

No. 13017/16/2003-AIS(I)
Government of India
Ministry of personnel, Public Grievances and Pensions
Department of Personnel & Training

New Delhi, the 8th November, 2004

OFFICE MEMORANDUM

Subject : Change of Cadre of All India Service Officers – policy regarding.

The undersigned is directed to say that the change of cadre of All India Service officers is governed by Rule 5(2) of the IAS (Cadre) Rules, 1954 and analogous Rules in the IPS (Cadre) Rules, 1954 and IFS (Cadre) Rules, 1966, which is as follows:

“5(2) The Central Government may, with the concurrence of the State Governments concerned transfer a cadre officers from one cadre to another cadre”

2. In recent practice,, this Rules has been invoked only in cases of marriage between the All India Service(s) officers. There have been cases where following marriage one officers has moved to the cadre of his or her spouse. There have also been cases where both spouses have moved to a third cadre. The policy in this matter has been reviewed in detail and a view taken, with the approval of Prime Minister, as follows:

(i) Inter-cadre transfer shall continue to be permitted for members of All India Service officers on marriage to another member of an All India Service, where the officer or officers concerned have sought a change.

Inter-cadre transfer shall also be permitted on grounds of extreme hardship in the rarest of cases.

(ii) Inter-cadre transfer shall not be permitted to the home State of the officer.

(iii) In cases of inter-cadre transfer on grounds of marriage, efforts should be made in the first instance to ensure that the cadre of one officer accepts his or her spouse.

(iv) Only in instances where both States have refused to accept the other spouse will the officers be considered for transfer by the Government of India to a third cadre subject to the consent of the Cadres concerned for such transfer.

(v) Inter-cadre transfer shall not be permitted to All India Service officers on marriage to an officer serving in a Central Service/ State Service/ Public Sector Undertaking/ any other Organization.

(vi) ‘Extreme hardship’ for purposes of inter-cadre transfer, should be defined to include (a) threat to the life of the officers or his immediate family and (b) severe health problems to the officer or his immediate due to the climate or environment of the State to which he is allotted.

(vii) In cases of request on grounds of threat or health, the Central Government shall have the genuineness of the request assessed by an independent Central agency or group of at least two independent experts.

(viii) If a request on grounds of threat or health is found to be genuine, the Central Government may initially send the officer on a three years deputation to a State of its choice. The situation may be re-assessed after the three years period. If the situation so warrants, the Central Government may permanently transfer the officer to that State.

The Ministry of Home Affairs and the Ministry of Environment & Forests are requested to consider all the requests for inter-cadre transfers of All India Service(s) officer in accordance with the above policy. All such requests shall be processed and after obtaining approval of the Minister in-charge, be submitted for the orders of the Appointments Committee of the Cabinet.

Sd/-
(Keshav Desiraju)
Joint Secretary to the Government of India

To

Shri Dharendra Singh,
Secretary,
Ministry of Home Affairs,
New Delhi.

Dr. Pradipto Ghosh
Secretary,
Ministry of Environment & Forests,
Paryavaran Bhawan, New Delhi

Shri N.K. Joshi,
Director General and Special Secretary,
Ministry of Environment & Forests,
Paryavaran Bhawan, New Delhi.

Copy also forwarded for information and necessary action to

Establishment Officer and Addl. Secretary,
Department of Personnel & Training, New Delhi.
Joint Secretary(AM)
Cabinet Secretary, New Delhi.

Director (Smt. Renuka Kumar), P.M.O.
Comptroller and Auditor General of India, New Delhi

NO. 37/1-A/2011-EO (SM.1)
Government of India
Secretariat of the
Appointments Committee of the Cabinet
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi, the 24th March 2011

The Appointments Committee of the Cabinet has approved that cases of inter-cadre transfer on ground of marriage may be approved by Secretary, Department of Personnel & Training in the case of IAS officers, Home Secretary in the case of IPS officers and Secretary, Ministry of Environment & Forests in the case of IFoS officers, i.e. the respective cadre controlling authorities, provided they conform strictly to the guidelines. Exceptions may be submitted to ACC for orders.

2. The Appointments Committee of the Cabinet has also directed that the three officers will clearly certify that the proposals conform strictly to the approved guidelines.

3. The Secretaries concerned may also submit a quarterly statement of the inter-cadre transfers so approved to the ACC for information by 5th of January, April, July, and October for the preceding quarter.

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24/3/2011
SO (IFS) / B
29/3
(Rajeev Kumar Mital)
Deputy Secretary to the Govt. of India

1. Ministry of Home Affairs,
[Shri Shri G.K. Pillai, Home Secretary]
New Delhi.
2. Ministry of Environment & Forests,
[Shri Tishyarakshit Chatterjee, Secretary]
New Delhi
3. Department of Personnel & Training,
[Dr. S.K. Sarkar, Additional Secretary(S&V)]
New Delhi.

Put up quarterly
statement regularly
JS(IFS)

JS/(IFS)

Copy to: -

1. PMO (Shri M N Prasad, Secretary).
2. Cabinet Secretariat (Shri M Sarangi, Special Secretary).
3. PS to Home Minister/PS to Minister of Environment & Forests/PS to MOS (PP)
4. PPS to Secretary (P)/PS to EO/SO(CM)/ Guard File.

