STEP TO STRUGGLE

By:

S. K.BANSAL

प्रस्तुत

जीवन एक साधना है। "परोपकाराय इदं शरीर" अर्थात यह शरीर परोपकार के लिए है। इसका सीधा अर्थ है हम सदा बातचीत के प्रयास में अग्रसर रहें। इस प्रकार जीवन साधना साध्य और साधन साधक के लिए है। अर्थात इसके लिए आवश्यक हो जाता है कि हम शाखा और शाखा का समन्वय

स्थापित रखें। यदि कभी मार्ग से पथ पर पथभ्रष्ट रहेंगे। प्रयास तो मार्ग से साधनाकर। प्रार्थना-**दान चरित्र,** कथन और पवित्रोधन में रत्नत्रय रहें, जिससे आत्मोन्नतिक स्थापना के पथिक हो सकें।

स्थापना पक्षपात है और अस्थापना अधिकार, इसलिए हमारे शास्त्र में कहा है कि चरमसीमा में जयोल्लासमय अर्थात अधिकार को छोड़ो पक्षपात की ओर रमण करो। स्थापना विचार को अधिकार की कमजोर कोठरी से बाहर निकल कर एक तीसरे दिशा की ओर ले जाता है। जहां परिश्रम शिक्षा की पृष्ठभूमि पर सफलता सदैव उसके कदम चूमती है। स्थापना के अभाव में मतभेद रूपी दरार

से गहरी रहती है यथा जाता कुछ चलता आ रहा है उसी परिप्रेक्ष्य में उसे जीत की आदत पड़ जाती है। जिसके कारण वह अपने हार में अहंकार में अंतर तथा समझ पाता। स्थापना के अभाव में विचार के अनंत परिरोध करते की मरता तीव्र हो जाती है। वह निर्बल हो जाता है और वह अपनी बात को सशक्त रूप में प्रस्तुत करते के समर्थन तथा हीनता है। निर्बलता के समर्पण परिवेश को व्यूहात्मक तर्कसंगत अपने छोड़ से संकेत में पूर्ण रूप से परिभाषित किया है - "शिक्षा हेतु जीवन है, निर्बलता मृत्यु"। स्थापना के आलोक में विचार प्रेरक दृष्टि से सबल हो जाता है साथ ही उसकी मनोबल पर के समस्त ऊंचा बात जाता है। इस प्रकार अपने हम स्थापना को सफलता के कार्य कुशलता में रहो यह कथन शब्द-प्रतिशब्द सत्य ठहराता है।

इंडियन रेलवे पोलो ऑफिसर्स फेडरेशन रेल के पोलो अफसरों के

हितों के संरक्षण और संवर्धन के लिए अस्तित्व में आया है। हमारा लक्ष्य चार और दीर्घ संरचना का निर्माण करना है। यह तभी संभव है जब हम अपने हितों के विषय में जानते, कमजोरियों को पहचानते और कदम दर कदम

◆मल-बैठकर त क्ल उपस्य-योजतस पर त्चस्र कर अतपर रत-मत-धत से
अपत ◆हर र◆स क ◆लए ◆मल-जल कर पयस्स
कर।

फेडरशत क◆ कई बैठकत और सममेलतत म हमस्रे ◆लए बत यस पच◆लर

◆तयमत/त्◆तयमत क◆ बस्र उठ◆ है और य◆ह हम आनदोलत क ◆लए रयस्र होतस है रो हम अपत ◆हर क ◆लए त्◆शष् ◆तयमत/वय्हसरत क◆ जसतकस्र◆होती अ◆र आ्शयक है।

हमस्रे फेडरशत क◆ परणस से पोमो्◆ ऑ◆फसस क सबंधं म पदोनत◆र और आचस्र संहरस से सबं◆धर पस्◆धस्तत क◆ यस्◆स कस एक अ◆भलेख आपक ससमत प्◆रर है। इसम सधस्र, अ◆भ्तद ए्
सशोधत क◆ पबल संभस्◆तस्ए ह और मस्रदशरत से ह◆ इसम आपक सम◆ उपि्थर कमी कोदर ◆कयस जस्सकरस है। हम शस्◆् और श्◆् से ससि्जजर होतस है रभी हम संरठत क
◆लए आ्शयक और सस्थक र◆् मं् क स्◆्सहक हो सकर ह। संरठत अपत आप म शि्कर कस पर्चस्यक है। जब दो यस दो से अ◆धक वयि्कर
◆कसी ल◆य क◆ पसि्ार क ◆लए ◆मल-जलकर कस्य करर ह रब ◆्हस संरठत कस समस्◆्श ◆्र; ह◆ हो जसस्स है। संरठत कस अि्रत् एकरस म ह◆ ◆तभर
करस्स है। यह एक म◆ौ◆खक तह◆ बि्लक कम से होतो चस्◆हए। अपतो कम शि्कर एकरस क कस्रण ह◆ चो◆ी◆्यस रक अपत पहस्ड़ समस्त ल◆य को पस्◆ार कर लेरो है। इसी◆लए ◆कसी त्◆दस्◆त त ठ◆क ह◆ कहस है ◆क “जहस जमसर ◆्हस◆ करस्स्मसर” । बस्बस ससहेब अमबडकर कस यह मं् “To organise, to educate, and to agitate” रभी ◆सद होरस जब हम सर◆ठर होकर त्◆दस्रस क सस्थ अपत ◆हरत क◆ र◆स कर और इससे हम अपत मतरवय को ररवय रक ले जसत म सफलरस ◆मलरी।

म शी एस क बसल कस त्शेष रप से अभस्र◆ ह ि्जनहोत इस पयस्स को शदरम ्र से प्◆रर करसत म अगणीय भ◆मकस कस ◆त्◆ह ◆कयस है। य◆द यह कहस जस्ए ◆क यह सम्◆र पयस्स उतकस ह◆ है मेरस रो इसम अण मस्् पयतत रहस रो इसम कोई अ◆रशयोि्कर तह◆ होरी। मरे पि्शचम रेल् क सस्थी शी एल0एल0

तममदेक, शकी एस० एत० रकारम एक शकी रमेश भम्यम कम सहयकोर भकी इस दशम म करणीय हकै।

आशा है यह पत्र हमारे पर हो रहे अन्याय और अत्याचार को

कालक्रम के अंतराल समझते का अवसर पदान करता है हमारी दायित्वों में यथोचित दिशा तैयार करना।

धन्यवाद

भवदीय

A FEW WORDS

"Knowledge is key to success" is a well known proverb and "success comes through struggle" is another important saying. This can therefore be said that "Knowledge is the key to successful struggle". For long, it has been experienced that Group 'B' officers are not aware about themselves i.e. their career planning. DPCs, seniority, promotions, fixation of pay, allowances and other important rules and regulations relating to their service matter etc., This ignorance of theirs, from decades, is being exploited by the powers that be, at every step to deny/delay their rightful claims. By the time, the Group 'B' officer come to understand the facts, it is too late, as due to their small tenure-age being against them and face frustration. In order to strengthen the struggle, knowledge of rules and regulations is therefore, imperative.

This compendium therefore is the outcome of necessity to bring awareness in the promottee officers regarding their service matters and allied issues and their rights flowing out of these. The history of Group 'B' officers is immensely wide, hence bringing out the essential part of all this, in a small compendium like this, without losing its inner most importance was a stupendous task.

Western Railway Promottee Officers Association who has endeavored to bring out this compendium deserve every appreciation as this will motivate the Group 'B' officers to take emphatic steps to struggle.

Further, it is not possible to produce a perfect thing always, it is up to you all Group 'B' officers to accept the effort of WRPOA with acclaim or criticism. However, every suggestion of yours to add/delete/Modify with a view to improve the compendium shall be accepted with gratitude.

I am sure that this effort of WRPOA shall motivate Promottee officers to intensify the struggle against injustice with more vigour, so as to take it to logical ends. Remember "Who tolerates injustice is himself/herself is a great sinner".

With all the best wishes.

S.K. Bansal

AN INTRODUCTION

The 'Step to Struggle' Compendium contains important extracts from Establishment code, Establishment manual, Important Policy Letters regarding Seniority, Promotions, DPC rules, allowances, Incentives, Medical, pay Fixation, DOPT's notifications etc. in addition to important quotes from various places, all concerning Group 'B' officers.

All these have been brought out in 12 chapters starting from a note on "Gazetted Cadre in Nut Shell" giving the information regarding Group 'B' / others in brief, other important information / copies of the letters, extracts of codes/manuals have been placed in the various chapters, normally subject wise, as indicated in the index. In Chapter 7, **Deptt. Of Personnel and Training's notifications/office memorandums** have been compiled, mostly concerning Railways too. Chapter 8 is set apart for important letters concerning Group 'B' at that time, though may not be so relevant now, but still these have their own importance, hence publication of these could not be ignored, and hence aptly named historical letters.

Chapter 9 is a compendium in compendium, containing important quotes/extracts from various places, relevant even today for Group 'B' for its struggle for justice, as also Chapter 11 where even at the cost of duplication, these important lines of extracts/speeches have been brought out. Chapter 10 brings out the recommendations by R.C.C.-91 (Rly. Convention Committee) only very important one with comments from governments of India and the Final Chapter 12 contains the copy of the important noting on file regarding group 'B' – as these were placed before the hon'ble court in various court.

In this compendium, effort has been made to make the search for a particular letter / information easier, and generally the letters have been arranged date/year wise, except off-course few letters which have been placed together irrespective of their date, keeping in view the relevancy of their subject. DOPT's notifications/office memorandums have been compiled in a separate chapter all together (chapter 7). In index also, very important letters have been specifically identified by indicating these with bold/dark letters.

All these have been brought out to enrich the Group 'B' officers knowledge about various aspects of their struggle to make them to know about the history and details. It may be submitted that this is not the complete compendium of all the letters / extracts regarding Group 'B' officers, and therefore it is just possible that some letters/aspects may not have been produced here, as it is just impossible to ensure all such information in one small compendium like this. However effort is to make available at least important details regarding Group 'B' offices.

M.B.Dave
Gen. Secy. WRPOA

INDEX

CHAPTER – 1		Page No.
1	Gazetted Cadre in nutshell – A note	**1 – 7**
CHAPTER – 2		
Important Extracts of Estb. Code, Estb. Manual, regarding Gazetted cadre and Classification of Services etc.		**8 – 18**
2-1	Extracts from Estb. Code Vol 1 (1985) including sanctioned cadre, Promotion to Sr. Scale etc.	8-13
2-2	Extracts from Estb. Code Vol II (1987)	13
2-3	Quota enhancement to 50% [No.79/E(GR)I/15/2(E)(GC) dt. 31.7.1997]	14
2-4	RBSS Recruitment Rules [ERB-1/95/11/6 dt. 28.11.85	14-16
2-5	Rly. Ministry – Central Govt. [90/TT-III/27/1/P dt. 23.1.95]	16
2-6	Classification of Posts regarding [DOPTs 13012/1/98-Estd. (D) dt. 12.06.98	16-17
2-7	Annexure S.O. 332(E) dt. 20.4.98 [DOPTs 13012/1/98-Estb. (D) dt. 20.4.98]	17-18
CHAPTER – 3		
Recognition of Associations, Meetings & P.R.E.M. Facilities etc.		**19-34**
3-1	Rules for recognition of Service Associations of Rly. Servants (Extracts from Estd. Manual)	19-20
3-2	Recognition of the Indian Rlys. Class II officers Federation [E(LR)69-AS-I-6 dt. 10.11.1971]	20
3-3	C.E.G. facilities therefore [E(LL)77/WPM/E-z© dt. 20.7.1978]	21
3-4	Formal Meetings with Board [E(LR)1-77 AS 1-4 dt. 22.7.1978	21
3-5	Meetings at Zonal level of Zonal Bodies [E(LR)1-78 AS 1.4 dt. 18.11.1978]	22
3-6	Formal Meetings with Federation & Associations [79/MS/OF/POL.1 dt. 21.4.1979]	22
3-7	Formal Meeting with FROA & IRCTOF with Rly. Bd. [even no. dt. 24.10.1979	23
3-8	Provision of secretarial and P&T facilities to CEG [E(LL)88/WPM/2-1 dated 13.6.90]	23
3-9	Grant of Card Pass to IRPOF/Associations [No.E(W)91-PS/S-1/9 dt. 4.6.93]	24
3-10	Grant of Card Pass to IRPOF/Associations [No.E(W)91-PS-5-1/9 dt. 29.10.94/14.11.94]	24

3-11	Grant of Card Pass to IRPOF/Associations-Separate [E(W)91/PS-5-1/9 dt. 10.7.96]	24
3-12	Issue of Pass to IRPOF/Associations – Shatabdi [of even No. dt. 28.10.98]	25
3-13	**Grant of Card Pass to IRPOF – Separate** **[of even No. dt. 22.11.99]**	25
3-14	Restructuring of CEG – P.R.E.M. [94/O&M/100 PREM dt. 23.3.94]	25-27
3-15	P.R.E.M. – Addl. Facilities [94/O&M/100(PREM) dt. 29.3.94]	27
3-16	Secretarial Facilities to PREM E(LL)95/PREM/3 dt. 26.5.95]	28
3-17	**Provision of facilities to PREM – summary** **(even No. dt. 19.4.96]**	28-29
3-18	PREM facilities – Retiring room E[LL]96/PREM/3 dt. 1.11.96]	30
3-19	Secretarial Facilities to PREM Even No. dt. 14.7.97]	30
3-20	PREM – regular Meetings [E(LL)98/PREM/1 dt. 6.2.1998	31
3-21	Provision of Fax to FROA & IRPOF [90/tele/TN/17 dt. 1.4.98]	31-32
3-22	Secretarial Facilities to PREM Groups [No.E(LL)96/PREM-3 dt. 3.4.98]	32
3-23	**PREM-Addil. Facilities – STD facility** **[E(LL)98/PREM/3 dt. 10.8.98**	32
3-24	PREM – Addl. Facilities [even No. dt. 17.9.98]	33
3-25	PREM – Addl Facilities PC& Internet [even No. dt. 8.10.98]	33-34
3-26	PREM – Addl. Facilities PC & Internet [No.E(LL)99/PREM/3 dt. 28.5.99)	34
CHAPTER – 4		
Basic Policy letters regarding Seniority, Promotions DPC, D&A Rules & Sealed Cover etc.		35-61
4-1	Principles for determining the relative seniority of Class I officers. [E(O)I-72/SR-6/29 dated 30.11.76]	35-37
4-2	Principles of relative seniority of Class I Officer on Indian Railways [No. E(O)190/SR-6/9 dated 23.4.91]	38-39
4-3	Principle of relative seniority of Group 'a' officer's [No. E(O)/1/99/SR-6/02 dt. 22.11.99	39-41
4-4	Principles / procedure for seniority of Group 'A' [E(O)/III-82 PM6/136 dated 8.7.87]	41-42
4-5	Norms for selection for promotion/deputation / training [D.O. No.87/289-B/Secy/Admn. Dt. 15.5.87]	42-44
4-6	Formation of panels for JA grade. [D.O. No.77/289-B/Secy/Admn. Dt.18.11.77]	44
4-7	Fourth Central Pay Commission – regarding selection Grade [No.PC-IV/87/Imp/19 dt. 24.8.1987]	45

4-8	General Information reg. promotions No.E(G)838/1 dt. 17.th May, 1989]	45-46
4-9	Procedure for promotion to Administrative Grades [No./89/289-B/Secy/Admn dt. 26.9.89]	46-48
4-10	Ad-hoc promotions to JA Grade (D.O. No.92/289-B/Secy/Admn dt. 29.12.92]	48
4-11	Procedure for conducting DPC's-Promotion from Group 'B' to Group 'A' [No.E(G) 97/1/5 dated 7.7.97]	48-52
4-12	Promotion from Group 'B' to Group 'A' and within Group 'a' – sealed cover system [No.E(D&A)88,RG6-24 dt. 2.7.90	52-53
4-13	Promotion from Group 'b' to Group 'A' and within Group 'A' – sealed cover system [E(D&A)92RG6-149(B) dt. 21.1.1993]	53-57
4-14	Promotion of officers who have been imposed penalty of withholding of increments. [No.E(D&A)92 rG6-185 dt. 12.2.93]	57
4-15	Adverse comments in Confidential Reports-non communicated [E(NG)I/91/CR/2 dated 19.6.1993]	58-59
4-16	Promotion from Group 'B' to Group 'A' and within Group 'A' sealed cover procedure [E(D&A)95RG-65 dt. 17.1.96)	60
4-17	Promotions and consequential benefits to the employees exonerated after super annuation. [E(D&A)97 RG6-27 dt. 1.10.1997]	61
CHAPTER - 5		
Current Rules/Important letters Regarding Promotions. Seniority and Pay Fixation etc.		**62-84**
5-1	Promotion of Group 'B' officer to Senior Scale on ad-hoc [E(GP)85/1/48 dated 18.6.1987]	62
5-2	Promotion of Group 'B' officers to Senior scale on ah-doc [E(GP)81/1/48 dated 18.5.1989]	62-63
5-3	Officiating promotion of senior Scale-Pay allowed. [E(GP)85/1/6 dt. 19.5.1989]	63
5-4	Ad-hoc promotion of Group 'B' and Group 'A'/jr. Scale to Sr. Scale. [E(GP)85/1/48 dt. 5/6.12.1989]	63-64
5-5	Procedure for promotion of Group 'b' officers to Senior Scale on Ad-hoc [E(GP)85/1/6 dt. 1.3.90]	64
5-6	Promotion of Group 'A' and Group 'B' officers to Sr. Scale on Ad-hoc [E(GP)89/1/8 dt. 17.4.90]	65
5-7	Appointment to Group 'B' Selection/LDCE [E(GP)85/1/78 dt/ 17.8.90]	66
5-8	Promotion to Senior Scale on Ad-hoc [E(GP)89/1/8 dt. 22.8.90	66-67
5-9	Promotion to Sr. Scale (Ad-hoc) in Misc. Categories [E(GP)81/1/91 dt. 29.8.90]	67-68
5-10	Promoton to Sr. Scale (Ad-hoc) in Misc. Categories [E(GP)81/1/91 dt. 1.6.91]	68-69

5-11	Ad-hoc promotion to Senior Scale. E(GP)91/1/21 dt. 27.12.91]	69
5-12	Officiating promotion of Group 'B' officers to Senior Scale. [E(GP)91/1/29 dt. 19.8.92]	69-70
5.13	Implementation of Railway Board Sectt. Scheme in RDSO. [ERB-1/89/20/21 dated 4.12.1992]	70
5-14	Revision of scale of pay of Group 'B' officers to Rs.2375-3750 [PC-III/87/CTC-1/6 dt. 6.11.95]	70-71
5-15	Revision of scale of pay of Group 'B' officers to Rs.2375-3750 [CP-III/87/CTC-1/6 dt. 22.12.95]	71
5-16	Promotion of Group 'A' officers to Senior Scale. [E(O)III-97PL/9 dt. 8.12.97]	71-72
5-17	Minimum period of service in Junior Scale/Class-I for promotion to Senior Scale. [E(O)III-74 PM6/165 dt. 29.12.78]	72
5-18	Promotion of Class-I/JS Officers to SS on Ad-hoc basis. E(O)III-81 PM5/7 dated 24.8.1984]	73
5-19	Revision of Scale of Gr. 'B' officers to Rs.2375-3750 [PC-IV/96/FOP/2 dt. 12.1.1998]	73-74
5-20	Revision of pay scale of Accounts officers gazette notification dt. 5.2.98 & 9.2.98 [PC-V/97/1/EC/1 (Pt.1) dated 5.2.1998]	74-75
5-21	Upgradation of 80% of posts of Assistant Accounts officers procedure [E(GP)/98/2/82 dated 9.12.98]	75-77
5-22	Upgradation of 80% of posts of Assistant Account Officers classifications [even No. dt. 01.07.99]	77-78
5-23	Upgradation of 80% of posts of Assistant Account Officers classifications [even No. dt. 30.06.99]	78-79
5-24	Clarification in regard to revised scale of Rs.7500-12000 to Group 'B' officers [PC-V/152 dt. 10.2.99]	79
5-25	Fixation of pay-Gazetted staff-policy [PC-IV/90/9/3 dt. 24.4.90]	80
5-26	Application of Rule 2018-B FR22-C r.II in the case officers promoted from Group 'B' to Senior Scale, Group 'A' [PC-IV/86/IMP/36 dt. 10.9.92]	80
5-27	Fixation of pay of Group 'B' officers to Group 'A'. [PC-IV/86/Imp/36 dt. 22.6.1993]	81
5-28	Fixation of pay of Group 'B' officers to Group 'A'. [PC-IV/94/2/1 dt. 12.4.1994]	81
5-29	Fixation of pay of Group 'B' officers promoted to Group 'A'. [PC-IV/86/Imp/36 New Delhi, dt. 2.6.1994]	82
5-30	Fixation of pay of Group 'B' officers promoted to Grop 'A'/ [even No. dt. 6.2.1997]	82-84
CHAPTER - 6		
Medical tests, Incentives, Training Plan, Charge allowance, PC credits and others misc.		85-99

6-1	Seniority of Class II Officers on transfer from one Rly. to another. [E(O)III-77-E(3)/128 dt. 3.12.77]	85
6-2	Inter-Railway transfers of Group 'B' officers on request [E(O)III-89-AE/122 dt. 21.6.89]	85
6-3	Counting of initial training period [831E/63/2-XII(EIV) dt 16.12.82]	86
6-4	Promotion from Group 'B' to Senior Scale – Officers selected stream wise. [E(GP)84/1/7 dt. 21.9.1984]	87
6-5	Trainees to be posted back after completion of training. [E(MPP)97/1/13/Vol.II dt. 7.7.98	87
6-6	Reversion of Grop 'B' officers appointed after due selection on account of general unsuitability. [E(GP)87/2/67 dt. 30.10.91]	87
6-7	Appointment to Group 'B' post Medical Examination – relaxation [E(GP)80/2/8 dt. 31.10.91	88
6-8	Medical fitness of Rly. Employees – Amendment, Relaxation [No.99/II/5/3 dt. 21.05.99]	88-89
6-9	Payment of Charge allowance in Junior Scale. E(GP)87/06/326/8 dt. 13.11.87]	89-90
6-10	Reckoning of 'Charge Allowance' as pay for Pension etc. [F(E)III/94/PN1/26 dt. 23.6.1995]	90
6-11	Reckoning of & Charge Allowance as pay for DA, HRA and CCA etc. [PC/86/DA/1 dt. 4.3.96]	91
6-12	Reckoning of & Charge Allowance as pay for DA, HRA and CCA etc. [PC/IV/86/DA/1 dt. 17.4.98]	91
6-13	Fixation of officiating pay on Ad-hoc promotion Revision of Charge Allowance [E(O)III098/PL/10 dt. 28.04.1999]	92
6-14	Training Plan for Group 'B' officers. [E(Trg.)87(22)/2 dt. 13.2.1989]	93
6-15	Incentive to Group 'B' Railway Officers for acquiring higher qualifications. [E(Trg.)89(28)/29 dt. 4.5.90]	93-95
6-16	Incentive to Group 'B' Railway Officers for acquiring higher qualifications. [even No. dt. 11.10.90]	95
6-17	Incentive to Group 'B' Railway Officers for acquiring higher qualifications. [E(Trg.)(28) 1 dt. 05.07.95]	96-97
6-18	Incentive to Group 'B' Railway Officers for acquiring higher qualifications (Phase-I). [E(Trg.)94(28) 1 dt. 26.04.96]	97-98
6-19	Application of Rule 2018-B(ER.22C)-R.II in the case of officers promoted from Group B to Senior Scale-Group 'A' [PC-IV/86/Imp/36 dt. 5.6.1987]	98
6-20	Crediting of interest on state Railway Provident Fund balances. F(E)III/77 PF-1/10 dt. 31.8.77]	68-99
CHAPTER – 7		

Deptt. Of Personnel 9DOPT's) Notifications/Office Memorandum, Policy Letters/Guide Lines on DPCs, Promotions & Seniority etc.		100-172
7-1	General Principles for determining seniority of various categories of Persons employed in Central Services. [Min. of Home OM No.9/11/55-RPS dt. 22.12.1959]	100
7-2	Procedure for making promotion and function of the Departmental Promotion Committee. [DOPT's O.M. No.22011/6/75 Estt.(D) dt. 30.12.1976]	100
7-3	Principles for promotion to 'Selection' posts. [DOPT's O.M. No.22011/3/76-Estt (D) dt. 24.12.1980]	101-105
7-4	Promotion of officers in whose case the sealed cover procedure has been followed but against whom disciplinary/court proceedings are pending for a long time [DOPTs O.M. No. 22011/1/79 Estt.(E) date 30.1.1982]	105-109
7-5	General Principles for determining seniority of various categories of Persons employed in Central Services. [DOPTs O. M. No.35014/12/80-Estt. (D) date 3.7.86]	109-112
7-6	Seniority – Consolidated orders on [DOPTs O.M. No.22011/7/86-Estt(D) dated 3.7.86]	113-118
7-7	Convening of annual meeting of DPC's – Avoidance of delay in [DOPTs O.M. No.28034/6/86-Estt (D) dated 17.11.86]	118-119
7-8	Procedure to be Observed by Departmental Promotion Committees. [DOPT's O.M. No. 22011/5/86-Estt./ dated 10.3.89]	119-124
7-9	Departmental Promotion Committees and related matters – Consolidated instructions on. [DOPT's O.M. No.22011/5/86-Estt(D) dt. 10.4.1989]	124-152
7-10	Procedure to be observed by Departmental Promotion Committees. [DOPT's O.M. No.22011/5/86-Estt(D) dt. 20.6.89]	153
7-11	Procedure for making promotions and functioning of the Departmental Promotion Committee. [DOPT's O.M.No.22011/3/88-Estt(D) dt. 11.5.1990]	153-154
7-12	Zone of Consideration for promotion by selection-Revised instructions. [DOPT's O.M. No.22011/1/90-Estt (D) dt. 12.10.1990]	155
7-13	Delinking Seniority from Confirmation. [DOPT's O.M. No.22011/5/90-Estt. (D) dt. 4.11.1992]	156
7-14	Calculation of vacancies for reporting to D.P.C. – Reg. [DOPT'S O.M. No.22011/9/89-Estt (D) dt. 17.10.94]	156-157
7-15	Seniority of SC/ST officers promoted earlier vis-à-vis candidate promoted later [DOPT's O.M. No.22011/1/96-Estt.(D) dt. 30.1.97]	157-158
7-16	Procedure to be observed by Departmental Promotion Co9mmittees. [DOPT's O.M. No.22011/5/91-Estt (D) Dt.27.3.97]	158-159
7-17	Procedure to be observed by the DPCs MODEL CALENDAR FOR DPCs and related matters [DOPT's O.M. No.22011/9/98-Estt(D) dated 8.9.1998]	160-164
7-18	Eligibility of officers to be considered for promotion by DPC-Fixing of crucial date of [DOPT's O.M. No.220113/98-Estt.(D) dt. 17.9.1998]	165

7-19	Procedure to be followed by the DPCs in regard to retired employees. [DOPT's O.M. No.22011/4/98-Estt(D) dt. 12.10.1998]	166
7-20	The Assured Carrer Progression Scheme for the Central Government Civilian Employees. [DOPT's O.M. No.35034/1/97Estt(D) dt. 9.8.1999]	167-172
CHAPTER – 8		
Historical Letters (Promotions Seniority, Selections, Pay Fixation & Others		**173-206**
8-1	Officiating promotion to Class-I (Senior Scale) [E(CS) 61 PM1-117 dt. 17.9.61]	173
8-2	Officiating Promotion of Class-II officers to Senior Scale [E(GP)75/1/58 dt. 29.10.1977]	174
8-3	Procedure for promotion of officers under suspension/conduct under investigation. [E(P&A) 77 RG6-1 dt. 3.11.77]	175
8-4	Enhancement of Promotion Quota in Central Group 'A' Services. [E(GP)76/1/87 dt. 25.2.78]	175-176
8-5	Officiating Promotion to Senior Scale (Ad-hoc) [E(GP)75/1/58 dt. 27.2.78]	176-177
8-6	Officiating Promotion to Senior Scale (Ad-hoc) [E(GP)77/1/103 dt. 29.3.78]	177-178
8-7	Officiating Promotion to Senior Scale (Ad-hoc) [E(GP)75/1/58 dt. 9.1.79]	178-179
8-8	Officiating Promotion to Senior Scale (Ad-hoc) [79-E(SCT)15/15 dt. 7.3.79]	180
8-9	Officiating Promotion to Senior Scale (Ad-hoc) [E(GP)75/1/58 dt. 20.6.80]	180-181
8-10	Officiating Promotion to senior Scale (Ad-hoc) [E(GP)81/1/40 dt. 18.5.1981]	181
8-11	Promotion of Class-I Jr. Scale Officers to Sr. Scale on Ad-hoc [E(O)III/81/PM5/7 dt. 24.8.1981]	181-182
8-12	Promotion from Group 'B' to Group 'A' Senior Scale (Ad-hoc) [E(GP)75/1/58 dt. 11.10.1982]	182-183
8-13	Promotion from Group 'B' to Group 'A' Senior Scale (Ad-hoc) [E(GP)75/1/58 dt. 27.04.1983]	183-184
8-14	Promotion from Group 'B' to Group 'A' Senior Scale (Ad-hoc) [E(GP)85/1/48 dt. 31.12.1985]	185-186
8-15	Promotion from Group 'B' to Group 'A' Senior Scale (Ad-hoc) [E(GP)85/1/48 dt. 04.03.1986]	186
8-16	Promotion from Group 'B' to Group 'A' Senior Scale (Ad-hoc) [E(GP)85/1/48 dt. 11.03.1986]	186-187
8-17	Promotion from Group 'B' to Group 'A' Senior Scale (Ad-hoc) [E(GP)85/1/48 dt. 18.06.1987]	188
8-18	Reservation in Senior Scale Ad-hoc]87-C(SCT)1/23/2 dt. 25.6.1987]	188
8-19	Ad-hoc appointment of Group 'B' officers in Senior Scale [E(GP)85/1/6 dt. 21.7.87]	189
8-20	Classification of ACRs in terms of Points' system. [88/289/-B/Secy/Admn. Dated 23.3.1988]	189

8-21	Creation of a promotional grade of Rs.2200-75-2800-EB-100-4000 for the Audit & Accounts officers of the organized Accounts Cadres. [Min. of Finance No.F.6(82)-IC/91 dt. 22.9.1992]	190
8-22	Appointments to General Manager's posts [E(O)III-84 PM6/132 dt. 5.9.84]	191-194
8-23	Ad-hoc appointment of Group 'B' officers in Senior Scale. [E(GP)85/1/6 dated 11.1.1988]	195
8-24	ÁÖÊ ÃÖÊ¾ÖÖ¾ÖÉŸ Ö ÊÊ [ÃÖÓ() ‡ Ô (•Ö ÖÖ) 87/2/123 ×¤Ü–ÖÖÓ	195-196
8-25	Instructions concerning promotion from Group 'C' to 'B' cadres. [E(GP) 86/1/23 dt. 18.6.87)	197-202
8-26	Selection for promotion from Group 'C' to Group 'B' [E(GP) 87/2/72 dt. 11.1.1988]	202-204
8-27	Selection / LDCEs for promotion from Group 'C' to Group 'B' [E(GP)88/2/11 dt. 20.8.1991]	205-206
SECTION – 2		**207-236**
CHAPTER - 9		
Important extracts/quotes – regarding assurances/recommendations by ministers / Rly. Bd./High level committees.		207-215
A.	Pay Scales	207-211
1	Speech in central legislative assembly.	
2.	Standing Finance Committee meeting 17-18 July, 1946 decision.	
3.	First Pay Commission – Para 29.	
4.	First Pay Commission – Para 17	
5.	Tondon Committee Report	
6.	Rly. Convention committee report 23.8.1994	
7.	Rly. Bds. Meeting dated 22.10.92	
8.	Minister Sh. C,M. Poonacha's Speech on 14.9.68	
9.	Sh. .R. Scindia's letter to finance minister dt. 16.10.1989	
10.	CRB's evidence before first pay commission.	
11.	CRB's evidence before RCC 1993.	
12.	Answer to parliament's question No.7567 dt. 28.4.1989	
13	Rly. Bd.'s letter to G.S./AIRF dated 27.9.91	
14.	Board's Memorandum to IRPOF dated 23.2.93	
15.	Rly. Bd.'s letter dated 2.3.94	

B.	DPC, Recruitments, Ad-hocism/quota etc.	211-215
16	Sh. Lal Bahadur Sharstri's Speech dated. 18.2.1953	
17	Sh. Lal Bahadur Shastri's Speech dated 18.2.1954	
18	Sh. Jaffar Sharief's Note dated 29.3.95 reg. Advance DPCs	
19.	DOPT's O.M. No.22011/3/91 – Estt (D) dated 13.5.91	
20	DOPT's O.M. No.23036/3/77 – Estt (D) dated 07.10.77	
21	Rly. Bd.'s note in E(GP) 89/1 dated 24.8.89	
22	Director (GC)'s Note dated 14.9.89	
23	Jt. Director E(GP) Rly. Bd.'s note dated 13.9.89	
24	Rly. Bd.'s Note E(GP) 89/1 dated 7.9.89	
25.	Recruitment/Induction inadequate.	
26	Assurances of Sh. Ram Vilas Paswan in question no. 482 dt. 6.9.96.	
27	Cadre Structure.	
CHAPTER - 10		
Extracts of Recommendations of the Railway Convention Committee (1991) VII reports on staff welfare and industrial relations in railways, and action taken by the Ministry of Railways.		216-220
Para – 1.89 - Higher grade Para – 1.90 - Reg. Quota Para – 1.2 - Reg. RDSO		
CHAPTER – 11		
Some Important Quotes A. Pay Scale B. 80% posts to be in junior scale for Group 'B' C. Career planning DPC quota		 221-223 223 223-224
CHAPTER – 12		
Extracts of Important noting on the Board's files, as submitted in the court.		225-236

CHAPTER – 1

GAZETTED CADRE IN NUTSHELL

- : A NOTE: -

1. There are two modes of recruitment of Gazetted Officers on Indian Railways viz. Direct recruitment through UPSC and by promotion from non-gazetted serving Sr. Subordinate staff. Directly recruited officers are classified as Group 'A' (Class 1) and Promotee Officers as Group 'B' (Class II). The reason for different classification of these 2 categories is not discussed here and is dealt separately. Here an attempt is being made to enlighten the promotee officers of their status and promotional prospects.

2. The recruitment of Group 'A' direct recruits is made through two sources i.e. through Combined Engineering Services Exam (for Elect., Mech., S&T, Civil Engg. And for Stores deptts., all basically engineering graduates) and the Indian allied Se4rvices (Traffic & Commercial, Accounts & Personnel Services) – Through I.A.S. Exam. Both of these examinations are conducted by UPSC. The recruitment of the Gazetted Officers through promotion (Group 'B') is also through 2 sources. One is through selection amongst Sr. Subordinate non gazetted group 'C' staff, based on their seniority – wherein 3 persons are called for every vacancy for selection. The quota for this source is 70% of the total vacancies in Group 'B' cadre. The other system is Limited Departmental Competitive Examination (LDCE), where in all Supervisor working in grade is 425-640 (now 4500-7000) having 5 years service (including their training period) are eligible to appear in examination on their own option, irrespective of their seniority. LDCE is supposed to be of higher standard and is conducted to fill 30% of vacancies and is also known as "Merit' quota. However, once selected through any of the above procedure, there is no difference to status and avenue of further promotion. A common seniority list is maintained. However, the panel of 30% i.e. LDCE selection will be placed below 70% LGS panel of the same year enbloc.

3. On their first promotion in gazetted cadre, the Group 'B' officers are posted as Asstt. Officers in their respective departments and are placed in a scale of 7500-12000. Whereas directly recruited officers are also posted as Asstt. Officers, but are given a scale of 8000-13500. There are no posts separately earmarked for Asstt. Officers of Group 'A' & 'B' in any of the departments. Al the offices whether belonging to Group 'A' or Group 'B' bear not only the same designation, but all the posts are totally inter-changeable and both sets of officers shoulder the same responsibilities, perform same duties and exercise same powers.

   In Group 'A', the promotee's quota is filled through induction of Group 'B' officers through selection by DPC committee headed/presided over by the member of UPSC and 3 members of Railways of PHOD/HOD level.
   The quota laid down for both directs and promotees, presently is 50:50 w.e.f. the recruitment year 1997 in group 'A' (25% before 1953-54, 33.3% from 1954, 40% from `1978).

4. PROMOTION TO SENIOR SCALE (10,000 – 15,200)

I) Group 'A' Officers are eligible for promotion to senior scale on completion of 4 years of service including 2 years probation period. In many cases however, they are detailed to look after Sr. Scale post after 3 years of service including 2 years probation period (Officers detailed to look after higher posts are not eligible for regular fixation of pay in higher scale, but are paid charge allowance). Though the Promotee Officers (Group 'B') are eligible to get promotion on ad-hoc basis to senior scale after completion of 3 years service in Group 'B' assistant officer. But the Promotee officers have, mostly, to wait for average 8-9 years in most of the cadres (except Personnel, Store & Accounts presently), for such promotions.

II) For promotion to Senior Scale however the following priorities are laid down:

1st Group 'A' – Officers with 4 years & more service including probation period.
2nd Group 'B' – Officers with 6 years and more service.
3rd Group 'A' – Officers with less than 4 years but more than 4 years but more then 3 years of service including probation period on payment of charge allowance only.
4th Group 'B' – Officers with 3 years and more service.

(Authority : Rly. Bd.'s letter No. E(GP)85/1/48 dated 31.12.85 & E(GP)89/1/8 dated 17.4.90 & 22.8.90.).

III) For Group 'B' Officers, the length of service rendered on ad-hoc basis as Asstt. Officers, is also considered for promotion to Sr. Scale if at the time of promotion the officer is empanelled in Group 'b' on regular basis. However, regular empanelment, ad-hoc promotion to Senior Scale is treated as detailed to look after and regular pay fixation in Senior Scale is not permissible and officer gets only charge allowance (Authority: Rly. Bd.'s letter No.E(GP)75/1/58 dated 20.06.08 and E(GP)87/1/24 dated 21.11.87), However, no such case of ad-hoc working in Group 'B' has taken place since 1986.

