board, he will have to record his reasons in writing. An officer transferred before his normal tenure even under orders of the Chief Minister can agitate the matter before a three-member Ombudsman. The Chairperson of the Ombudsman will be a retired official of proven honesty and integrity. The other two members can be on part-time basis from among serving officers. In all such premature transfers the Ombudsman shall send a report to the Governor of the State, who shall cause it to be laid in an Annual Report before the State Legislature. The Ombudsman may also pay damages to the officer so transferred to compensate him for dislocation and mental agony caused due to such transfer. We are conscious that we are recommending a statutory barrier to frequent transfer of senior officials but the matter has come to such a pass that it requires a statutory remedy. We also clarify that the Chief Minister as the highest political executive has the final powers to order transfer of an officer before his tenure is over.

10. We are also of the opinion that postings of all Group ‘B’ officers must be done by the Head of the Department in a State and the same tenure rule shall be given a statutory backing. We were advised by some witnesses that only the Chief Minister’s orders for transfer should be taken in case of Group ‘A’ officers / officers of All India Services and no Minister of a State should have any powers to order a transfer or approve a proposal for transfer of any official either of any State Service or of the All India Service. We agree with the view, as in our opinion owing to reasons of political expediency or even due to unwholesome reasons, Ministers in States often are not able to make proper use of the power vested in them for transfer of their departmental officers. If a Minister has cogent reasons to ask for transfer of an official before he completes his tenure, he will move the Civil Services Board to be set up under the new Civil Services Act and the Civil Services Board, with its views on report of inquiry by a designated officer, shall submit the case to the Chief Minister for final orders. Thus in a State Government, a Minister’s proposal for transfer of any officer of Group ‘A’ / Group ‘B’ will be formally decided by the Chief Minister of the State.

11. In our opinion, Civil Services Boards must be set up in all States on similar lines as at the Centre. The Central Act should have a provision to enable the States to adopt the law and make it applicable in the States, without going through the long process of drafting a new law and getting it passed in the Legislature. The Civil Services Board in a State - chaired by the Chief Secretary and comprising senior officers - shall perform the functions relating to transfer, empanelment, promotion, and deputation of officers performed by the Establishment Board of Government of India/Special Committee of Secretaries of Government of India, both of which are chaired by the Cabinet Secretary. Under Article 309 of the Constitution, Parliament may also enact a Civil Services Act setting up a Civil Services Board for the Union Government which will perform the functions being
performed at present by the Establishment Board presided over by the Cabinet Secretary. The Civil Services Act may also provide for a Special Committee of Secretaries to prepare panel of names for appointment for posts of Additional Secretaries and Secretaries to Government of India. Under the new Civil Services Act, a Cabinet Minister / Minister of State with independent charge in Government of India may be given a time limit to accept / send back proposals for the Establishment Board regarding posting of officers with his observations. In any particular case, if the Establishment Board after giving the views of the Minister in charge its utmost consideration does not change its original recommendation, the Cabinet Secretary may send proposals of the Establishment Board with observations of the Minister in charge through the Home Minister, a Member of the ACC to the Prime Minister, who heads the ACC for a final decision.

12. Inter alia, a Civil Services Board of a State shall also perform functions of recommending officers of All India Service / Group ‘A1 service of the State for transfer to different posts under the State Government. It would be expedient before an officer is sought to be transferred in the public interest when he has not completed his tenure, that an administrative inquiry of a summary nature is held to ascertain if the transfer is justified as a matter of public policy. The administrative inquiry will be conducted as expeditiously as possible by a designated officer nominated by the Civil Services Board. In appropriate cases, the Civil Services Board may also direct the officer to proceed on leave on full pay and allowances till the administrative inquiry is over and a decision is taken regarding his transfer. The designated officer to conduct the inquiry will be ordinarily the Reporting Officer of the officer sought to be transferred. The Civil Services Board on receipt of the report of inquiry of the designated officer shall advise the Chief Minister regarding justification for transfer of the officer in the public interest before his normal tenure is over. Ordinarily the Chief Minister is expected to agree with the recommendations of the Civil Services Board as transfer of an official is a routine administrative matter on which a Civil Services Board must have a decisive role. But if the Chief Minister does not agree with the Civil Services Board and orders transfer of an official before his tenure is over, he may have to record in writing reasons for such transfer. If the official is transferred before his tenure without adequate justification, he will have the right to approach a three member Civil Service Ombudsman set up for the purpose.

13. We also deprecate the practice of change of Chief Secretaries and other senior officials in a State if there is a change of a Chief Minister due to elections to the State Legislatures or other reasons. In a Parliamentary democracy, a civil service has to be politically neutral and this tradition of political neutrality has to be nurtured at all levels. It has to be zealously guarded by the political executive and by the senior officials including the Chief Secretaries, Director Generals of Police and Principal Chief Conservators of Forests. We are aware of the magnitude of problems of management of political forces / political factions by Chief Ministers in different States. We are also aware that some senior officials in different States belonging to All India Services align completely with some functionaries of political parties in power. We only wish that healthy traditions will be built up in governance and the political executive and the permanent executive will appreciate their respective roles in our democratic polity.