

No.21/22/2011-CS.I (P)  
Government of India  
Ministry of Personnel, Public Grievances & Pensions  
Department of Personnel & Training

Lok Nayak Bhawan, New Delhi  
the 12<sup>th</sup> August, 2011

**OFFICE MEMORANDUM**

**Subject: Surrender of CSS Officers by the Ministries/Departments to the Department of Personnel & Training – Instructions regarding.**

In the recent past some Ministries/Departments have unilaterally surrendered officers of CSS/CSSS/CSCS to DoPT mostly on the grounds of non-performance or dereliction of duty and sometimes on the ground that the officer has proceeded on long leave with or without valid reasons. This is not a good practice.


2. Firstly, such unilateral surrender of an officer on the grounds of non performance or under-performance bring stigma to the said officer and in the interest of natural justice, it is necessary that he should be given a chance to explain his position before any such action is taken. Secondly, such surrenders also pose problem before the Cadre Controlling Authority in DoPT as there may not be any available post against which salary of such an officer can be drawn till he is posted to another Ministry/Department. And, finally, merely transferring an officer on the grounds of non performance/under performance from one department to another does not solve the basic problem of under performance in that specific case.

3. In view of the above, if an officer is not performing well or is derelict in performance of his/her duties, then the correct course of action is to take action against such officer for non performance etc. under the relevant Conduct Rules and also record such non-performance at the time of writing performance appraisals. This will not only give a chance to the officer concerned to explain himself, but would also debar non-performance/under performance or dereliction of duty.

4. In view of the above, Ministries/Departments are directed that they should desist from unilaterally surrendering any officer of CSS/CSSS/CSCS to DoPT. If the Ministry/Department is not satisfied with the performance of an officer, action should be

taken against him or her against relevant rules and at that stage if it is warranted that he/she should be transferred out of the Department, a request may be made to DoPT which would be considered on priority. If, despite the above instructions, any Ministry/Department surrenders an officer unilaterally without following the above procedure, such surrender would be presumed to have been made along with the posts and the sanctioned strength of the concerned Ministry/Department would be reduced accordingly and no replacement would be provided to the concerned Department against such surrenders.

5. It is requested that the above instructions may be strictly adhered to.

  
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To,

All Ministries/Departments