IV) For promotion to Senior Scale (ad-hoc), for Group 'B' Officers, five years Annual Confidential Reports (ACRs) are scrutinized by DPC, consisting of three Heads of Departments. The DPC draws up the Select List on the basis of seniority cum suitability and gets General Manager's approval. For this purpose Select Lists are supposed to be drawn every year in July based on the number of vacancies in Sr. Scale likely to be made available from July of this year to the June of the next year.

V) If an officer has got less than five years service in Group 'B', ACRs of Group 'C' service can also be taken into consideration. The point system introduced for promotion in 1987 has since been scraped and DPC has been given more powers to adjudge the fitness for promotion

on the basis of performance of officer reflected in CRs of the last five years. (Authority Rly. Bd.'s letter No.E(GP)85/1/6 dated 01.03.90).

VI) General Managers are empowered to make ad-hoc promotion to Senior Scale for Group 'B' Officers.

VII) Group 'B' officer promoted to Senior Scale are purely on ad-hoc basis although they work against Group 'A' posts for years together but continue to be classified as Group 'B', such Group 'B' senior scale officers have no right to get promotion to JA grade till they are inducted in Group 'A' through Department Promotion Committee (DPC) under the control of UPSC.

W.E.F 01.01.1996, grade of Rs. 8000-13500 (equivalent to Jr. Scale of Group 'A') has also been introduced for Group 'B' officers but for Accounts Department only. In this the Group 'B' assistant officers including the Group 'b' officers working in Sr. Scale (ad-hoc) are placed in Grade Rs. 8000-13500 to the extent of 80% of such officers working, though they are still known as Group 'B'. This scheme is meant for Accounts officers only and thus discriminates the officers of other departments.

5. INDUCTION OF GROUP 'B' OFFICERS IN GROUP 'A'

i) Group 'B' officers are inducted in Group 'A' through DPC selection on the basis of confidential reports for 5 years through UPSC. As stated earlier, the recruitment in Group 'A' is made by direct recruitment through UPSC and from among Group 'B' officers through DPCs in the ratio of 50:50. First, the total number of vacancies in the cadre, department wise are calculates based on totally unique system of calculation of vacancies, which is not directly related to the actual vacancies in the cadre of officers. In fact the numbers of vacancies so calculated are in most of the years do only a skeleton of the total vacancies exist. However, the vacancies so calculated are distributed in the ratio of 50:50 between direct recruits and promottees.

ii) The number of vacancies for promotion from Group 'B' to Group 'A' is then distributed among all the Railways/production units in the ratio of the strength of Group 'A' on individual Railways, for which Railway Board maintains a 'Rotation Table for each department for all the Zonal Railways and Production units for exact distribution of vacancies. Half of the total vacancies are distributed as per this and the balance half are distributed among Railways/Production units keeping in consideration the stagnation prevailing in each unit.

iii) The Promottee Officers with 3 years of regular service in Group 'B' are eligible to be considered for Group 'A'. However, the number of officers to be considered, is regulated as under:

No. of vacancies	1	2	3	4 & above
No. of Officers to be considered	5	8	10	2 x No. of vacancies +4

Reservation for SC & ST is also, applicable as per rules.

iv) In the above system, selection is done zonal railway/unit wise, and on the basis of number of vacancies, and as per above mentioned zone of consideration, selection is done railway wise, where in no consideration is given to relative seniority of two officers belonging to two or more railways, hence it is observed that in some of the panels, the length of service of officers inducted to Group 'A' from different Railways, Varies vastly. It is to emphasis here that as far as induction to Group 'A' is concerned the length of service in Sr. Scale ad-hoc does not play any part at all, and the total regular service in Group 'B' is the only consideration.

v) During the DPCs the CRs of 5 years up to the year for which the vacancies belong, are only taken into consideration. This selection is on merit basis, hence the person who gets overall outstanding status shall supersede very good and very good the good CR officers. Hence despite the 'Very Good' CR, the officers may not be placed on panel, if persons with outstanding grading CRs are more than or equal to the number of vacancies in a particular Railways, out of officers in the zone of consideration.

vi) The induction of Group 'B' officers to Group 'A' through DPC Panels, which in common terminology is known as clearance from UPSC, actually indicates substantive appointment to Group 'A' as Jr. Scale officer i.e. Asstt. Officer, irrespective of the fact that Promotee officer at that time is working as Asstt. Officer or Sr. Scale ad-hoc officer. DPC panel so declared for induction to group 'A' are made effective from the date of signing of minutes of meeting in the UPSC, even if the vacancies are of earlier years. (Authority letter No. OM No. 22011/6/75 Estt (D) dated 30.12.76 and 10.03.89 of Department of Personnel).
There are instances when for 5 years DPC panels were not formed due to certain administrative reasons and the officers empanelled later on suffered heavy losses in seniority, pay and status etc. The delay of 2 years is a common feature.

vii) As per principles for determining the relative seniority of Group 'A' officers, Group 'B' officers on induction to Group 'A' are given certain weight age in Group 'A' for the length of service rendered in Group 'b' (ref. Rly. Bd. Letter No. E(0)1-72 SR 6/29 dated 30.11.76). The relevant para of the letter is reproduced below:.

PRINCIPLE (vii): In the case of Class II Officers permanently promoted to class I Services, if two or more than two officers are promoted on the same date their relative seniority will be in the order of selection. Subject to the aforesaid provision the seniority of officers, permanently promoted from Class Ii to Class I services, shall be determined by giving weightage based on:

(a) the years of service connoted by the initial pay on the date of permanent promotion to Class I service, or

(b) Half the total number of years of continuous service in Class II, on regular basis, whichever is higher, subject to a maximum weight age of five years.

With the above formula most of the Group 'B' officers get the weightage of 5 years i.e. if a group 'B' officers is inducted to group 'A' say on 1st March 1991, his appointment to group 'A' will be considered from 1st March, 1986 and his name shall be interpolated in the All Indian Seniority list of Group 'A' with effect from 01.03.1986. This group of officer shall be placed below, directly recruited officer's complete batch in which any officer has got DOTTS, before 01.03.1986 (even though most of the officers of this may be having DOTTS well beyond 01.03.1986). By this rule too, it has been observed that many promottee officers suffer huge losses in seniority.

6. Promotion of Junior Administrative Grade (1200-16500) : After induction to group 'A', and after fixation of DOTTS and subsequent fixation of seniority, the Promotee Officers are treated at par with Directly recruited officers and is eligible for all the promotions etc. available in normal course for Group 'A' based on this DOTTS seniority. For promotions to JA on regular basis minimum 8 years of service in Group 'A' is required and the panel is formed by Rly. Bd. on All India basis. However, Group 'A' officers –both Promottees or directs – are eligible to look after the post of JA after completion of 6 years of service if vacancies are available on the Railway GM is empowered to make this arrangement. Such officers are entitled to get charge allowance only, which at present rates is Rs. 750/- per month and is considered as pay for all purposes including DA, TA, HRA, Pensionary and retirement benefits etc.

(Authority Rly. Bd. letter No. E(O)III098/PL/10 dated 28.04.99)

7. The regular fixation in JA grade is made after the officer's name appears in the regular DPC of Rly. Bd. for JA, which may take a period of one month to two years after completion of 8 years service in Group 'A'.

8. OTHER IMPORTANT ITEMS OF INTEREST TO PROMOTEE OFFICERS.

(A) MISCELLANEOUS CATEGORIES

The services in the Accounts, Electrical, Engineering, Mechanical, Personnel, Signal & Telecom, Stores and Traffic Departments are classified as organized services. There are some other posts, which are not covered in the above departments and are classified as Unorganized or Miscellaneous categories. In Misc. categories, recruitment is not done at the junior scale level. Some of these posts are as under: -

1. Printing and Stationary Superintendent
2. Chemist and Metallurgist
3. Law Officers
4. Hindi Officers
5. Principal/head Master of Railway Colleges/Schools

6. Public Relation Officer
7. Matron (Medical Deptt.) etc.
8. Asstt. Chief Cashier
9. Statistical officers.

Separate recruitment and promotion rules have been framed for each of the Miscellaneous categories of posts. The rules in general, which govern the promotion of Group 'B' Assistant Officers of these categories, for promotion to Senior Scale are as under: -

1. Group 'B' Assistant Officers of Misc. Category are eligible for officiating/permanent promotion to senior scale only on completion of eight years regular service. Under compelling circumstances if the officer is promoted earlier to 8 years of services, he shall not be eligible for regular fixation in Senior Scale, but shall be paid only charge allowance.
2. Misc. category officer is not entitled to any weightage of service on absorption to Group 'A'.
3. Presently the rules for promotions/seniority applicable to the misc. category, are also applicable to the officers working in RDSO, Group 'B' except that the Group 'B' officer there are placed in grade Rs. 6500-10000 as against Rs.7500-12500 to all the officers of misc. categories working on Railway. It is ironic that the RDSO officers after working for years (about 20 years) in grade Rs. 6500-10000 & then in Grade Rs. 7450-12500 (which is higher in all respect) in Group 'C' on their promotion from non gazetted cadre to gazetted cadre are placed in lower grade of Rs. 6500-10000.

(B) POST RETIREMENT COMPLIMENTARY PASSES: -

Full benefit of post retirement passes, as to the number and class, is available to those Promotee Rly. Officers who complete 2 years of gazetted service after regular empanelment or 3 years of gazetted service on ad-hoc promotion. (Authority: Rly. Bd.'s letter No. E(W)84 PS5-1/7 dated 20.11.89). Those of the retiring Promotee officers, not fulfilling the above conditions are eligible for 2 sets of green, post Retirement Complimentary passes per year.

(C) SEALED COVER

In cases of promotion, if the Government Servant is within the consideration for promotion falls under one of the following category; his result of the empanelment is kept in a sealed cover.

1. Government servant under suspension.

2. Government servants in respect of whom disciplinary proceedings are pending or a decision has been taken to initiate disciplinary proceedings.

3. Government servants in respect of who prosecution for a criminal charge is pending or sanction for prosecution has been issued or a decision has been taken to accord sanction for prosecution.

4. Government servant against whom an investigation on serious allegations of corruption, bribery or grave misconduct is in progress either by the CBI or any other agency, departmental or otherwise.

   The Departmental Promotion Committee assess the suitability of the Government servant coming within the purview of the above mentioned circumstances, without taking into consideration the disciplinary cases/criminal prosecution pending or contemplated or where the investigation is in progress. The assessment of the DPC including fitness for promotion and the grading awarded is kept in a sealed cover.

   The same procedure shall be repeated by the subsequent DPC till the disciplinary case/criminal prosecution/investigations are completed.

   On the conclusion of the disciplinary cases/criminal prosecution/investigation, if the allegations are dropped against the Government Servant the sealed cover/covers shall be opened. In case the Government servant is completely exonerated, the due date of his promotion will be determined with reference to the position assigned to him in the findings kept in the sealed cover/covers and with reference to the date of promotion of his next junior on the basis of such position.

If any penalty is imposed on the Govt. Servant as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover/covers shall not be acted upon. His case of promotion shall be considered by the next DPC in the normal course and having regard to the penalty imposed on him. (Authority: Officer Memorandum No. 22011/2/86/Estt.(A) dated 12.01.88 of DOPT).

****

CHAPTER – 2

IMPORTANT EXTRACTS FROM ESTB. CODE, ESTB. MANUAL REGARDING GAZETTED CADRE AND CLASSIFICATION OF SERVICES ETC.

2 – 1

EXTRACTS FROM INDIAN RAILWAY
ESTABLISHMENT CODE VOL.1 (1985)

PARA

(6) Assistant Officer: means an Officer in Group 'A' drawing pay on the scale applicable to junior scale officers.

(7) Cadre: means the strength of a service or a part of a service sanctioned as a separate unit.

(3) Delay in taking charge of the duties: Period of Compulsory waiting by an officer for orders of Government posting him to a particular post, after he had reported should be treated as 'Duty'.

(G.I.F.D. Res. No.122 C.S.R. dated 10th Feb.1922, No.175 C.S.R. dated 28th Feb. 1922, No. F.192 C.S.R. 25 dated 20.6.1925)

(20) Gazetted Post : is a post to which appointment is made by notification in the Gazette of India.

(33) Officiating : means the Railway servant officiates in a post where he performs the duties of a post on which any other person holds a lien or when a competent authority appoints him to officiate in a vacant post on which no other railway servant hold lien.

(43) Railway servant: means a person who is a member of a service or holds a post under the administrative control of the Railway Board. It also includes a person who is holding the post of Chairman, Financial Commissioner or a Member of the Railway Board. Persons lent from a service or post which is not under the administrative control of the Railway Board to a service or post which is under such administrative control do not come within the scope of this definition. The term excludes casual labour.

106. For the purpose of these rules, the railway services shall be classified as follows with effect from 1.4.1976.

(a) GAZETTED
(1) Railway Services, Group 'A'
(2) Railway Services, Group 'B'

107 Subject to reclassification indicated in rule 106 and also subject to such exceptions as Railway Ministry may make from time to time, all gazetted and non-gazetted posts created subsequent to 1.4.1976 shall be classified as below:

Description of post	***Classification of post***
A post carrying a pay or a scale of pay with a Maximum of not less than Rs.1300 (Revised scale) (Now Rs.13,500/-)	Group 'A'
A post carrying a pay or a scale of pay with a maximum of not less than Rs.900 (Now Rs.9,000/-) but less than Rs.1300 (Revised Scale) (Now Rs.13,500/-).	Group 'B'
A post carrying a pay or a scale of pay with a maximum of over Rs.290 (Now Rs.4,000/-) or less than Rs.900 (Revised Scale) (Now Rs.9,000/-).	Group 'C'
A post carrying a pay or a scale of pay with a maximum of which is Rs.290 or less (Revised Scale) (Now Rs.4,000/-).	Group 'D'

Note (i) - The classification of any posts created or deemed to have been created on or after 1.1.1973 in the revised scale but before 1.4.1976 as specific additions to cadres existing prior to 1.1.1973, shall be the same as that of the posts in the cadres to which they have been added (*New one w.e.f. 20.4.1998).*

Note (ii) - Posts created subsequent to 1.4.76 as specific additions to existing cadres shall have the same classification of posts in the cadre to which they are added.

109 Scales of pay of Groups A & B Railway Servants –

(1) The Revised scales of pay admissible to Railway servants in Group A & B shall be as notified by government with the sanction of the President.

No alteration in the scale of pay of a post or service can be made without the sanction of the President.

(2) A group 'A' railway officer in Junior Scale if appointed to a Senior Scale post in an organized Railway Service Class I shall draw the pay in the Senior Scale corresponding to his pay in Junior Scale as per the concordance tables laid down in this regard from time to time.

Railway Ministry's decision – A Junior Scale Officer can be considered eligible for promotion to Senior Scale only after putting in 4 years service (including the period of probation) in Junior Scale. But, if in the interest of administration one is promoted to Senior Scale before completing 4 years in Junior Scale, he will draw pay in the Junior Scale plus a special pay of Rs.150 per month. (*Now Rs 750/- per month*).

110. Sanctioned strength of cadres – Subject to any statutory provision in this regard, the strength including both the number and character of posts of the Railway

Services, Group A and B, shall be determined by the Railway Minist5ry. General Managers of Indian Railways will have powers to create gazetted posts in Group 'A' and Group 'B'. only to the extent stipulated in item (3) of Annexure II of Chapter V of Indian Railway Financial Code Vol.I (First Edition-1982) subject to such limits and instructions as may be laid down by the Railway Ministry from time to time.

Note – Provided the total number of sanctioned gazetted post in any grade (Heads of Departments, Additional Heads of Departments, Deputy Heads of Departments, Senior Scale, Junior Scale and Group 'B' officers) of the service concerned is not exceeded, the General Managers are empowered to vary solely in the public interest having regard to changes in the work and responsibilities of the posts concerned (and not in the interests of offices) the distribution of the posts within that grade for a period of not exceeding 12 months.

111. Principles of Cadre fixing – The cadres of the services and departments included in Railway Services Groups A & B (other than Medical Department and specialists) posts on Indian Railways shall be fixed in accordance with the principles stated below:

(1) Separate cadres shall be maintained for each Indian Railway.

(2) (a) The number of permanent working posts, that is, posts required for ordinary duty on a Railway, shall first be determined for each service or department and divided into the following grades: -

(i) Senior Administrative Grade Level-I
(ii) Senior Administrative Grade Level –II (*Not existing now)*
(iii) Administrative Grade Scale Rs.2000-2250 (*Now Selection Grade)*
(iv) Junior Administrative Grade.
(v) Senior Scale.
(vi) Junior Scale / Group 'B'.

(b) The General working posts, that is posts required for general purposes of the Railway which may be filled by gazetted railway officers of any service may be determined and divided in the same manner.

(c) The number of posts to be allotted to the Junior Scale shall be calculated with reference to the total number of Administrative Grade and Senior Scale posts, and shall be so fixed as to allow a continuous flow of promotion from lower to higher grade after a given period of service. For this purpose all the administrative posts, including the general administrative posts shall be taken into account.

(d) The rest of the posts included in (2)(a)(vi) above shall be allotted to Group 'B'.

(e) The total number of posts thus arrived at the each grade in a department shall form the permanent duty strength of each service or department.

(3) Posts required for meeting deputation, leave and training requirements will be provided in Junior Scale based on requirements assessed from time to time. These posts shall be intended ordinarily to provide for the deputation/training of and/or grant of leave to a member of the Department without the necessity of making an officiating appointment to the Junior Scale or to Group B post in the chain of vacancies consequent on the deputation, training of and/or grant of leave to the member in question.

(4) The permanent duty strength together with the posts sanctioned as 'deputation, training and leave reserve' shall form the total permanent cadre of the service or department concerned.

201. Recruitment of Railway Services, Group 'A' : All first appointments to a Group 'A' post in Railway service shall be made by the President on the recommendation of Union Public Service Commission from time to time in accordance with the rules framed by him. The General Managers may confirm an officer in Group 'A' on probation, in his post if he has satisfactorily completed his probationary period.

204. Rate of recruitment: The rate of normal recruitment shall be determined by the President with reference to the sanctioned strength of a service or department. When, however, the total actual strength of a service is in excess of or below the total sanctioned strength, recruitment shall be so adjusted as to enable the total sanctioned strength to be worked in the minimum time compatible with the avoidance of shortage on the one hand and excesses on the other.

205. Method of recruitment : Recruitment to Group 'A' Service in the various departments of Railways shall be made through –

(a) Competitive examination held by the Union Public Service Commission.

(b) Promotion of officers in Group 'B' Service including officiating Group 'B' Railway officers of the service or department;

(c) By appointment of candidates initially recruited as special class apprentices on the results of the examination conducted by UPSC in accordance with the rules for recruitment to Indian Railway Service of Mechanical Engineers.

(d) By transfer of an officer in service of the Government provided the recruitment rules include a provision to this effect.

(e) By occasional admission of other qualified persons in consultation with the UPSC.

207 Recruitment to Railway Service Group 'B' – Appointment to Group 'B' service by promotion of staff employed on the Railway may be made by the General Manager.

209. (A) Promotions to Railway Services, Group 'A'.

(1) All substantive promotions to Railway Services Group 'A' shall be made by the President; and

(2) No officer shall be eligible for promotion to and within the service, unless the Government is satisfied that the officer is suitable for promotion in all respects.

(B) Promotion from Group 'B' to Group 'A' (Junior Scale).

(1) Appointments to the posts in the junior scale shall be made by selection on merit from amongst Group 'B' officers of the departments concerned with not less than 3 years of non fortuitous service in the grade.

(2) If the quota reserved for Group 'B' officers for promotion to junior scale is not fully utilized, the remaining vacancies may be filled by Government in accordance with the recruitment rules and in consultation with the UPSC and

(3) The Department Promotion Committee for this purpose shall consist of a representative of the Union Public Service Commission as Chairman and two representatives of the Ministry of Railways as Members.

(C) Promotion from junior scale to senior scale.

Appointments to the posts in the Senior scale shall be made by promotion in the order of seniority, subject to rejection of the unfit, of officers with ordinarily not less than 4 years service in the junior scale.

(D) Promotion from senior scale to higher grade posts.

(1) Promotions to the Administrative Grade are dependent on the occurrence of vacancies in the sanctioned establishment and are made wholly by selection. Mere seniority dose not confer any claim for such promotion.

(2) Appointments to the posts in the Junior Administrative Grade shall be made by selection on merit from amongst the officers ordinarily with not less than 5 years service in the senior scale.

(3) Appointments to the posts in the Senior Administrative Grade (Level-II) (*Now known as Selection Grade)* shall be made by selection on merit from amongst the officers ordinarily with not less than 3 years service in the Junior Administrative Grade.

(4) Appointments to the posts in the Senior Administrative Grade (Level-I) shall be made by selection on merit from amongst the officers ordinarily with not less than 2 years service in the Senior Administrative Grade (Level-II) (Selection Grade).

(5) The Departmental Promotion Committee for purposes of promotion from Senior Scale and above to higher grade posts shall consist of Chairman, Railway Board. Financial Commissioner, Railway and three other Members of the Railway Board.

****

2-2

EXTRACT FROM
RAILWAY ESTABLISHMENT CODE Vol.II (1987)

(2) Relinquishment of charge on a holiday: -

(i) A question has been raised regarding the procedure to be followed for relinquishment of charge of office in the case of a retiring Government servant when the day on which he is due to retire happens to be a closed holiday. Since a Government servant shall retire from service with effect from the afternoon of the last day of the month in which his/her date of retirement falls, the retiring Government servant should formally relinquish charge of office on the afternoon of that day itself even if it happens to be a closed holiday.

(ii) In cases in which handing over of cash, stores etc., is involved, these may be made over by the retiring officer (to the relieving officer or, in the absence of the relieving officer, to the next senior officer of the Department present) on the close of the previous working day on the analogy of Government of India's Decision (3) below Rule 78 of the General Financial Rules. Therefore, the actual relinquishment of charge of office shall be made in the prescribed form on the last day of service for which the physical presence of the officer in the office need not be insisted upon.

(Authority – Govt. of India, Min. of Finance O.M. No.19050/8/76-E.IV (B) dated the 21st February, 1977.)

****

2-3

Rly. Bd.'s No. 79/E(GR)1/15/2(E) (GC) ***Dated : 31.7.1997***

NOTIFICATION

*G.S.R.....*In exercise of the posers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules further to amend the Indian Railway Stores Services Recruitment Rules, 1969, namely: -

1. i) These rules may be called the Indian Railway Store Service (Amendment) Rules, 1977.
   ii) They shall come into force on the date of their publication in the Official Gazetted.

2. In the Indian Railway Stores Service Recruitment Rules, 1969: -

i) In sub-rule (2) of rule 5, for the figures and words "60 percent" the figures and words "50 percent" shall be substituted and for the figures and words "40 percent" the figures and words "50 percent" shall be submitted.

ii) In sub-rule (2) or rule 21, for the figures and words "40 percent", the figures and words "50 percent" shall be substituted.

(Note: Such Notifications were issued for all the departments separately (except Medical and RPF), enhancing the quota of Group 'B' from 40% to 50%).

****

2-4

Rly. Bd.'s No. ERB-1/95/11/6 ***Dated : 28.11.1985***

NOTIFICATION

G.S.R……. In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules further to amend the Railway Board Secretariat Service Rules, 1969, namely.

1. (i) These rules may be called the Railway Board Secretariat Service (Amendment) Rules, 1995.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. In the Railway Board Secretariat Service Rules, 1969, in rule 2, for clause ©, the following clause shall be substituted, namely.

"C" approved service in relation to any grade means.

(i) In respect of an officer recruited directly so that grade, the period or periods of regular service rendered in that grade, including the period or periods of absence during which he would have held a post on regular basis in that grade, but for his being on leave or otherwise not being available to hold such post, from the first day of July of the year, following the year in which the examination for direct recruitment was held.

(ii) In respect of an officer recruited to that grade through Departmental examination, the period or periods of regular service rendered in that grade, including the period or periods of absence during which he would have held a post on regular basis in that grade, but for his being on leave or otherwise not being available to hold such post, from the first day of July of the year for vacancies of which such examination was held;

(iii) In respect of an officer recruited to that grade on the basis of length of service in the lower grade, the period or periods of regular service rendered in that grade, including the period or periods of absence during which he would have held a post on regular basis in that grade, but for this being on

leave or otherwise not being available to hold such post, from the first day of July of the year for which the recruitment was made:

Provided that where there is a delay of more than 90(ninety) days in joining the post on appointment, in any of the cases mentioned in sub-clause (i), (ii) or (iii) such delay should not be due to any fault on the part of the officer.

3. In rule 8, of the said rules, note 2 below sub-rule (4) shall be omitted.

FOOT NOTE: Principal Rules published vide Notification G.S.R. No. 2374 dated 11.10.1969 Gazette of India Part II, Section 3, Sub-Section (i0 subsequently amended by:

S.No.	Notification No. & Date		G.S.R. No.	Date
1.	ERB-I/68/OGI/2	01.01.70	88	17.01.70
2.	ERB-I/69/RR-I/2	26.03.70	596	11.04.70
3.	ERB-I/70/37/2	10.04.71		
4.	ERB-I/70/37/2	24.04.71		
5.	ERB-I/71/10/13	21.06.72		
6.	ERB-I/70/37/2	10.10.72	1363	28.10.72
7.	E68CO1/6/RB2 (RB3)	23.07.73	816	28.07.73
8.	ERB-I/70/9/3	24.11.73	1316	19.02.74
9.	ERB-I/74/37/2	19.12.74		
10.	E730GI/1/RB3	06.05.75	747	14.06.75
11.	ERB-I/76/16/4	25.10.77	1522	05.11.77
12.	E730G%/1/RB3 (RBD)	12.01.78	181	28.01.78
13.	ERB-I/76/9/2	26.12.78	23	06.01.79
14.	ERB-I/79/37/1	20.04.79	256 (E)	20.04.79
15.	ERB-I/79/37/4	07.04.80	471	26.04.80
16.	E800G4/1/RBD	09.04.81	421	18.04.81
17.	E770G2/2/RBD	01.12.81	1144	19.12.81
18.	ERB-I/73/10/35	09.11.83		
19.	ERB-I/85/37/3	06.12.085	625	
20.	ERB-I/88/11/4	24.07.89	625	19.08.89
21.	ERB-I/88/11/4	06.11.90		

****

2-5

Rly. Bd.'s No. 90/TT-III/27/1/P ***Dated : 23.01.1995***

NOTIFICATION

G.S.R…… In exercise of the powers conferred by section 2 of the Indian Railway Board Act, 1905 (4 of 1905) the Central Government hereby invests the Railway Board with all the power and functions of the Central Government under section 71 of the Indian Railways Act, 1989 (24 of 1989).

****

2-6

DOPTs O.M. No. 13012/1/98-Estt.(D) ***Dated : 12.06.1998***

OFFICE MEMORANDUM

Sub: - Classification of Posts – regarding

Under the Central Civil Services (Classification, Control and Appeal) Rules, 1965, all Central Government posts are classified into four categories, viz., Groups "A", "B", "C" and "D". This classification is based on the norms prescribed in Department of Personnel & Training Notification No. 13012/2/87-Estt. (D) dated the 30th June, 1987. The classification serves an important administrative purpose including in matters of recruitment/disciplinary cases, etc. Some allowances are also granted with reference to the classification of the posts. The fifth Central Pay Commission had, however, recommended a new classification dividing all Central Civil posts into six categories namely, Top Executives, Senior Executives, Executives, Supervisory Staff, Supporting Staff and Auxiliary Staff. These recommendations of the Pay Commission have been examined and after consideration of all pros and cons of the matter, it has been decided not to accept classification of posts as recommended by the Pay Commission and to retain the existing classification into Groups 'A", "B", "C" and "D".

2. Consequent upon the revision of pay scales on the basis of the recommendations of the Fifth Central pay Commission, it has, however, become necessary to prescribed revised norms for categorization of posts into the above four categories based on the revised pay scale as approved by the Government.

3. Accordingly, a Notification classifying various Civil posts into Group "A", "B", "C" and "D" based on revised norms of pay scales/pay ranges has been notified in the Official Gazette vide SO 322 (e) dated 20th April 1998. A copy of the Notification is enclosed.

4. In some Ministries/Departments posts may exist which are not classified as per the norms laid by this Department. It would be seen that all posts would now stand classified strictly in accordance with the norms of pay scales/pay as prescribed under the Notification. If for any specific reason the concerned Ministry/Department proposes to classify the posts differently, it would be necessary for that Departments to send a specific proposal to Department of Personnel & Training giving full justification in support of the proposal within three months of this O.M. so that the exceptions to the norms of classification as laid down in S.O. 332 (E) dated 20th April, 1998 can be notified.

****

2-7

DOPTs O.M. No. 13012/1/98-Estt.(D) ***Dated : 20.04.1998***

S.O. 332 (E) – In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution read with rule 6 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and in supersession of paragraph 2 of the

notification of the Government of India in the Department of Personnel and Administrative Reforms number S.O. 5041 dated 10th November, 1975, as amended by the notification of Ministry of Personnel Public Grievances and Pensions (Department of Personnel and Training) number S.O. 1752 dated the 30th June, 1987, and after consultation with the Controller and Auditor General of India in relation to persons serving in the Indian audit and Account Department, the President hereby directs that with effect from the date of publication of this order in the Official Gazette, and civil posts under the Union shall be classified as follows:

S.No.	Description of post	Classification of post
1.	A Central Civil Post carrying a pay or a scale of pay with a maximum of not less than Rs.13,500	Group A
2.	A Central Civil Post carrying a pay or a scale of pay with a maximum of not less than Rs. 9,000 but less than Rs.13,500.	Group B
3.	A Central Civil Post carrying a pay or a scale of pay with a maximum of over Rs.4, 000 but less than Rs.9,000.	Group C
4.	A Central Civil Post carrying a pay or a scale of pay with a maximum of which is Rs.4,000 or less	Group D

Explanation: For the purpose of this order:

i) 'Pay' has the same meaning as assigned to it in F.R. 9(21) (a) (I) ;

ii) 'Pay or scale of pay', in relation to a post, means the pay of the scale of pay of the posts prescribed under the Central Civil Services (Revised Pay) Rules 1997.

CHAPTER – 3

RECOGNITION OF ASSOCIATIONS, MEETINGS, FORMAL MEETINGS & P.R.E.M. FACILITIES ETC.

3 – 1

EXTRACT FROM: INDIAN RAILWAY ESTABLISHMENT MANUAL

RULES FOR THE RECOGNITION OF SERVICE ASSOCIATION OF RAILWAY SERVANTS

PARA

2501 Government is prepared to accord official recognition to associations of its Gazetted Railway servants which comply with the conditions set out below:

2502 The association must ordinarily consist of a distinct class of Gazetted Railway servants and must not be formed on the basis of any caste, tribe or religious denomination or of any group within or section of such caste, tribe or religious denomination.

2503 Every Gazetted Railway servant of the same class must be eligible for membership of the association.

2504 No persons who are not Gazetted Railway servants of the class concerned shall be elected as members or office bearers of the association.

2505 Representations from such associations, whether made orally by deputation, or presented in writing, may be received by Government officers not withstanding anything contained in the rules relating to the submission of petitions by railway servants.

Provided that –

(a) No representation or deputation will be received, except in connection with a matter which is, or raises questions which are, of common interest to the class represented by the association : and

(b) Nothing in these instructions affects the discretion of the President, the Railway Boards or any Officer of Government to receive or not to receive a deputation from any association.

2506 Recognition is accorded for the purpose of enabling the Gazetted Railway servants to communicate their needs to Government or to Government Officers, and it may be withdrawn by Government if an association adopts others methods of ventilating those needs.

2507 Government may require the regular submission, for its information, of copies of the rules of the association and the annual statement of its accounts and of lists of its members.

2508 Government may specify the channel through which representations from the association shall be submitted and the authority by whom deputations may be received.

2509 The officers who is empowered to grant leave to a Gazetted Railway servant will, so far as is possible, grant casual leave to a Gazetted Railway servant who is a representative of recognized association to attend duly constituted meetings of the association. The grant of such leave will be subject to the exigencies of the service, of which the officer in question shall be the sole judge.

****

3– 2

Rly. Bd.'s No. E(LR) 69 AS 1-6 **Dated : 10.11.1971**

Sub: - Recognition of the Indian Railways Class II Officer's Federation.

1. I am directed to refer to correspondence resting with your Federation's letter No. IR/CL-II/OF/70 dated 15th March, 1971 addressed to the Railway Board on the above subject and to state that Government of Indian are pleased to accord recognition to the Indian Railways Class II Officer's Federation, subject to the condition that no outsider should be allowed to be an office bearer of the governing body of the Federation & representatives of the Genl. Body are from Class II officers on Railways.

2. It is clarified that the fact, that the federation has been accorded recognition does not mean that Federation has been granted the status of an advisory body or that it will have to be consulted on all service matters. Government may, however, when they consider it desirable, consult the Federation in any particular matter concerning the welfare of the railway services.

3. The railway should be supplied regularly with copies of the Rules of the Federation and amendments thereto, as also annual list of its office bearers. The names of the zonal Class II officers Associations who may be members of the Federation should also be supplied immediately followed by annual statement or whenever there is a change.

4. A copy of the constitution of the Federation as at present may please be sent to the Railway Board, with few spare copies.

5. There should be a specific address of the federation for the purpose of correspondence. This may be advised to the Board immediately as also any change from time to time.

****

3– 3

Rly. Bd.'s No. E(LL) 77/WPM/E-2 (C) **Dated : 20.07.1978**

Sub: - Corporate Enterprises Group of Railways – Facilities therefore.

Reference the Ministry of Railways letter No. E(LL)77/WPM/2-2 dated 05.11.77 and 12.12.77 regarding provision of office accommodation, P & T telephone within the existing Nos. available with the Railway and secretarial facilities to recognized unions affiliated to AIRF/NFIR in connection with the functioning of CEG at Zonal and Divisional levels on the Railways. It has been decided that these facilities may be extended to the recognized Associations which are affiliated to the All India Railway Officers' Federation or the Indian Class-II Officers' Federation. The action taken in the matter may please be intimated to this Ministry as early as possible.

****

3– 4

Rly. Bd.'s No. E(LR) I.77.ASI-4 **Dated : 22.07.1978**

Sub: - Formal Meetings with Board.

In Board's letter No. E(L)66ASI-6 dated 15.11.66 according recognition to Federation of Railway Officers Associations and in letter No. E(LR)69ASI-6 dated 10.11.71 according recognition to the Indian Railways Class-II officers Federation, it had been laid down that the Government may, when they consider desirable, consult the Federation in any particular matter concerning the welfare of Railway services. In other words no formal meetings etc. were contemplated.

Subsequently when the Federation of Railway Officers Association requested for holding periodical meetings with the Board, they were advised that Board would meet the Federations informally as and when necessary, without prescribing a definite periodicity.

In suppression of all these instructions, it has been decided that the Federation of Railway Officers Associations and the Indian Railway Class-II Officers Federation could meet the Board formally once in 6 months and informally whenever required. Similar pattern would be adopted in respect of the constituent Associations of these two Federations.

****

3– 5

Rly. Bd.'s No. E(LR)I.78ASI-4 **Dated : 18.11.1978**

Sub: - Meeting at the Zonal levels between the General Managers and the Zonal Constituent Associations of the Federation.

Further to Board's Letter No. E(LR)I.77 ASI-4 dated 22.7.78 on the above subject, it is clarified that for formal meetings of the Federations of Officers and I.R. Class II Officers Federation with the Board once in six months, special Casual Leave and passes would be given in favors of the delegates/representatives nominated by the respective Federation to attend the meetings. In case the Board calls for the representative of the Federations for a discussion – formal or informal – the facilities of special casual leave and passes would be extended to cover such discussions also.

The above procedure will also be applicable to the constituent units of the Federations vis-à-vis General Manager.

****

3– 6

Rly. Bd.'s No. 79/MS/OF/POL.I **Dated : 21.04.1979**

Sub: - Formal meeting of Federation of Railway officer's Association and Class-II Officer's Federation with the Railway Board – Policy.

Ref: - Board's letter No. E(LR)I/77/MS/1-4 dated 22.07.78 and No. E(LR)I-78/AS/2 dated 18.11.78.

It has been decided that the following norms will apply in connection with the above meetings: -

(a) For **General body meeting**, 5 members from each Railway/other Units (including Production, RDSO etc.) will be allowed the privileges of Special Casual Leave and Pass.

(b) For the FROA's Governing Council/Class-II Officer's Federation Executive Committee meetings, two representatives from each Railway/other Units will be allowed pass and special Casual Leave if the numbers of such meetings are limited to two per year. If these meetings are held more than twice a year, only one representative from each Railway/other Units will be allowed Special Casual Leave and Passes for all the meetings.

(c) For the meetings with the Board, the total number of representative of each Federation should not exceed 20.

(d) Including the date of the meeting Special Casual Leave to be granted for meeting will be three days for out station representatives and two days for local representatives, in addition to journey time.

2. The above norms will also be applicable to the constituent units of the federation vis-à-vis the General Managers.

****

3– 7

Rly. Bd.'s No. 79/MS/OF/POL.I **Dated : 24.10.1979**

Sub: - Formal meeting of Federation of Railway officer's Association and IRCTOF with the Railway Board – Policy.

In partial modification of Para 1(b) of Board's letter of even number dated 21.4.79, it has been decided that in addition to the specified number representatives from each Railway/other Units attending Governing Council/Executive Committee meetings, other members of the Governing Council/Executive Committee who are office bearers of the Federation will be allowed Passes and Special Casual Leave to attend such meetings.

The modification referred to above will also be applicable to the constituent units of the Federation vis-à-vis the General Managers.

****

3– 8

Rly. Bd.'s No. E[LL]88/WPM/2-1 **Dated : 13.06.90**

Sub: - Provision of Secretarial and P&T Telephone facilities to CEG on the Railways.

