

POSTING OF STAFF AT THE OFFSHORE OIL  
TERMINAL DEPARTMENT AT VADINAR

The issue of evolving a policy for regulating the promotions, transfers, etc. of staff at the Offshore Oil Terminal Department at Vadinar was brought before the Board in its meeting held on 24.10.1986 for discussion. The Board vide Resolution No. E1 of the said meeting had ~~resolved to constitute a committee consisting of Chairman,~~ S/Shri A.K. Shah and C.S. Chauhan to go into all the aspects involved in posting of staff at the Offshore Oil Terminal Department at Vadinar, and to submit its recommendations in respect of transfer of officers and staff from Kandla to Vadinar and vice versa, for consideration of the Board.

The recommendations of the committee were forwarded for information of all the Trustees by the Secretary on 16.2.87 & it was indicated that the recommendations will be placed before the Board in its meeting to be held on 27.2.1987 for consideration.

The recommendations are accordingly placed before the Board as per Annexure-IX (P-57 to 62) for consideration and for taking a decision.

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area as under:-

4.1 Doing away with existing ad hoc promotions at Offshore Oil Terminal, Vadinar

4.2 The existing practice of promoting junior employees on ad hoc basis for manning various posts at Offshore Oil Terminal on account of unwillingness of senior employees working at Gandhidham/Kandla to accept promotion at Vadinar should be discontinued. In respect of various posts which are manned by junior employees on promotion on ad hoc basis, a circular should be issued to the senior employees who are above the ad hoc promotees asking them to indicate whether they are willing to go on promotion to Vadinar or not and making it clear to them that in the event of their unwillingness to go on promotion to Vadinar, their juniors who are working on ad hoc basis in the promotional posts, be given regular promotion. The unwilling seniors will stand superseded by their juniors. In case any senior employee or employees is/are willing to accept the promotion at the Offshore Oil Terminal, then the seniormost among them should be promoted on regular basis and the ad hoc promotee who is working at Vadinar be reverted to his original post and posted at the place from where he had got ad hoc promotion i.e. if he had gone from Gandhidham/Kandla on promotion on ad hoc basis, he should be posted back to Gandhidham/Kandla and on the other hand if he had been promoted while he was working at the Offshore Oil Terminal, he should be reverted and posted at the Offshore Oil Terminal itself. In this manner, the ad hoc promotions which were made on account of unwillingness of the senior employees to go on promotion at Vadinar would be put <sup>to</sup> an end.

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Posting of staff at the Offshore Oil Terminal Department at Vadinar

The Board vide Resolution No. 81 of its meeting held on 24-10-1986 had resolved to constitute a Committee consisting of Chairman, S/Shri A.K.Shah and C.S.Chauhan to go into all the aspects involved in posting of staff at the Offshore Oil Terminal Department at Vadinar, and to submit its recommendations in respect of transfer of officers and staff from Kandla to Vadinar and vice versa, for consideration of the Board.

2. The Committee had a preliminary meeting on 25-11-1986 when it was decided to hear the view-point/suggestions of the unions/associations in respect of the above matter. Accordingly, the following unions/associations were invited to place their view-point/suggestions before the Committee on 1-12-1986 and 10-12-1986:-

- (1) Transport & Dock Workers' Union.
- (2) Kandla Stevedores & Dock Workers' Union.
- (3) Kandla Port Karamdhari Sangh.
- (4) Kandla Port 'Trust Officers' Association.

3. The view-point/suggestions placed by the unions/associations before the Committee on the above mentioned dates were taken note of in formulating the recommendations of the Committee in respect of the above matter.

4. Subsequently, the Committee met on 16-1-1987 and 13-2-1987 to finalise its recommendations which

if another transferee at Gandhidham/Kandla is promoted to higher post in his/her own turn, the senior person opting to stay at Offshore Oil Terminal shall stand superseded in the same manner as in case of senior persons of Gandhidham/Kandla declining to go to Offshore Oil Terminal. This should be made amply clear to all concerned.

5.6 The system of filling the vacancies in the above manner should be the same for male and female employees and in the event of their unwillingness to accept the promotion at the Offshore Oil Terminal, the junior person willing to go on promotion to Offshore Oil Terminal be promoted on regular basis and those who decline promotion and posting at Vadinar will stand superseded by the junior employees.

5.7 In the unlikely event of refusal of all the eligible employees working at Gandhidham/Kandla in the feeder category to accept the promotion at Vadinar and non-availability of eligible person to be considered for promotion at the Offshore Oil Terminal, the vacancy may be filled when a candidate working in the feeder category at Vadinar becomes eligible for consideration for the post in which the vacancy exists. Alternatively, the vacancies may be filled in by direct recruitment, if necessary by amending the recruitment regulations.

