

No.37/18/2015-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 21st June, 2016

With reference to the proposal pertaining to inter cadre deputation of Shri Sanjiv Chaturvedi, IFS (UTT:2002) to Government of National Capital Territory of Delhi (GNCTD), the competent authority in the Appointments Committee of the Cabinet has noted that :

- (i) The ACC had approved the inter-cadre transfer of Shri Sanjiv Chaturvedi from Haryana to Uttarakhand in August, 2015.
- (ii) On 24.2.2016, State Government of Uttarakhand has rejected the representation of Shri Chaturvedi for NoC for inter-cadre deputation stating that if Government of India grants waiver of cooling off condition, Uttarakhand has no objection for inter-cadre deputation.
- (iii) On 28.4.2016, State Government of Uttarakhand has rejected NoC regarding Shri Chaturvedi's application for the post of CVO stating that he has not yet joined the Cadre.
- (iv) In terms of Rule 6(1) of the IFS(Cadre) Rules, a cadre officer may with the concurrence of the State Government concerned and the Central Government, be deputed under the Central Government or another State Government.
- (v) DoPT's OM No. 14017/33/2005-AIS(II)(Pt.I) dated 28.11.2007 prescribes that there shall be a mandatory cooling-off requirement for a period of three years after every period of deputation under Rule 6(1) of IAS/IPS/IFS(Cadre) Rules for officers at Joint Secretary level or below. In view of the said provision, Shri Sanjiv Chaturvedi is required to complete the mandatory cooling-off period of three years in his cadre on completion of his central deputation on 28.06.2016 before he can be considered for next deputation under Rule 6(1). Further, as deputation under the Central Government and inter-cadre deputation from one State to another are distinct and separate deputations under Rule 6(1), the provision of mandatory cooling off is applicable between two successive tenures of central deputation and inter-cadre deputation.

2. Further, the representation dated 03.06.2016 filed by Shri Sanjiv Chaturvedi in this regard and relating comments of the Secretariat of the ACC made in the ACC note dated 15.06.2016 have been considered:

"..... Shri Sanjiv Chaturvedi has recently been granted Inter Cadre transfer from Haryana Cadre to Uttarakhand Cadre on grounds of extreme hardship on his

personal request. MoEFCC, in their earlier Note, had informed that consequent to change of his cadre, Shri Sanjiv Chaturvedi was yet to serve in his new parent cadre i.e. State of Uttarakhand. MoEFCC had further added that on account of the different socio-economic, political, cultural and geographical conditions from State to State, it was imperative for an officer to fully familiarize himself with the demand and constraints of his cadre in the formative stage of his career, in order to effectively meet the challenges of his cadre. The case of Shri Sanjiv Chaturvedi is different as he has recently been allowed a cadre change on ground of extreme hardship. "

3. Further, in the present context, the following comments of the Ministry of Environment, Forest & Climate Change made in Secretary, MOEFCC's letter dated 16.06.2016 are also noted:

"... including the fact that the inter-cadre deputation of Shri Sanjiv Chaturvedi is not permissible under Rule 6(1) of IFS (Cadre) Rules, since the Government of Uttarakhand have not accorded their consent, and the officer is required to complete the mandatory cooling-off in his cadre prior to consideration of his next deputation, the inter-cadre deputation of Shri Sanjiv Chaturvedi, IFS (UTT:2002) from the Government of Uttarakhand to the Government of National Capital Territory of Delhi cannot be considered".

4. Accordingly, keeping in view all the facts and circumstances of the case, the Appointments Committee of the Cabinet has *declined* the proposal for inter-cadre deputation of Shri Sanjiv Chaturvedi, IFS(UTT:2002) from Uttarakhand cadre to the Government of National Capital Territory of Delhi (GNCTD).


(Rajender Kumar)

Deputy Secretary to the Government of India
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21/6/16

Ministry of Environment, Forest & Climate Change
(Shri Ajay Narayan Jha, Secretary)
New Delhi

Copy to :-

1. Principal Secretary to PM, PMO
2. Additional Principal Secretary to PM, PMO
3. PS to Home Minister/PS to MOS(PP).
4. Cabinet Secretariat (Shri M. Devaraj, Joint Secretary)
5. Chief Secretary, Government of Uttarakhand
6. Shri Sanjiv Chaturvedi
7. Sr. PPS to Secretary(P)/Sr. PPS to EO/PS to DS(MM)
8. NIC, DOPT
9. Guard File.


(Rajender Kumar)

Deputy Secretary to the Government of India