Reference this Ministry's letter of even number dated 23.3.90 on the above subject wherein inter-alia the quantum of honorarium for secretarial assistance to each union at Zonal level of CEG on Eastern, North Eastern, Southern and South Central Railways has been enhanced. This issue was further discussed in the CEG meeting held in Board's office on 28.3.90. As per the decision arrived at in this meeting and in partial modification of the letter dated 23.3.90, the Ministry of Railways have decided that the two recognized Unions and the Class-II officers' Federation at the Zonal CEG may be provided full time stenographer and peon. The Steno and the peon may be provided by making internal adjustment and if this is not possible, by creation of posts by matching surrender.

This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

****

3– 9

Rly. Bd.'s No. E(W) 91 PS/5-1/9 **Dated : 04.06.1993**

Sub: - Grant of Card Pass to Indian Railways Promote Officers Federation.

The question of grant of Card Pass facility to the office bearers of the affiliated units of the Indian Railway Promote Officers Federation at the zonal level for carrying out the activities of the Federation has been under consideration of the Railway Board.

2. After carefully examining the matter, it has now been decided by the Ministry of Railways (Railway Board) to grant one First Class / AC Sleeper Class Card Pass in favour of the President and Secretary of the respective affiliated units of the Federation at the zonal level, with permission to travel only one at a time, available for travel ever the Zonal Railway only, where the President and Secretary are posted. The Card pass may be issued on receipt of request from the respective affiliated unit of the Federation at the Zonal level.

****

3– 10

Rly. Bd.'s No. E(W) 91 PS/5-1/9 **Dated : 29.10.94**
14.11.94

Sub: - Grant of Card Pass to Indian Railways Promote Officers Federation.

In terms of Board's letter of even number dated 4.6.93, officials of the Indian Railways Promote Officers Federation are entitled for First Class / AC Sleeper Class Card pass for carrying out Federation activities. After careful examination of the matter, it has now been decided that the officials may be issued card passes, as envisaged in Board's letter dated 4.6.93, of the class to which they are entitled on privilege account.

****

3– 11

Rly. Bd.'s No. E(W) 91 PS/5-1/9 **Dated : 10.07.1996**

Sub: - Grant of Card Pass to Indian Railways Promote Officers Federation.

In partial modification of instructions issued vide Board's letter of even number dated 4.6.93, it has been decided that separate First Class / AC 2-tier Card Passes may be issued in favour of the President and the Secretary of the respective affiliated units of the Federation at the zonal level, available for travel over the Zonal Railway only where the President and the Secretary is posted. The Card Pass may be issued on receipt of request from the respective affiliated units of the Federation at the Zonal level.

****

3– 12

Rly. Bd.'s No. E(W) 91 PS/5-1/9 **Dated : 28.10.1998**

Sub: - Issue of pass to office bearers or Indian Promote Officers Federation (IRPOF).

The pass issued to office bearers or Indian Railway Promote Officers Federation (IRPOF) may be revalidated for travel in the entitled class by Rajdhani/Shatabdi Express trains subject to the total "Pass Quota" defined for each train.

****

3– 13

Rly. Bd.'s No. E(W) 91 PS/5-1/9 **Dated : 22.11.1999**

Sub: - Grant of Card Pass to Indian Railways Promote Officers Federation.

In terms of Board's letter of even number dated 26.05.97, two separate card passes each in favour of two office bearers, with one to travel at a time in "First Class/AC Sleeper, available on All Indian Railways are issued to IRPOF. Arising out of a demand in the meeting of IRPOF, Ministry of Railways (Railway Board) have now decided to issue one card pass each in favour of the four office bearers in First Class/AC Sleeper Class available over all Indian Railways. The card passes will however be issued from Railway Board.

This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

****

3– 14

Rly. Bd.'s No. 94/0 & M/100 (PREM) **Dated : 23.03.94**

Sub: - Restructuring of Corporate Enterprise Groups (CEG) at Board, Zonal and Divisional levels.

To facilitate meaningful and effective participation of workers in the management process, it has been decided that the Corporate Enterprises Groups, at the Board, (Zonal and Divisional levels should be restructured and designated as Groups for participation of Railway Employees in Management (PREM). Further, to make the working of PREM more purposeful, a separate cell headed by a joint Secretary has been act up under the direct control of Secretary, Railway Board. The Joint Secretary shall assist the Secretary in convening the meetings of the Group periodically and monitor the implementation of various decisio0ns taken. He will also monitor the working of PREM at the zonal and divisional levels.

2. The broad objectives of PREM are

- Evaluate the functioning of the railways and exchange data and ideas on ways and mean for improving the efficiency and viability of the enterprises.
- Appraise the investment programmers, particularly in regard to housing and other welfare services.
- Identify areas and devise action oriented methods for maximizing organizational effectiveness, the use of technology and towards building up the image of the Railway as a service organization.
- To facilitate effective and meaningful participation of Railway employees in the management process.
- To give them a sense of involvement and pride in the organization's works; and
- To discuss and identify the measures for improving the quality of service to the rail passengers and safety of operations.

3. Structure

3.1 At Board's level, the Group shall comprise the Chairman, Members of the Railway Board, Secretary, Railway Board & 4 representatives each from the two recognized Railway man's Federations, and two representatives such from the two Railway Officer's Federations (FROA and IRPOF). Besides the President and the General Secretary of the four federations, the two Railway man's Federations will nominate two more members each.

The chairman, Railway Board and Secretary, Railway Board shall be the Chairman and Convener respectively. Advisers/EDs may be invited as per requirement.

3.2 At the Zonal Railway level, the Group shall comprise the General manger, Additional General Manager, Coordinating heads of the Departments, four representatives each from the affiliates of two recognized Railwaymen's Federation and two representatives each from the affiliates of the two Railway Officers Federation.

The General Manager and the Deputy General Manager (G) shall be the Chairman and the Convener respectively.

3.3 At the Divisional level, the Group shall consist of DRM, ADRM officers in charge of various branches & 4 representatives from each of the officials of the Railway men's federations and two representatives of each of the two officers Federations.

DRM and Sr. DPO shall be the Chairman and Convener respectively.

3.4 The meetings of the Group will be held once in a quarter at the Board's Zonal and the Divisional levels. In addition, informal meetings may be held to throw up and crystallize ideas.

3.5 The Railways should, before holding the meeting of the Group, identify critical issues/specific problems requiring changes/attention for having an in-depth discussion. Adequate supporting information for the same should be complied and shared with the Members, preferably beforehand. The issues could be formulated by holding informal consultations, if required.

****

3– 15

Rly. Bd.'s No. 94/0 & M/100 (PREM) **Dated : 29.03.94**

Sub: - Participation of Railway Employees in Management additional facilities.

A letter regarding re-structuring of existing Corporate Enterprise Groups at the Apex. Zonal and Divisional levels with a view to facilitate purposeful participation of railway employees in the Management process has been issued vide letter No. 94/O&M/100(PREM) dated 23.3.94.

2. To enable the constituents of the Group to work more effectively, the Board have decided that the following additional facilities shall be provided to the constituents at the Board levels: -

(i) STD facility on railway telephones.
(ii) Photo copying machines.
(iii) Electronic Typewriters.

3. The Railways may also provide the STD facilities to constituents on lines of facilities available to GM and other PHODs/Coordinating HODs to enable them to directly dial the DRMs and divisional branch officers from their offices. The Railways may also arrange to provide the facilities for Xeroxing memoranda/documents required for the meetings to the constituents of the above group from with the available resources.

4. A report regarding provision of above facilities may be submitted to the Board of 15.4.94 positively.

****

3– 16

Rly. Bd.'s No. E(LL)/95/PREM/3 **Dated : 26.05.95**

Sub: - Secretarial Facilities to Groups for Participation of Railway Employees in Management (PREM).

Reference this Ministry's letter No. E(LL)88/WPM/2-1 dated 7.6.91, on the above subject.

Ministry of Railways have decided that the rates of Honorarium granted to the stenographers and the Peons engaged by the Officers' Association (Class I) at Zonal level and the Federation of Railway Officers' Association, at the Apex Level, for work connected with participation of Railway Employees in Management (PREM) should be revised as indicated below:

Each Officers Association (Class I), at Zonal level.	Rs. 700/- per month for the Stenographer and Rs. 300/- per month for the peon.
Federation of Railway Officers' Association	Rs. 700/- per month for the Stenographer and Rs. 300/- per month for the Peon.

The above rates will be applicable from the date of issue of this letter.

The issues with the concurrence of the Finance Directorate of the Ministry of Railways.

****

3– 17

Rly. Bd.'s No. E(LL)/95/PREM/3 **Dated : 19.04.1996**

Sub: - Provision of facilities to the constituents of 'PREM' Group.

Please refer to your Railway's letter No.25-G/O/Pt.I dated 27.03.96 on the subject quoted above wherein clarification has been sought regarding provision of facilities to the constituents of 'PREM' Group at Apex/Zonal/Divisional level.

It is hereby clarified that instructions issued vide this Ministry's D.O. letter No. 94/O&M/100[PREM] dated 29.03.94 regarding provision of Electronic Typewriter are applicable to the constituents of 'PREM' Group at apex level only, and these instructions are not applicable to Zonal and Divisional levels.

As regard the instructions issued vide this office letter No. E[LL]95/PREM/3 dated 26.5.95 regarding payment of honorarium to Stenographer and Peon in lieu of Secretarial Assistance, is hereby clarified that these instructions are applicable to Apex and Zonal Level and no instructions have been issued from the Board's Office for Divisional Level. The rate/scale of assistance to be provided at Divisional Level to constituents of 'PREM' Group is to be decided by Railways themselves keeping in view the workload etc.

The summarized position of the facilities to be provided to the constituents of 'PREM' Group at various level is enclosed as Annexure-A.

****

Annexure 'A'

FACILITIES TO BE PROVIDED TO THE CONSTITUENTS OF 'PREM' GROUP AT VARIOUS LEVELS AS PER INSTRUCTIONS ISSUED FROM RAILWAY BOARD.

S.No.	Level	Facilities
1.	APEX	a) Electronic Typewriter b) STD facilities on Rly. Phone. c) Photocopying Machine d) Secretarial Assistance (i) Full-time Stenographer & peon to AIRF, NFIR & IRPOF.($) (ii) Honorarium in lieu of Secretarial Assistance of FROA e) Office Accommodation f) P&T Phone
2.	ZONAL	a) Office Accommodation b) Railway Phone with STD facility c) P&T Phone from the existing No. of Phones. d) Facility for Xeroxing memoranda/documents. e) Full-time Stenographer & Peon to the two recognized Unions and the class-II Officers Federation f) Honorarium in lieu of Secretarial Assistance to Class-I Officers Association.
3.	DIVISIONAL	a) Office Accommodation b) P&T Phones from the existing number of telephones c) Railway Phone. d) Secretarial Assistance to be decided by the Railways depending upon the work load. e) Facility for Xeroxing memoranda/documents.

[$ Secretarial Assistance to IRPOF is being provided as and when required]

****

3– 18

Rly. Bd.'s No. E(LL)/96/PREM/3 **Dated : 01.11.96**

Sub: - Participation of Railway Employees in Management [PREM] – Provision of Retiring Room facility to the members of PREM Group.

In connection with the accommodation to the Members of the Participation of Railway Employees in Management [PREM] Group for stay during the meeting of PREM

Group at apex level, Ministry of Railways have decided that the non-serving members of the PREM while they come to attend the meeting of the Group at apex level be given the facility to stay in retiring room, free of charge. Serving Railway employees will be given the facility to stay in rest house/retiring room as per their entitlement under normal rules in this regard.

Necessary arrangements may please be made to comply with these instructions.

****

3– 19

Rly. Bd.'s No. E(LL)/96/PREM/3 **Dated : 14.07.97**

Sub: - Secretarial Facilities to Groups for Participation of Railway Employees in Management.

Reference this Ministry's letter No. E(LL)96/PREM/3 dated 19.4.96 wherein it was clarified that the rate/scale of assistance to be provided at Divisional Level to the constituent of PREM Group is to be decided by Railways themselves keeping in view the workload etc.

It has been brought to the notice of the Ministry of Railways that facilities of Stenographer and Peon are not being provided in the offices of PREM at Divisional Level. Ministry of Railways have considered the matter and decided that 'PREM' Group at Divisional Level may be allowed to take Stenographic and Grade 'D' Assistance from the existing staff available in the concerned Divisional office and they may be paid honorarium subject to a ceiling of Rs.700/- per month for a Stenographer and Rs. 300/- per month for a Peon. The exact amount of honorarium is to be decided by the Railways concerned in consultation with Finance keeping in view of the workload etc.

This issue with the concurrence of the Finance Directorate of the Ministry of Railways.

****

3– 20

C.R.B. DO No.[LL]98/PREM/1 **Dated : 06.02.98**

Sub: - Participation of Railway Employees in Management [PREM] and holding regular meetings with Unions.

During the PREM meeting held recently in the Railway Board, Members had raised a point that the meetings of the PREM Group at Zonal and Divisional levels are not being held regularly. It is also understood that on some Railways the situation is similar with respect to PNM meetings.

The schedule of various types of meetings to be held with recognized Unions is summarized as under:

S.No.	MEETING	ZONAL LEVEL	DIVISIONAL LEVEL
1.	P.N.M. (with each of the recognized (Unions)	Four meetings per year	Six meetings per year
2.	P.R.E.M.	Four meetings per year	Four meetings per year
3.	P.O.M.	General Secretaries of Unions and Secretary General of Associations are to be invited	
4.	D.O.M	-	General Secretaries of the two Unions to be invited.

I would like all the railways to ensure that the meetings are held regularly and Board advised through monthly PCDOs.

I would like to be apprised of the action taken by your Railway for ensuring the above.

****

3– 21

Rly. Bd's No. 90/Tele/TN/17 **Dated : 01.04.98**

Sub: - Provision of FAX in offices of IRPOF & FROA at apex and Zonal Level.

In continuation of this office letter of even number dated 3.3.98, it has been decided to provide fax facility on Railway telephone in the PREM office of IRPOF and FROA at Apex and Zonal level on official account.

The fax machines [Thermal type] may be procured and provided in the PREM offices of IRPOF and FROA on Railway telephones at Zonal level under intimation to this office. The operating/recurring maintenance expenditure shall be borne by the Railways. However, no manpower for operating the machines shall be provided by the Railways. The Federations, may however be requested to make economical use of the thermal paper to contain the expenditure on FAX machines.

This issues with the concurrence of Finance Directorate of Ministry of Railway.

****

3– 22

Rly. Bd's No. E(LL)96/PREM-3 **Dated : 03.04.98**

Sub: - Secretarial facilities to Groups for Participation of Railway Employees' in Management.

With reference to Southern Railway's letter No. PB/CS/166/PREM/3 dated 19.1.1998 on the above cited subject, it is clarified, in consultation with the Finance Date. Of the Ministry of Railways, that the honorarium for providing secretarial assistance as laid down in Board's letter of even number dated 14.7.97 is payable to each of the constituents of PREM Group at divisional level separately and the exact quantum of honorarium to each of the Group is to be decided by the Railway concerned in consultation with the Finance keeping in view the workload etc.

****

3– 23

Rly. Bd's No. E(LL)98/PREM-3 **Dated : 10.08.98**

Sub: - Participation of Railway Employees in Management (P.R.E.M.) Provision of additional facilities.

The question of additional facilities to be given to the Members of PREM Group was considered by Board and it has been decided that the following additional facilities be provided to Members of the PREM Group [President and General Secretary]:

i. STD on Railway Phone at Divisional level for President and General Secretary.
ii. One Fax on Railway Phone in office at the Divisional level.
iii. DOT phone without STD at residence [for President and General Secretary only] at Apex and Zonal levels.

Necessary arrangements may please be made to comply with these instructions.

****

3– 24

Rly. Bd's No. E(LL)98/PREM-3 **Dated : 17.09.98**

Sub: - Participation of Railway Employees in Management [P.R.E.M.] – Provision of additional facilities.
Ref: - This office letter of even number dated 10.8.98.

The following clarifications are issued in regard to Para [i] and [ii] of the above referred letter: -

i. STD facility on Railway phone at Divisional level for Divisional President and Divisional Secretary of both the recognized Unions.

ii. Fax on Railway phone with STD facility in the office of both the Unions at Divisional level.

Necessary arrangements may kindly be made to comply with these instructions.

This issue with the concurrence of Finance Directorate of the Ministry of Railways.

****

3– 25

Rly. Bd's No. E(LL)98/PREM-3 **Dated : 08.10.98**

Sub: - Participation of Railway Employees in Management [P.R.E.M.] – Provision of DOT phones with STD facilities.
Ref: - Railway Board's letter of even number dated 10.8.98.

The question of allowing STD facility on the DOT telephones provided in terms of Board's letter under reference has been considered and it has been decided by Board that the STD facility may be allowed on the DOT Phones provided at the residences of Presidents and Secretaries / Zonal Secretaries / Genl. Secretaries / Secretary Generals of the AIRF, NFIR, FROA and IRPOF at the apex level and their affiliates at the zonal levels which would be subject to a ceiling on free calls prescribed by the Ministry of Finance vide O.M. No. F7(7)(Coord)/85 dated 8.7.85.

In case any of these functionaries is already provided with DOT phones at their residence on official account, there would be no need to provide another telephone on this account. However, the ceiling of free calls in such cases may be double the limit so prescribed.

Immediate arrangement may please be made to comply with these instructions.

This issue with the concurrence of Finance Directorate of the Ministry of Railways, Railway Board.

****

3– 26

Rly. Bd's No. E(LL)99/PREM-3 **Dated : 28.05.99**

Sub: - Participation of Railway Employees in Management [P.R.E.M.] – Provision of additional facilities.

The question of additional facilities to be given to the Members of PREM Group was under consideration for some time and it has been decided by Board that the following additional facilities of provided to Members of the PREM Group: -

i) PC with internet facility in office of PREM at the apex and zonal levels with a limit of 500 hours of usage per annum.

ii) STD facility on DOT Phones in the offices of FROA and IRPOF at the apex level.

iii) STD facility on Railway Phone at the residence of PREM members (Secretary General and President) of IRPOF at the apex and zonal levels.

Necessary arrangements may please be made to comply with these instructions.

This issue with the concurrence of the Finance Directorate of the Ministry of Railways.

****

CHAPTER – 4

BASIC PLOICY LETTERS REGARDING SENIORITY, PROMOTIONS, DPC, D&A RULES & SEALED COVER ETC.

4 – 1

Rly. Bd's No. E(O)I-72/SR-6/29 **Dated : 30.11.76**

Sub: - Principles for determining the relative seniority of Class I officers on the Indian Railways.

1. Consequent on the deletion of Para of Appendix I to the Indian Railways Service of Engineers, Indian Railway Service of Signal Engineers, Indian Railway Service of Electrical Engineers Recruitment Rules, 1962, Paragraph 9 of the Appendix I of the Indian Railway Service of Mechanical Engineers Recruitment Rules, 1968 and the I.R.S.S. Recruitment Rules, 1969 for determining the seniority of officers on their appointment of Class I Service, the Board have decided to circulate the principles, laid down for determining the seniority of officers, appointed to various class I Service from different sources, specified in the various Recruitment Rules except officers of the Medical Department and other misc. Categories, these are enclosed as an Appendix to this letter.

2. The Principles, indicated in the appendix to this letter do not fetter the general powers of the Government for giving to individual officers, in special circumstances such position in the seniority list as the circumstances of the case may require.

3. The seniority of officers who were recruited as Ty. Officers during the war period or the officers who are taken over by the Indian Railways from the ex-States Railways or Ex-Company managed Railways or isolated cases or officers where the seniority has already been determined under orders applicable to such officers at the relevant time shall not be altered, based on principles now set forth in the Appendix to this letter.

4. The principles, mentioned in the Appendix to this letter have the approval of the president.

5. Receipt of this letter, with enclosures, may please be acknowledged. Arrangement may please be made to give wide publicity to this principles now being circulated for the information of all concerned.

APPENDIX

Principle (i) The seniority of officers, appointed to various Indian Railway Services (CI.I) shall be determined on the basis of the "date for increment on time scale" to be specifically determined in each case in accordance with these principles.

Principle (ii) Unless otherwise stated, officers appointed to the Indian Railway Service (Cl.I) on the basis of competitive examinations, held by the service for seniority from the date they commence earning increments in the regular scale as Assistant Officers subject to the condition that the inter-se-seniority of officers in each service recruited as probationers in a particular year will be regulated by their place in the order of merit.

Principle (iii) In the case of officers, recruited otherwise than through the regular competitive examinations and who may be granted higher initial pay on recruitment, the date for increment on time scale be,so adjusted as to allow suitable credit in assigning seniority.

Principle (iv) In cases of prolonged delay on the part of an officer in joining service after receiving orders of appointment, he is liable to initial loss in seniority. If the period of training and consequently the period of probation in the case of officers, appointed to the Indian Railway Services on the basis of the competitive examination held by the Union Public Service Commission from time to time, is extended in any particular case due to the training not having been completed satisfactorily, the officer concerned is liable to loose in seniority.

Principle (v) Officers recruited as Temporary Assistant Officers (Unclassified), on permanent appointment to the Junior Scale (Cl.I) in various Indian Railway Services may be granted weight age in seniority on the basis of half of the length of the service, counted from the date of their joining service as Temporary Assistant Officers (unclassified) to the date of their permanent appointment to the Junior Scale (Cl.I) of the respective service, subject to a maximum weight age of five years.

Principle (vi) The order or selection by the UPSC of officers, who are permanently appointed to the Junior Scale (Class I) from amongst Temporary Assistant Officers shall not be disturbed irrespective of the weight age worked out in accordance with principle (v) above. The Government will be at liberty to restrict the date for increment on time scale in the case of an officer with longer service as Temporary Asstt. Officer so as to place him in Seniority below an officer who has been assigned a higher position based on merit although such an officer might have rendered lesser service as Temporary Assistant Officers.

Principle (vii) In the case of Class II Officers permanently promoted to Class I services, if two or more than two officers are promoted on the same date their relative seniority will be in the order of selection. Subject to the aforesaid provision, the seniority of officers, permanently promoted from Class II to Class I services, shall be determined by giving weight age based on

(a) The year of services connoted by the initial pay on permanent promotion to class I service; or
(b) Half the total number of years of continuous service in class II, both officiating & permanent ;

Whichever is higher, subject to maximum weight age of five years.

Principle (viii) As permanent promotion from Class II to Class I Services and permanent appointment of Temporary Assistant Officers to Junior Scale (Class I) involves definite act of selection, the categories will be regulated by the date of permanent promotion or permanent appointment to Class I services.

Principle (ix) Officers, permanently appointment to the junior Scale (Class) from amount the categories mentioned in principles (vi) and (vii) above, against quotas of vacancies reserved for them, shall be placed below or above a particular batch of direct recruits accordingly as their dates for increment on time scale are earlier or latter than the earliest date on which any one of the direct recruits in a particular batch joined service.

Principle (x) The seniority of officers, recruited to Class I under the provision of the Rules relating to "Occasional admission of other qualified persons "shall be determined by the Government on the merits of each case."

Principle (xi) Seniority of the released Emergency Commissioned Officers or Short service Commissioned Officers Appointed to various Indian Railway Service Commissioned Officers Appointed to various Indian Railway Services against vacancies, reserved for them, shall be determined keeping in view the instructions issued by the cabinet secretariat (Department of Personnel).

****

Rly. Bd's No. E(O) 1-90/SR-6/9 **Dated : 23.04.91**

Sub: - Principles for determining the relative seniority of Class I officers on the Indian Railways.

The Principles for determining the relative seniority of Group 'A' Officers on the Indian Railways, Particularly principles (ii) (iv) and (vii) circulated with Railway Board's office letter No. E(0)I-72/SR-6/29 dated 30.11.76 and 16.2.1980 have been reviewed. It has been decided to amend the same as in the Annexure.

2. This has the approval of the President.

ANNEXURE

Amendment to the principles for determining the relative seniority of Group 'A' officers of all Services of Indian Railways except officers of Medical Department and other Miscellaneous categories – circulated with Railway Board's Letter No. E(O)I-72/SR/29 dated 30.11.1976.

i) Existing principles may be substituted by the following principles: -

Principle (ii) : - unless otherwise stated, officers appointed to the Indian Railway Services (Group A) on the basis of competitive examinations held by the Union Public Service Commission, shall count service for seniority from the date they commence earning increments in the regular scale as Assistant Officers subject to the condition that the inter-se-seniority of officers in each service recruited as probationers in a particular year will be regulated by their place in the order of merit, as determined by the instructions contained in Railway Board's letter No. E(TRG)086(13)/3 dated 3.7.87 as amended from time to time.

Order of merit of probationers who joined on the basis of examination held before 1986 and SCRAs of batches earlier than of 1983 will be regulated by pre-revised principle (ii).

ii) Principle (iv) may be deleted.

iii) The existing principles (v), (vi), (vii), (viii), (ix), (x) and (xi) may be renumbered as (iv), (v), (vi), (vii), (viii), (ix) and (x) respectively.

iv) Renumbered Principles (vi) (earlier vii) is revised as under:

Principle (vi): - in the case of Group 'B' Officers permanently promoted to Group 'A' services, if two or more officers are promoted on the same date their relative seniority will be in the order of selection. Subject to the aforesaid provision, the seniority of officers permanently promoted from Group 'B' to Group 'A' services shall be determined by giving weight age based on:

(a) The year of service connoted by the initial pay on permanent promotion to Group 'A' service;

Or

(b) Half the total number of years of continuous service in Group 'B' both officiating and permanent;

Whichever is more, subject to a maximum of 5 years provided that the weight age so assigned does not exceed the total non-fortuitous service rendered by the officer in Group 'B'.

Above mentioned provision will be applicable to all selections of Group 'B' officer for substantive appointment to Junior Scale which are held hereafter. Provision contained in pre-revised principle (vii) will apply in cases of selections already held.

****

4 – 3

Rly. Bd's No. E(O) 1-99/SR-6/02 **Dated : 22.11.99**

Sub: - Principles for determining the relative seniority of Group-A officers on Indian Railways.

Ref: - (i) Ministry of Railways; Letters No. E(O)I-72/SR-6/29 dated 30.11.96 and 16.02.80
(ii) Ministry of Railways' letter No. E(O)I-90/SR-6/9 dated 23.4.91.

The principles for determination of relative seniority of Group –A- officers on the Indian Railways, particularly principle-(vi) pertaining to Group 'B' officers on permanent promotion to Group 'A', Junior Scale circulated vide Ministry's letter No. E(O)I-99/SR-6/9 dated 23.4.91, have been reviewed. It has been decided to amend the same as in the Annexure.

2. This has the approval of the President.

3. The amended principle may be given wide publicity for information of all concerned.

ANNEXURE TO LETTER NO.E(O)I/99/SR-6/02 DATED 22.11.99

Amendment to the Principles for determining the relative seniority of Group-A officers of various services of Indian Railways – circulated vide Ministry's letter No.E(O)I-72/SR-6/29 dated 30.11.76 and amended vide letter No.E(O)I-72/SR-6/29 dated 16.02.80 and letter No.E(O)I/90/SR-6/9 dated 23.4.91.

Principle-(vi) (Existing)

In the case of Group 'B' officers permanently promoted to Group 'A' services, if two or more officers are promoted on the same date, their relative seniority will be in the order of selection. Subject to the aforesaid provision, the seniority of officers, permanently promoted from Group 'B' to Group 'A' services shall be determined by giving weight age based on:

(a) The year of service connoted by the initial pay on permanent promotion to Group 'A' service; or

(b) Half the total number of years of continuous service in Group 'B', both officiating and permanent;

Whichever is more, subject to a maximum of 5 years; provided that the weight age so assigned does not exceed the total non fortuitous service rendered by the officer in Group-B

Principle-(vi) (After Amendment)

In the case of Group 'B' officers permanently promoted to Junior Scale of Group 'A' services.

(1) Officers of a particular department promoted from the earlier panel shall rank senior to officers promoted from the latter panel.

(2) If two or more than two officers are promoted on the same date, the following method shall be followed to determine their inter-se-seniority with the Railway: -

(i) The relative seniority of officers of each Railway shall be in the order of their position in the panel for that Railway.
(ii) The date for increment on time scale (DITS) of the above officers, shall be determined by giving weightage based on;

(a) The year of service connoted by the initial pay on permanent promotion to Group 'A' service; or
(b) Half the total number of years of continuous service in Group 'B' both officiating and permanent;

Whichever is more, subject to a maximum of 5 years; provided that the weightage so assigned does not exceed the total non-fortuitous service tendered by the officer in Group 'B'.

(iii) The DITS of the junior officer9s) in any Railway shall not be earlier than the DITS of his immediate senior in the same panel.

(3) In integrated seniority of the officers on All Indian Railways basis, shall be determined as under: -

(i) The integrated seniority shall be in the on the basis of DITS, the officers having earlier DITS being senior.

(ii) The inter-se-seniority of officers having same DITS shall be in the order of merit, the length on non-fortuitous service in group-B determining the inter-se-seniority of equal merit.

****

4 – 4

Rly. Bd's No. E(O)III-82PM6/136 **Dated : 08.07.87**

Sub: - Principles and procedure for determining inter-se-seniority of members of Group 'A' Services on the Railways.

The Ministry of Railways (Railway Board) have had under consideration the question of laying down clearly the principles and procedure for determining inter-se-seniority of members of Railway Group 'A' Services under the Ministry of Railways, they have accordingly decided that the principles and procedure, details of which are given in the Annexure to this letter, should normally be followed for determining inter-se-seniority of members of Group 'A' services of the Railways.

2. The aforesaid procedure of determining inter-se-seniority has the approval of President.

3. All questions of doubt regarding the interpretation of the procedure shall be decided by the Ministry of Railways.

4. A copy of this letter may be circulated amongst the members of the various groups 'A' Railway Services.

ANNEXURE

1.0 *Within the same service*

1.1 The officers belonging to any examination batch would initially be junior to the officers of the same service belonging to an earlier examination batch.

1.2 Within the same batch, the inter-se-seniority would initially be in order of merit in the batch as existing on completion of the period of probation.

2.0 *Between members of any two Group 'A' Services*

2.1 The inter-se-seniority as between members of any two Group 'A' services would be determined by the Date for increment in Time scale (DITS) except that:

2.1.1 In case any officer joins service earlier than his senior in the same Service in the same batch, he will take notional DOITs which will be the same as that of his senior.

2.1.2 In case any officer is superseded on grounds of suitability by any officer of his own Service, he will for the purpose of composite inter-se-seniority, take a place just below that of his erstwhile junior who has superseded him.

2.1.3 In case an officer gets a General Manager's Post open to more than one discipline latter than an officer of another Service on grounds of suitability he will take his seniority below that officer.

Note: The date for increment in time Scale would be the same as the Date of Joining Service in case of direct recruits to Group 'A' Services and for other it would be the Date for Increment in time scale in Group 'A' Service as determined as per rules/order laid down from time to time.

2. Paras 2.1.1 and 2.1.2 above are necessary to avoid the conundrum of 'A' is senior to 'B', 'B' is senior to 'C' but 'C' is senior to 'A'.

3. Paras 2.1.1 to 2.1.2 above are subject to any specific orders restoring the seniority subsequently passed by the competent authority while considering an appeal or at the time of subsequent empanelment's.

3.0 *Current Seniority*

Irrespective of the provisions of paras 1.0 and 2.0 above, which relate to the basic inter-se-seniority of officers in the context of further promotion to higher posts, any officer holding a position in a grade higher than that held by any other officer would have, at that given time, a current seniority and status higher than that of the latter officer.

****

4 – 5

Rly. Bd's D.O. No. 87/289-B/Secy./Admn. Dated : 15.05.87

Sub: - Norms for selection for promotion/deputation/training.

Board have reviewed the present policy on the subject. In order to obtain uniformity in the matter of selection of railway officers for promotion to different administrative grades of railway services, deputation and training, it has been decide that certain norms should be adopted.

2. As you know, the main criterion for selection of officers is performance as reflected in the annual confidential reports. The classification of ACRs in terms of 'Points' is as under:

Classification	**Outstanding**	**Very good**	**Good**	**Good**	**Average not fit**	**Below average**
Points	5	4	3	2.5	2	1

2.1 Total points obtained in last 5 years ACRs by the eligible officers will be considered.

2.2 'Average' rating or 'Not Fit' in the last ACR will be treated as 'Grey Area', irrespective of qualifying marks obtained. The cases of offices falling in the 'Grey Area' will be reviewed by the Board.

2.3 There is a provision of weightage for officers of outstanding merit in the Select Lists drawn up for promotion to Senior Administrative Grade. For the purpose of overall assessment as 'Outstanding', the officer has to obtain 23 or more points in the ACRs for the preceding 5 years.

3. The norms decided upon are as under:

S. No.	Posts	Clear for Promotion	Grey Area	Fitness(s) Required
1.	In grade Rs. 7300-7600 (new)	22	20-21	2
2.	Principal HODs	22	20-21	2
3.	Divisional Rly Manager	22	20-21	2
4.	SDGMs/CPLOs	21	19-20	-
5.	Sr. Administrative Grade	19	17-18	-
6.	Jr. Administrative Grade	17	15-16	
7.	Additional DRMs	19	17-18	-
8.	**Posts in the Ministry** Railway Board/RDSO			
	a) SA Grade	22	20-21	-
	b) JA Grade	20	18-19	-
9.	**Deputation:**			
	a) Other Ministries	21	19-20	-
	b) Abroad	22	20-21	-
10.	**Training**			
	a) Abroad	21	19-20	-
	b) Within India (more than one month outside Rlys.)	19	17-18	-
11.	Class II to Sr. Scale	17	15-16	-

4. Kindly send a line in acknowledgement so that it may be confirmed that this important letter has reached you.

****

4 – 6

Rly. Bd's D.O. No. 77/289-B/Secy./Admn. **Dated : 18.11.77**

Sub: - Formation of panels for JA grade.

Railway Ministry have decided that henceforth promotions from Senior Scale to JA grade in various Railway Services (excluding Medical and Accounts) should be regulated on the basis of Zonal Railway seniority and for this purpose panels should be framed be the Railway Administrations. The following procedure should be adopted.

i. The Departmental Promotion Committee to be constituted for the purpose should consist of the concerned Head of Department (senior most Level-I Officer). Chief Personnel Officer and one other Head of the Department./ The recommendations of the Departmental of Promotion Committee shall be approved by the General Manager.

ii. The JA grade posts are to be filled by selection on the basis of three years annual confidential reports. The eligible officer should earn at least 'good' grading during this period of three years and the last two reports should support his promotion to the next higher grade.

iii. The eligibility will cover all senior Scale officers who are holding lien and/or working on the Railway, with ordinarily not less than five years service in Senior Scale.

iv. The number of vacancies shall be computed arising from July of the year to June of the following year.

2. A copy of the panel, as soon as finalized, should be furnished to this Ministry. A quarterly statement for period ending March, June, September & December, showing promotions ordered should also be forwarded indicating the sanctioned strength in the JA grade of each Department and vacancies and duration thereof against which local officiating arrangements have been made. The panel and the quarterly statement should be sent by name to the Secretary, Railway Board, in a sealed cover, 'To be superscribed 'To be opened by the Addressee only'.

****

4 – 7

Rly. Bd's No. PC-IV.87/Imp/19. **RBE No. 219/87**
Dated : 24.08.1987

Sub: - Recommendation of the Fourth Central Pay Commission – orders regarding selection Grade to Group 'A' Railway Services.

Pursuant to the recommendations of the Fourth Pay Commission regarding selection Grade (Rs.4500-5700) posts for Group 'A' Central Services included in the Group 'A' Railway Services, the President is pleased to decide that in all organized Group 'A' Railway Services, the number of posts in the Selection Grade shall be equal to 15% of the Senior duty posts (i.e. all duty posts at the level of Senior Time Scale and above in the Cadre). However, there shall be no increase in the overall strength of the Cadre and the number of posts in the Selection Grade will not exceed the posts in the JA Grade. An officer appointed to the Junior Administrative Grade will be granted Selection Grade if he satisfies the conditions prescribed in paragraph 2 below.

2. No member of the Service shall be eligible for appointment to the Selection Grade until he has entered the fourteenth year of service on the 1st July of the year calculated from the year following the year of examination on the basis of which the member was recruited.

3. Appointment to the Selection Grade shall be made by the Railway Board who would issue promotion orders in this regard. The General Managers will have no powers to promote officers to Selection Grade even in an Ad-hoc capacity.

4. The orders regarding fixation of pay on appointment to selection Grade will be issued separately.

5. There orders will take effect from 1.1.1986.

****

4 – 8

W.Rly's. No. E(G)838/1 **Dated : 17.05.1989**

Sub: - Information for the Meeting of Group 'B' Officers Association with the Officers of DOPT.
Ref: - Rly. Bd's XXR No. E(GP)89/2/54 dated 8.5.89.

The requisite information is furnished as under: -

1. The Number of years of service required for promotion to: -

a) Gr. 'B' Three years non fortuitous service in Grade Rs.1400-2300 (EP) and above – (for regular Selection). Five years non fortuitous service in Gr. Rs.1400-2300 (EP) and above (for LDCE).

b) Junior Scale Three years non fortuitous service in Group 'B' scale Rs. 2000-3500 (EP) through DPC.

c) Senior Scale Three years non fortuitous service in Group 'B' and four years in Junior Scale.

d) JA Grade Six years of service in Junior Scale (i.e. from the date of increment of time scale) on Ad-hoc basis, and eight years for regular J.A. Grade.

2. Age profile of Group 'B' Officers: No age limit.

****

4 – 9

Rly. Bd's No. 89/289 B/Secy./Admn. Dated : 26.09.1989

Sub: - Procedure for promotion to Administrative Grades in Railway Service.

Ministry of Railway have reviewed the present policy of promotion to various Administrative Grades in Railway services with a view to streamlining the procedure and to ensure greater selectivity and strengthen the middle and senior management cadres. While merit has to be recognized and rewarded, advancement in an officer's career should not be regarded as a matter of course, but should be earned by dint of hard work, good conduct and result oriented performance and potential for shouldering higher responsibility, as reflected in the Annual Confidential Reports, and it should be based on a strict and rigorous selection process.