## 6. General

6.1 The employees who will be posted at Vadinar on transfer and promotion may be allotted a quarter in the Port Colony at Vadinar. In the case of employees coming on transfer from Vadinar, they will be eligible for allotment of quarter at Gandhidham/Kandla, as the case may be, according to its availability and their turn in seniority.

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6.2 If husband and wife are working in the Port Trust and residing in the Port Trust quarter at Gandhidham/Kandla and if either of them is transferred to Offshore Oil Terminal, the other spouse be allowed to retain the quarter at Gandhidham/Kandla until both of them happen to be posted at the Offshore Oil Terminal. The same method should be followed in the similar cases of transfer from Offshore Oil Terminal to Gandhidham/Kandla.

6.3 In the case of promotion and posting at the Offshore Oil Terminal of those employees, who are working at Gandhidham/Kandla and are occupying Port Trust quarters and whose spouse is not working in the Port Trust, they may be allowed to retain the quarter at Gandhidham/Kandla until scholastic session of their children is over i.e. upto 30th April of that year.

6.4 As regards persons already working at Offshore Oil Terminal for a period of over 6 years, the Committee recommends that the administration may consider the cases of transfer of such persons, who opt to come over to Gandhidham/Kandla, separately before the implementation of the new policy.

*A. K. Shah*  
 16/2/87.  
 (A. K. Shah)  
 Member

*C. S. Chauhan*  
 (C. S. Chauhan)  
 Member

*(Inhab. All. M.)*  
 Chairman.

27-2-87

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10.3 The proposal was approved.

Junior  
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Resolved to continue seven Class I temporary posts as shown in Annexure-IV for a further period of one year from 1.3.1985 to 29.2.1988, subject to the approval of the Central Government.

11. Posting of staff at the Offshore Oil Terminal Department at Vadinar - Recommendations of the sub-committee set up by the Board

11.1 Chairman's note on the item was considered.

11.2 Chairman gave the background of the case and stated that the main recommendations of the sub-committee were that if a senior person refuses promotion at Vadinar then his junior could be given regular promotion instead of adhoc promotion which has been the existing practice and the vacancies falling at Kandla could be filled on rotation basis to enable transfer of employees who have rendered three years' service at the OOT.

11.3 Shri Pradeep Singh stated that after the existing adhoc promotions were regularised, there should be policy of regular transfer and no option should be given to employees because the port limit has been extended; the Port Trust should not be apologetic to employees on this score; there should be uniform transfer policy, barring hardship cases and mutual transfers; no option should be given to employees or supersession allowed on account of their unwillingness to accept promotion and posting. He added that even now the transfer of employees in the same posts from Gandhidham/Kandla to Vadinar has not been envisaged; which situation should not be allowed to continue any more.

11.4 Shri Manohar Kotwal suggested that the consideration of the item should be deferred. He further stated that in such matters, both the Trustees representing the labour, should have been associated with the sub-committee constituted by the Board but unfortunately it was not done so; the issue of transfers is at times agitated upto the level of Supreme Court and, therefore, great care was necessary in evolving the transfer policy of employees, particularly when they were liable for transfer to a distant place. Chairman stated that the Board took a conscious decision in constituting a sub-committee to consider the matter and a Labour Trustee was taken as a member thereon. He added that the unions of the employees were heard to assess their view-point/suggestions before formulating the sub-committee's recommendations.

11.5 Shri J.D.Mehta stated that the sanctity of Board's decision should be maintained; whether Board's decision was proper or not should not be questioned. Shri Manohar Kotwal stated that he was not questioning the decision of the Board but was seeking deferment of the consideration of the item.

11.6 Shri Pradeep Singh stated that this matter had also come up for discussion in the Port Chairman's Conference and the Secretary, Ministry of Surface Transport, was very much emphatic about the transfer of employees



from Gandhidham/Kandla to Vadinar and vice versa. He added that he was in complete agreement with the view for having a regular transfer policy of employees from Gandhidham/Kandla to Vadinar, and vice versa. Shri Gouranga Sinha supported the view expressed by Shri Pradeep Singh.

11.7 Shri A.K. Shah observed that the present position has been existing since 1973 and nobody had questioned about the same but suddenly the issue was being thrust upon the employees. Chairman stated that even now the policy suggested by the sub-committee did not fully cover regular transfer in the same year from Gandhidham/Kandla to Vadinar and vice versa, but only the transfer in the same year from Vadinar to Gandhidham/Kandla on rotation basis. He added that the regular transfer policy envisaged is only in respect of promotional posts.