1923
25/3/11

(Rajeev Kumar Mital)
Deputy Secretary to the Govt. of India

No.13017/34/2011-AIS-I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training.

New Delhi, North Block,
Dated 22nd August 2012

To
The Chief Secretary
All states /UTS

Sub: Inter Cadre Transfer of All India Service Officers to third cadre on the ground of marriage -
Clarification in Policy - regarding.

Sir


I am directed to refer to this Department's letter no. 13017/16/2003-AIS-I dated 18.1.2008 on the subject cited above, which provides as under: -

" In cases of inter-cadre transfer of officers on ground of 'marriage', the couple should normally be transferred to one of the two Cadres on which they are borne. In case of refusal of both Cadres to accept the officers, in the first instance, the matter should be taken up formally a second time with both the cadres. In cases of continued refusal of both the cadres to accept the officers on grounds that are deemed by the Central Government to be genuine and satisfactory, the couple shall be transferred to one of the deficit cadres with concurrence of the State Government concerned. The matter shall be revisited after the category of deficit cadres ceases to exist."

2. The issue has been further examined and in the above context it is clarified that **deficit cadre** is one where there is a maximum percentage of shortfall of direct recruit officers vis-à-vis the direct recruit cadre strength. Shortfall may be computed on the basis of Civil List of AIS prevailing at the time of the application for Inter-Cadre Transfer. In case of continued refusal by the cadres of the officers on which they are borne the officers would be considered for transfer to a third cadre and for this purpose Central Government will first identify three cadres, which have maximum deficit of direct recruit officers as a percentage of all the DR officers sanctioned post and then give a choice to the couple seeking transfer to a third cadre to choose one of those cadres. Thereafter, the concurrence of the concerned cadre would be taken before the couple is transferred to third cadre.

3. The above procedure for inter cadre transfer of AIS officers to third cadre on the ground of marriage would be applicable in all the cases, which are pending for consideration and also those cases which would be received in future.

Yours faithfully,


(S.S. Shukla)

Under Secretary to the Government of India
Tel: 23092695

Copy to the following for further necessary action: -

1. The Secretary, Ministry of Home Affairs, North Block, New Delhi.
2. The Secretary, Environment and Forests, Paryawaran Bhawan, CGO Complex, New Delhi.
3. EO & AS, DOPT, North Block, New Delhi
4. Director (SM), DOPT, North Block, New Delhi.

Copy for file no. 13017/16/2003-AIS (I)

Secy. in a meeting re.
31/8/12
JS(IFS)
28/8
US(IFS-I)
JS(IFS)

OIO J.S.(BM)
Dy. No. 5764
Date 28/8/2012

40/12/11 (AS-8) JKM/12
31/8

OIO Secretary (E & F)
Dy. No. 5764
Date 28/8/2012

F.No. 37/14/2016-EO(SM-I)
 Government of India
 Secretariat of the
 Appointments Committee of the Cabinet
 Ministry of Personnel, Public Grievances and Pensions
 Department of Personnel and Training

New Delhi, the 20th January, 2016

Reference Notes dated 10.05.2016 contained in DoPT (AIS Division) File No. 13017/5/2016-AIS-I.

2. The Appointments Committee of the Cabinet has approved the following for making provisions in the existing policy for inter cadre transfer:

- (i) In cases where either of the officers cannot opt for the cadre of the spouse being their respective home cadre, the officers may choose the immediate next cadre opted by them in the detailed application form submitted to UPSC below the present cadre allotted.
- (ii) In case of non receipt of preference within the stipulated time from the concerned officers, they can be assigned the most deficit cadre between the two subject to receipt of No Objection Certificate from the parent cadre as well as recipient cadre.

Jagannath
 20/1/17
 (J. Srinivasan)
 Director
 Tel : 2309 2187

Department of Personnel & Training
 [Shri T Jacob, Additional Secretary(S&V)]
 New Delhi

Copy to: -

1. Prime Minister's Office (Ms. Nandini Paliwal, Deputy Secretary).
2. PS to Home Minister/ PS to MOS (PP).
3. Cabinet Secretariat (Ms. V. Vidyavathi, Joint Secretary).
4. Secretary, Ministry of Home Affairs, New Delhi.
5. Secretary Ministry of Environment, Forests & Climate Change.
6. Director(AIS) - along with the above-referred DOPT(AIS Division) File.
7. PSO to Secretary (P) / PPS to EO / PS to Director (MM)
8. Sr. Technical Director, NIC, DOPT
9. Guard File.

O/o IGF (IFS)
 Dy. No. 49188
 Date: 31/1/17

O/o DS (IFS)
 Dy. No. 49188
 Date: 31/2/17

O/o Secretary (EF&CC)
 Dy. No. 49188
 Date: 31/1/17
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Jagannath
 20/1/17
 (J. Srinivasan)
 Director
 Tel : 2309 2187

✓
 (IGF/IFS)
 JS (SB)
 27/1
 P.S. -
 PP
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 W (AIS-I)
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 SO (IFS)
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 Sh. K.S.

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