2. For promotions from Senior Scale to J.A. Grade, the Selection Committee shall consider all eligible officers and assess their fitness for promotion on merit and the selected officers shall be placed on the panel in the order of seniority.

2.1 In promotions to posts which carry an ultimate salary of Rs. 5700/- p.m. in the revised scale, SC/ST Officer, who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the Select List has to be drawn up, would be included in that list provided they are not considered unfit for promotion.

3. For promotions from J.A. Grade to S.A. Grade and from S.A. Grade to Additional Secretary's Grade (Rs.7300-7600), the following principles with be followed: -

(I) Field of eligibility:

For the purpose of determining the number of officers who will be considered from out of those eligible in the feeder grade, the field of choice will be restricted as under with reference to the number of vacancies proposed to be filled in the year: -

No. of vacancies	No. of officers To be considered.
1	5
2	8
3	10

4	Three times of the number of vacancies.

(II) Assessment of Confidential Rolls:

Confidential Rolls are the basic input on the basis of which assessment is to be made by the Selection Committee. While evaluating the CRs. The following would be kept in view.

(a) The Selection Committee will assess the suitability of the officers for promotion on the basis of their service record and with particular reference to the five preceding years.

a. Where one or more CRs have not been written for a sufficient reason for a particular period, the CRs of the years preceding the period in question would be considered. If this is not possible, all the available CRs should be taken into account.

(b) Where an officer is working against a higher grade and has earned CRs in that grade, his CRs in that grade would be considered by the Selection Committee only as an assessment of his work, conduct and performance and no extra weightage should be given merely on the ground that he has been officiating in the higher grade.

(c) The Selection Committee would not be guided merely by the overall assessment, if any, that may be recorded in the CRs, but will make its own assessment on the basis of entries in CRs.

(d) Before making the overall grading after considering the CRs for the relevant years, the Selection Committee would take into account whether the officer has been awarded any major or minor penalty or whether any displeasure of any superior officer of authority has been conveyed to him as reflected in the CRs.

(e) Due regard to the remarks recorded against the column on 'Integrity' would be given.

(III) Selection Procedure: For the purpose of promotion from J.A. grade to SA and SA grade to Addl. Secy's Grade (Rs. 7300-7600), the Bench Mark shall be 'Very Good'. For this purpose, the Selection Committee will grade the officers who are considered suitable for promotion as 'Very Good' or 'outstanding'. Offices graded, 'outstanding' will rank senior to all those who are graded "very good" and placed in the select panel accordingly. Officers with the same grading will maintain their existing inter-se-seniority.

4. This letter supersedes instruction contained in Confidential D.O. letters No. 86/289-B/Secy./Admn dated 6.3.86 and 15.5.87.

****

D.O. No. 92/289 B/Secy./Admn. **Dated : 29.12.1992**

Sub: - Ad hoc promotions to J.A. Grade in Railway Services.
Ref: - Board's D.O. No. 92/289-B/Secy./Admn. Dated 17.01.1992.

In supersession of the instructions contained in Confidential D.O. of even number dated 17th January, 1992 referred to above, Board have decided that promotions of officers to JA Grade on Ad-hoc basis in different Railway Group 'A' services should be regulated on the basis of completion of 6 years group 'A' service instead of 8 years service as at present.

2. The panels for promotions to JA Grade on regular basis shall continue to be framed by Board (constituting as DPC) as hitherto.

3. In case a senior officer is passed over, his C.R. dossier may be forwarded to the Board. The C.R. dossiers of Railway group 'A' officers after completion of 8 years group 'A' services should continue to be forwarded to Board's office for empanelment to JA Grade.

****

4 – 11

Rly. Bd's No. E(G) 97/1/5. **Dated : 07.07.1997**

Sub: - Procedure for conducting DPC's – Promotion from Group 'B' to Group 'A'

A number of representations are received in Board's Officer regarding promotion of Group 'B' officer to Group 'A' / Jr. Scale of various Services. The representation indicates that the officers are not adequately informed about the DPC Procedure.

A "Note" on the extant procedure for conduct of DPC for promotion from Group 'B' to Group 'A' is enclosed for information and guidance.

ANNEXURE

DEPARTMENT PROMOTION COMMITTEE PROCEUDRE FOR PROMOTION FROM GROUP 'B' TO GROUP 'A'

Promotion of Group 'B' officers of Indian Railways to Group 'A' Junior Scale where the Recruitment Rules so provide, is done through Departmental promotion Committees (DPC) which are convened by UPSC.

The following procedure is adopted for conducting the DPC.

1. Composition of DPC

Minimum status of the officers who should be Members of the DPC for Group 'A'/Jr. Scale is Deputy Secretary to the Government of Indian or above. Chairman or a member of the UPSC will preside at the meeting of the DPC. Generally, three offices from the Ministry of Railways are nominated as Members of the DPC, one of them being an SC or ST Officer.

2. Vacancy distribution amongst Railways/Production Units.

The promotion quota vacancies in Group 'A'/Jr. Scale of various services as per relevant Recruitment Rules are distributed among the different Railways/Production Units in the following manner:

(i) 50% of such vacancies are distributed according to Rosters prepared on the basis of the Group 'A' cadre strength of the service on each Railway/Unit.

(ii) Remaining 50% of such vacancies are distributed taking into account the extent of length of service of Group 'B' officers of the Department on different Railways/ Units.

3. The zone of consideration

For the purpose of determining the number of officers who will be considered for promotion, the field of choice will be restricted as under with reference to the number of vacancies proposed to be filled by promotion in the year.

No. of Vacancies	No. of Officers to be considered
1	5
2	8
3	10
4	10 + twice the no. of Vacancies in excess of 3 vacancies (i.e. 2 x (X) +4) where X = No. of Vacancies).

4. Assessment of confidential Reports

Confidential Reports are basic inputs on the basis of which assessment is to be made by each DPC.

a) The DPC should consider CRs for equal number of years in respect of all officers considered.

b) The DPC should assess the suitability of the officers on the basis of their service record and with reference to the CRs for five preceding years. However, in case where the qualifying service in more than 5 years, the DPC should see the record with particular reference to the CRs for the years equal to the required qualifying service. (i.e. more than one CR have been written for a

particular year, all the CRs for the relevant year shall be considered together as the CR for one year.

c) Where one or more CRs have not been written for any reason during the relevant period, the DPC should consider the years preceding the period in question and in case even this is not available the DPC should take the CRs of the lower grade into account to complete the number of CRs required to be considered. If this is also not possible all the available CRs should be taken into account.

d) Where an officer is officiating in the next higher grade and has earned CRs in that grade his CRs may be considered but no extra weight age may be given merely on the ground that he has been officiating in the higher grade.

e) The DPC should not be guided merely by over all grading, if any, that may be recorded in the CRs but should make its own assessment on the basis of the entries in CRs.

f) In case of each officer an overall grading should be given. The grading shall be one among (i) Outstanding (ii) Very Good (iii) Good (iv) Average and (v) Unfit.

5. Selection Procedure

Having regard to the levels of posts to which promotions are made and the nature and importance of duties attached to the posts a benchmark grade is determined. For the promotions to Group 'A' posts from lower groups, the benchmark would be 'Good'. However, officers graded as 'Outstanding' would rank enbloc senior to those who are graded as 'Very Good' and they would in turn rank enbloc senior to those who are grade as 'Good' and placed in select panel accordingly, up to the number of vacancies, officers with same grading maintaining their inter-se-seniority in the feeder grade.

6. Promotions from the panel

a) Appointments from the panel shall be made in order of names appearing in the panel for promotion.

b) Before making actual promotion of the officers it must be ensured that no disciplinary/Criminal proceedings are pending against the officer.

c) Where the appointing authority is the President of India, the recommendation of the DPC should be submitted to the minister in charge of the Department concerned for acceptance of the recommendation.

d) The date of UPSC's letter communicating the Commission's approval to the panel or the date of the actual promotion of the officer whichever is later, is reckoned as the date of regular promotion of the officer.

7. Procedure for preparing year-wise panels when DPC for vacancies of different years are held together.

Where the DPC could not be held in a year (s), even though the vacancies arose during that year (or years), the first DPC that meets thereafter should follow the following procedure:

(i) Determine the Actual number of regular vacancies that arose in each of the previous year(s) immediately preceding and the actual number of regular vacancies proposed to be filled in the current year separately.

(ii) Consider in respect of each of the years those officers only who would be within the field of choice with reference to the vacancies of each year starting with the earliest year onwards.

(iii) For the purpose of evaluating the merit of the officers while preparing year wise panels, as mentioned above, the scrutiny of the record of service of the officers should be limited to the records that would have been available had the DPC met at the appropriate time. For instance, for preparing a panel relating to the vacancies of 1994, the latest available records of service of the officers up to the period ending March 1994 should be taken into account and not the subsequent ones. However, if, on the date of the meeting of the DPC, departmental proceedings etc. are in progress and under the existing instructions sealed cover procedure is to be followed, such procedure should be observed even if departmental proceedings etc. were not in existence in the year to which the vacancy related.

(iv) Prepare a 'Select List' by placing the Select List of the earlier year above the one for the next year and so on.

(v) While promotions will be made in the order of consolidated Select List such promotions will have only prospective effect, as indicated in Para 6(d) above, even in cases where the vacancies relate to earlier year(s).

8. Provisions relating to SC/ST Officers

In promotion by selection to posts/services in the lowest rung in Group 'A', selection against the vacancies reserved for SC and ST will be made only from those SC/ST officers who are within the normal zone of consideration. Where adequate number of SC/ST candidates is not available within the normal field of choice, it may be extended to five times the number of vacancies and the reserved candidates coming within the extended field of choice should also be considered against the vacancies reserved for them. If candidates from SC/STs otherwise finding place on the panel, on the basis of merit with due regard to seniority, on the same basis as others are lesser in number than the number of vacancies reserved for them, the difference should be made up by selecting candidates of these communities, who are in the zone of consideration irrespective of 'bench mark' but who are considered fit for promotion.

9. Procedure in respect of Government Servants under suspension etc.

Guidelines issued in this matter under Board's letter No. E(D&A) 92 RG6-169 (B) dated 21.1.93 amended from time to time shall be followed.

****

4 – 12

Rly. Bd's No. E(D&A) 88, RG6-24 **Dated : 02.07.1990**

Sub: - Promotion from Group 'B' to Group 'A' and within Group 'A' of Railway Officers against whom disciplinary/court proceedings are pending or whose conduct is under investigation – procedure and guidelines to be followed.

Reference Board's letter of even number dated 21.09.88 (RBE No.210/88) and also Board's confidential letter of even dated 21.09.88 on the above subject –

2. As per paragraphs 3.1 and 7 of the DOP'S Office Memorandum No.22011/2/86-Estt (A) dated 12th Jan. 1988, if any penalty is imposed as a result of the disciplinary proceedings or if the Government servant concerned is found guilty in the criminal prosecution the findings of the earlier DPC in the "sealed cover" shall not be acted upon and the Government Servant's case for promotion can only be considered by the next DPC in the normal course, having regard to the penalty imposed on him. This principle will also be applicable in the case of a Government servant who has already been recommended for promotion by the DPC but in whose case he comes under "cloud" before he is actually promoted and on whom a penalty is imposed or he is found guilty in prosecution.

3. On reconsideration, the Railway Board have decided that in the case of Ad-hoc promotions from Group 'B' to Group 'A' and within Group 'A' (up to and including promotions to SA Grade) those imposed with the minor penalties of Censure, Stoppage of passes/PTOs, Recovery from pay and With holding of increments may also be promoted prospectively in their turn with reference to their position in the earlier panel of the DPC. In the case of those imposed with the penalty of withholding of increment, however, they cannot be promoted before expiry of the penalty. The Pay on promotion in all these case should be fixed under the normal rules with reference to the date of actual promotion.

4. It has also been decided that in cases of promotion to Group 'A' and within Group 'A', as mentioned above, if the Railway Officer is given Ad-hoc promotion as envisaged in Para 6.2 of the DOP's Office Memorandum dated 21.09.88 and is finally imposed the minor penalties of Censure, Stoppage of passes/PTOs, Recovery from pay and Withholding of increment, such railway offices should also be automatically deemed as regularly promoted from the date of Ad-hoc promotion duly retaining his DPC position.

****

4 – 13

Rly. Bd's No. E(D&A) 92, RG6-149 (B) **Dated : 21.01.1993**

Sub: - Promotion from Group 'B' to Group 'A' and within Group 'A' of Railway Officers against whom disciplinary/court proceedings are pending – procedure and guidelines to be followed.

Ref: - Rly. Bd.'s No. E(D&A) 88 RG6-21 dated 21.9.88 & 2.7.90.

In supersession of all instructions contained in Board's letter referred to in the margin on the above subject, the procedure and guidelines laid down below shall be followed in the matter of promotion from group 'b' to Group 'A' and within Group 'A' of Railway Officers against whom disciplinary/Court proceedings are pending.

Cases of Govt. to whom sealed Cover Procedure will be applicable

2. At the time of consideration of the cases of Government servants for empanelment, details of Government servants in the consideration zone for promotion falling under the following categories should be specifically brought to the notice of the Departmental Promotion Committee: -

(i) Government servants under suspension:

(ii) Government servants in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending.

(iii) Government servants in respect of whom prosecution for a criminal charge is pending.

Procedure to be followed by DPC in respect of Govt. servants under cloud.

2.1 The Departmental Promotion Committee shall assess the suitability of the Government servants coming within the purview of the circumstances mentioned above alongwith other eligible candidates without taking into consideration the disciplinary case/criminal prosecution pending. The assessment of the DPC, including 'Unfit for Promotion' and the grading awarded by it will be kept in a sealed cover. The cover will be super scribed "**Findings regarding suitability for promotion to the grade/post (name of the post) of in respect of Shri (name of the government). Not to be opened till the termination of the disciplinary case/criminal prosecution against Shri (name of the Government Servant)"** The proceedings of the DPC need only contain the note. The findings are contained in the attached sealed cover'. The authority competent to fill the vacancy should be separately advised to fill the vacancy in the higher grade only in an officiating capacity when the findings of the DPC in respect of the suitability of a Government servant for his promotion are kept in sealed cover.

Procedure by Subsequent DPCs.

2.2 The same procedure outlined in Para 2.1 above will be followed by the subsequent departmental promotion Committees convened till the disciplinary case/Criminal prosecution against the Government servant concerned is concluded.

Action after completion of disciplinary case/criminal prosecution.

3. On the conclusion of the disciplinary case/criminal prosecution which results in dropping of allegation against the Government servant, the sealed cover or covers shall be

opened. In case the Government servant is completely exonerated, the due date of his promotion will be determined with reference to the position assigned to him in the findings kept in the sealed cover/covers and with reference to the date of promotion of his next junior on the basis of such position. The Government servant may be promoted, if necessary, by reverting the junior most officiating person. He may be promoted notionally with reference to the date of promotion of his junior. However, whether the Railway servant who has been promoted, as mentioned above will be entitled to any arrears of pay for the period of notional promotion preceding the date of actual promotion, and if so to what extent, will be decided by the appointing authority by taking into consideration all the facts and circumstances of the disciplinary proceeding criminal prosecution. Where the authority denies arrears of salary of part of it, it will record the reasons for doing so. It is not possible to anticipate and enumerate exhaustively all the circumstances under which such denial of arrears of salary or part of it may become necessary. However, there may be cases where the proceedings whether disciplinary or criminal, are for example delayed at the instance of the employee or the clearance in the disciplinary proceedings or acquittal in the criminal proceedings is with benefit of doubt or on account of non availability of evidence due to the acts attributable to the employee etc. These are only some of the circumstances where such denial can be justified.

3.1 If any major penalty is imposed on the Government servant as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover/covers shall not be acted upon. His case for promotion may be considered by the next DPC in the normal course and having regard to the penalty imposed on him.

3.2 However, in the case of Ad-hoc promotions from Group 'B' to Group 'A' and promotions within Group 'A' (up to and including promotions to SA Grade) those imposed with the minor penalties of censure, stoppage of passes/PTOs, recovery from pay and withholding of increments may also be promoted prospectively in their turn with reference to their position in the earlier panels) of the DPC. In the case of those imposed with the penalty of withholding of increment, however, they cannot be promoted before expiry of the penalty. The pay on promotion in all these cases should be fixed under the normal rules with reference to the date of actual promotion.

3.3 It is also clarified that in a case were disciplinary proceedings have been held under the relevant disciplinary rules; 'warning' should not be issued as a result of such proceedings. If it is found, as a result of the proceedings, that some blame attached to the Government servant, at least the penalty of censure should be imposed.

Six monthly review of "Sealed Cover" cases.

4. It is necessary to ensure that the disciplinary case/criminal prosecution instituted against any Government servant is not unduly prolonged and all efforts to finalize expeditiously the proceedings should be taken so that the need for keeping the case of a Government servant in sealed cover is limited to the barest minimum. It has, therefore, been decided that the appointment authorities concerned should review comprehensively the cases of Government servants, whose suitability for promotion to a higher grade has been kept in a sealed cover on the expiry of 6 months from the date of convening the first Departmental Promotion Committee which had adjudged his suitability and kept its findings in the sealed cover. Such a review should be done subsequently also every six months. The review should,

inter alia, cover the progress made in the disciplinary proceedings/criminal prosecution and the further measures to be taken to expedite their completion.

Procedure for Ad-hoc promotion.

5. Inspite of the six monthly review referred to in para 4 above, there may be some cases, where the disciplinary case/criminal prosecution against the government servant are not concluded even after the expiry of two years from the date of the meeting of the first DPC, which kept its findings in respect of the government servant in a sealed cover. In such a situation the appointing authority may review the case of the government servant, provided he is not under suspension, to consider the desirability of giving him Ad-hoc promotion keeping in view the following aspects: -

a) Whether the promotion of the officer will be against public interest;

b) Whether the charges are grave enough to warrant continued denial of promotion;

c) Whether there is no likelihood of the case coming to a conclusion in the near future;

d) Whether the delay in the finalization of proceedings, departmental or in court of law/is not directly or indirectly attributable to the Government servant concerned.

e) Whether there is any likelihood of misuse of official position which the government servant may occupy after Ad-hoc promotion, which may adversely affect the conduct of the departmental case/criminal prosecution.

The appointing authority should also consult the Central Bureau of Investigation and take their views into account where the departmental proceedings or criminal prosecution arose out of the investigation conducted by the Bureau.

5.1 In case the appointing authority comes to a conclusion that it would not be against the public interest to allow Ad-hoc promotion to the Government servant, his case should be placed before the next DPC held in the normal course after the expiry of the two year period to decide whether the officer is suitable for promotion on ahdoc basis. Where the government servant is considered for Ad-hoc promotion, the Departmental Promotion Committee should make its assessment on the basis of the totality of the individual's record of service without taking into account the pending disciplinary case/criminal prosecution against him.

5.2 After a decision is taken to promote a Government servant on an Ad-hoc basis, an order of promotion may be issued making it clear in the order itself that; -

(i) The promotion is being made on purely Ad-hoc basis and the Ad-hoc promotion will not confer any right for regular promotion; and

(ii) The promotion shall be 'until further orders". It should also be indicated in the orders that the Government reserve the right to cancel the Ad-hoc promotion and revert at any time the Government servant to the post from which he was promoted.

5.3 If the Government servant concerned is acquitted in the criminal prosecution on the merits of the case or is fully exonerated in the departmental proceedings, the Ad-hoc promotion already made may be confirmed and the promotion treated as regular from the date of the Ad-hoc promotion with all attendant benefits. In case, the Government servant could have normally got his regular promotion from a date prior to the date of his Ad-hoc promotion with reference to his placement in the DPC proceedings kept in the sealed cover(s) and/or the actual date of promotion of the person ranked immediately junior to him by the same DPC, he would also be allowed his due seniority and benefit of notional promotion as envisaged in Para 3 above.

However, in cases of promotion from Group 'B' to Group 'A' and within Group 'A' (up to and including promotions to SA Grade), if the Railway Officer is given Ad-hoc promotion of the minor penalties of Censure, Stoppage of Passes / PTOs, Recovery from pay and withholding of increment, such Railway Office should be deemed as regularly promoted from the date of Ad-hoc promotion duly retaining the position assigned to him in earlier panel(s).

5.4 If the Government either proposes to take up the matter to higher court or to proceed against him departmentally or if the Government servant is imposed a penalty other than those mentioned in the preceding paragraph in the departmental proceedings, the Ad-hoc promotion granted to him should be brought to an end.

Sealed cover applicable to Officers coming under cloud before promotion.

6. A Government Servant, who is recommended for promotion by the Departmental Promotion Committee but in whose case any of the circumstances mentioned in Para 2 above arise after the recommendations of the DPC are received but before he is actually promoted, will be considered as if his case had been placed in a Sealed Cover by the Departmental Promotion Committee. He shall not be promoted until the conclusion of disciplinary case/criminal proceedings and the provisions contained in this letter will be disciplinary case/criminal proceedings and the provisions contained in this letter will be applicable in his case also.

Sealed Cover procedure for Confirmation.

7. The procedure outlined in the preceding paras should also be followed in considering the claim for confirmation of an officer under suspension, etc. A permanent vacancy should be reserved for such an officer when his case is placed in Sealed Cover by the Departmental Promotion Committee.

****

4 – 14

Rly. Bd's No. E(D&A) 92, RG6-185 **Dated : 12.02.1993**

Sub: - Promotion of Officers who have been imposed penalty of withholding of increments.

Attention is invited to Board's letter No. E(D & A)92 RG6-149 (B) dated 21.1.93 with respect to the procedure and guidelines to be followed in the matter of promotion from Group 'B' to Group 'A' and within Group 'A' of Railway Officers against whom disciplinary/court proceedings are pending. It has been laid down, inter-alia, wide para 3.2 thereof, that officers imposed with the minor penalties of censure, stoppage of passes/PTOs recovery from pay and with holding of increments may be promoted prospectively in their turn with references to their position in the earlier panel(s) of the DPC, but where the penalty of withholding of increment is imposed they cannot be promoted before expiry of the penalty.

On reconsideration, the Railway Board have decided that where the penalty of withholding of increment imposed on a Railway Officer is to become operative from a future date, the person concerned should be promoted in his turn prospectively with reference to this position in the earlier panel of the DPC and the penalty imposed in the promotion grade for a period which would not result in greater monetary loss.

(This disposes of C. Rly's confdl. letter no. Con/362:A dated 27.11.92).

****

4 – 15

Rly. Bd's No. E(NG)I/91/CR/2 **Dated : 10.06.1993**

Sub: - Adverse comments in Confidential Report which have not been communicated – Effect thereof on consideration for promotion.

As the Railways ar aware, in terms of Board's letter No. E(NG)1/91/CR/2 dated 10.11.1978, adverse remarks in the Confidential Reports are to be communicated to the railway servants concerned within one month of their being recorded. The railway servant is allowed to represent against the adverse remarks within one month of their communication. All representations against adverse remarks are to be decided expeditiously by the competent authority in any case within 3 months from the date of submission of the representation. Adverse remarks are not deemed as operative if any representation filed within the prescribed limit is pending. However, the existing orders as brought out above do not cover a situation where adverse comments in the Confidential Reports have not been communicated to the employee concerned.

2 In this connection, the staff side of National Council/JCM expressed a view that adverse remarks not communicated to a Government Servant should not be operated upon and they should be totally ignored. This view of the staff side was not found acceptable by the Government. However, it was realized that it may not be quite appropriate that Government Servant is passed over only on the basis of adverse remarks against which he had no opportunity to represent as the same have not been communicated. The matter has therefore been considered further and it has been decided as follows: -

(i) Where the Departmental Promotion Committee find that the adverse remarks in the CRs have not been communicated but the adverse remarks are of sufficient

gravity to influence their assessment of the railway servant concerned, then the Committee shall defer consideration of the case of the Railway Servant, provided these remarks have been recorded in any of the CRs pertaining to three immediately preceding years prior to the year in which the DPC is held and direct the Cadre Controlling Authority concerned to communicate the adverse remarks to the railway servant concerned so that he may have an opportunity to make a representation against the same. Where the un-communicated adverse remarks pertain to a period earlier than the above or where the remarks are not considered of sufficient gravity to influence the assessment of the railway servant concerned, the DPC may proceed with the consideration of the case but may ignore the remarks while making the assessment.

(ii) After a decision is taken by the Competent Authority on the representation made by the railway servant or in the event of railway servant not making any such representation after the period therefore has expired, the DPC shall assess the suitability of the railway servant on the basis of entries now contained in the CR. While considering the deferred case as above, if the DPC find the railway servant fit for promotion, the procedure prescribed below shall be followed:

(a) If the DPC find railway servant fit for promotion, it would place him at the appropriate place in the relevant panel/Select List after taking into account the toned down remarks or expunged remarks and his promotion will be regulated in the manner indicated below.

(b) If the Railway servants placed junior to the railway servant concerned have been promoted, he would be promoted immediately and if there is no vacancy, the junior most railway servant officiating in higher grade should be reverted to accommodate him, on promotion, his pay should be fixed under Rule 1321-R-II (FR-27) at the stage it would have reached have he been promoted from the date the railway servant immediately below him was promoted but no arrears would be admissible. The seniority of the railway servant should be determined in the order in which his name, on review has been placed in the panel/Select List by DPC.

(c) If in any such case, a minimum period of qualifying service is prescribed for promotion to higher grade, the period from which a railway servant placed below the railway servant concerned in the panel/Select List was promoted to the higher grade should be reckoned towards the qualifying period of service for the purpose of determining his eligibility for promotion to the next higher grade.

(iii) In case where a decision on the representation of a railway servant against adverse remarks has not been taken or the time allowed for submission of representation is not over, the DPC in their discretion may defer the consideration of the case until a decision is taken on the representation.

(iv) In both the cases referred to in Para 2(i0 & 2(iii) above, where consideration of the case is deferred on account of adverse remarks contained in the CRs, the concerned authority should intimate the result of the representation of the railway servant against adverse remarks within a period of 3 months from the date of submission of the said representation, if any.

****

4 – 16

Rly. Bd's No. E(D&A) 95, RG-65 **Dated : 17.01.1996**

Sub: - Promotion from Group 'B' to Group 'A' and within Group 'A' of Railway Officers against whom disciplinary/court proceedings are pending – procedure and guidelines to be followed.

Attention is invited to Para 3.2 of Board's letter No.E(D&A) 92 RG6-149 (B) dated 21.1.93 on the above subject and its partial modification contained in Board's letter No. E(D&A)92 RG6-185 dated 12.2.93.

2. The above provision are applicable only to cases where any of the minor penalties of censure, stoppage of passes/PTOs, recovery of loss from pay or withholding of increments is imposed.

3. These provisions has been reconsidered by the Board and it has been decided to these provisions applicable also to cases where the minor penalty of reduction to a lower stage in the time scale of pay for a period not exceeding three years, without cumulative effect and not adversely effecting the pension is imposed. Accordingly the existing Para 3.2 of Board's letter No. E(D&A)92 RG6-149(B) dated 21.1.93 may be substituted by the following paragraph, which also incorporates the modification already issued under Board's letter dated 12.2.93 referred to in para I above.

"However in the case of Ad-hoc promotions from Group 'B to Group 'A' and promotions within Group 'A' (up to and including promotions to SA Grade) those imposed with minor penalties of Censure, stoppage of passes PTOs recovery from pay, reduction to a lower stage in the time scale of pay and with holding of increments may also be promoted prospectively in their turn with reference to their position in earlier panel(s) of the DPC. In the case of those imposed with minor penalty of reduction to a lower stage in time scale of pay or with holding of increment they cannot, however, be promoted before the expiry of the penalty. However, where the penalty of withholding of increment is to become operative from a future date, the persons concerned should be promoted in his turn prospectively with reference to his position in the earlier panel of the DPC and the penalty imposed in the promotion grade of a period which would not result in greater monetary loss. The pay on promotion in all these cases should be fixed under the normal rules with reference to the date of actual promotion."

****

4 – 17

Rly. Bd's No. E(D&A) 97, RG6-27 **Dated : 01.10.1997**

Sub: - Promotions and consequential benefits to the employees exonerated of the charges after retirement on superannuation.

One of the demands of the staff side in the JCM/DC meeting held on 27/28.6.97 was that the benefits of promotions which are with held during the tendency of the disciplinary proceedings against the concerned employees should not be denied to them in cases where the disciplinary proceedings were finalized after their retirement and they were exonerated of the charges and also in cases where they were exonerated of the charges before retirement but orders of promotion could not be issued during their service period.

2. Board have considered the above matter. Attention of the railway administrations is drawn to Board's letter No. E(D&A) 92 RG6-149(A) and No. E(D&A) 92 RG6-149(B) both dated 21.1.93 which prescribe the procedure for promotion of employees against whom disciplinary proceedings etc., are pending.

3. In terms of the above instructions, the employee, who is exonerated after finalization of the disciplinary proceedings, is to be promoted in his turn. The due date of this promotion is determined with reference to his position in the panel/suitability list. If his junior has already been promoted, he should be granted notional promotion with effect from the date of promotion of the junior and granted Performa fixation of pay in the higher grade. The competent authority has also to consider his case for grant of arrears for the period of notional promotion in the light of the position brought out in para 3 of the above instructions.

4. With reference to the point raised in the JCM/DC Meeting, Board desire to clarify that the above instructions do not make any distinction between cases of exoneration before or after retirement. An employee whose promotion was withheld on account of pending disciplinary/Judicial proceedings and who has subsequently been exonerated has to be given notional promotion from the date he becomes due for such promotion even if the employee has retired from service. For the period of notional promotion, his case for grant of arrears has also to be considered. While in the case of a serving employee that period will be the intervening period from the date of effect of notional promotion to the date of actual promotion, for a retired employee, this intervening period will be from the date of effect of notional promotion to the date of his retirement. The arrears of pay, wherever granted and the extent thereof, will also count for calculation of pensionary benefits of the employee concerned.

5. Board desire that the above clarification may be kept in view while considering the cases of railway employees who are exonerated of the charges after finalization of the disciplinary proceedings etc. pending against them.

****

CHAPTER – 5

CURRENT RULES / IMPORTANT LETTERS REGARDING PROMOTIONS, SENIORITY AND PAY FIXATION ETC.

5 – 1

Rly. Bd.'s No. E(GP)85/1/48 **Dated : 18.06.1987**

Sub: - Promotion of Group 'B' officer to Senior Scale on ad hoc basis.

Reference is invited to Board's letters No. E(G 85/1/48 dated 31.12.1985 and 04.03.86 on the above subject.

2. During the meeting of the Indian Railway class II officers Federation held with the Board on 6.4.1987, the Federation represented that vacancies arising in Senior Scale posts are being kept unfilled by the Railway Administrations with the result, Group 'B' officers who have attained eligibility, although available for consideration, are being denied the opportunity of promotion. After a consideration of the representation, the Board have decided that vacancies in Senior Scale may be filled, by considering officers, who are eligible and available for such consideration as on the date of occurrence of the vacancy. If both Junior scale officers and Group 'B' officers are eligible for consideration as on the date of occurrence of vacancy, the order to be followed for their consideration shall be as indicated in Para 3.1 of Board's letter of even number dated 31.12.1985.

****

5 – 2

Rly. Bd.'s No. E(GP)81/1/48 **Dated : 18.05.1987**

Sub: - Promotion of Group 'B' officer to Senior Scale on ad hoc basis.
***Ref: - 1) E(GP)* 85/1/48 dated 31.12.85.**
2) *E(GP)* 85/1/48 dated 18.06.87

The priorities for Ad-hoc promotion Group 'A' / Jr. Scale Officers and Group 'B' Officers to Senior Scale have been laid down in Board's letter of even number dated 31.12.85. It was also enjoined upon the Railways/production units etc. that the vacancies in Senior Scale should be filled by considering officers who are eligible and available for such consideration on the date of the occurrence of the vacancy.

It has been represented to the Board that the instructions dated 18.06.1987 are not being adhered to and vacancies arising in Senior Scale are being kept unfilled by the Railway Administrations with the result that the eligible Group 'B' Officers available for consideration on the date of occurrence of vacancy are denied the opportunity of promotion.

The Board desire that steps should be taken to ensure strict compliance with the orders referred to above. It should also be ensured that the panels of Group 'B' Officers for ad-hoc promotion to Senior Scale are drawn up regularly so that the officers whose suitability had been assessed are available for promotion, as and when vacancy arises.

****

5 – 3

Rly. Bd.'s No. E(GP)85/1/6 **New Delhi, Dated : 19.05.1989**

Sub: - Officiating promotion of Group 'B' Officers to senior Scale-Pay to be allowed.

1. The ministry of Railways have laid down comprehensive instructions regarding appointments of Group 'B' Officers to Senior Scale on ad-hoc basis and the pay and allowance to be given on such appointments. In their letter No. E(GP)75/1/58 dated 9.1.79, it was inter-alia provided that only Class-II Officers with not less than three years of non fortuitous service in Group 'B' should be considered for such appointment and on promotion to Senior Scale they will be paid Senior Scale pay under normal operation of rules.

2. It has been represented to the Board that their instructions quoted above are not being followed and Group 'B' Officers with three years non-fortuitous service in Group 'B' on ad-hoc appointment to Senior Scale are not being given pay in the Senior Scale under normal operation of rules.

3. The Board desire that strict compliance of these instructions should be ensured. However, instructions issued vide Board's circular letter No. E(GP)75/1/58 dated 20.6.80 should also be kept in view in respect of ad-hoc promotees to Senior Scale who have not put in 3 years or more of non – fortuitous service in Group 'B'.

****

5 – 4

Rly. Bd.'s No. E(GP)85/1/48 **Dated : 05/06.12.1989**

Sub: - Ad-hoc promotion of Group 'B' and Group 'A'/jr. Scale officers in Sr. Scale.

Ref: - his officer letter Nos. : -

***1) E(GP)* 75/1/58 dated 29.10.77 and 27.02.78**
2) *E(GP)* 77/1/103 dated 29.03.78
3) E(GP)78/1/115 Pt.III dated 25.06.79
4) D.O. No.E(GP)83/1/3 dated 10.10.83
5) E(GP) 85/1/48 dated 31.12.85, 18.06.87 and 18.05.89
6) E(GP)85/1/6 dated 11.02.88

The Board have laid down comprehensive guidelines regarding priorities between Group 'A'/Jr. Scale and Group 'B' officers, the procedure to be followed the criteria for assessing suitability etc. for ad-hoc promotions to Sr. Scale.

In their letter of even number dated 18.06.87, the Board had specifically enjoined upon the Railways that the Vacancies in Sr. Scale should be filled by considering officers

who are eligible and available on the date of occurrence of the vacancy. It was further stated in Board's letter of even number dated 18.05.89 that it should be ensured that panels of Group 'B' officers for ad-hoc promotion to Sr. Scale are drawn up regularly so that the officers whose suitability has been assessed are available for promotion as and when the vacancies arise.

In this context, it may be stated that the annual CRs for the period ending 31st of March every year should be available with the Railways by the end of June and action should be initiated to frame a list of suitable Group 'B' officers for promotion to Sr. Scale taking into account the number of vacancies existing and likely to arise during the ensuing year i.e. up to June next year. Having framed the list of promotions should be made there from or from amongst Group 'A' officers becoming eligible in the course of the year but before the occurrence of vacancy, keeping in view the priorities laid down in the Board's letter of even number dated 31.12.85.

****

5 – 5

Rly. Bd.'s No. E(GP)85/1/6 **New Delhi, Dated : 01.03.1990**

Sub: - Procedure for promotion of Group 'B' officers to Senior Scale on ad-hoc basis.

The ministry of Railways have reviewed the policy laying down the existing norms for assessing suitability of Group 'B' officers for ad-hoc appointment in Senior Scale, and have decided that the super session of the norms contained their letter No.E(GP)85/1/6 dated 21.07.87 and E(GP)85/1/6 dated 11.02.88, ad-hoc appointment of Group 'B' officers to Senor Scale shall be made on the basis of assessment of Confidential Report for the preceding 5 years period. The Departmental Promotion Committee should categories the officers as "**Fit**" or '**Not Fit**" for ad-hoc promotion on the basis of overall assessment of the Reports and not merely on the basis of regarding/fitness assigned therein. Bench mark for such fitness should not be less than "Good".

2. These instructions will take effect from 01.03.1990.

****

5 – 6

Rly. Bd.'s No. E(GP)89/1/8 **New Delhi, Dated : 17.04.1990**

Sub: - Promotion of Group 'A' and Group 'B' officers to Senior Scale on ad-hoc basis.

In terms of Board's letter No. E(GP)85/1/48 dated 31.12.85 Group 'A' Junior Scale officers with more than 3 years of service, but less than 4 years, are eligible to be considered for looking after the duties in Senior Scale, on payment of a special pay of Rs. 150/- P.M. in addition to their pay in Junior Scale, and it is only in the absence of Group 'A' officers who have completed the probation successful that Group 'B' officers who have rendered not less than 3 years service in Group 'B' and have been adjudged suitable by a Committee of HODs for appointment against Senior Scale vacancies, are to be

considered for ad-hoc promotion to Senior Scale. This is based on the fact that all Senior Scale posts are in Group 'A' and, as such, Group 'B' officers, irrespective of their length of service, can have no claim for promotion to Senior Scale, even an ad-hoc basis.

2. While the above position basically remains unchanged, it has not been decided by the Board, as temporary measure in the overall administrative interest, that in cases where a Group 'A' Junior Scale Officer who is eligible for regular promotion to Senior Scale, having completed 4 years service, is not available, Group 'B' officers, who have rendered not less than 6 years service in Group 'B' and have been adjudged suitable by a Committee of HODs for appointment against Senior Scale Vacancies, may be considered for Ad-hoc promotion to Senior Scale. In case no such Group 'B' officer is available, the provisions contained in sub-paras 3.1(ii) and (iii) of Board's letter dated 31.12.85, quoted above, shall continue to be followed.