11.8 Shri Pradeep Singh stated that regular transfer policy should be evolved and there should be no question of option to the employee. He further stated that the administrative exigencies should not curtail the right of the employee to transfer. He stated that the right of the employee to transfer should be subject to the requirements of work and administrative exigencies. He suggested that it might be added that notwithstanding anything contained in the transfer policy evolved, it shall not curtail the right of the administration to transfer an employee from Gandhidham/Kandla to Vadinar and vice versa in the same year or on promotion at any time as far as the exigencies of work or as may be necessary on administrative grounds. Shri Manohar Kotwal stated that his reservations in respect of the matter should be recorded.

11.9 After further deliberations, the recommendations of the sub-committee were accepted for implementation subject to the addition suggested above by Shri Pradeep Singh.

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Resolved, in supersession of previous resolutions on the subject, to accept for implementation the recommendations, as per Annexure-V, of the sub-committee set up by the Board vide Resolution No. 21 of its meeting held on 24.10.1986, for the purpose of posting and transfer of staff from Vadinar to Gandhidham/Kandla and vice versa.

Further resolved to reiterate the position that notwithstanding anything contained in the recommendations of the sub-committee, the employees of the Board are liable to be transferred in the same capacity or on promotion from Gandhidham/Kandla to Vadinar and vice versa if/exigencies of work or administrative grounds demand.

12. Retirement of Shri N. Krishnamoorthy, Financial Adviser & Chief Accounts Officer of the Board

12.1 Chairman informed the trustees that Shri N. Krishnamoorthy, Financial Adviser & Chief Accounts Officer, would retire on superannuation from the Board service on 23.2.1987.



5. Regular transfers

5.1 There has to be a regular transfer policy of employees from Gandhidham/Kandla to Vadinar and vice versa so that no one is forced to stay at Vadinar permanently.)

5.2 (In respect of base-line posts which are filled by direct recruitment at the Offshore Oil Terminal such as Junior Clerks, Messengers, etc., the incumbents holding such posts may be considered for transfer as and when the vacancies in such posts are filled at Gandhidham by direct recruitment. ~~The new entrant should be posted at Vadinar and the employee working at the Offshore Oil Terminal transferred to Gandhidham/Kandla.~~ However, not all the employees working in the base-line posts at the Offshore Oil Terminal should be transferred at a time to Gandhidham/Kandla but it may be done in a phased manner as per the discretion of the administration, so as not to affect the working in the Offshore Oil Terminal Department. The case of transfer of employees working in the base-line posts at the Offshore Oil Terminal be considered after the employee has rendered at least three years' service at the Offshore Oil Terminal except in exceptional circumstances.)

5.3 In respect of filling the vacancies in promotional posts with effect from a specified date, say 1st June, 1987 onwards, the first vacancy which will arise at Gandhidham/Kandla be filled by promotion of an eligible candidate at Gandhidham/Kandla. The next vacancy when it arises at Gandhidham/Kandla be filled by transfer of a person who is holding that post at the Offshore Oil Terminal, and the resultant vacancy which will arise on account of his transfer from the Offshore Oil Terminal should be filled by

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promotion of an eligible candidate, and in the event of his refusal to accept the promotion at the Offshore Oil Terminal, the junior person who is eligible and willing to accept the promotion be promoted on regular basis. This rotation of filling the vacancies (first vacancy at Gandhidham/Kandla, second vacancy at Offshore Oil Terminal, third vacancy at Gandhidham/Kandla, fourth vacancy at the Offshore Oil Terminal and so on) by promotion may continue until there is no person who has rendered three-years' service in the same post at Vadinar and who is willing to be considered for transfer to Gandhidham/Kandla is available. In such a situation, the vacancies which will arise in promotional posts at Gandhidham/Kandla be filled by promoting the eligible employee at Gandhidham/Kandla itself. However, as and when the eligible employee is available at the Offshore Oil Terminal, the cycle of filling the vacancies in the above manner may be started.

5.4 (The administration may, however, transfer the willing (opting) employees in the same post or on promotion from Offshore Oil Terminal to Gandhidham/Kandla and vice versa without completion of three years' period if departmental candidate is not available.)

5.5 (It should be ascertained from the employees presently working at the Offshore Oil Terminal as to whether they are interested in their transfer to Gandhidham/Kandla in the same or in a promotional post, as the case may be.) This information will be useful for the purpose of posting of staff from Gandhidham/Kandla to Vadinar and vice versa so as to minimise the hardship, if any, which may be caused to the employees on account of transfer. (If a person working at Offshore Oil Terminal is not interested in transfer to Gandhidham/Kandla, he may be allowed to stay there.) In that case

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