3. While impaneling Group 'B' officers for Ad-hoc promotion to Senior Scale, it shall henceforth be ensured that the criteria followed are such that there may be no reasonable likelihood of such officers not getting empanelled for regular promotion to Group 'A' at a later date, by the DPC constituted by the UPSC. Further, when promoting Group 'B' officers with 6 years service to Senior Scale, on Ad-hoc basis, it shall be ensured that adequate number of vacancies in Senior Scale would be available for Group 'A'/Junior Scale officers, who would be completing 4 years of service within the next one year, so that there may be no reasonable chance of Group 'B' officers having to be reverted, once they are promoted to Senior Scale even on Ad-hoc basis.

****

5 – 7

Rly. Bd.'s No. E(GP)85/1/78 **New Delhi, Dated : 17.08.1990**

Sub: - Appointment to Group 'B' post by promotion on the basis of selection/LDCE from Group 'C'.

Ref: - i) Rly. Board's letter No. E(GP)85/1/78 dated 20.2.87.
ii) Rly. Board's letter No. E(GP)85/1/78 dated 8/9.9.87.

Reference is invited to Board's letter of even number dated 20.2.87 which prescribed that an employee to be eligible to take the selection LDCE for appointment to Group 'B' should possess minimum of diploma or equivalent in Engineering discipline concerned for promotion to Group 'B' technical post.

On representations from organized labour, the Ministry of Railways have decided that the training imparted to Apprentice Mechanics, Apprentice TXRs in the Mechanics Department and 5 years training course given to Apprentice Mechanics (Electrical) should be treated as equivalent to diploma in the concerned branch of Engg.

As regards Civil Engg. Deptt. The Recruitment qualifications for IOWs & BRIs are a diploma in Civil Engg. The Apprentice PWIs Gr.III are given 3 years training. The Board have decided that this training followed by passing of an exhaustive written test should be treated as equivalent to diploma in Civil Engg.

The above relaxation has been given only for a period of 5 years from 1.7.1991.

****

5 – 8

Rly. Bd.'s No. E(GP)89/1/8 **New Delhi, Dated : 22.08.1990**

Sub: - Promotion of Group 'A' and Group 'B' officers to Senior Scale on ad-hoc basis.
Ref: - Rly. Bd.'s letter No. E(GP)89/1/8 dated 17.4.90.

In partial modification of this office letter of even number dated 17.4.90, the Board have decided that Para 3 thereof may be amended to read as under.

'While impanelling Group 'B' Officers for Ad-hoc promotion to Senior Scale, it shall henceforth be ensured that criteria followed are such that there may be no reasonable likelihood of such officers not getting impannelled for regular promotion to Group 'A' at a later date, by the DPC constituted by the UPSC. Further, when promoting Group 'B' officers with 6 years service to Senior Scale, on Ad-hoc basis, it shall be ensured that adequate number of vacancies in Senior Scale would be available for promotion of Group 'A' / Junior Scale officers to Senior Scale soon after they complete 4 years Service, so that there may be no reasonable chance of Group 'B' Officers having to be reverted, once they are promoted to Senior Scale even on Ad-hoc basis'.

****

5 – 9

Rly. Bd's No. E(GP)81/1/91 **New Delhi, Dated : 29.08.1990**

Sub: - Officiating promotion of Gr. 'B' officers Sr. Scale in Printing and Stationery Chemist, Metallurgists and Hindi Departments.

Ministry of Railways have decided to delegate powers to the General manager to make Ad-hoc appointments of Group 'B' Officers to Sr. Scale in the above departments. In this connection, Board have decided that the following procedure will be followed.

i) To draw up Ad-hoc panels for promotion to Sr. Scale, the Railways Production Units in the above departments have been grouped as indicated in the annexure. One of the Railways in the Group has been nominated as the controlling Railway and General Manager of that Railway will approve the Ad-hoc panel and order of posting.

ii) General Managers will constitute a Selection Committee consisting of HODs (CPO, Head of the Department and another head of the Department). In case, where the railways/production units are grouped. General Manager of the controlling railways will constitute a selection committee constituting of CPO of the controlling railway and the concerned HODs of the constituent units of the group.

iii) The field of consideration will be restricted to as many Group 'B' officers as the number to be impannelled. In case the required number is not found from among those so considered, the number to be considered may be increased corresponding to the short fail.

iv) Only group 'B' officers with not less than 6 years non fortuitous service in Group 'B' are to be considered for the Ad-hoc panel.

v) The Selection committee will assess the fitness of an officer based on his performance as reflected in his Confidential Reports over a period of 5 years.

vi) The Ad-hoc panel can be operated upon after the date on which it has been approved by the General Manager.

vii) The Ad-hoc promotees will be replaced as soon as the regular D.P.C. panel is received by the Railway from the Railway Ministry.

viii) In making Ad-hoc promotion the orders regarding reservation of vacancies for SC and ST will apply as usual.

ix) The norms of guidelines for determining the suitability of officer for Ad-hoc promotion as laid down in this office letter No. E(GP) 85/1/6 dated 01.03.90. No. E(GP) 89/1/8 dated 17.04.90 will be followed.

An officer placed an Ad-hoc panel shall not be permitted to officiate in Sr. Scale for a period exceeding one year without specific prior approval of this ministry of Railway.

ANNEXURE

	Railway/Production Units	Name of the controlling Rly.
I.	*Printing & Stationery*	
i)	CR & WR	WR
ii)	ER,SER & NFR	ER
iii)	NR & NER	NR
iv)	NO grouping for SR & SCR	-
II	*Chemist & Metallurgists:*	
i)	CR & WR	CR
ii)	ER, SER & CLW	ER
iii)	NR, NER & DLW	NR
iv)	SR, SCR, ICF & WAP	SC
v)	No grouping for NF Railway	
III	*Hindi*	
	SR & WAP	SR
	No grouping for other Railways/Production units	

****

5 – 10

Rly. Bd.'s No. E(GP)81/91 **New Delhi, Dated : 01.06.1991**

Sub: - Officiating promotion of Group 'B' officers to Sr. Scale in Printing & Stationary, Chemist & Metallurgists and Hindi Departments.

Reference is invited to this office letter of even number dated 29.8.90 wherein the powers were delegated to the General managers to make Ad-hoc appointments of Group 'B' officers to Sr. Scale in the above departments.

As per practice, such Group 'B' officers who have not put in 8 years of regular service in Group 'B' are eligible to draw charge allowance of Rs. 300/- p.m. subject to the usual conditions where they are detailed to look after the duties in Sr. Scale or promoted on Ad-hoc basis. On completion of 8 years of regular service in Group 'B' they are being allowed to draw pay in Grade Rs. 3000-45000 (RPS) with the approval of the Board.

It has been decided to delegate powers to the GMs to allow such Group 'B' officers who are detailed to look after the duties of Sr. Scale post to draw pay in Sr. Scale as may be admissible under the normal rules on completion of 8 years of regular service on Group 'B'.

****

5 – 11

Rly. Bd.'s No. E(GP)91/1/21 **New Delhi, Dated : 27.12.1991**

Sub: - Ad-hoc promotion to Senior Scale.

Ref: - i) This office letter No. E(GP)75/1/58 dated 20.6.80.
ii) Director Management Service D.O. letter No. E(GP)83/1/3 dated 10.10.83.
iii) Letter No. E(GP)85/1/48 dated 31.12.85, 4.3.86, 18.6.87 and 18.5.89.
iv) Letter No. E(GP)85/1/6 dated 1.3.90.
v) Letter No. E(GP)89/1/8 dated 17.4.90 and 22.8.90.

The revised priorities between Group 'B' Jr. Scale and Group 'B' officers for Ad-hoc promotion to Senor Scale have been laid down by the Board in their order dated 17.4.90 referred to above. However, cases have come to notice where Group 'B' officers who had rendered less than a total non fortuitous service of 3 years were put to work in Senior Scale on payment of charge allowance. It is hereby clarified that with the issue of Board's letter No.E(GP)85/1/48 dated 31.12.1985, the earlier instructions contained in their orders dated 20.6.80 stand modified and it si not permissible to put Group 'B' Officers with less than 3 years non fortuitous Service to working in Senior Scale, if any such arrangements have been made, these should be terminated forthwith and the posts should be temporarily downgraded and operated in Junior Scale/Group 'B'.

(Also issued through – W. Rly. E(G) 83810 dt. 9.3.92)

****

5 – 12

Rly. Bd.'s No. E(GP)91/1/29 New Delhi, Dated : 19.08.1992

Sub: - Officiating promotion of Group 'B' officers to Senior Scale.

The Ministry of Railways have issued consolidated instructions vide their letter No.E(G) 75/1/58 dated 9.1.79 laying down the procedure to be followed by the Railway Administrations in making Ad-hoc promotions of Group 'B' officers to the Senior Scale.

On further consideration of the matter, if has been decided that the following modifications to the existing instructions will be effective with immediate effect:

i) In place of 'Selection Committee' constituted by the General Manager, a committee of PHODs (Consisting of CPO, S.A. Grade officer of SC/ST community and the concerned PHOD) will assess the suitability of Group 'B' officers for Ad-hoc promotions to Sr. Scale.

ii) The list of suitable officers will be sent to the General Manager for approval.

iii) After approval of the list, the same will not be circulated but, will be kept on record for effecting promotions.

iv) Any administrative error in drawing up the lists can be corrected with the approval of the General Manager, without making a reference to the Board.

Other instruction contained in the aforesaid Board's letter dated 9.1.79 not inconsistent with these modifications remain unaltered.

****

5 – 13

D.O.N. ERB-1/89/20/21 New Delhi, Dated : 04.12.1992

Sub: - Implementation of Railway board Sectt. Scheme in RDSO.
Ref: - Shri Mathur, ADG's D.O. No.E/ES/SS dated 8.7.92

The question as to whether RBSS Scheme can be extended to RDSO has been carefully examined by the Board taking into account all relevant factors, viz nature of work of the two organizations, location etc. and it has been found that it is not practicable to implement Railway Board Secretariat Scheme for the Secretariat Staff in RDSO. The matter may therefore, be treated as closed. The main grouse of RDSO Secretariat staff is with regard to enlarging the scope of promotion in line with staff and officers of RBSS. The creation of higher grade posts is on the basis of worth of charge and the workload, and specific cases for creation of higher grade posts in RDSO can be considered on the basis of worth of charge.

****

5 – 14

Rly. Bd.'s No. PC-III/87/CTC-1/6 New Delhi, Dated : 6.11.95

Sub: - Revision of scale of pay of Group 'B' officers to Rs.2375-3750.

At present, Group 'B' officers on the Indian Railways are in the following scales of pay.

Rs.2000-3500 (in all departments except Accounts).

Rs.2375-3500 (only in Accounts Deptt.)

2. Arising from the judgement dated 30.7.93 of CAT /New Delhi directing the railway administration to accord to the Group 'B' services of the Indian Railway a scale of by Group 'C' services, the matter has been examined in consultation with the nodal Ministry on the subject viz. Ministry of Finance and it has been decided to revise the existing Group 'B' scale to Rs.2375-75-3050-EB-100-3750.

3. These orders are effective from 30.7.93.

4. This has the sanction of the President.

5. Board desires that immediate necessary action may be taken and compliance reported.

****

5 – 15

Rly. Bd.'s No. PC-III/87/CTC-1/6 New Delhi, Dated : 22.12.1995

Sub: - Revision of scale of pay of Group 'B' officers to Rs.2375-3750.

In continuation of Board's letter of even number dated 6.11.95 on the above subject, is is clarified that pay of Group 'B' officers in the revised scale should be fixed under Rule 1317 (FR 23) read with rule 1313 [FR 22 I (a)(2)] w.e.f. 30.7.93.

This has the sanction of the President.

****

5 – 16

Rly. Bd.'s No. E(O)III-97PL/9 New Delhi, Dated : 08.12.1997

Sub: - Promotion of Group 'A' officers to Senior Scale.

The guidelines governing promotions of Group 'A' officers from Junior Scale to Senior Scale have been laid down in Ministry of Railways' letter No. E(O)III-74 PM6/165

dated 29.12.78 (copy overleaf) wherein it has been mentioned that appointment to the post in Class-I (Senior Scale) shall be made by promotion in order to Seniority, subject to rejection of the unfit, of officers ordinarily with not less than four years of service in class-I/Junior Scale.

2. A doubt has arisen as to whether a Group 'A' Junior Scale officer (except belonging to IRMS), who has not completed the requisite four years of service vis-à-vis his juniors because of joining late, can also be deemed to be eligible for consideration for promotion of Senior Scale if his junior has completed four years and is considered for such promotion.

3. The matter has been considered in detail keeping in view the provisions available in the Recruitment Rules of various organized Railway Service. The Board have decided that in the case of Seniors joining late, their cases may be considered for promotion to Senior Scale only on their completing 4 years of regular service in Junior Scale. However, the seniority of such officers shall remain unaltered.

4. This also disposes of Western Railway's letter No. E(G) 889/2 dated 14.08.97.

DA – Copy of Board's letter No. E9O0III-74 PM6/165 dated 29.12.78 enclosed.

****

5 – 17

ANNEXURE

Rly. Bd.'s No. E(O)III-74 PM6/165 **New Delhi, Dated : 29.12.1978**

Sub: - Fixation of minimum period of service in Junior Scale/Class-I for promotion to Senior Scale.
Ref: - Ministry's letter No. E(O0 III-74 PM6/165 dated 2.7.74, 17.1.75 & 5.3.76.

In this Ministry's letters quoted above, it was laid down that a Class-I gazetted Railway servant should put in a minimum of five years service in the Junior Scale (including period of probation) to become eligible for promotion to Senior Scale. This matter has since been reviewed and the Ministry have now decided that these administrative orders should be treated as withdrawn with immediate effect. Accordingly, appointments to the posts in Class I (Senior Scale) shall be made by promotion in order of the seniority, subject to rejection of unfit, of officers ordinarily with not less than four years of service in Class-I/Junior Scale.

It is, however, clarified that the promotions of Class-II officers already made to Senior Scale in view of the above order should not be disturbed.

****

5 – 18

Rly. Bd.'s No. E(O)III-81 PM5/7 **New Delhi, Dated : 24.08.1984**

Sub: - Promotion of Class-I / J.S. Officers to S.S. on Ad-hoc basis.

In terms of extant orders, Class-I officers ordinarily with not less than 4 years of service in Class-I/Junior Scale are to be promoted to Senior Scale. However, on the recommendations of the Zonal Railways, Board have, in some cases, agreed to Class-I Officers with less than 4 years but more than 3 years service in Class-I being detailed to look after the duties of the posts of Senior Scale on their Junior Scale pay plus a special pay of Rs. 150/- per month.

The Ministry of Railway have considered a proposal to delegate the powers to the GM's of zonal Railways to promote Junior Scale officers with less than 4 years service in Class-I/Junior Scale to Senior Scale and have decided that the General Managers may now themselves, if considered necessary, detail the junior Scale officers with a minimum of 3 year service in class-I to look after the duties of the Senior Scale posts, on their grade pay plus a special pay of Rs.150/- per month, subject to the condition that pay plus special pay does not exceed the pay of 4 years of class-I service. The following further conditions are also to be satisfied before class-I officers with more than 3 years and less than 4 years service are detailed to look after the duties of the post of Senior scale posts:

i) No suitable/eligible Class-II officer is available for promotion to Senior Scale.

ii) The junior Scale officer has put in a minimum of 3 years service and completed his probation successfully.

****

5 – 19

Rly. Bd.'s No. PC-IV/96/FOP/2 New Delhi, Dated : 12.01.1998

Sub: - Revision of scale of Group 'B' officers to Rs. 2375 – 3750.

Kindly refer to this Ministry's letter No. PC-III/87/CTC-1/6 dated 6.11.1995 on the above mentioned subject:

2. Reference have been received from some of the zonal Railway seeking clarifications on how to regular the pay in the cases where fixation in the revised scale of pay of Rs.2375-3750 has resulted in a drop in emoluments when compared to the fixation already done in the old scale of Rs.2000-3500/2375-3500.

3. It is clarified that in the case of those promoted to Group 'B' before 30.07.93 an option may be provided for retaining the old scale till the date of next increment or till the post is vacated in accordance with the provision under Rule 1317 (FR 24-R1II).

4. As regards those who are promoted to Group 'B' on or after 30.7.93, the pay will have to fixed in the revised pay scale of Rs. 2375-3750 with respect to the scale applicable to the feeder post direct under FR 22(I)(a)(I) (erstwhile FR 22-C) and no option to retain the old scale is to be extended.

5. It is also clarified that the pay of the Group 'b' officer who are already in receipt of stagnation increment(s) as on 30.7.93, may be fixed in the revised scale of Rs. 2375-3750

after taking into account the stagnation increment(s). However, this benefit to admissible where the option to fix the pay in the revised scale is from 30.9.93 or a later date.

****

5 – 20

Rly. Bd.'s No. PC-V/97/1/EC/1 (Pt.1) **New Delhi, Dated : 05.02.1998**

MINISTRY OF RAILWAY
NOTIFICATION
New Delhi, the 5th February, 1998

Ref: - From the Gazette of India: Extraordinary [Part II-Sec. 3(1)]

G.S.R. 69 (E) in exercise of the powers conferred by the provison of Article 309 of the Constitution, the President hereby makes the following rules in Amendment to the Railway Services (Revised Pay) Rules, 1997, namely:

1. (i) These rules may be called Railway Services 9Revised Pay) Amendment Rules, 1997.

   (ii) They shall be deemed to have come into force on the first day of January, 1996.

2. In the First Schedule to the Railway Services (Revised Pay) Rules 1997 the existing phrase "(See Note 1 & 3 below) appearing under S.No.14, Scale No.S-14 may be substituted by the phrase" (See Note 1, 3 & 5 below)"

3. In the First Schedule to the Railway Services (Revised Pay) Rules 1997, under S.No.15, Scale No. S-15, the following phrase may be inserted "(See Note 5 below)".

4. The word "INSTRUCTIONS" appearing after the list of scales in the First Schedule to the Railway Services (Revised Pay) Rules 1997 may be substituted by the word "NOTES".

5. Below Note 4 in the First Schedule to the Railway Services (Revised Pay) Rules 1997, note 5 may be inserted as under:

   "(5) In the case of Group 'B' Accounts Officer, the revised scale S-14 will be operated to the extent of 29% of the total Group 'B' cadre strength" of Account Department. The revised scale S-15 will be operated to the extent of 80% of the Group 'B' cadre strength" of the Accounts Department, and the posts to this scale shall be filled from amongst officers with a minimum of three years of service in Group 'B'.

EXPLANATORY MEMORANDUM

The Railway Services (Revised Pay Amendment Rules 1998 have been made to implement the recommendations made by the Fifth Central Pay Commission with respect

to pay scales of Group 'B' Service/Posts. They are being given retrospective effect from 1st January, 1996. It is certified that the retrospective effect being given to these rules will not affect adversely any employee to whom these rules apply.

*Note : *Cadre Strengths changed to "officers on Roll" in (vide notification dated 9.2.98)*

****

5 – 21

Rly. Bd.'s No. E(GP) 98/2/82 **RBE No. 278/98**
New Delhi, Dated : 09.12.1998

Sub: - Up gradation of 80% of posts of Assistant Accounts officers Group 'B' – Procedure for allotment of the higher scale.

Revised pay scale of Rs. 8000-13500 has been allotted to 80% of the Group 'B' posts of Assistant Accounts Officers vide Notifications No. PC-V/97/1/EC/1 (Pt.I) dated 5.2.98 and 9.2.98. The Board have now decided that the following procedure should be adopted for placement of the officers in the higher scale.

2. Procedure for the placement in higher scale.

2.1 AAOs with the minimum of three years regular service in scale Rs. 7500-12000, including that the corresponding pre-revised scales, will be eligible for consideration for placement in the higher scale of Rs.8000-13500.

2.2 The Group 'B' officers who are officiating in Senior Scale, after having been found suitable by the Committee of HODs as per extant procedure, will be straightaway placed in the higher Group 'B' scale of pay of Rs.8000-13500.

2.3 Placement in the remaining posts, if any, which have been allotted the higher scale of Rs. 8000-13500 will be made by adopting the principle of seniority cum fitness in the following manner.

2.3.1 All the Group 'B' officers who fulfill the minimum eligibility condition of 3 year regular service, excluding the officers who are straightaway placed in the higher scale as per Para 2.2 above, will be considered for placement in the higher scale by a Committee of HODs.

2.3.2 The General Manager will constitute the committee for the purpose which will consist of FA & CAO, CPO and one other HOD. If none of the members of the committee belong to SC/ST, an officer belonging to SC/ST, not below JAG, may be co-opted as member of the Committee.

2.3.3 The same procedure for assessment of suitability, as has been prescribed for Ad-hoc promotion of Group 'B' officers to senior scale, will be adopted by the committee for placement in the higher Group 'B' scale of Rs.8000-13500, i.e. the committee may assess the fitness of the officer based on his performance as reflected in his confidential reports as '**Fit**' or '**Not Fit**' on the basis of overall assessment from the Reports and not merely on the basis of grading / fitness

assigned in the Reports. Those categorized as 'Fit' should be placed in the higher scale of pay in the order of their seniority, up to the number of posts in the higher scale which are required to be filled.

2.3.4 The recommendations of the Committee will be submitted to the General Manager for approval and placement in the higher scale will be ordered accordingly.

2.4 The placement in scale Rs.8000-13500, as per Paras 2.2 and 2.3 above, will be effective from 1.1.1996, as specified in the amendment to the RS (RP) Rules 1997 vide Notification dated 5.2.1998 mentioned above.

2.5 The designation of Group 'B' Officers in scale Rs.7500-12000, will be Assistant Accounts Officers and of those in Scale Rs. 8000-13500 will be Account Officers.

3. *Fixation of pay in the higher scale.*

The pay of the Accounts Officer placed in Scale Rs. 8000-13500, may be fixed in the higher scale w.e.f. 1.1.1996 applying principles of RF 22(C) (Rule 1316 of R-II).

For those who are officiating in Senior Scale with Grade pay, the pay may be refixed in Scale Rs. 3000-4500/Rs.10000-15200, after first fixing the pay in Scale Rs. 8000-13500.

Once the Accounts Officers who are placed in the higher scale are absorbed in the Group 'A' / Junior Scale of IRAS (the scale of pay of which is also Rs. 8000-13500), re-fixation of pay in Senior Scale, if already officiating therein, may not be done.

4. Seniority for purposes of absorption in Group A/Junior Scale and Ad-hoc promotion to senior scale.

The Accounts Officers even after their placement in Scale Rs.8000-13500 will be classified as Group 'B' only.

For the purpose of promotion to Group 'A'/Junior Scale of IRAS, the placement of officers in the higher scale of Rs.8000-13500 may not be given any weight age, as is the case of Group 'B' officers who are placed in the Senior Scale of Rs. 10000-15200 on Ad-hoc basis. All the Group 'B' Officers whether in Scale Rs.7500-12000 or in Scale Rs.8000-13500 may be arranged in the order of their original seniority in Group 'B' for the purpose of consideration for promotion to Group 'A'/Junior Scale of IRAS or for promotion on Ad-hoc basis to Senior Scale. Similarly, the eligibility condition should remain as minimum 3 year non-fortuitous service in Group 'B' irrespective of whether the officer is in scales Rs.7500-12000 or in scale Rs. 8000-13500. This will be in tune with the declaration in the Explanatory Memorandum to the RS (RP) Amendment Rules, 1997 which states that the retrospective effect (from 1.1.96) being given to these rules will not affect adversely any employee to whom these rules apply. In case seniority is to be redrawn on the basis of placement in the higher scale of pay w.e.f. 1.1.96 it may adversely affect the officers who are already promoted to Group 'A'/Junior Scale of IRAS or who are already officiating in Senior Scale on Ad-hoc basis.

****

5 – 21

Rly. Bd.'s No. E(GP) 98/2/82 **New Delhi, Dated : 01.07.1999**

Sub: - Up gradation of posts of Assistant Accounts officers Group 'B' – Procedure for allotment of the higher scale.

The undersigned is directed to refer to your letter No. ROF/Meeting/98 dated 15.12.98 on the above subject and to clarify the position in respect of various points raised in the above mentioned letter as follows: -

Item 1 Correction issued vide letter No.E(GP)98/2/82 dated 30.06.99 (copy enclosed).

Item 2 Since Senior Scale officers working on Ad-hoc basis are in Group 'B', until absorbed in Group 'A', their inclusion in the strength of Group 'B', on rolls is in conformity with the notification No. PC-V/97/1/EC/1/Pt.I dated 5.2.98 and 9.2.98. Clarification has accordingly been issued to Railways vide letter No.E(GP)/98/2/82 dated 30.6.99.

Item 3 Since up gradation to the higher scale tantamount to promotion, suitability of the concerned person should be adjudged. Instructions issued by C&AG, vide No.2558-GE.II/116-92 dated 28.10.92, in respect of placement in similar higher grade in the cadre of Accounts/Audit Officers also provide for DPC.

Item 4, 6 & 9 These issues are under examination

Item 5 Clarification issued vide letter No.E(GP)98/2/82 dated 30.6.99.

Item 7 & 8 As per the Recruitment Rules, the Group 'B' Officers of Accounts Department are designated as Asstt. Accounts Officers. The Group 'B' Officers in the higher grade of Rs.8000-13500 have been designated as Accounts Officers for the purpose of differentiation of the officers in the two grades.

****

5 – 23

Rly. Bd.'s No. E(GP) 98/2/82 **Dated : 30.06.99**
01.07.99

Sub: - Up gradation of 80% of posts of Assistant Accounts officers Group 'B' – Procedure for allotment of the higher scale.
Ref: - Board's letter No.E(GP)98/2/82 dated 09.12.98 (REB No.278/98)

The procedure for placement of Group 'B' Officers of Accounts Department in the revised pay scale of Rs.8000-13500 was circulated vide Board's letter under reference. In implementing these instructions, certain issues have been referred to this office for

clarification. The Ministry of Railways have carefully considered the issues. The position clarified in the Annexure is attached.

ANNEXURE

No.	Point Raised	Clarification
1	In first para of Board's letter No.E(GP)/98/2/82 dated 9.12.98, the words "80% of the Group 'B' posts of Accounts Officers" have been mentioned whereas in Notification No. PC-V/97/1/EC/1 (Pt.I) dated 5.2.98 and 9.2.98 "80% of the Group 'B' Officers on rolls of Accounts Department" have been mentioned	The words "Gr.'B' Officers on rolls of the Accounts Deptt. 'be substituted for the words "Group 'B' posts of Asstt. Accounts Officers" appearing in Para 1 of Board's letter dated 9.12.98.
2.	Whether "Group 'B' officers on rolls" includes Group 'B' officers working in Sr. Scale on Ad-hoc basis, for working out the number of post to be upgraded.	Yes.
3.	A Group 'B' officer is getting promoted to Sr. Scale on Ad-hoc basis because a vacancy is available in Sr. Scale but has not been placed in the higher Group 'B' scale because there is no vacancy in the higher grade. What is the procedure to be adopted when the vacancy in higher Group 'B' grade arises and he is due promotion there to.	In such cases, the Group 'B' officer already promoted to Sr. Scale (Ad-hoc) may be granted the higher Group 'B' scale without reference to the selection committee, when a vacancy in the higher Group 'B' scale becomes available.
4.	Whether reservation for SC/ST will be applicable for placement in higher scale of Rs.8000-13500.	Reservation for SC/ST as per normal Rules shall apply.

****

5 – 24

S.No. PC-V/152 **R.B.E. No.16/99**
Rly. Bd.'s No. E(GP) 98/2/82 **New Delhi Dated : 10.02.99**

Sub: - Classification in regard to allotment of revised scale of pay of Rs. 7500-12000 to Group 'B' officers in the context of implementation of V CPC recommendations.

In compliance of judgment of Hon'ble CAT New Delhi in OA No. 731/87, the pay scales of Group 'B' officers on Indian Railways were revised to scale Rs.2374-3750 vide Railway Board's letter No.PC-III/87/CTC-1/6 dated 6.11.95 with effe4ct from 30.7.93

2. Pursuant to issue of these instructions, references were received from some of the Railways pointing out instances of drop in emoluments as a result of fixation in the revised scale of Rs.2375-3750. It was clarified vide Railway Board's letter No. PC-IV/96/FOP/2 dated 12.1.98 that in the case of those promoted to Group 'B' before 30.7.93, an option may be provided for retaining the old scale till the date of next increment or till the post is vacated in accordance with the provisions under Rule 1317-II(FR 23).

3. Consequent upon acceptance of Vth Pay Commission's recommendations the scale of pay of Rs. 2375-3750 for Group 'B' officers of Railways was notionally revised to scale Rs.2500-4000 w.e.f. 1.1.96 equivalent to the revised pay scale of Rs.7500-12000. References have been received from some of the Railways seeking clarification as to whether such of the Group 'B' officers who had opted to retain the erstwhile grade of Rs.2000-3500 can be allotted only the equivalent revised Vth CPC grade of Rs. 6500-10500 or the revised scale of Rs.7500-12000.

4. The matter has been considered by the Ministry of Railways and it has been decided that those group 'B' officers who opted to retain the old scale of Rs.2000-3500, in place of the revised scale of Rs.2375-3750 introduced w.e.f. 30.7.93, in accordance with Board's letter quoted above, may also be allotted revised scale of Rs.7500-12000.

5. This disposes of N.E. Railway's letter No.P/256/327MK(1) dated 17.6.98.

****

5 – 25

Rly. Bd.'s No. PC-IV/90/9/3 **Dated : 22.04.1990**

Sub: - Fixation of pay – Gazetted staff – policy.

Kindly refer to your Railway's letter No.E(P&A)772/0 Vol.III dated 20.3.90 on the above subject.

Consequent to the implantation of the Fourth Pay Commission's recommendation, fixation of pay in all cases of promotion from one post to another post carrying higher duties and responsibilities, is to be made uniformly under FR.22C with effect from 01.01.86. Fixation of pay under the Concurrence Table which was applicable in the case of promotions made from Group 'B' to Senior Scale in case of the Organized Services on the Railways therefore stands abolished with effect from 1.1.86. The Ministry of Finance who were consulted in the matter have also not agreed to any dispensation in the case of fixation of pay of Group 'B' Officers.

****

5 – 26

Rly. Bd.'s No. PC-IV/86/IMP/36 **Dated : 10.02.1992**

Sub: - Application of Rule 2018-B FR22-C R.II in the case officers promoted from Group 'B' to Senior Scale, Group 'A' regarding.

Kindly refer to Board's letter of even number dated 5th June, 1987 on the above mentioned subject. The proposal for fixation of pay of Group 'B' Officers on their promotion to Senior Scale Group 'A' has been considered in consultation with department of Personnel & Training Ministry of Finance, and it has been decided that the pay fixation of the officers concerned will be regulated as under: -

a) The fixation of pay of Group 'B' officers directly to Senor Scale of Group 'A' on Ad-hoc basis may be fixed under FR 22-C.

b) When Group 'B' officer is appointed to Junior Scale of Group 'A' in that case from the date of appointment to junior scale 'A' the pay may be fixed under FR-22-C and again from junior scale to senior scale under FR-22-C.

The orders at (a) above are already force vide Board's letter No.RF-IV/86/IMP/36 dated 5th June, 1987. The orders at (b) above take effect from 29.7.1992.

(Also refer Worley. letter Node(PC)765.0 Vo.IV dated 29.9.92-P.S.No.142/92E(PC) 763/0 dated 17.06.82 (P.S.No.179/87 for letter dated 5.6.87).

****

5 – 27

Rly. Bd.'s No. PC-IV/86/IMP/36 **Dated : 22.06.1993**

Sub: - Fixation of pay of Group 'B' Officers of Railways on appointment to Group 'A'.

Kindly refer to instructions contained in this Ministry's letter of even number dated 10.9.92.

The matter has been examined further in consolation with the department of Personnel and Training, and it has been decided that the mode of fixation indicated in the above mentioned letter would be applicable from 1.1.1986.

****

5 – 28

Rly. Bd.'s No. PC-IV/94/2/1 **Dated : 12.04.1994**

Sub: - Application of Rule 2018 R-22C, R-II in the case of officer promoted from Group 'B' to Senior Scale Group 'A'.

Kindly refer to your letter No.E.839/0/Pt.III dated 23.12.93 on the above mentioned subject.

The matter has been examined in consultation with the finance Directorate of this Ministry. The provision contained in Rule 1313 (FR-22) (i) (b)(Refer Advance Correction Slip No.14 to the Indian Railway Astt. Code Vol.II (R-II) interalia envisages that if an employee has previously hold substantively or officiated in the same post than the initial pay shall not be less than the pay, which he drew on the last occasion and he shall count the period during which he drew that pay on a regular basis on such last and any previous occasions for increment in the stage of the time scale equivalent to that pay.

The case of Shri S.K. Roy and S.K. Saha may be decided in the light of the above provisions contained in Rule 1320 (FR-20) of Indian Railway Estt. Code Vol.II (R-II) in consultation with your Associate Finance.

****

5 – 29

Rly. Bd.'s No. PC-86/IMP/36 **Dated : 02.06.1994**

Sub: - Application of Rule 2018-B FR 22C R-II in the case of officers promoted from Group 'B' to senior scale Group 'A'.

1. Kindly refer to Board's letter No.PC-IV/86 IMP/36 dated 10.09.92 and 22.06.93 where in instruction were issued regarding application of FR 22C for fixation of pay of Group 'B' officers on their promotion to senior scale Group 'A'. Some references have been received in this context indicating that there are instances where there has been drop in emoluments in many cases where the pay in senior scale had been refixed on their substantive appointment in junior scale.

2. The matter has been examined in consultation with the Finance Directorate of this Ministry. The provisions contained in Rule 1313 (FR 22) (1) (b) (refer advance correction slip No. 14 to the Indian Railway Estt. Code Vol.II (R-II) inter-alia envisaged that if an employee has previously held substantively of officiated in the same post then the initial pay shall not be less than the pay, which he drew on the last occasion and he shall count the period during which he drew that pay on a regular basis on such last and any previous occasions for increment in the stage of the time scale equivalent to that pay. Such cases may therefore be examined in the light of the above provisions read along with the provisions contained in Rule 1320-FR-26 of Indian Railway Estt. Code Vol.II (R-II) in consultation with your Associate Finance.

****

5 – 30

Rly. Bd.'s No. PC-86/IMP/36 **Dated: 06.02.1997**

Sub: - Application of Rule 2018-B FR 22C R-II in the case of officers promoted from Group 'B' to senior scale Group 'A'.

1. Kindly refer to Board's letter of even number dated 10.9.92 which provided that the pay of Group 'B' officers officiating in Senior Scale may be revised at the time of their substantive appointment in Junior Scale, by first allowing fixation in junior scale under FR22C and then again from Junior Scale to Senior Scale under FR 22C.

2. Reference, are being received from some of the Zonal Railways seeking guidelines for regulating the pay on re-fixation in Senior Scale consequent to substantive appointment in Junior Scale, where such re-fixation as envisaged in Para-1 above results in drop in emoluments.

3. Attention in this context is invited to the instructions contained in Board's letter of even number dated 2.6.94 which indicate that such cases may be examined in the light of provisions contained in Rule 1313 (FR22) I (b) (Advance Correction Slip No.14 to Indian Railway Establishment Code Vol.II) and Rule 1320 (FR 26). Rule 1313 (FR 22)I (b) inter-alia envisage that if an employee has previously held substantively or officiated in the same post then the initial pay shall not be less than the pay, which he drew on the last occasion and the period during which he drew that pay on regular basis on such last and any previous occasions would be counted for increment in the stage of the time scale equivalent to that pay. These instructions may be connected and cases of fixation of pay be regulated accordingly to obviate the chances of any drop in emoluments on re-fixation of pay in Senior Scale. A few illustrations have been given in the Annexure to facilitate correct fixation of pay.

ANNEXURE

Example I

Pay in Group 'B'	**Pay in Senior Scale under straight fixation as per FR.22.C**	**Pay on re-fixation in Senior Scale through Junior Scale on substantive appointment in Junior Scale.**
1.7.1989 – Rs.3500	10.7.1989 – Rs. 3625 (Date of appointment in Senior Scale)	Date of appointment in Junior Scale – 18.9.91
	1.7.1990 – Rs. 3750	Pay in Group 'B' as on 18.9.91, i.e. Rs.3500/-
	1.7.1991 – Rs. 3850	Pay fixed in Senior Scale – Rs.3700/- Pay fixed in Senior Scale on 18.9.91 – Rs. 3875
	1.7.1992 – Rs. 4000	1.9.92 – Rs. 4000
	1.7.1993 – Rs. 4125	1.9.93 – Rs. 4125
	1.7.1994 – Rs. 4250	1.9.94 – Rs. 4250

In this case, as per the straight fixation in Senior Scale, the Officer had started drawing Rs.2875 on 1.7.1991. As against this, as per re-fixation in Junior Scale, he has started drawing Rs.2875/- only on 18.9.1991. Although the date of increment in Senior Scale is to remain the same as the date of increment in junior Scale, in this case for pay fixation in Senior Scale as well as for purposes of reckoning the date of next increment in senior scale, the period of two months already put in senior scale with pay at the stage of Rs.2875 would also be reckoned and hence, the next date of increment in Senior Scale, in this case, would continue to be 1.7.1992 instead of 1.9.1992.

Example-II

Pay in Group 'B'	**Pay in Senior Scale under straight fixation as per FR.22.C**	**Pay on re-fixation in Senior Scale through Junior Scale on substantive appointment in Junior Scale.**
1.12.1986 – Rs.2675	Date of appointment in Sr. Scale : 24.4.88	Date of appointment in Junior Scale 1`5.11.93
1.12.1987 – Rs.2750	Pay fixed in Sr. Scale – Rs. 3000	Pay in Group 'B' as on 15.11.93 – Rs.3125/-
	1.4.1989 – Rs.3100 1.4.1990 – Rs.3200	Pay fixed in Junior Scale on 15.11.93 – Rs.3300
	1.4.1991 – Rs.3300 1.4.1992 – Rs.3400 1.4.1993 – Rs.3500	Pay fixed in Sr. Scale on 15.11.93 – Rs.3500

In this case also, the period of officiating in Senior Scale with pay at the stage of Rs.3500 with effect from 1.4.1993 would be reckoned for the purpose of fixation of pay in Sr. Scale and for reckoning the next increment in Senior Scale on re-fixation also. Hence, the next increment in Senior Scale in this case would be 1.4.94 instead of 1.11.1994.

****

CHAPTER – 6

MEDICAL TESTS, INCENTIVES, TRAINING PLAN, CHARGE ALLOWANCE, PF CREDITS AND OTHERS MISC.

6 – 1

Rly. Bd.'s No. E(0)III-77 E3/128 **Dated : 03.12.1977**

Sub: - Seniority of Class II officers on transfer from one Railway to another.

The cadres of Class II officers being localized, their inter-Railway transfers are not normally made. The Railway Ministry have considered the matter and decided that in exceptional circumstances, if a Class II officer is transferred from one Railway to another at his own request, he will be assigned the bottom seniority in Class II on that Railway on the date in takes over there and he will also lose all his claims for promotion to the higher grade in his parent Railway. He will have to give an undertaking to this effect before his request for transfer is acceded to.

****

6 – 2

Rly. Bd.'s No. E(0)III-89 AE/122 **Dated : 21.06.1989**

Sub: - Inter-Railway transfers of Group 'B' officers on request.

(2) In terms of extant rules, inter-Railway transfers of Group 'B' officers can be considered on their acceptance of bottom seniority as envisage in the Board's letter No. E(0)III-77AE.128 dated 03.12.1977. The transfer, therefore, depends upon three things, namely, request of the employee, declaration of bottom seniority and consent of the Railway to which the transfer is being sought.

(3) It is noticed that the Railways simply forward requests for transfer from Group 'B' officers to Railway Board without obtaining declaration of seniority and ascertaining the consent of the Railway to which transfer is being sought. The Board have decided that such requests received in future will not be entertained unless these are accompanied by declaration for acceptance of bottom seniority, vigilance/DAR clearance and consent of the concerned Railway to accept the transfer. Complete bio data of the officer may also please be given.

****

6 – 3

N.Rly. Serial No. 8208 – Circular no. 831-E/63/2-XII(EIV) **Dated : 16.12.1982**

Sub: - Initial Training Period counting towards eligibility for appearing in departmental examinations.

In terms of instructions contained in Railway Board's letter No. E(NG)1-81PM1-76 dated 25.4.81 copy circulated under this office letter of even number dated 10.6.81 (PS No. 7836) the time spent by Railway Servants under training immediately before appointment to service would count as service for the purpose of appearing in departmental examination.

The matter was referred to Railway Board for clarification whether departmental examinations cover departmental selections including limited departmental competitive examinations in class II services.

The Board have clarified that the departmental examinations include the examination held as a part of the selection for promotion to Group 'B' under limited Departmental Competitive Examination.

****

6 – 4

Rly. Bd.'s No. E(GP) 84/1/7 **Dated : 21.09.1984**

Sub: - Promotion from Group 'B' to Senior Scale – Officers selected stream wise.

Selection for promotion to Group 'B' posts in the Mechanical engineering and in the T(T) & C Departments has been introduced on a stream wise basis, vide Railway Ministry's letter No. E(GP) 79/2/130 dated 16.9.81 and E(G)82/2/120 dated 25.1.83 respectively. To eliminate the possibility of employees of any particular steam, gaining advantage over those of other streams, it has been indicated in the Ministry's letter No. E (GP) 32/2/120 dated 24.12.83 that efforts should be made by the Administration to finalize selections to Group 'B' in the different streams simultaneously to the extent feasible.

2. In the context of the introduction of stream wise selections, a question has arisen as to how the seniority of the Group 'B' officers empanelled stream wise should be drawn for purposes of considering them for absorption in Group 'A' service for ad-hoc promotion to Senior scale.

3. After a careful consideration, in consultation with the class II officers Federation, the Ministry have decided as follows:

(i) Where appointments to Group 'B' are made on different dates, the date of appointment, which will govern the extent of non-fortuitous service, will form the basis for determining the combined seniority.

(ii) If appointments to Group 'B' in the different streams are made from one and the same date, the seniority of such Group 'B' officers for purposes of further advancement would be determined on the basis of their relative seniority in

Group 'C', without however disturbing the inter-se seniority of the officers of each stream.

4. These instructions will equally apply to officers selected on the basis of limited Departmental competitive examination(LDCE)

****

6 – 5

Rly. Bd.'s No. E(MPP) 97/1/13/Vol.II **New Delhi**
Dt : 07.07.1998

Sub: - Trainees to be posted back after completion of training.

Board had constituted a sub-group of PREM on "Training" who had inter-alia recommended that trainees shall normally be posted back after training at the same place from where they proceeded training.

Board have accepted this recommendation and Railway Administration are accordingly directed to ensure that trainees are posted back after training at the same place from where they proceeded for training.

****

6 – 6

Rly. Bd.'s No. E(GP) 87/2/67 **New Delhi Dated : 30.10.1991**

Sub: - Reversion of Group 'B' officers appointed after due selection on account of general unsuitability.

The Railways have been following the procedure outlined in Board's letter No. E(GP)1-82/PM/1-68 dated 28.4.1982 for reverting the officers appointed to Group 'B' posts after due selection on grounds of general unsuitability. In a recent case agitated before the Hon'ble Supreme Court the reversion of a Group 'B' officers to Group 'C' was set aside on the grounds that the name of the officers was not deleted from the panel before such reversion.

The matter has accordingly been considered and it has been decided that before affecting such reversion the name of the officer should be invariably deleted from the panel following the procedure outlined in the Board's letter No. E(D&A) 61 RG 6-20 dated 30.5.1966.

****

6 – 7

Rly. Bd.'s No. E(GP) 80/2/8 **New Delhi Dated : 31.10.1991**

Sub: - Appointment to Group 'B' post-Medical Examination – relaxation in prescribed standard.

Ref: - This office letter of even number dated 16.12.1983.

The Board have been according approval to the ad-hoc promotion of Group 'C' employees impaneled for Group 'B' posts who do not pass prescribed medical examination, in a few cases recommended by the GMs, in terms of the instructions/procedure contained in their letter referred to above. The matter has been reconsidered in the light of the need to maintain a high standard of efficiency and fitness of the officers at gazetted levels. In super session of the instructions contained in their letter dated 16.12.1983, the Board have decided that the Group 'C' employees qualifying in the selections for promotion to Group 'B' posts but not passing the prescribed medical standard should not be promoted to Group 'B' even on ad-hoc basis. Accordingly, the proposal for such ad-hoc promotions need not be sent to this office henceforth.

2. It has been decided that the names of the candidates who do not pass the prescribed medical standard should not be included in the panel. Accordingly, only those who are qualifying in the medical examination of prescribed standard should be called for viva-voce.

****

6 – 8

Rly. Bd.'s No. 99/11/5/38 **New Delhi Dated : 21.05.1999**

Sub: - Medical fitness of Railway Employees with Intra Ocular Lens (IOL) for promotion from Group 'C' to Group 'B' posts – Amendment in respect of posts covered by Para 531 (a) of IRMM 1981.

In view of many technological advances and sophistications in cataract surgery with IOL implantation, Board have reviewed the medical standards laid down in para 531A of IRMM 1981, applicable to staff on promotion from Group 'C' to Group 'B' posts. It has been decided that employees in Group 'C' after cataract operation with posterior chamber IOL implants will henceforth be considered fit for promotion to Group 'B' posts including those listed in Para 531 A of IRMM 1981, subject to the following stipulations.

(a) An employee with posterior chamber IOL implants may be declared fit for gazetted technical category post provided the corrected or uncorrected visual acuity complies with the medical standards laid down for gazetted technical post.

(b) In case of freshly operated cases of IOL of less than 6 weeks duration, employees may be declared fit for gazetted technical posts provided their visual acuity is stable for 2 consecutive checkups at the interval of 2 weeks.

(c) All cases declared fit with IOL, in gazetted technical posts should report to the ophthalmologists for periodical checkup up to one year, at intervals of 6 months, from the date of fitness or at any time whenever they notice diminution of vision or any other problem in the operated eye.

The above amendment will be applicable from the date of issue of this letter and old cases shall not be reopened.

****

6 – 9

Rly. Bd.'s No. E(GP) 87/06/326/8 Dated : 13.11.1987

Sub: - Payment of Charge allowance to Group 'B' Officers posted to look after duties in Junior Scale.

In terms of instructions contained in Board's letter No. E(GP)75/1/58 dated 20.06.1980, Group 'B' Officers who have rendered not less than 3 years of service in Group 'B' inclusive of fortuitous service, whenever posted to look after duties in Senior Scale due to non-availability of officers eligible for appointment to Senior Scale, are allowed to draw a charge allowance of Rs. 150/- per month in addition to pay in Group 'B'. Officers of the Miscellaneous Cadres posted to look after duties in Senior Scale are also allowed to draw a similar charge allowance of Rs.150/- per month in addition to pay in Group 'B'.

2. In the context of the revised scale of pay recommended by the 4th pay commission, the quantum of charge allowance payable to such officers who are posted to look after duties in Senior Scale has been reviewed and it has been decided, in continuation of Para 2 of Board's letter No. PCIV/86 Imp/36 dated 05.06.87 that Group 'B' officers whenever posted to look after duties in Senior Scale, will be eligible to draw charge allowance of Rs. 300/- per month, in addition to pay in Group 'B' on the following conditions: -

(i) Pay in Group 'B' plus charge allowance should not exceed the pay that would be admissible under Rule 2018-BF, II (FB 22-C) or regular promotion to Senior Scale.

(ii) The charge allowance as prescribed above, shall not have the characteristics of pay under rule 2003 (21) (a) (FR.9(a)/R-II and shall not have any additive value, who-so-ever, under any circumstance and shall also not count for the purpose of fixation of pay on regular promotion or for retirement and other purposes. On regular promotion, the officers pay shall be regulated under the Fundamental Rules only with reference to the pay drawn in Group 'B' post held on a regular basis.

3. The benefit of charge allowance on the above basis in the revised (4th pay Commission) scales of pay shall be effective from 1.1.86 or from the date on which the officer has elected to come over to the new scales of pay, as the case may be. For officers who have elected to retain the old scales of pay in respect of the posts regularly held by them in the pre-revised scales, the above orders shall be admissible only form the date they come over to the revised scales of pay, till such time pay plus charge allowance whenever such officers have been posted to look after duties in Senior Scale on or after 1.1.86 shall be regulated under the orders already in force.

3.1 In all cases where postings to look after duties in Senior Scale have taken place on or after 1.1.86, the pay of the officer shall be re-fixed on the above lines and arrears as may be due, shall be paid.

4. This issues with the concurrence of the Finance Directorate of the ministry of Railways.

****

6 – 10

Rly. Bd.'s No. F(E)III/94/PN1/26 RBE No. 61/95 Dated : 23.06.1995

Sub: - Reckoning of 'Charge Allowance' i.e. the pay restricted under FR-35, as pay for pension, gratuity etc. and leave encashment purples.

Under extant orders, officers promoted to higher posts on ad-hoc basis before they are due for regular promotion, are allowed different rates of charge allowance. Further, it is also provided that the charge allowance does not have the characteristics of pay under Rule 2003 (21) (a) (FR9) (a)/R-II (old edition) and does not have any additive value, whatsoever, under any circumstances so that it does not count for pay fixation, retirement benefits etc.

2. The true nature of the charge allowance has since been considered by the Board and it has been decided that the charge allowance, which is actually in the nature of pay restricted under FR-35, should be reckoned as 'pay' as defined in Rule 1303(RF-9) (21) (a) (i) R-II/ 6th Edition. As such, it will count as pay for the purposes of pension, gratuity etc. as well as for leave encashment.

3. These orders will take effect from 01.04.95 and would only be applicable to retires after 01.04.95. However, for calculating average emoluments in the case of a retired employee who has drawn Charge Allowance prior to 01.04.95 and whose retirement date falls after 01.04.95, this allowance shall be included in pay.

Note : *vide letter of even number dated 30.04.97, this has been made effective from 01.01.86.*

****

6 – 11

Rly. Bd.'s No. PC/86/DA/1 Dated : 04.03.1996

Sub: - Reckoning of & Charge Allowance, i.e. the pay restricted under FR 35, as pay for DA, HRA and CCA etc.

Under extant orders officers promoted to higher posts on ad-hoc basis before they are due for regular promotion, are allowed different rates of charge allowance. In the Revised Pay scale affective from 01.01.1986, charge allowance was not being reckoned for calculating retirement benefits, or for allowance such as Dearness Allowance, City Compensatory Allowance, &House Rent Allowance etc.

The true nature of the charge allowance has since been considered by the Board and it has been decided that the charge Allowance, which is actually in the nature of pay restricted under FR 55, should be reckoned as "Pay' as defined in Rule 1303 (FR9) (21) (a) (i)/R-II (6th Edition). Accordingly orders for Reckoning Charge Allowance as pay for purpose of pension, gratuity etc. have been issued vide Board's letter No. F(E) III/94/PN1/26 dated 23.06.95. It is further clarified that Charge Allowance will also count as pay for the purpose of reckoning DA, HRA and CCA and other such allowances which were hitherto being reckoned on basic pay alone.

These order will take effect from 01.04.1995.

Note: vide letter of even number dated 30.4.97, this has been made effective from 1.1.86.

****

6 – 12

Rly. Bd.'s No. PC/IV/86/DA/1 **RBE No. 76/98 Dated : 17.04.1998**

Sub: - Reckoning of & Charge Allowance, i.e. the pay restricted under FR 35, as pay for DA, HRA and CCA etc.

Kindly refer to this Ministry's letter of even number dated 4.3.96 conveying instructions for reckoning of Charge Allowance as pay for the purpose of DA, HRA, CCA and other allowance which were earlier being reckoned on basic pay alone, These instructions were made effective from 1.4.95.

2. The question regarding applicability of these instructions from a retrospective date has been considered and it has been decided that the instructions contained in Board's letter of even number dated 4.3.96 will take effect from 1.1.86.

3. Orders for counting of Charge Allowance as pay for the purpose of pension gratuity and leave encashment from 1.1.86 have already been issued vide Board's letter No. F(E)III/94/PN-1/26 dated 30.4.97.

4. This issues with the concurrence of the Finance Directorate of this Ministry.

****

6 – 13

Rly. Bd.'s No. E(O)III-98/PL-10 **Dated : 28.04.1999**

Sub: - Fixation of officiating pay on ad-hoc promotion within Group 'A' in various Railway services/posts in the revised 5th Pay Commission scales of pay.

Ref: - Board's letter No. E(O)III-87-PL/1 dated 12.08.87.

The Ministry of Railways have decided that on ad-hoc promotion in Group 'A' Railway Services/posts in the revised (5th Pay Commission) scales of pay, the following charge allowance will be admissible.

(i)	From Junior Scale to Senior Scale	Rs. 750/-
(ii)	From Senior Scale to JA Grade	Rs. 750/-
(iii)	From JA Grade/Section Grade to SA Grade	Rs. 850/-
(iv)	From SA Grade to Higher Grade of Rs. 22,400-24,500	Rs.1000/-

2. In all the above situations pay plus charge allowance should and exceed the pay that would have been admissible had it been fixed under Rule 1313 (F.R. 22) R-II on regular promotion.

3. The benefit of charge allowance on the above basis in the revised (5th Pay Commission) scales of pay shall be effective from 01.01.1996 or from the date on which the officer has elected to come over to the new scales of pay, as the case may be.

4. No officiating arrangements, short term or long term, will be permissible in the Selection Grade (non-functional) as and when orders for the same are issued.

5. In all the cases where ad-hoc promotions to the revised scales have taken place on or after 01.01.1996, the pay of the officer shall be re-fixed on the above lines and arrears, as may be due, shall be paid to the officers.

6. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

****

6 – 14

Rly. Bd.'s No. E (Trg.) 87(22)/2 **Dated : 13.02.1989**

Sub: - Training Plan for Group 'B' officers.

(1) The importance of proper training for Group 'B' officers has been repeatedly emphasized on the various Zonal Railways. The Railway Board have made a comprehensive review of such training and have decided that all Group 'B' officers should undergo Orientation and Integrated courses training within one year of promotion to Group 'B' posts. However, such of the Group 'B' officers who have already attained the age of 55 years may be exempted from such training.

(2) The objectives of the orientation and Integrated Courses Prescribed for Group 'B' officers are as under:

Orientation course : *The objective of this course is to broaden the vision of Group 'B' officers and to familiarize them with entire working of rail operations including inter-departmental co-ordination, budgeting, establishment, procedures etc.*

Integrated course : *A Group 'B' officer prior to selection to Group 'B', generally works only in one stream of his department. After promotion in Group 'B' these officers are required to manage the work of all the streams of their department. The objective of the integrated course for Group 'B' Officers is to familiarize them with the working of other streams of the same department also.*

(3) The Board have also decided that with effect from 1.4.90, those Group 'B' officers who have not successfully completed Orientation and Integrated Courses would not be considered for ad-hoc promotion to Sr. Scale as well as empanelment to Group 'A' service. It is, therefore, imperative that the Zonal Railways and the Centralized Training Institutes develop requisite training facilities to ensure that all eligible Group 'B' officers are given an opportunity to undergo such training within one year of their promotion to Group 'B' service.

Note : The balance letter not printed as orientation course of various centers have since been abolished and this is conducted at RSC/BRC only

****

6 – 15

Rly. Bd.'s No. E (Trg.) 89(28)/29 **Dated : 04.05.1990**

Sub: - Incentive to Group 'B' Railway Officers for acquiring higher qualifications.

Reference Board's letter No. E(NG)64RC1/25 dated 14.5.66 read with letter No. E(NG)II/72/102/1 dated 18.3.72, followed by instructions issued from time to time, laying down a scheme of incentives for Group 'C' Railway employees who acquire higher additional qualifications.

2. Pursuant to the recommendations of the IVth Pay Commission the Ministry of Railway have decided that the scheme of granting incentives for acquiring higher additional qualifications should be extended to Group 'B' Railway officers also. It has been decided that incentives should be granted to the Group 'B' Railway officers as under:

A. **Group 'B' Officers of Accounts Department** should be granted two advance increments on passing part I or intermediate examination of ICWA or AICA and six increments (including two granted for part I/Intermediate) on passing the final examination of these insists, in case they acquire the qualification after joining service.

B. **Group 'B' Officers of Technical Department** should be granted 6 advance increments on passing part II of the AMIE Examination in case they acquire the qualification after joining service.

C. **Group 'B' Officers working in RDSO only.** DG/RDSO may grant reimbursement of tuition fee (on the basis of actual) and the cost of books, subject to a limit of Rs.500/- per Officer, within the overall limit of Rs. 1 Lakh per year, on production of documentary proof and vouchers, for acquiring additional special qualifications considered by him to be useful for the work

being done in RDSO. This will be in addition to the incentives mentioned at 'B' above.

This will however not be applicable in case of officers preparing for AMIE Part II exam, but only for those officers who have already passed that examination either before or after joining service and only for acquiring additional qualifications needed for and useful to their work in RDSO, DG/RDSO may like to fix a reasonable amount, based on available rates for coaching charges which are intended to be reimbursed on actual basis. This will avoid paying at different rates for coaching charges to different individuals. Initially, the above incentive of reimbursement of tuition fee, cost of book etc. to Gr. 'B' officers of RDSO be applicable for a period of three years and thereafter the response and results would be assessed for evaluation of the scheme.

3. The following condition will apply to the Scheme of incentives for Group 'B' Offices as mentioned above.

(a) Incentives are to be granted only once.
(b) The grant of advance increments cannot be granted to such officers who have already reached the maximum of the scale on or before the date of the passing the examination and subsequently promoted to a higher grade or post.
(c) The officer concerned will draw their annual increments on due dates i.e. the date on which their normal increment would accrue but for the grant of advance increment.
(d) The benefit of incentives will be admissible from the date following the last date of the prescribed examination and not from the date of publication of results.
(e) The benefit of incentive shall also be admissible to such Group 'B' officers who have qualified the recognized examination prior to the issue of these instructions, from the date of issue of this letter, in the time scale of pay in which they are drawing pay as on the date of this letter. If this is an officiating grade, he should also be granted program benefit of advance increments in the lower grade and in the event of reverting to that grade, he should get his program pay in the grade. If on the other hand, an officer is promoted to a higher grade after being granted advance increments in a lower grade, the pay drawn by him at the time of promotion should be taken as pay for fixation of pay under the rules.

4. This is issue with the concurrence of the Finance Directorate of the Ministry of Railways.

****

6 – 16

Rly. Bd.'s No. E (Trg.) 89(28)/29 **Dated : 11.10.1990**

Sub: - Incentive to Group 'B' Railway Officers for acquiring higher qualifications.
Ref: - Board's letter of even number dated 4.5.90 the above subject.

A Question has been raised whether the scheme of incentives on acquiring higher qualifications would be applicable to the staff acquiring qualification prior to 4.5.90 and whether staff/officers who passed the ICWA Final/Intermediate examination while working as Group 'C' and were granted 2 advance increments/cash award of Rs. 200 as per instructions prevailing at that time, are also to be granted balance four/two increments on promotion as Grade 'B' officers.

The position is clarified as under:

1) The benefit of incentives shall also be admissible to such group 'B' officers who have qualified the recognized exam prior to the issue of the above referred instructions dated 4.5.90 from the date of issue of the said letter and in the time scale of pay in which they are drawing pay as on the date of the said letter.

2) Officers who were earlier working in Group 'C' and had drawn 2 advance increments/ cash award of Rs.200/- after passing final/Intermediate of ICWA at that time, may be given balance four/two increments even though they may now be working as Group 'B' officers in the scale and stage at which they were drawing their pay/scale on 4.5.90.

****

6 – 17

Rly. Bd.'s No. E (TRG) (28)/1 **Dated : 05.07.1995**

Sub: - Incentives to Group 'B' Officers of Indian Railways for acquiring higher qualifications (Phase-I)

1. Reference Board's letter No. E(TRG)89 (28) 29 dated 4.5.90, 17.8.90 and 21.3.91 regarding grant of incentives for acquiring higher qualifications to Group 'B' Railway Officers and Group 'B' officers of RVSS. Ministry of Railway, in the directions of DOP & T, have decided that the existing increment based incentive scheme laid down vide Board's earlier letters, lump sum incentive be granted for acquiring higher qualifications as indicated below:

Deptt.	Category	Higher qualification for grant of incentives	Lump sum incentive proposed by DOP & T
Accounts Deptt.	Group 'B' officers including RBSS	(i) On passing part-I or Intermediate Exam of ICWA of AICA	Rs.4,000/-
		(ii) On passing of Final of ICWA or AICA	Rs.10,000/-
All Technical Deptt.	Group 'B' Officers of Rlys. Only	On passing Part-II of AMIE Exam	Rs. 10,000/-
TT and Comml. Deptt.	Group 'B' Officers including RBSS	Diploma in Marketing and Business Development and/or Transport Economics.	Rs.4,000/-

Personnel Deptt.	Group 'B' Officers including RBSS	Post Graduate Diploma in Personnel Mgmt. or Industrial Relations	Rs.4,000/-
RBSS only	Group 'B' Officers	(i) On passing intermediate Exam of the Institute of Company Secretaries of India	Rs.4,000/-
		(ii) On passing final Exam of the Company of the Company Secretaries of India	Rs.10,000/-

2. The following conditions will apply to the grant of one time lump sum incentive scheme:

(i) The new scheme will be effective from the date of issue of this letter.

(ii) Those who have already drawn incentives in the shape of increments prior to the date of commencement of the revised scheme will not be eligible for incentives in the new scheme. They may however, be allowed to continue to draw the increments already granted to them. Those officers who have not availed the incentives in the shape of advance increments (earlier scheme) will be entitled to lump sum incentives even if they acquired the qualifications prior to issue of these instructions subject to fulfillment of other conditions.

(iii) Incentives are to be granted only once.

(iv) An individual should not get incentive for acquiring more than one qualification throughout his service careers.

(v) Officers who acquire higher qualifications by taking study leave will not be eligible for any incentive. Only those officers who have acquired the higher qualifications fully at their own costs and Ministry of Railways have not borne any part of expenditure there for, will be entitled for lump sum incentives.

(vi) Incentive payment should be given only for higher qualification acquired after induction into service and not for possession of higher qualification at an entry stage.

(vii) No incentive would be admissible if an appointment is made in relaxation of the educational qualification. No incentive would be admissible if the employee acquired the requisite qualification for such appointment at a later date.

(viii) The qualification should be acquired from a recognized University/institution.

(ix) The officers who avail of the incentive should remain in service for a period of at least 3 years after getting the payment.

The issues with the concurrence of the Finance Directorate of the Ministry of Railways, Board.

****

6 – 18

Rly. Bd.'s No. E (TRG)94(28)/1 Dated : 26.04.1996

Sub: - Incentives to Group 'B' Officers of Indian Railways for acquiring higher qualifications (Phase-I)
Ref: - Board's letter of even number dated 5.7.95 and 10.11.95

A question has been raised whether Group 'C' employees who had drawn advance increments for passing Part-I/A/Intermediate Exam of any particular qualification will be eligible for lump sum incentive after getting promoted to Group 'B' services.

It is clarified that Group 'C' employees who were granted advance increments for passing part-I/A/Intermediate exam in the old scheme are eligible to draw the lump sum amounts prescribed for passing Part-II/B/Final Exam under the revised lump sum incentive even if they have been promoted to Group 'B' services and had qualified Part-II/B/Final Exam before issue of Board's letter under references.

****

6 – 17

Rly. Bd.'s No. PC-IV/86/Imp/36 RBE No. 146/87 Dated : 05.06.1987

Sub: - Application of Rule 2018-B (F.R.22c)-R-II in the case of Officers promoted from Group 'B' to Senior Scale – Group A reg.

With reference to the instructions issued vide Board's letter of even number dated 4.5.1987 and doubts expressed thereon, it is clarified that in the case of Group 'B' Officers of various Departments, regularly promoted to officiate directly to Group 'A', Senior Scale on or after 1.1.86, pay shall be fixed in Senior Scale, Group A, with reference to pay in the Group B post under Rule 2018-B (F.R. 22-C)R.II. The earlier system of fixation of notional pay in the Junior Scale Class I under Rule 2018-B(F.R. 22-C)R.II and then fixing pay in the Senior Scale cases to be operative w.e.f. 1.1.86.

2. Separate instructions will follow in regard to regulating the fixation of pay of Group 'B' officers promoted to officiate in Senior Scale, Group 'A' on an ad-hoc basis.

****

6 – 20

Rly. Bd.'s No. F(E) III 77 PF-1/10 Dated : 31.08.1977

Sub: - Crediting of interest on state Railway Provident Fund balances.

Doubts have been expressed by certain Railways as to the basis on which interest should be allowed on subscriptions to the RPF in respect of railway servants who are on deputation to other Central Government Departments, State Governments, public Sector undertakings etc. The position obtaining in this regard in terms of the provisions of rule 1319(3) read with rule 1310 of the Indian Railway Establishment Code Volume I, is clarified as under:

(a) In respect of those who have gone on deputation to other Central Government Departments/State Government Departments, the 'date deposit' shall, in respect of the recovery from emoluments be deemed to be the first day of the month in which it is covered irrespective of the month of accountal.

(b) In respect of those whose emoluments are drawn from any other sources (i.e. from other than Government departments such as public sector undertakings, autonomous bodies are and the amount of subscription is forwarded by that body, the 'date of deposit' shall be deemed to be the first of the month if it is received by the Accounts Office before the fifteenth of that month.

(c) In respect of an amount forwarded by the subscriber, such as cases of a secondment of railway servants to Railway/non-Railway organizations etc. outside India, the date of deposit shall is deemed to be the first day of the month of receiving if it is received by the Accounts officer before the fifth day of the month, but if it is received on or after the fifth day of the month, the deemed date shall be the first day of the next succeeding month.

2. The above has the approval of the president.

****

CHAPTER – 7

DEPTT. OF PERSONNEL (DOP'S) NOTIFICATIONS / OFFICE MEMORANDUM, POLICY LETTERS / GUIDE LINES ON DPCS, PROMOTIONS & SENIORITY ETC.

7 – 1

Min. of Home O.M. No. 9/11/55-RPS **Dated : 22.12.1959**

OFFICE MEMORANDUM

Sub: - General Principles for determining seniority of various categories of Persons employed in Central Services.

Note : - This original letter of Ministry of Home Affairs, has since been revised, modified and re-consolidates in DOP's OM No. 22011/7/86-Estt (D) dated 03.07.86, hence it is not printed.

****

7 – 2

DOPT'S O.M. No.22011/6/75 Estt. (D) **Dated: 30.12.1976**

OFFICE MEMORANDUM

Sub: - Procedure for making promotion and function of the Departmental Promotion Committee.

Note: - This original letter of Personnel & Training has since been revised, modified and re-consolidates in DOPT's OM No.22011/5/86-Estt. (D) dated 10.04.89, hence it is not printed.

****

7 – 3

D.O.P's O.M. No.22011/3/76-Estt (D) **Dated: 24.12.1980**

Sub: - Principles for promotion to 'Selection' posts.

Large number of clarifications are being sought by the various Ministries/Departments on various aspects while preparing a panel for posts to be filled on the basis of selection. The various points raised are as below:

(i) The absence of clearly defined limits in the matter of fixation of the zone of consideration has led to lack of uniformity of practice between the various DPCs;

(ii) In a number of cases the meetings of the DPCs are not held annually as required even though there were vacancies resulting in the bunching of vacancies which in turn enlarged the field of choice and upset the relative seniority positions in the higher grade on account of super-sessions.

(iii) In a number of cases some of the senior officers even though included in the panel for promotion do not get promotion due to their being away from the parent department and at the same time are also not eligible for Performa promotion under the NBR due the application of the one to one correspondence or due to the fact that they are being the junior most in the panel there is no junior in the panel below them and this has resulted in their reconsideration by the next DPC there by resulting in loss of seniority to them;

(iv) In certain cases Recruitment Rules are amended when a panel already prepared is still in operation and therefore whether the panel can still be operated after the amendment.

2. All the above aspects have been carefully considered and the following instructions are issued for the guidance of all ministries.

3. **Zone of consideration for promotion to posts filled by selection.**

Reference is invited to the Ministry of Home Affairs (now Department of Personnel & A.R.) O.M. No. ¼-55/BPS dated 16.5.57 laying down certain principles for promotion. In the operation of these principles it has been observed that the absence of clearly defined limits on the extent of the field of choice has led to lack of uniformity in the practices being followed by the DPCs. Similarly it is felt that a large field of choice might result in excessive supersession.

Again, despite repeated instructions of the Government of hold DPCs annually there have been quite a few cases of delays resulting in vacancies being bunched. This would enlarge the field of choice and upset the relative seniority positions in the higher post with reference to the positions which would not have resulted had the DPCs met at the appropriate time. In view of these considerations it has been decided in consultation with the UPSC as under in suppression of this Department's O.M. No.1/4/55-RPS dated 16.5.57 and all other memoranda having any bearing on the matter herein dealt with.

(a) The Departmental promotion Committee (DPC) shall for the purpose of determining the number of officers who should considered from out of those eligible officers in the feeder grade (s) restrict to field of choice as under, with reference to the number of clear regular vacancies proposed to be filled in the year.

No. of vacancies	No. of officers to be considered
(1)	(2)
1	5
2	8
3	10
4 or more	Three times the number of vacancies.

(b) Where, however, the number of eligible officers in the feeder grade (s) is less than the number in Col.2, above, all the officers so eligible should be considered.

(c) Where adequate number of SC/ST candidates are not available within the normal field of choice as above, the field of choice may be extended to 5 times the number of vacancies and the SC/ST candidates (and not any other) coming within the extended field of choice, should also be considered against the vacancies reserved for them.

Officers belonging to SC/ST selected for promotion against vacancies reserved for them from out of the extended field of choice under sub Para (c) above, would, however be placed en block below all the other officers selected from within the normal field of choice.

4. (a) Instructions already exist that DPCs should meet at regular annual intervals for the preparation of Select Lists and where no such meeting is held in any year, the appointing authority should record a certificate that there were no vacancies to be filled during the year. Administrative Ministries should obtain periodical information/certificate on the regular holding of DPCs.

(b) Where, however, for reasons beyond control, DPC could not be held in any year (s) even though the vacancies arise during that year (or years), the first DPC that meets thereafter should follow the following procedure:

(i) Determine the actual number of regular vacancies that arose in each of the previous year/years immediately preceding and actual of regular vacancies proposed to be filled in the current year separately.

(ii) Consider in respect of each of the years those officers only who would be within the field of choice with reference to the vacancies of each year starting with the earliest year onwards.

(iii) Prepare a 'Select List' for each of the years starting with the earliest year onwards.

(iv) Prepare a consolidated 'Select List' by placing the Select List of the earlier year above the one for the next and so on.

Illustration: DPC meets in 1980, Number of vacancies in the year 1978 and 1979 were 8 and 7 respectively. It is proposed to fill also 9 more vacancies during 1980. There are 100 eligible officers.

Panel for 1978

No. of vacancies	-	8
Field of choice	-	24
Take officers	-	1 to 24
DPC classified	-	Sl. No. 20 as 'outstanding' and Sl. Nos. 7 and 15 'not fit' and rest 'Very Good'.
Panel list will be	-	Sly Nos. 20, 1, 2, 3, 4, 5, 6, and 8.

Panel for 1979

No. of vacancies 7, field of choice 21. This comprises officers Nos. 7, 9 to 19, 21 to 29 (total 21) The DPC classified No. 7 as 'not yet fit' and rest 'Very Good.' Panel will comprise of S.No. 9 to 15.

Panel for 1980

No. of vacancies 9 – Field of choice 27. This will comprise Nos. 7, 16 to 19, 21 to 42.

No. 40 is graded 'Very Good' and the rest as 'Good'.

(c) For the purpose of evaluating the merit of the officers, the record of services of the officers for the purpose of considering for inclusion in the panel relevant to any of the earlier years as contemplated in clause (b) above should be limited to the record that would have been available had the DPC met at the appropriate time, for instance, for preparing the panel relating to the vacancies of 1978, records of service of the officers only up to 1978 should be taken into account and not the subsequent ones. However, if on the date of actual DPC (1980 in the illustration) Departmental proceedings are in progress and under the existing instructions sealed cover procedure is to be followed, such procedure should be observed even if no such proceedings were in existing in the year to which the vacancy related (e.g. if in the illustration, in respect of officer No. 6 empanelled against a 1978 vacancy even though the disciplinary proceedings were started only in 1980 (prior to DPC meeting), his name has to be kept in the sealed cover till the proceedings are finalized.)

(d) While promotions will be made in the order of the consolidate Select List, such promotion will have only prospective effect, even in cases where the vacancy relates to an earlier year.

5. Consideration of the cases of officers who are away on deputation by the DPC where they have been empanelled by the earlier DPC but not eligible for benefits under the N.B.R.

Under this Department's O.M. No. 1/4/55-RPC dated 16 May 1957, the Select List prepared for the purpose of promotion should be periodically reviewed and the names of these officers who have already been promoted (otherwise than a local or purely temporary basis) and continue to officiate should be removed from the list as having been promoted and rest of the names along with others who may now be included in the field of choice should be considered for the Select List for the subsequent period. Again, in this Department's O.M.N.1/25/65-Estt (D) dated 11.10.1966, it has been laid down that aselect6 list drawn by the DPC should normally be operative only for one year and in any case it would cease to be in force after 18 months or when the fresh list is prepared whichever is earlier.

The effect of these circulars would be that every officer included in the panel who at the time of expiry of the validity of the earlier panel or at the time of the fresh DPC does

not hold a regular promotion post needs to be reconsidered and every officer who holds such a regular post on these crucial dates need not be so considered by the DPC.

In this Department's O.M. No.22011/6/75-Estt (D) dated 30.12.1976 (Para V (5), it has been laid down that DPC should consider the claims of all officers who are on deputation or on foreign service in public interest or on their own volition. Thus their names would be considered for inclusion in the panel based on their records of service along with others holding posts within the Department concerned. However, in Para X(4) of the circular dated 30.12.76 referred to above, it has been envisaged that such officers who had gone on deputation/foreign service in the public interest should be protected to enable them to regain their temporarily lost seniority in their higher grades on return to his cadre. In the case of other who have taken up ex-cadre posts on their own volition, such protection is not available and they could be considered for promotion only after they return to their parent cadre.

The application of this Department O.M. dated 11th October 1966 and 16th May 1967, referred to above has caused certain anomalies in the case of persons proceeding on deputation or foreign service etc. in public interest, in the matter of protecting their grade. In respect of such officers who while on deputation/Foreign Service are given proforma promotion under the NBR with reference to the date of promotion of their juniors no problem of maintaining their panel seniority would arise. In other cases where, the number of officers outside the line exceeds the number of juniors who are promoted within the cadre, proforma promotion under NBR could not be given to all such seniors in view of the condition of one to one correspondence under the guiding principles of NBR.

The effect of this would be that those of the officers higher in the panel and on deputation who could not be given NBR will continue to be shown as working in the lower posts while junior officer within the department would continue to be shown against higher posts. In a case where this position continues after the validity period of panel or at the time of a fresh DPC the juniors would not be required to be considered by the fresh DPC while the senior who is shown against the lower post and not actually officiating against a higher post even under NBR may have to be considered by the DPC.

In order to avoid such an anomalous situation, it has been decided that Para X(4) of this department OM No.22011/6/75-Estt(D) dated 30th December 1976 may be amended as under:

If this panel contains the name of a person who has gone on deputation or on Foreign Service in the public interest including the person who has gone on study leave, provision should be made for his regaining the temporary lost seniority in the higher grade on his return to the cadre. Therefore, notwithstanding the provision of sub Para 3 above as well as the provision of Para XII below, such officers need not be reconsidered by a fresh DPC if any subsequently held, while they continue to be on deputation/foreign service/study leave so long as any officer junior to him in the panel is not required to be so considered by a fresh DPC irrespective of the fact whether he might or might not have get the benefit of proforma promotion under the NBR. The same treatment will be given to an officer included in the panel who could have been promoted within the currency of the panel, but for his being away on deputation."

In the case the officer has gone on ex-cadre post on his own velition by applying in response to advertisements, he should be required to revert to his parent cadre immediately when due for promotion, failing which his name shall be removed from the panel. On his reverting to the parent cadre after the period of two years or the extended period. If any, he will have no claim for promotion to the higher grade on the basis of that panel. He should be considered in the normal course along with other eligible officers when the next panel is prepared and he should be promoted to the higher grade according to his position in the fresh panel. His seniority, in that event shall be determined on the basis of the position assigned to him in the fresh panel with reference to which he is promoted to the higher grade. (If the panel contains the name of an officer on study leave, he should be promoted to the higher post on return from the study leave. He should also be given seniority according to his position in the panel and not on the basis of the date of promotion.)

****

7 – 4

DOPT's O.M. No.22011/1/76-Estt (D) Dated : 30.01.1982

Sub: - Promotion of officers in whose case "the sealed cover procedure" has been followed but against whom disciplinary/court proceedings are pending for a long time.

The undersigned is directed to say that according to the existing instructions, cases of the officers (A) who are under suspension or (B) against whom disciplinary proceedings are pending or (C) decision has been taken by the competent disciplinary authority to initiate disciplinary proceedings against them or, (D) against whom prosecution has been launched in a court of law of sanction for prosecution has been issued, are considered for promotion by the departmental Promotion Committee at the appropriate time but the findings of the committee are kept in a sealed cover to be opened after the conclusion of the disciplinary/court proceedings. While the findings are kept in the sealed cover, the vacancy which might have gone to the officer concerned is filled only on an officiating basis.

2. If, on the conclusion of the departmental/court proceedings, the officer concerned is completely exonerated, and in case he was under suspension, it is held that the suspension was wholly unjustified, the sealed cover is opened and the recommendations of the DPC are acted upon. If the officer could have been promoted earlier, he is promoted to the post earlier filled on an officiating basis, the arrangements made earlier being terminated. On his promotion, the officer also gets the benefit of seniority and fixation of pay on a notional basis with reference to the date on which he would have been promoted in the normal course, but no arrears are allowed in respect of the period prior to the date of actual promotion.

3. It has been noticed that sometimes the cases in the courts or the departmental proceedings take unduly long time to come to a conclusion in spite of all efforts and the officers undergo considerable hardship, even where it is not intended to deprive them of promotion for such a long time. In the circumstances, Government have had under consideration, in consultation with the Union Public Service Commission, the question how the hardship caused by the long tendency of disciplinary/court proceedings to the

Government servants, in whose case sealed cover procedure has been followed, could be mitigated. As a result, the following procedure is laid down for being adopted in the circumstances indicated in Para 1 above: -

(i) (a) It may be ascertained whether there is any departmental disciplinary proceedings or any case in a court of law pending against the individual under consideration, or

(b) There is a prima-facie case on the basis of which a decision has been taken to proceed against the official either departmentally or in a court of law.

(ii) The facts may be brought to the notice of the Departmental Promotion Committee who may then assess the suitability of the official (s) for promotion to the next grade post and for the purpose of this assessment the DPC shall not take into consideration the fact of the pending cases(s) against the official. In case an official is found "unfit for promotion" on the basis of his record, without taking into consideration, the cases(s) pending against him, the findings of the DPC shall be recorded in the proceedings. In respect of any other kind of assessment, the grading awarded by the DPC may be kept in a sealed cover.

(iii) After the findings are kept in a sealed cover by the Departmental Promotion Committee, subsequent DPCs if any held after the first DPC during the period the disciplinary/court proceedings may be pending, will also consider the officer's case and record their findings which will again be kept, in sealed cover in the above manner.

In the normal course, on the conclusion of the disciplinary/court proceedings, the sealed cover or covers may be opened and in case the officer is completely exonerated i.e. no statutory penalty, including that of censure, is imposed, the earliest possible date of his promotion but for the pendency of the disciplinary/court proceedings against him may be determined with reference to the position(s) assigned to him in the findings in the sealed cover/covers and with reference to the date of promotion of his next junior on the basis of such position. The officer concerned may then be promoted, if necessary by reverting the junior most officiating person, and he may be given a notional promotion from the date he would have been promoted, as determined in the manner indicated above. But no arrears of pay shall be payable to him for the period of notional promotion proceeding the date of actual promotions.

If any penalty is imposed on the officer as result of the disciplinary proceedings or if he is found guilty in the court proceedings against him, the findings in the sealed cover/covers shall not be acted upon.

The Officer's case for promotion may be considered in the usual manner by the next DPC which meets in the normal course after the conclusion of the disciplinary/court proceedings. The existing instructions provide that in a case where departmental disciplinary proceedings have been held under the relevant disciplinary rules, "warning" should not be issued as a result of such proceedings. If it is found as result of the proceedings that some blame attaches to the officer, then the penalty of censure at least should be imposed. This may be kept in view so that no occasion arises for any doubt on the point whether or not an office has been completely exonerated in the disciplinary proceedings held against him.

(iv) However, in some cases the disciplinary/court proceedings may not be concluded even after the expiry of two years from the date of the DPC which first considered the officer for promotion and whose findings are kept in the sealed cover. In such cases, provided the officer concerned is not under suspension, the appointing authority may review his case to consider: -

(a) Whether the charges are a grave enough to/warrant continued denial of promotion and the promotion of the officer will be against public interest;

(b) Whether there is no likelihood of the case coming to a conclusion in the near future, and

(c) The delay in the finalization of proceedings, whether departmental or in a court if law, is not directly or indirectly attributable to the official concerned.

In case the appointing authority comes to conclusion that it would not be against the public interest to allow ad-hoc promotion to the official, his case should be placed before the next DPC held in the normal course after the expiry of the two year period to decide whether the officer is suitable for Promotion on ad-hoc basis. When the officer is considered for ad-hoc promotion as above, the Departmental Promotion Committee should make its assessment on the basis of the totality of the officer's record of service and the fact that the disciplinary or court case pending should not affect the assessment regarding the suitability for ad-hoc promotion. If the officer is recommended by the DPC, as a result of such consideration, for ad-hoc promotion his actual promotion will be subject to the decision of the Appointing Authority which should take into account the seriousness of the charges, the evidence available, the stage which the disciplinary/court proceedings has reached, the probable nature of the punishment that may be imposed on the officer if charges against him are established, the likelihood of misuse of official position which the officer may occupy after his ad-hoc promotion and the record of service available up to date.

(v) (a) Where the departmental proceedings or court cases have arisen out of investigations conducted by the central Bureau of Investigation, the Appointing Authority should also consult the Central Bureau of Investigation and take their views into account.

(b) Where the appointing authority is an authority other than the president, such authority should take the orders of the secretary of the Ministry/Department, or the Head of Department, as the case may be before taking a decision on making the ad-hoc promotion.

(c) Where the appointing authority is a Head of Department, he should take the orders of the Secretary in the Ministry/Department.

(d) Where the Secretary in the Ministry/Department is the appointing authority, he should take the orders of the Minister in charge.

(e) Where the President is the appointing authority, the final decision will rest with the Minister in charge of the Ministry/Department concerned.

(vi) After a decision is taken to promote an officer on an ad-hoc basis as indicated above, an order of promotion may be issued making it clear in the order itself that:

(a) The promotion is being made on purely Ad-hoc basis and the ad-hoc promotion will not confer any right for regular promotion, and

(b) The promotion shall be until further orders it should also be indicated in the order that the Government will reserve the right to cancel the ad-hoc promotion and revert the officer to the post from which he was promoted, at any time.

4. If the officer concerned is acquitted in the court proceedings on the merits of the case or exonerated in departmental disciplinary proceedings, the ad-hoc promotion already made may be confirmed and the promotion treated as a regular one from the date of the ad-hoc promotion which all attendant benefits. In such cases, the sealed cover(s) is to be opened and the official may be assigned his place in the seniority list as he would have got in accordance with the recommendation(s) of the DPC.

5. Where the acquittal in a court case is not on merits but purely on technical grounds and the Government either proposes to take the matter to a higher court or the proceed against the officer departmentally, the appointing authority may review whether the ad-hoc promotion should be continued.

6. Where the acquittal by court is on technical grounds, if the Government does not propose to go in appeal to a higher court or to take further departmental action, action should be taken in the same manner as if the officer had been acquitted by the court on merits.

7. If the officer concerned is not acquitted/exonerated in the court proceedings or the departmental proceedings, the ad-hoc promotion already granted should be brought to an end by the issue of the "further order" contemplated in the order of ad-hoc promotion (Please see Para 3(vi) above) and the officer concerned reverted to the post from which he was promoted on ad-hoc basis. After such reversion, the officer may be considered for future promotion in the usual course by the next DPC.

8. Ministry of Finance etc. are requested to bring the contents to the notice of all authorities under their control for their information, guidance and compliance.

****

7 – 5

DOPTs O.M. No. 35014/12/80-Estt.(D) dated : 07.02.86

Sub: - General Principles for determining the seniority of various categories of persons employed in Central Services.

As the Ministry of Finance etc. are aware, the General Principles for determination of seniority in the Central Services are contained in the Annexure to Ministry of Home Affairs O.M. No.9/11/55-RPS dated 22.12.1959. According to paragraph-6 of the said Annexure, the relative seniority of direct recruits and promotees shall be determined according to rotation of vacancies between the direct recruits and the promotees, which will be based on the quota of vacancies reserved for direct recruitment and promotion

respectively in the Recruitment Rules. In the Explanatory Memorandum tot these Principles, it has been stated that roster is required to be maintained based on the reservation of vacancies for direct recruitment and promotion in the Recruitment Rules. Thus, where appointment to a graded is to be made 50% by direct recruitment and 50% by promotion from a lowe4r grade, the inter-se-seniority of direct recruits and promotees is determined on 1:1 basis.

2. While the above mentioned principle was working satisfactorily in cases where direct recruitment and promotion kept place with each other and recruitment could also be made to the full extent of the quotas as prescribed in case where there was delay in direct recruitment or promotion or where enough number of direct recruits or promotees did not become available, there was difficulty in determining seniority. In such cases, the practice followed at present is that the slots meant for direct recruits or promotees, which could not be filled up, were left vacant and when direct recruits of promotees became available through later examinations or selections, such persons who were already working in the grade on regular basis. In some cases, where there was shortfall in direct recruitment in two or more consecutive years, this resulted in direct recruits of later years taking seniority over some of the promotees with fairly long years of regular service already to their credit. This matter had also come up for consideration in various court cases both before the High Courts and the Supreme Court and in several cases the relevant judgment had brought out the inappropriateness of direct recruits of later years becoming senior to promotees with long year of service.

3. This matter, which was also discussed in the National council has been engaging the attention of the Government for quite some time and it has been decided that in future, while the principles of rotation of quotas will still be followed for determining the inter-se-seniority of direct recruits and promotees, the present practice of keeping vacant slots for being filled up by direct recruits of later years, thereby giving them unintended seniority over promotees who are already in position, would be dispensed with. Thus, if adequate number of direct recruits does not become available in any particular year, rotation of quotas for purpose of determining seniority would take place only to the extent of the available direct recruits and the Promotees. In other words, to the extent direct recruits are not available, the promotees will be bunched together at the bottom of the seniority list, below the last position up to which it is possible to determining seniority, on the basis of rotation of quotas with reference to the actual number of direct recruits who become available. The unfilled direct recruitment quota of vacancies would, however, be carried forward and added to the corresponding direct recruitment vacancies of the next year (and to subsequent years where necessary) for taking action for direct recruitment for the total number according to the usual practice. Thereafter, in that year while seniority will be determined between direct recruits and promotees, to the extent of the number of vacancies for direct recruits and promotees as determined according to the quota for that year, the additional direct recruits selected against the carried forward vacancies of the previous year would be placed en block below the last promotee (or direct recruit as the case may be) in the seniority list based on the rotation of vacancies for that year. The same principle holds good in determining seniority in the event of carry forward, if any, of direct recruitment or promotion quota vacancies (as the case may be) in the subsequent years.

ILLUSTATION:

Where the Recruitment Rules provide 50% of the vacancies in a grade to be filled by promotion and the remaining 50% by direct recruitment, and assuming there are IO

vacancies in the grade arising in each of the years 1986 and 1987 and that 2 vacancies intended for direct recruitment remained unfilled during 1986 and they could be filled during 1987, the seniority position of the promotees and direct recruits of these two years will be as under: -

1986		1987	
1.	P1	9.	P1
2.	D1	10.	D1
3.	P2	11.	P2
4.	D2	12.	D2
5.	P3	13.	P3
6.	D3	14.	D3
7.	P4	15.	P4
8.	P5	16.	D4
		17.	P5
		18.	D5
		19.	D6
		20.	D7

4. In order to help the appointing authority in determining the number of vacancies to be filled during the year under each of the methods of recruitment prescribed, a vacancy register giving running account of the vacancies arising and being filled from year to year may be maintained in the proforma enclosed.

VACANCY REGISTER

		1986	1987	1988	BTC
1.	Total number of vacancies arising during the year.				
2.	**BY DIRECT RECRUITMENT**				
	(i) No. of vacancies to be filled.				
	(a) Vacancies of the year (as per quota prescribed).				
	(b) Vacancies of the previous year(s) brought forward.				
	(c) Total.				
	(ii) No. of vacancies actually filled.				
	(iii) No. of vacancies carried forward.				
3.	**BY PROMOTION**				
	(i) No. of vacancies to be filled.				
	(a) Vacancies of the year (as per quota prescribed).				
	(b) Vacancies of the previous year(s) brought forward.				
	(c) Total.				
	(ii) No. of vacancies actually filled.				

(iii) No. of vacancies carried forward.

Note 1 : The method of recruitment mentioned above are only illustrative; those relevant recruitment rules will be reflected in this Register.

Note 2 : In the cadres in which the yearly vacancies are sufficient in number to be amended for division as per the prescribed quotas, it is considered that maintenance of this Register alone will be adequate. In smaller cadres, however, where the number of vacancies arising is somewhat occasional and one or two in a year the appointing authority may have to maintain the recruitment roster, as at present, to be clear about the method under which a particular vacancy has to be filled.

---

5. With a view to curbing any tendency of under reporting/suppressing the vacancies to be notified to the concerned authorities for direct recruitment, it is clarified that promotees will be treated as regular only to the extent to which direct recruitment vacancies are reported to the recruiting authorities on the basis of the quotas prescribed in the relevant recruitment rules. Excess Promotees if any, exceeding the share falling to the promotion quota based on the corresponding figure notified for direct recruitment would be treated as only ad-hoc promotees.

6. The General Principles of seniority issued on 22nd Dec.1959 referred to above, may be deemed to have been codified to that extent.

7. These orders shall take effect from 1st March 1986. Seniority already determined in accordance with the existing principles on the date of issue or these orders will not be re-opened. In respect of vacancies for which recruitment action has already been taken, on the date of issue of the orders either by way of direct recruitment or promotion, seniority will continue to be determined in according with the principles in force prior to the issue of this O.M.

8. Ministry of Finance etc. are requested to bring these instructions to the notice of all the attached/subordinate Offices under them to whom the General Principles of seniority contained in O.M. dated 22.12.1959 are applicable within 2 weeks as these orders will be effective from the next month.

****

7 – 6

DOPTs O.M. No. 22011/7/86-Estt.(D) dated : 03.07.86

Sub: - Seniority – Consolidated orders on

The undersigned is directed to say that instructions have been issued by this Department from time to time laying down the principles for determining seniority of persons appointed to services and posts under the Central government. For facility of reference, the important orders on the subject have been consolidated in this office Memorandum. The number and date of the original communication has been quoted in the

margin so that the users may refer to it to understand fully the context in which the order in question was issued.

SENIORITY OR DIRECRT RECRUITS AND PROMOTEES

M.H.A.O.M. No.9/11/55-RPS dated 22.12.59

2.1 The relative seniority of all direct recruits is determined by the order of merit in which they are selected for such appointment on the recommendations of the U.P.S.C. or other selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result of a subsequent selection.

2.2 Where promotions are made on the bases of selection by a D.P.C., the seniority of such promotees shall be in the order in which they are recommended for such promotion by the Committee. Where promotions are made on the basis of seniority, subject to the rejection of the unfit, the seniority of persons considered fit for promotion at the same time shall be the same as the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by a junior, such persons shall not, if he is subsequently found suitable and promoted, take seniority in the higher grade over the junior persons who had superseded him.

2.3 Where persons recruited or promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit.

2.4 The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quota of vacancies reserved for direct recruitment and promotion respectively in the Recruitment Rules.

D.O.P.T.s O.M. No.35014/2/80-Estt(D) dated 7.2.86

2.4.2 If adequate number of direct recruits does not become available in any particular year, rotation of quotas for the purpose of determining seniority would take place only to the extent of the available direct recruits and the promotees.

In other words, to the extent direct recruits are not available, the promotees will be bunched together at the bottom of the seniority list below the last position up to which it is possible to determine seniority, on the basis of rotation of quotas with reference to the actual number of direct recruits, who become available. The unfilled direct recruitment quota vacancies would, however, be carried forward and added to the corresponding direct recruitment vacancies of the next year (and to subsequent years where necessary) for taking action for direct recruitment for the total number according to the usual practice. Thereafter in that year while seniority will be determined between direct recruits and promotees, to the extent of the number of vacancies for direct recruits and promotees as determined according to the quota for that year, the additional direct recruits selected against the carried forward vacancies of the previous year would be placed en-block below the last promotee (or direct recruit as the case may be), in the seniority list base on the rotation of vacancies for that year. The same principle holds good for determining

seniority in the event of carry forward, if any, of direct recruitment or promotion quota vacancies (as the case may be) in the subsequent year.

ILLUSTRATION : Where the Recruitment Rules provide 50% of the vacancies of a grade to be filled by promotion and the remaining 50% by direct recruitment, and assuming these are ten vacancies in the grade arising in each of the years 1986 and 1987 and that two vacancies intended for direct recruitment remain unfilled during 1986 and they could be filled during 1987, the seniority position of the promotees and direct recruits of these two years will be as under: -

1987		1987	
1.	P1	9.	P1
2.	D1	10.	D1
3.	P2	11.	P2
4.	D2	12.	D2
5.	P3	13.	P3
6.	D3	14.	D3
7.	P4	15.	P4
8.	P5	16.	D4
		17.	P5
		18.	D5
		19.	D6
		20.	D7

2.4.3 In order to help the appointing authorities in determining the number of vacancies to be filled during a year under each of the methods of recruitment prescribed, a vacancy register giving a running account of the vacancies arising and being filed from year to year may be maintained in the Proforma enclosed.

2.4.4 With a view to curbing any tendency of under reporting/suppressing the vacancies to be notified to the concerned authorities for direct recruitment, it is clarified that promotees will be treated as regular only to the extent to which direct recruitment vacancies are reported to the recruiting authorities in the basis of the quotas prescribed in the relevant recruitment rules. Excess promotees, if any, exceeding the share falling to the promotion quota based on the corresponding figure, notified for direct recruitment would be treated only as Ad-hoc promotees.

SENIORITY OF TRANSFEREES

M.H.A. O.M. No. 9/11/55-RPs dated 22.12.59

3.1 The relative seniority of persons appointed by transfer to a Central service from the subordinate offices of the Central Government or other departments of the Central or a State Government shall be determined in accordance with the order of their selection for such transfer.

3.2 Where such transfers are affected against specific quotas prescribed in the Recruitment Rules, the relative seniority of such transferees vis-à-vis direct recruits or promotees shall be determined according to the rotation of vacancies which shall

be based on the quotas reserved for transfer, direct recruitment and promotion respectively in the Recruitment Rules. Where the vacancies in any quota or quotas are carried forward, the principles stated in Para 2.4.2 will apply, mutatis-mutandis in determining inter-se-seniority of the appointees.

3.3 Where a person is appointed by transfer in accordance with the provisions in the Recruitment Rules providing for such transfer in the event of non-availability of suitable candidate by direct recruitment or promotion, such transferee shall be grouped with direct recruits or promotees, as the case may be. He shall be ranked below all direct recruits or promotees, as the case may be, selected on the same occasion.

DOPT O.M. No.22020/7/80-Estt.(D) dated 29.5.1986

3.4.1 In the case of person who is initially taken on deputation and absorbed later (i.e. where the relevant recruitment rules provide for "Transfer on deputation/Transfer"), his seniority in the grade in which he is absorbed will normally be counted from the date of absorption. If he has, however, been holding already (on the date of absorption) the same or equivalent grade on regular basis in his parent department, such regular service in the grade shall also be taken into account in fixing his seniority, subject to the condition that he will be given seniority from –

- the date he has been holding the post on deputation, (or)
- the date from which he has been appointed on a regular basis to the same or equivalent grade in his parent department, whichever is latter.

3.4.2 The fixation of seniority of a transferee in accordance with the above principle will not, however, affect any regular promotions to the next higher grade made prior to the date of such absorption. In other words, it will be operative only in filling up of vacancies in higher grade taking place after such absorption.

3.5 In case in which transfers are not strictly in public interest, the transferred officers will be placed below all officers appointed regularly to the grade on the date of absorption.

SENIORITY IN SPECIAL TYPES OF CASES

(M.H.A. O.M. No.37/1/52-LGS dated 10.7.54, O.M. No. 13/4/56-RPS dated 29.9.56 & No. 13/4/57-RPS dated 14.7.58)

4.1 In the case of such ex-T.B. or Pleurisy ex-Leprosy patients, as have been declared non-infective and medically fit for Government service, on re-employment in the same posts from which they were discharged the actual previous service rendered by them should be counted for seniority. The seniority of such persons re-employed in other posts will be fixed in consultation with the Department of Personnel and Training.

(M.H.A. O.M. No.9/13/62-Estt.(D) dated 10.10.62 & O.M. No. 9./30/63 Estt./ (D) dated 7.2.64)

4.2.1 An order imposing the penalty of reduction to a lower service, grade or post or to a lower time scale dt. Should invariably specify.

(i) the period of reduction, unless the clear intention is that the reduction should be permanent or for an indefinite period;
(ii) Whether on such re-promotion, the Government servant will regain his original seniority in the higher service, grade or post or higher time-scale which had been assigned to him prior to the imposition of the penalty.

4.2.2 In cases where the reduction is for a specified period and is not to operate to postpone future increment, the seniority of the Government servant may, unless the terms of the order of punishment provide otherwise, be fixed in the higher service, grade or post or the higher time scale at what it would have been but for his reduction.

4.2.3 Where the reduction is for a specified period and is to operate to postpone further increments, the seniority of the Government servant on re-promotion may, unless the terms of the order of punishment provide otherwise, be fixed by giving credit for the period of service rendered by him in the higher service, grade or post or higher time-scale.

(O.M. No.26/65-GS II dated 25.2.66 & O.M. No.9/22/68 Estt. (D) dated 6.2.69)

4.3.1 The surplus employees are not entitled for benefit of the past service rendered in the previous organization for the purpose of their seniority in the new organization. Such employees are to be treated as fresh organization. Such employees are to be treated as fresh entrants in the matter of their seniority, promotions etc.

4.3.2 When two or more surplus employees of a particular grade in an office are selected on different dates for absorption in a grade in another office, their inter-se-seniority in the latter office will be same as in their previous office provided that –

(i) No direct recruit has been selected for appointment to that grade in between these dates; and
(ii) If there are no fixed quotas for direct recruitment and promotion to the grade in question in the new office and no promote has been approved for appointment to that grade in between these dates.

4.3.3 When two or more surplus employees of a particular grade in an office are simultaneously selected for redeployment in another office in a grade their inter-se-seniority in the particular grade, on redeployment in the latter office, would be the same as it was in their previous office.

4.3.4 The above orders would not be applicable in respect of personnel who are appointed on the recommendations of the U.P.S.C. to posts/services recruitment to which is made through the Commission. Seniority of surplus officers appointed on the recommendations of the Commission will be decided on merits in consultation with the Commission.

5. It is requested that these instruction may be brought to the notice of all administrative authorities for information, guidance and compliance.

VACANCY REGISTER

		1986	1987	1988	BTC
1.	Total number of vacancies arising during the year.				
2.	**BY DIRECT RECRUITMENT**				
	(i) No. of vacancies to be filled.				
	(a) Vacancies of the year (as per quota prescribed).				
	(b) Vacancies of the previous year(s) brought forward.				
	(c) Total.				
	(ii) No. of vacancies actually filled.				
	(iii) No. of vacancies carried forward.				
4.	**BY PROMOTION**				
	(i) No. of vacancies to be filled.				
	(a) Vacancies of the year (as per quota prescribed).				
	(b) Vacancies of the previous year(s) brought forward.				
	(c) Total.				
	(ii) No. of vacancies actually filled.				
	(iii) No. of vacancies carried forward.				

Note 1 : The method of recruitment mentioned above are only illustrative; those prescribed in the relevant recruitment rules will be reflected in this Register.

Note 2 : In the cadres in which the yearly vacancies are sufficient in number to be amended for division as per the prescribed quotas, it is considered that maintenance of this Register alone will be adequate. In smaller cadres, however, where the number of vacancies arising is somewhat occasional and one or two in a year the appointing authority may have to maintain the recruitment roster, as at present, to be clear about the method under which a particular vacancy has to be filled

****

7 – 7

DOPTs O.M. No. 28034/6/86-Estt.(D) dated : 17.11.86

Sub: - Convening of annual meeting of DPC's – Avoidance of delay in.

Attention of the Ministries/Departments is invited to the marginally noted instructions emphasizing the need for holding meetings of Departmental Promotion Committees at regular annual intervals to draw panels, which could be utilized for making promotions against vacancies occurring during the course of a year.

O.M. No.22011/6/75-Estt.(D) dated 30.12.75

Inspite of these clear instructions, a number of instances of delay in holding DPC meetings have come to notice. One of the reasons given by Ministries/Departments to justify the delay is that Recruitment Rules for the post are being reviewed/amended. This is not an appropriate ground to postpone the meetings of DPCs. Amendments to the Recruitment Rules can normally have only prospective application and as such the existing Recruitment Rules would continue to be in force till the new rules come into force. The Supreme Court has also ruled that vacancies should be filled according to the rules in force when the vacancies arose. It is, therefore, neither desirable nor permissible to postpone holding of DPC meetings solely on the ground that the Recruitment Rules are under revision/Amendment. The DPCs should, therefore, be convened in time and the panel of officers for promotion finalize in accordance with the existing Recruitment Rules.

O.M. No.22012/2/79-Estt.(D) dated 19.09.1979
O.M. No.22012/2/79-Estt.(D) dated 25.02.1981

Ministry of Finance etc. are, therefore, requested to bring the above instructions to the notice of all officers under them for their guidance and necessary action.

****

7 – 8

DOPTs O.M. No. 22011/5/86-Estt.(D) dated : 10.03.89

Sub: - Procedure to be observed by Departmental Promotion Committees.

The undersigned is directed to say that in modification of existing instructions issued in regard to the subject mentioned above, the following procedure shall be observed by the Departmental Promotion Committees: -

Each Departmental Committee should decide its own method and procedure for objective assessment of the suitability of the candidates. No interviews should be held unless it has been specifically provided for in the recruitment rules for the post/service. Whenever promotions are to be made by the method of selection by DPC and the administrative ministry desires that an interview should form part of the selection process, necessary provision should be made in the recruitment rules.

2.1.1 SELECTION METHOD

Where promotions are to be made by 'selection-cum-seniority' & 'selection by merit' method as prescribed in the recruitment rules, the DPC shall, for the purpose of determining the number of officers who will be considered from out of those eligible officers in the feeder grade restrict the field of choice as under with reference to the number of clear regular vacancies proposed to be filled in the year.

No. of vacancies	No. of officers to be considered
1	5
2	8
3	10
4	3 times the number of vacancies

2.1.2 GUIDELINES FOR DPCs

At present DPCs enjoy full discretion to devise their own methods and procedure for objective assessment of the suitability of candidates who are to be considered by them in order to ensure greater selectivity in matters of promotions and for having uniform procedures for assessment by DPCs fresh guidelines are being prescribed. The matter has been examined and the following broad guidelines are laid down to regulate the assessment of suitability of candidates by DPCs.

2.1.3 While merit has to be recognized and rewarded, advancement in an officer's career should not be regarded as a matter of course but should be earned by dint of hard work, good conduct and result oriented performance as reflected in the annual confidential reports and based on strict and rigorous selection process.

2.1.4 Government also desires to clear the misconception about "Average" performance. While "Average" may not be taken as an adverse remark in respect of an officer, at the same time it cannot be regarded as complimentary to the officer as "Average" performance should be regarded as routine and undistinguished, it is only performance that is above average and performance that is really noteworthy which should entitle an officer to recognition and suitable rewards in the matter of promotion.

CONFIDENTIAL REPORTS

2.2.1 Confidential Rolls are the basic inputs on the basis of which assessment is to be made by each DPC. The evaluation of CRs should be fair, just and non-discriminatory. Hence –

(a) The DPC should consider CRs for equal number of years in respect of all officers considered for promotion subject to (c) below.

(b) The DPC should assess the suitability of the officers for promotion on the basis of their service record and with particular reference to the CRs for 5 preceding years. However, in cases where the required qualifying service is more than 5 years the DPC should see the record with particular reference to the CRs for the years equal to the required qualifying service (if more than one CR has been written for a particular year, all the CRs for the relevant year shall be considered together as CR for one year).

(c) Where one or more CRs have not been written for any reason during the relevant period, the DPC should consider the CRs of the years preceding the period in question and if in any case even these are not available, the DPC should take the CRs of the lower grade into account to complete the number of CRs required to be considered as per (b) above. If this is also not possible all the available CRs should be taken into account.

(d) Where an officer is officiating in the next higher grade and has earned CRs in that grade, his CRs in that grade may be considered by DPC in order to assess his work, conduct and performance, but no extra weightage may be given merely on the ground that he has been officiating in the higher grade.

(e) The DPC should not be guided merely by the overall grading, if any, that may be recorded in the CRs, but should make its own assessment on the basis of the entries in the CRs. Because it has been noticed that sometimes the overall grading in a CR may be inconsistent with the grading under various parameters of attributes.

(f) If the Reviewing Authority or the Accepting authority as the case may be has over ruled the Reporting Officer or the Reviewing authority as the case may be, the remarks of the latter authority should be taken as the final remarks for the purposes of assessment provided it is apparent from the relevant entries that the higher authority has come to a different Assessment consciously after due application of mind. If the remarks of the Reporting Officer, Reviewing authority and Accepting authority are complementary to each other and one does not have the effect of over ruling the other then the remarks should be read together and the final assessment made by the DPC.

2.2.2 In the case of each officer, an overall grading should be given. The grading shall be one among (i) Outstanding (ii) very Good (iii) Good (iv) Average (v) Unfit; excepting cases covered under Para 2.3.1(ii).

2.2.3 Before making the overall grading after considering the CRs for the relevant years the DPC should take into account whether the officer has been awarded any major or minor penalty or whether any displeasure of any superior officer or authority has been conveyed to him as reflected in the CRs. The DPC should also have regard to the remarks against the column on integrity.

2.3.1 The list of candidates considered by the DPC and the overall grading assigned to each candidate, would form the basis for preparation of the panel for promotion by the DPC. The following principles should be observed in the preparation of the panel.

(i) Having regard to the levels of the posts to which promotions are to be made, the nature and importance of duties attached to the posts a bench mark grade would be determined for each category of posts. For all Group 'C', Group 'B' and Group 'A' posts up to (and excluding) the level of Rs.3700-5000 excepting promotions for induction to Group 'A' posts or services from lower Groups, the bench mark would be 'Good'. All officers whose overall grading is equal to or better than the bench mark, should be

included in the panel for promotion to the extent of the number of vacancies. They will be arranged in the order of their inter-se-seniority in the lower category without reference to the overall grading obtained by each of them provided that each one of them has an overall grading equal to or better than the bench mark of 'Good'.

Wherever promotions are made for induction to Group 'A' posts or services from lower groups the bench mark would continue to be 'Good'. However, officers graded as 'outstanding' would rank enbloc senior to those who are graded as 'Very Good' and officers graded as 'Very Good' would rank enbloc senior to those who are graded as 'Good' and placed in the select panel accordingly up to the number of vacancies. Officers with same grading maintaining their inter-se-seniority in the feeder post.

(ii) In respect of all posts which are in the level of Rs.3700-5000 and above, the bench mark grade should be 'Very Good'. However officers who are graded as 'Outstanding' would rank enbloc senior to those who are graded as 'Very Good' and placed in the select panel accordingly up to the number of vacancies. Officers with same grading maintaining their inter-se-seniority in the feeder post.

(iii) Appointments from the panel shall be made in the order of names appearing in the panel for promotion.

(iv) Where sufficient number of officers with the required bench mark grade is not available within the zone of consideration, officers with the required bench mark will be placed on the panel and for the unfilled vacancies the appointing authority should hold a fresh DPC by considering the required number of officer beyond the original zone of consideration.

2.3.2 (i) In promotions by 'selection-cum-seniority' and 'selection by merit' to posts/services within Group 'A' which carry an ultimate salary of Rs.5700/- p.m. in the revised scale, the SC/ST officers who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the Select List has to be drawn up would not withstand the prescription of bench mark be included in that list provided they are not considered unfit for promotion.

(ii) In promotion by 'selection-cum-seniority' to posts/services from group 'C' to Group 'B' within Group 'B' and from Group 'B' the lowest rank in-Group 'A', selection against vacancies reserved for SCs and STs will be made only from those SC/ST officers, who are within the normal zone of consideration prescribed vide the Department of personnel & A.R.O.M. No.22011/3/76 (Estt.(D), dated 24th December 1980. Where adequate number of SC/ST candidates are not available within the normal field of choice, it may be extended to five times the number of vacancies and the SC/ST candidates (and not any other) coming within the extended field of choice should also be considered against the vacancies reserved for them. If candidates from SC/STs obtained on the basis of merit with due regard to seniority, on the same basis as others, less number of vacancies than the number reserved for them, the difference should be made up by selecting candidates of these communities who are in the zone of consideration, irrespective of merit and 'bench mark' but who are considered fit for

promotion. Officers belonging to SC/ST selected for promotion against vacancies reserved for them from within the extended field of choice would however be placed enbloc below all the other officers selected from within the normal field of choice.

(iii) As regards promotions made by 'selection-cum-seniority' in Group 'C' and Group 'D' posts/services, Select List of SC/ST officers should be drawn up separately in addition to the general Select List, to fill up the reserved vacancies. SC/ST officers, who are within the normal zone of consideration, should be considered for promotion along with and adjudged on the same basis as others and those SCs/STs amongst them, who are selected on the basis may be included in the general Select List in addition to their being considered for inclusion in the separate Select Lists for SCs/STs and respectively. In the separate Select Lists drawn up respectively for SCs & STs, officers belonging to the SCs and STs will be adjudged separately amongst themselves and not along with others and, if selected, they should be included in the concerned separate list irrespective of their merit as compared to other officers, and the bench mark. If candidates from SC/STs obtain on the basis of their position in the aforesaid general list lesser number of vacancies than are reserved for them, the difference should be made up by selected candidates of these communities in the separate Select Lists for SCs and STs respectively.

PREPARATION OF YEAR WISE PANELS BY DPC WHERE THEY HAVE NOT MET FOR A NUMBER OF YEARS.

2.4.1 Where for reasons beyond control, the DPC could not be held in an year (a), even though the vacancies arose during that year (or years), the first DPC that meets thereafter should follow the following procedure.

(i) Determine the actual number of regular vacancies that arose in each of the previous year(s) immediately preceding and the actual number of regular vacancies proposed to be filled in the current year separately.

(ii) Consider in respect of each of the years those officers only who would be within the field of choice with reference to the vacancies of each year starting with the earliest year onwards.

(iii) Prepare a 'Select List' by placing the Select List of the earlier year above the one for the next year and so on.

2.4.2 Where a DPC has already been held in a year, and further vacancies arise during the same year due to death, resignation, voluntary retirement, etc. or because the vacancies were not intimated to the DPC due to error or omission on the part of the Department concerned, the following procedure should be followed: -

(i) Vacancies due to death, voluntary retirement, new creation etc. clearly belong to the category which could not be foreseen at the time of placing facts and material before the DPC. In such cases, another meeting of the DPC should be held for drawing up a panel for these vacancies as these vacancies could not be anticipated at the time of holding the earlier DPC. If, for any reason, the DPC

cannot meet for the second time, the procedure of drawing up of year wise panels may be followed when it meets next for preparing panels in respect of vacancies that arise in subsequent year(s).

(ii) In the second type cases of non-reporting of vacancies due to error or omission (i.e.) though the vacancies were there at the time of holding of DPC meeting they were not reported to, it results in injustice to the officers concerned by artificially restricting the zone of consideration. The wrong done cannot be rectified by holding a second DPC or preparing an year wise panel. In all such cases, a review DPC should be held keeping in mind the total vacancies of the year.

2.4.3 For the purpose of evaluating the merit of the officers while preparing year wise panels the scrutiny of the record of service of the officers should be limited to the records that would have been available head the DPC met at the appropriate time, for instance for preparing panel relating to the vacancies of 1978 the latest available records of service of the officers either up to December 1977 or the period ending March, 1978 as the case may be, should be taken into account and not the subsequent ones. However, if on the date of the meeting of the DPC. Departmental proceedings were not in existence in the year to which the vacancy related. The officers name should be kept in the sealed cover till the proceedings are finalized.

2.4.4 While promotions will be made in the order of the consolidated Select List such promotions will have only prospective effect even in cases where the vacancies relate to earlier year(s).

3. **Non-Selection Method.**

Where the promotions are to be made on non-selection basis according to Recruitment Rules, the DPC need not make a comparative assessment of the records of officers and it should categories the officers as 'fit' or 'not yet fit' for promotion on the basis of assessment of their record of service. While considering an officer 'fit', guidelines in Para 2.1.4 should be borne in mind. The officers categorized as 'fit' should be placed in the panel in the order of their seniority in the grade from which promotions are to be made.

4. These instructions will take effect from 1st April 1989.

5. Ministries/Departments are requested to bring these instructions to the notice of all concerned, including their attached and subordinate officers, for guidance and also to ensure their compliance.

****

7 – 9

DOPTs O.M. No. 22014/5/86-Estt.(D) dated : 10.04.1989

Sub: - Departmental Promotion Committees and related matters – Consolidated instructions on.

The undersigned is directed to say that instructions on the constitution and functioning of **Departmental Promotion Committees** and the procedure to be followed in processing and implementing the recommendations of D.P.Cs. were issued in a consolidated form, vide this Departments' OM No. 22011/6/75-Estt.(D), dated 30th December, 1976. Instructions have also been issued subsequently clarifying/modifying certain aspects of the procedure. The various instructions have been updated and consolidated in the form of **"Guide Lines on Departmental Promotion Committees"**, a copy of which is forwarded herewith.

GUIDE LINES ON DEPARTMENTAL PROMOTION COMMITTEES

CONTENTS INDEX *Page No.*

PART-I FUNCTIONS AND COMPOSITION OF DEPARTMENTAL PROMOTION COMMITTEES 126
- Functions of DPCs
- Composition of DPCs.

PART-II FREQUENCY OF DEPARTMENTAL PROMOTION COMMITTEE MEETINGS 129
- Frequency at which DPC should meet

PART-III PREPARATORY ACTION FOR HOLDING DEPARTMENTAL PROMOTION COMMITTEES 129
- Determination of regular vacancies.
- Papers to be put for consideration by DPCs
- Consideration of officers on deputation
- Consideration of officers on study leave
- Consideration of direct recruits
- Reservation of SCs/STs

PART-IV PROCEDURE TO BE OBSERVED BY DEPARTMENTAL PROMOTION COMMITTEES 132
- Selection Method
- Confidential Reports
- Preparation of year wise panels by DPC where they have not met for a number of years.
- Non Selection Method
- Confirmation
- Probation
- Efficiency Bar
- Procedure to be followed by DPC in respect of Government servants under cloud.
- Adverse remarks in a CR
- Validity of the proceedings of DPCs when one member is absent.

PART-V PROCESSING AND IMPLEMENTATION OF THE RECOMMENDATION OF DEPARTMENTAL PROMOTION COMMITTEES. 139

- Processing of recommendation of DPC
- Consultation with UPSC
- Approval of ACC
- Procedure to be followed when the Appointing Authority does not agree with Recommendation of DPC.
- Appointing Authority to take decision within 3 months.
- Implementation of the recommendations of DPC Vigilance clearance
- Order in which promotions to be made
- Where eligible by direct recruitment and promotion
- Promotion of Officers on deputation
- EB cases
- Sealed cover cases-Action after completion of Disciplinary/criminal prosecution
- Six monthly Review of sealed cover cases
- Sealed cover procedure for confirmation
- Procedure for ad-hoc promotion
- Sealed cover procedure applicable to offices coming under cloud before promotion
- Date from which promotions are to be treated as Regular
- Refusal of Promotion
- Validity of a panel
- Review of panels

PART-VI REVIEW OF DEPARTMENTAL PROMOTION COMMITTEES 147

- When Review DPCs may beheld
- Scope and Procedure
- Cases where adverse remarks have been expunged or toned down

ANNEXURE

I. Proforma for referring proposals for promotion to Union Public Service Commission.
II. Proforma for referring proposals for confirmation (*Note : not printed)*
III. Check list for promotion cases
IV. Position regarding year-wise availability of ACRs.

PART – I

FUNCTIONS AND COMPOSTION OF DEPARTMENTAL PROMOTION COMMITTEES.

FUNCTION OF DPCs

A post is filled by promotion where the Recruitment Rules so provide. In making promotions, it should be ensured that suitability of the candidates for promotion is considered in an objective and impartial manner. For this purpose, Departmental Promotion Committee should be formed in each Ministry/Department/Office whenever an occasion arises for making promotions/confirmations etc. The DPCs so constituted shall judge the suitability of officers for: -

(a) Promotions to selection by merit' as well as "Selection-cum-Seniority" (non-selection) posts.
(b) Confirmation in their respective grades/posts;
(c) Assessment of the work and conduct of probationers for the purpose of determining their suitability for retention in service or their discharge from it or extending their probation; and
(d) Consideration of cases of Government servants for crossing the Efficiency Bar.

Composition of DPC

2.1 Members included in DPCs for Group 'A' & 'B' posts should be officers who are at least one step above the posts in which promotion/confirmation is to be made as indicated below:

	Pay scale (revised of the post in which confirmation or to which promotion is to be considered by the DPC	Minimum status of officers who should be members of the DPC	
1.	Rs.2200-4500 or equivalent Rs.2000-4500 or equivalent	Officers of the rank of Deputy Secretary to the Government of Indian or above.	
2.	Rs.3000-5000 or equivalent	Officers of the rank of Director or above	
3.	Rs.3700-5000 or equivalent Rs.4100-5300 or equivalent Rs.4500-5700 or equivalent	Officers of the rank of Joint Secretary to the Govt. of India or above.	In such cases the Secretary/Additional Secy. of the Department/Ministry should invariably be one of the members of the DPCs.
4.	Rs.5100-5700 or equivalent Rs.5900-6700 or equivalent	Secretary/Additional Secy. to the Govt. of India.	

2.2 The Union Public Service Commission (UPSC) should be associated with DPCs in respect of all Central Civil Services posts belonging to the Group 'A' where promotion is based on the principles of 'Selection-cum-Seniority' and 'Selection by Merit' unless it has been decided by the Government not to associate the UPSC with a Group 'A' DPC. The UPSC need not be associated in respect of posts belonging to Group 'A', if the promotion is based not on the principles of 'Selection-cum-Seniority' and 'Selection by Merit' but on seniority-cum-fitness.

2.3 The Commission need not be associated with a DPC constituted for considering the cases of confirmation of officers. The proceedings of the DPC which considered the confirmation of Group 'A' officers should, however, be sent to the Commission for their approval. While doing so, the cases of officers not considered fit for confirmation along with their records should be specifically referred to the Commission for their approval.

2.4 Whenever the UPSC is associated with a DPC, the Chairman or a Member of the Commission will preside at the meeting of the DPC.

2.5 In respect of a DPC for Group 'C' & 'D' posts for Chairman of the DPC should be an officer of a sufficiently high level and one of the members of the DPC should be an officer from a Department not connected with the Department, with the one in which promotions are considered. The other member(s) should be an officer of the Department familiar with the work of the persons whose suitability is to be assessed. The officer of another Department appointed as a member of the DPC should also be of an appropriate level keeping in view the level of the other members of the DPC and the post to which promotion is to be made. In the case of a DPC constituted for promotions to a technical post it may also be ensured that the officer nominated by another Department has also the requisite technical competence to advise on the suitability of the candidates under consideration.

2.6 Endeavour should also be made to nominate an SC/ST officer on the DPC constituted for various posts/services particularly where a DPC has to make bulk selection for a large number of vacancies, say 30 or more at a time. Where an outside member has to be associated with the DPC for Group 'C' or Group 'D' posts, there would be no objection to nominate on such a DPC, a SC/ST officer from such other Ministry/Department in the event of such officer not being available in the Ministry/Department itself.

2.7 In Group 'A' and Group 'B' Services/posts, if none of the officers included in the DPC as per the composition given in the recruitment rules is a SC or ST officer, it would be in order to co-opt a member belonging to the SC or ST if available within the Ministry/Department. If no such officer is available within the Ministry/Department, he may be taken from another Ministry/Department.

2.8 The composition of the DPC for considering the case, of Government servants for crossing the EB in a time scale of pay should be the same as the DPC constituted for the purpose of considering the cases of confirmation of the Government servants concerned with the only change that the UPSC need not be associated for considering EB cases.

PART – II

FREQUENCY OF DEPARTMENTAL PROMOTION COMMITTEE MEETINGS.

FREQUENCY OF WHICH DPC SHOULD MEET

3.1 The DPCs should be convened at regular annual intervals to draw panels which could be utilized on making promotions against the vacancies occurring during the course of a year. For this purpose it is essential for the concerned appointing

authorities to initiate action to fill up the existing as well as anticipated vacancies well in advance of the expiry of the previous panel by collecting relevant documents like CRs, integrity certificates, seniority list etc. for placing before the DPC. DPCs could be convened every year if necessary on fixed date e.g., 1st April or May. The Ministries/Departments should lay down a time schedule for holding DPCs under their control and after laying down such a schedule the same should be monitored by making one of their officers responsible for keeping a watch over the various cadre authorities to ensure that they are held regularly. Holding of DPC meetings need not be delayed or postponed on the ground that recruitment rules for a post are being reviewed/amended. A vacancy shall be filled in accordance with the recruitment rules in force on the date of vacancy, unless rules made subsequently have been expressly given retrospective effect. Since amendments to recruitment rules normally have only prospective application, the existing vacancies should be filled as per the recruitment rules in force.

3.2 The requirement of convening annual meetings of the DPC should be dispensed with only after a certificate has been issued by the appointing authority that there are no vacancies to be filled by promotion or no officers are due for confirmation during the year in question.

PART – III

PREPARATORY ACTION FOR HOLDING DEPARTMENTAL PROMOTION COMMITTEES

DETERMINATION OF REGULAR VACANCIES

It is essential that the number of vacancies in respect of which a panel is to be prepared by a DPC should be estimated as accurately as possible. For this purpose the vacancies to be taken into account should be the clear vacancies arising in a post/grade/service due to death, retirement, resignation, regular long term promotion and deputation or from creation of additional posts on a long term. As regards vacancies arising out of deputation, only those cases of deputation for periods exceeding one year should be taken into account, due note, however, being kept also of the number of the deputation lists likely to return to the cadre and who have to be provided for. Purely short term vacancies created as a result of officers proceeding on leave, or on deputation for a shorter period, training etc., should not be taken into account for the purpose of preparation of a panel. In cases where there has been delay in holding DPCs for a year or more, vacancies should be indicated year wise separately.

PAPERS TO BE PUT UP FOR CANSIDERATION BY DPCs

4.2.1 In the case of promotions, the proposals should be placed before the DPC in the proforma given in Annexure-I. As regards cases of confirmation, the proposals should be put up before the DPC in the proforma given in Annexure-II. These proformas should be completed and submitted to the DPC, whether the UPSC is associated with the DPC or not.

4.2.2 Where a member of the UPSC has to attend a meeting of a DPC, the necessary documents should be sent to the Commission along with the references requesting

the Commission to nominate one of their Members to preside over the DPC. The papers should be complete as per the Check List given in Annexure-III and should be sent in good time before the meeting.

4.2.3 No proposal for holding a DPC or Selection Committee should be sent to UPSC until and unless all the ACRs complete and up date are available. In certain cases involving collection of large number of ACRs, the proposal can be sent only if at least 90% of the ACRs (up-to-date and complete) are available. Every effort should be made to keep the ACRs dossiers up to date, lest this aspect is advanced as the reason for not holding DPCs in time. The officer referred in Para 3.1 should also be responsible for monitoring the completion of the ACR dossiers.

4.2.4 The ACR folder should be checked to verify whether the ACRs for the individual years are available. For this purpose, the Performa enclosed (Annexure-IV) should be filled in and sent to UPSC. If the ACR for a particular year is not available and for valid/justifiable reasons it cannot be made available, a certificate should be recorded to that effect and placed in the ACR folder.

4.2.5 The integrity certificate on the lines indicated below should be furnished to the DPCs constituted to consider cases for promotion or confirmation.

> **"The records of service of the following officers who are to be considered for promotion/confirmation in the grade have been carefully scrutinized and it is certified that there is no doubt about their integrity."**

If there are names of persons, in the list of eligible candidates, whose integrity is suspect or has been held in doubt at one stage or other, this fact should also be specifically recorded by the Ministry/Department/Office concerned and brought to the notice of the DPC.

4.2.6 Where the UPSC is associated with the DPC, the certificate will be recorded by an officer not below the rank of a Deputy Secretary to the Government. Where UPSC is not associated, the officer-in-charge of the Administration section in the Ministry/Department/office concerned who processes and submits names and particulars of eligible officers to the DPC should himself record the certificate.

4.2.7 It should be ensured that the information furnished to the UPSC/DPC is factually correct and complete in all respects. Cases where incorrect information has been furnished should be investigated and suitable action taken against the person responsible for it.

CONSIDERATION OF OFFICERS ON DEPUTATION

4.3.1 The names of the officers who are on deputation, either on their own volition or in public interest (including foreign service), should also be included in the list submitted to the DPC for consideration for promotion in case they come within the field of choice for promotion and fulfill the prescribed eligibility conditions. Similarly, the names of the officers on deputation should also be included in the list of names to be considered by the DPC for confirmation, in case they are eligible for confirmation and come within the range of seniority.

4.3.2 Vary often a certain number of years of service in the lower grade is prescribed as a condition for becoming eligible for consideration for promotion to a higher post/ grade. In such cases, the period of service rendered by an officer on deputation/Foreign Service, should be treated as comparable service in this parent department for the purposes of promotion as well as confirmation. This is subject to the condition that the deputation/foreign service, is with the approval of the competent authority and it is certified by the competent authority that but for deputation/foreign service, the officer would have continued to hold the relevant post in his parent department. Such a certificate would not be necessary if he was holding the departmental post in a substantive capacity.

CONSIDERATION OF OFFICERS ON STUDY LEAVE

4.4 An officer proceeding on study leave should be treated on the same basis as an officer proceeding on deputation if the study leave was duly sanctioned by the competent authority and the competent authority certified that he would have continued to officiate but for his proceeding on study leave. Such a certificate would not be necessary if he was holding the said departmental post substantively. These instructions would also apply in the cases of Government servants who are granted special leave for training abroad under the various training schedules.

CONSIDERATION OF DIRECT RECRUITS

4.5 It may happen that a Government servant who is recommended for appointment to a post as a direct recruit may also be among those eligible for consideration for promotion to the same post. An officer does not lose his right of consideration for such promotion merely because he has been recommended for appointment against the direct recruitment quota. Therefore, such officers, if they are within the field of eligibility, should be included in the list of officers for consideration by the DPC, excepting where an officer was holding the lower post in a temporary capacity and has been appointed to the higher post as a direct recruit before the date of the meeting of the DPC.

RESERVATION FOR SCs/STs

4.6 Instructions have been issued from time to time by the Department of Personnel and Training regarding reservations and concessions to SCs and STs in the matter of promotions and confirmations. These instructions should be duly taken into account by the appointing authorities while formulating proposals for promotion/confirmation for consideration of the DPC.

PART – IV

PROCEDURE TO BE OBSERVED BY DEPARTMENTAL PROMOTION COMMITTEES.

5. Each Departmental Committee should decide its own method and procedure for objective assessment of the suitability of the candidates. No interviews should be held unless it has been specifically provided for in the recruitment rules for the post/service. Whenever promotions are to be made by the method of 'Selection-

cum-Seniority' and 'Selection by Merit' by DPC and the administrative ministry desires that an interview should form part of the selection process, necessary provision should be made in the recruitment rules.

Selection Method

6.1.1 Where promotions are to be made by 'Selection-cum- Seniority' and 'Selection by Merit' method as prescribed in the recruitment rules, the DPC shall, for the purpose of determining the number of officers who will be considered from out of those eligible officers in the feeder grade(s), restrict the field of choice as under with reference to the number of clear regular vacancies proposed to be filled in the year.

No. of vacancies	***No. of officers to be considered***
1	5
2	8
3	10
4	3 times the number of vacancies

GUIDELINES FOR DPCS

6.1.2 At present DPCs enjoy full discretion to devise their own methods and procedures for objective assessment of the suitability of candidates who are to be considered by them. In order to ensure greater selectivity in matters of promotions and for having uniform procedures for assessment by DPCs, fresh guidelines are being prescribed. The matter has been examined and the following broad guidelines are laid down to regulate assessment of suitability of candidates by DPCs.

6.1.3 While merit has to be recognized and rewarded, advancement in an officer's career should not be regarded as a matter of course, but should be earned by dint of hard work, good conduct and result oriented performance as reflected in the annual confidential reports and based on strict and rigorous selection process.

6.1.4 Government also desires to clear the misconception about "Average" performance should be regarded as routine and undistinguished. It is only performance that is above average and performance that is really noteworthy which should entitle an officer to recognition and suitable rewards in the matter of promotion.

CONFIDENTIAL REPROTS

6.2.1 Confidential Rolls are the basic inputs on the basis of which assessment is to be made by each DPC. The evaluation of CRs should be fair, just and non-discriminatory. Hence: -

(a) The DPC should consider CRs for equal number of years in respect of all officers considered for promotion subject to (c) below:

(b) The DPC should assess the suitability of the officers for promotion on the basis of their service record and with particular reference to the CRs for 5 preceding years. However, in cases where the required qualifying service is more than 5 years, the DPC should see the record with particular reference

to the CRs for the years equal to the required qualifying service. (If more than one CR has been written for a particular year, all the CRs for the relevant year shall be considered together as the CR for one year).

(c) Where one or more CRs have not been written for any reason during the relevant period, the DPC should consider the CRs of the years preceding the period in question and if in any case ever these are not available the DPC should take the CRs of the lower grade into account to complete the number of CRs required to be considered as per (b) above. If this is also not possible, all the available CRs should be taken into account.

(d) Where an officer is officiating in the next higher grade and has earned CRs in that grade, his CRs in that grade may be considered by the DPC in order to assess his work, conduct and performance, but no extra weightage may be given merely on the ground that he has been officiating in the higher grade.

(e) The DPC should not be guided merely by the overall grading, if any, that may be recorded in the CRs but should make its own assessment on the basis of the entries in the CRs, because it has been noticed that sometimes the overall grading in a CR may be inconsistent with the grading under various parameters or attributes.

(f) If the Reviewing authority or the Accepting authority as the case may be has over ruled the Reporting Officer or the Reviewing authority as the case may, the remarks of the latter authority should be taken as the final remarks for the purposes of assessment provided it is apparent from the relevant entries that the higher authority has come to a different assessment consciously after due application of mid. If the remarks; of the Reporting Officer, Reviewing authority and Accepting authority are complementary to each other and one does not have the effect of over ruling the other, then the remarks should be read together and the final assessment made by the DPC.

6.2.2 In case of each officer an overall grading should be given. The grading shall be one among (i) Outstanding (ii) Very Good (iii) Good (iv) Average (v) Unfit.

6.2.3 Before making the overall grading after considering the CRs for the relevant years, the DPC should take into account whether the officer has been awarded any major or minor penalty or whether any displeasure of any superior office or authority has been conveyed to him as reflected in the ACRs. The DPC should also have regard to the remarks against the column on integrity.

6.3.1 The list of candidates considered by the DPC and overall grading assigned to each candidate, would form the basis for preparation of the panel for promotion by the DPC. The following principles should be observed in the preparation of the panel.

Selection-cum-Seniority and Selection by Merit

(i) Having regard to the levels of the posts to which promotions are to be made, the nature and importance of duties attached to the posts a bench mark grade would be determined for each category of posts. For all Group ‘C’ Group ‘B’

and Group 'A' posts (up to and excluding the level of Rs.3700-5000) excepting promotions for induction to Group 'A' posts or Service from lower groups, the bench mark would be 'Good'. All officers whose overall grading is equal to or better than the bench mark should be included in the panel for promotion to the extent of the number of vacancies. They will be arranged in the order of their inter-se-seniority in the lower category without reference to the overall grading obtained by each of them provided that each one of them has an overall grading equal to or better than the bench mark of 'Good'.

Whenever promotions are made for induction to Group 'A' posts or Services from lower groups, the bench mark would continue to be 'Good'. However, officers graded as 'Outstanding' would rank en-bloc senior to those who are graded as 'Very Good' and officers graded as 'Very Good' would rank en-bloc senior to those who are graded as 'Good' and placed in the select panel accordingly up to the number of vacancies, officers with same grading maintaining their inter-se-seniority in the feeder post.

(ii) In respect of all posts which are in the level of Rs.3700-5000 and above, the bench mark grade should be 'Very Good'. However, officers who are graded as 'Outstanding' would rank en-bloc senior to those who are graded as 'Very Good' and placed in the select panel accordingly up to the number of vacancies, officers with same grading maintaining their inter-se-seniority in the feeder post.

(iii) Appointments from the panel shall be made in the order of names appearing in the panel for promotion.

(iv) Where sufficient number of officers with the required bench mark grade is not available within the zone of consideration, officers with the required benchmark will be placed on the panel and for the unfilled vacancies; the appointing authority should hold a fresh DPC by considering the required number of officers beyond the original zone of consideration.

***(Note: -** The provisions above (I to iv) have been replaced as under vide DOP's O.M. No. 22011/5/91-ESTT(D) dated 27.3.97)*

6.3.2 (i) In promotions by 'Selection-cum-Seniority' and 'Selection by Merit' to posts/services within Group 'A' which carry an ultimate salary of Rs.5700/- p.m. in the revised scale, the SCs/STs officers, who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the Select List has to be drawn up, would not withstanding the prescription of 'benchmark' – be included in that list provided they are not considered unfit for promotion.

(ii) In promotion by 'Selection-cum-Seniority' to posts/services in Group 'B' within Group 'B' and from Group 'B' to the lowest rung in Group 'A' selection against vacancies reserved for SCs and STs will be made only from those SCs/STs officers, who are within normal zone of consideration prescribed vide the Department of Personnel and A.R. O.M. No. 22011/3/76-Est.(D) dated 24th December, 1980. Where adequate number of SCs/STs candidates is not available within the normal field of choice, it

may be extended to five times the number of vacancies and the SCs/STs candidates coming within the extended field of choice should also be considered against the vacancies reserved for them. If candidates from SCs/STs obtain on the basis of merit with due regard to seniority, on the same basis as others, lesser number of vacancies than the number reserved for them, the difference should be made up by selecting candidates of these communities, who are in the zone of consideration, irrespective of merit and 'bench mark' but who are considered fit for promotion.

(iii) As regards promotions made by 'Selection-cum-Seniority' in Group 'C' and Group 'D' posts/services, Select Lists of SCs/STs officers should be drawn up separately in addition to the general Select List, to fill up the reserved vacancies. SCs/STs officers who are within the normal zone of consideration, should be considered for promotion along with and adjudged on the same basis as others and those SCs and STs amongst them, who are selected on that basis may be included in the general Select List in addition to their being considered for inclusion in the separate Select List for SCs and STs respectively. In the separate Select Lists drawn up respectively for SCs and STs. Officers belonging to the SCs and STs will be adjudged separately amongst themselves and not along with others and, if selected, they should be included in the concerned separate list, irrespective of their merit as compared to other officers and the 'bench mark' determined by the cadre authorities. If candidates from SCs/STs obtain on the basis of their position in the aforesaid general list, lesser number of vacancies than are reserved for them, the difference should be made up by select candidates of these communities in the separate Select Lists for SCs and STs respectively.

Preparation of year wise panels by DPC where they have not met for a number of year.

6.4.1 Where for reasons beyond control, the DPC could not be held in an year(s), even though the vacancies arose during that year (or years), the first DPC that meets thereafter should follow the following procedures.

(i) Determine the actual number of regular vacancies that arose in each of the previous year(s) immediately preceding and the actual number of regular vacancies proposed to be filled in the current year separately.

(ii) Consider in respect of each of the years those officers only who would be within the field of choice with reference to the vacancies of each year starting with the earliest year onwards.

(iii) Prepare a 'Select List' by placing the Select List of the earlier year above the one for the next year and so on.

6.4.2 Where a DPC has already been held in a year further vacancies arising during the same year due to death, resignation, voluntary retirement etc. or because the vacancies were not intimated to the DPC due to error or commission on the part of the Department concerned, the following procedure should be followed: -

(i) Vacancies due to death, voluntary retirement, new creations, etc., clearly belonging to the category which could not be foreseen at the time of placing facts and material before the DPC. In such cases, another meeting of the DPC should be held for drawing up a panel for these vacancies as these vacancies could not be anticipated at the time of holding the earlier DPC. If, for any reason, the DPC cannot meet for the second time, for procedure of drawing up of year wise panels may be followed when it meets next for preparing panels in respect of vacancies that arise in subsequent year(s).

(ii) In the second type of cases of non-reporting of vacancies due to error or omission (i.e. though the vacancies were there at the time of holding of DPC meeting they were not reported to it) results in injustice to the officers concerned by artificially restricting the zone of consideration. The wrong done cannot be rectified by holding a second DPC or preparing a year-wise panel. In all such cases, a review DPC should be held bearing in mind the total vacancies of this year.

6.4.3 For the purpose of evaluating the merit of the officers while preparing year wise panels, the scrutiny of the record of service of the officers should be limited to the records that would have been available had the DPC met at the appropriate time. For instance for preparing a panel relating to the vacancies of 1978 as the case may be, should be taken into account and not the subsequent ones. However, if on the date of the meeting of the DPC, departmental proceedings are in progress and under the existing instructions sealed cover procedure is to be followed, such procedure should be observed even if departmental proceedings were not in existence in the year to which the vacancy related. The officer's name should be kept in the sealed cover till the proceedings are finalized.

6.4.4 While promotions will be made in the order of the consolidated Select List, such promotions will have only prospective effect even in cases where the vacancies relate to earlier year(s).

7. Non-Selection Method:

Where the promotions are to be made on 'non-selection' basis according to Recruitment Rules, the DPC need not make a comparative assessment of the records of officers and it should categories the officers as 'fit' or 'not fit' for promotion on the basis of assessment of their record of service. While considering an officer 'fit', guidelines in para 6.1.4 should be born in mind. The officers' categories as '**Fit**' should be placed in the panel in the order of their seniority in the grade from which promotions are to be made.

8. Confirmation :

In the case of confirmation, the DPC should not determine the relative merit of officers but it should assess the officers as 'fit' or 'not yet fit' for confirmation in their turn of the basis of their performance in the post as assessed with reference to their record of service.

9. Probation :

In the case of probation, the DPC should not determine the relative grading of officers but only decide whether they should be declared to have completed the probation

satisfactorily. If the performance of any probationer is not satisfactory, the DPC may advise whether the period of probation should be extended or whether he should be discharged from service.

10. Efficiency Bar :

The DPC constituted for considering cases of Government servants for crossing the EB need not sit in a meeting but may consider such cases by circulation of papers. The DPC may consider such cases on the basis of up-to-date records of performance, results of a written test and/or trade test, if any, prescribed by the administrative Ministry. The DPC may recommend whether the officer concerned is 'Fit' or Not yet fit' to cross the Efficiency Bar. The review of the case of a Government servant who has been held up at the EB stage on the due date should also be done in accordance with the same procedure by the DPC.

PROCEDURE TO BE FOLLOWED BY DPC IN RESPECT OF GOVERNMENT SERVANTS UNDER CLOUD

11.1 At the time of consideration of the cases of Government servants for promotion, details of Government servants in the consideration zone for promotion falling under the following categories should be specifically brought to the notice of the Departmental Promotion Committee: -

(i) Government servants under suspension:

(ii) Government servants in respect of whom disciplinary proceedings are pending or a decision has been taken to initiate disciplinary proceedings.

(iii) Government servants in respect of whom prosecution for a criminal charge is pending or sanction for prosecution has been issued or a decision has been taken to accord sanction for prosecution; and

(iv) Government servants against whom an investigation or serious allegations of corruption, bribery or similar grave misconduct is in progress either by the CBI or any other agency, departmental or otherwise.

11.2 The DPC shall assess the suitability of the Government servants coming within the purview of the circumstances mentioned above along with other eligible candidate without taking into consideration the disciplinary case/criminal prosecution, pending or contemplated, against them or the investigation in progress. The assessment of the DPC, including "Unfit for Promotion", and the grading awarded by it will be kept in a sealed cover. The cover will be super scribed '**Findings regarding suitability for promotion to the grade post ……. In respect Shri …….(name of the Government servant). Not to be opened till the termination of the disciplinary case/criminal prosecution against Shri** …….". The proceedings of the DPC need only contain the note "The findings are contained in the attached sealed cover". The authority competent to fill the vacancy should be separately advised to fill the vacancy in the higher grade only in an officiating capacity when the findings of the DPC in respect of the suitability of a Government servant for his promotion are kept in a sealed cover.

11.3 The same procedure outlined in Para 11.2 above will be followed by the subsequent Departmental Promotion Committees convened till the disciplinary case/criminal prosecution pending or contemplated against the Government servant concerned is concluded.

ADVERSE REMARKS IN a C.R.

12.1 Where adverse remarks in the Confidential Report of the officer concerned have not been communicated to him this fact should be taken note of by the DPC while assessing the suitability of the officer for promotion/confirmation.

12.2 In a case where a decision on the representation of an officer against adverse remarks has not been taken on the time allowed for submission of representation is not over, the DPC may in their discretion defer the consideration of the case until a decision on the representation.

13. An officer whose increments have been with held or who has been reduced to a lower stage in the time scale, cannot be considered on that account to be ineligible for promotion to the higher grade as the specific penalty of withholding promotion has not been imposed on him. The suitability of the officer for promotion should be assessed by the DPC as and when occasions arise for such assessment. In assessing the suitability, the DPC will take into account the circumstances leading to the imposition of the penalty and decide whether in the light of the general service record of the officer eligible and the fact of the imposition of the penalty should be considered suitable for promotion. However, even where the DPC considers that despite the penalty the officer is suitable for promotion, the officer should not be actually promoted during the currency of the penalty.

14. The DPC should record in their minutes a certificate that the Department/Ministry/Office concerned has rendered the requisite integrity certificate in respect of those recommended by the DPC for promotion/confirmation.

VALIDITY OF THE PROCEEDINGS OF DPCS WHEN ONE MEMBER IS ABSENT

15. The proceedings of the Departmental Promotion Committee shall be legally valid and can be acted upon notwithstanding the absence of any of its members other than the Chairman provided that the member was duly invited but he absented himself for one reason or the other and there was no deliberate attempt to exclude him from the deliberation of the DPC and provided further that the majority of the member constituting the Departmental Promotion Committee are present in the meeting.

PART – V

PROCESSING AND IMPLEMENTATION OF THE RECOMMENDATIONS OF DEPARTMENTAL PROMOTION COMMITTEE.

PROCESSING OF RECOMMENDATIONS OF DPCs

16.1 The recommendations of the DPC are advisory in nature and should be duly approved by the appointing authority. Before the recommendations are so approved the appointing authority shall consult all concerned as indicated below, without undue delay.

CONSULTATION WITH UPSCs

16.2 The recommendations of the DPC whether it included a Member of the UPSC or not should be referred to the Commission for approval, if –

(i) Consultation with the Commission is mandatory under Article 320(3) of the Constitution, read with UPSC (Exemption from Consultation) Regulations, 1958. However, a reference may be made to the Regulations, as and when necessary.

(ii) The Member of the Commission who presides over the DPC specifically desires that the Commission should be consulted.

APPROVAL OF ACC

16.3 Where the posts fall within the purview of the Appointments Committee of the Cabinet, the approval of ACC should also be obtained.

PROCEDURE TO BE FOLLOWED WHEN APPOINTING AUTHORITY DOES NOT AGREE WITH RECOMMENDATION OF DPC.

16.4.1 There may be certain occasions when the appointing authority may find it necessary to disagree with the recommendations of the DPC. The procedure to be followed in such cases is indicated below.

16.4.2 Where UPSC is associated with the DPC the recommendations of the DPC should be treated as recommendations of UPSC. If it is so considered necessary by the appointing authority to vary or disagree with the recommendation of the DPC the prescribed procedure for over ruling the recommendations of UPSC (not incorporated in these guidelines) should be followed.

16.4.3 The recommendations of the DPC on which UPSC is not represented should be dealt with as under:

(a) Where the appointing authority, being lower than the President of India, does not agree with the recommendations of the DPC, such appointing authority should indicate the reasons for disagreeing and refer the entire matter to the DPC for reconsideration of its earlier recommendations. In case the DPC reiterates its earlier recommendations, giving also reasons in support thereof, the appointing authority may accept the recommendations, if the reasons adduced by the DPC are convincing if that authority does not accept the recommendations of the DPC it shall submit the papers to the next higher authority with its own recommendation. The decision of the next higher authority shall be final.

(b) Where the appointing authority is the President of India, the recommendations of the DPC should be submitted to the Minister in Charge of the Department concerned for acceptance or otherwise of the recommendations. In case the circumstances do necessitate, the Minister may refer the matter again to the DPC for reconsideration of its earlier recommendation. If the DPC reiterates its earlier recommendations giving also reasons in support thereof, the matter should be placed before the Minister for his decision. The decision taken by the Minister either to accept or to very the recommendations of the DPC shall be final.

APPOINTING AUTHORITY TO TAKE DECISION WITHIN 3 MONTHS

16.5.1 In cases, excepting those which require the approval of the Appointments Committee of the Cabinet, the appointing authority should take a decision either to accept or disagree with the recommendations of the DPC within a time limit of three months (from the date of the DPC meeting or the date of communication of the UPSC's approval to the panel, where such approval is required). Where the appointing authority proposes to disagree with the recommendation, the relevant papers should be submitted by the appointing authority to the next higher authority with its own recommendation by the expiry of the period of three months and those cases in which the UPSC is associated with the DPC and the appointing authority proposes to disagree with the recommendations of the DPC, the case should be forwarded to the Establishment Officer in the Department of Personnel and Training for placing the matter before the Appointing Committee of Cabinet as soon as possible and, in any case, not later than three months from the date on which the validity of the panel commences.

16.5.2 In cases where the panel prepared by the DPC requires the approval of the A.C.C. proposals therefore along with the recommendations of the Minister in-charge should be sent to the Establishment Officer before expiry of the same time limit of three months.

IMPLEMENTATION OF THE RECOMMENDATION OF DPC – VIGILANCE CLEARANCE

17.1 A clearance from the Vigilance Section of the Office/Department should also be obtained before making actual promotion or confirmation of officer approved by DPC to ensure that the disciplinary proceedings are pending against the officer concerned.

ORDER IN WHCH PROMOTIONS ARE TO BE MADE

17.2 Promotion of whatever duration should as far as possible,be made in the order in which the names of the officers appear in the panel. Exception to this rule may be necessary where a large number of vacancies are to be filled within a comparatively short period or it is convenient and desirable to make postings with due regard to the location and experience of the officers concerned or where short term vacancies have to be filled on local and ad-hoc basis.

WHERE ELIGIBLE BY DIRECT RECRUITMENT AND PROMOTIONS

17.3 If a person's name is included in the panel for promotion to the higher post (to which appointment can be made by promotion as well as by direct recruitment) and also in the panel for direct recruitment to the said higher post he should be appointed as a direct recruit or as a promote, having regard to the fact whether his turn for promotion comes earlier from the direct recruitment list or from the promotion list, as the case may be.

PROMOTION OF OFFICERS ON DEPUTATION

17.4.1 If the panel contains the name of a person who has gone on deputation or on Foreign Service in the public interest including a person who has gone on study leave, provision should be made for his regaining the temporarily lost seniority in the higher grade on his return to the cadre. Therefore, such an officer need not be reconsidered by a fresh DPC. If any subsequently held, while he continues to be on deputation/foreign service/study leave so long as any officer junior to him in the panel is not required to be so considered by a fresh DPC irrespective of the fact whether he might or might not have got the benefit of Performa given to an officer included in the panel who could have been promoted within the currency of the panel but for his being away on deputation.

17.4.2 In case the officer is serving on an ex-cadre post on his own volition by applying in response to an advertisement, he should be required to revert to his parent cadre immediately when due for promotion, failing which his name shall be removed from the panel. On his reverting to the parent cadre after a period of two years he will have no claim for promotion to the higher grade on the basis of that panel. He should be considered in the normal course along with other eligible officers when the next panel is prepared and he should be promoted to the higher grade according to his position in the fresh panel. His seniority, in the event, shall be determined on the basis of the position assigned to him in the fresh panel with reference to which he is promoted to the higher grade. (If the panel contains the name of an officer on study leave, he should be promoted to the higher post on return from the study leave. He should also be given seniority according to his position in the panel and not on the basis of the date of promotion).

E.B. CASES

17.5 The recommendations of the DPC in the case of Government servants for crossing the EB have to be considered by the authority competent to pass an order under FR 25. Where a Government servant who has been held up at the EB stage on the due date on account of unfitness to cross the EB, is allowed to cross the EB at a later date, as a result of subsequent review of his case by the DPC, the increment next above the EB shall be allowed to him from the date of such order to cross EB. Where it is proposed to fix his pay at a higher stage taking in to account the length of service from the due date for crossing the EB, the case should be referred to the next higher authority for a decision. Instructions regarding overruling of recommendation of DPC for promotion/confirmation would apply in this case also.

SEALED COVER CASES – ACTION AFTER COMPLETION OF DISCIPLINARY / CRIMINAL PROSECUTION.

17.6.1 If the proceedings of a DPC for promotion contain findings in a sealed cover, on the conclusion of the disciplinary case/criminal prosecution, the sealed cover or covers shall be opened. In case the Government servant is completely exonerated, the due date of his promotion will be determined with reference to the position assigned to him in the findings kept in the sealed cover/covers and with reference to the date of promotion of his next junior on the basis of such position. The Government servant may be promoted, if necessary, by reverting the junior-most officiating person. He may be promoted notionally with reference to the date of promotion of his junior but he will not be allowed any arrears of pay for the period preceding the date of actual promotion.

17.6.2 If any penalty is imposed on the Government servant as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover/covers shall not be acted upon. His case for promotion may be considered by the next DPC in the normal course and having regard to the penalty imposed on him.

17.7 SIX MONTHLY REVIEW OF SEALED COVER CASES

17.7.1 It is necessary to ensure that the disciplinary case/criminal prosecution instituted against any Government servant is not unduly prolonged and all efforts to finalize expeditiously the proceedings should be taken so that the need for keeping the case of a Government servant in a sealed cover is limited to the barest minimum. The appointing authorities concerned should review comprehensively the case of a Government official whose suitability for promotion to a higher grade has been kept in a sealed cover on the expiry of 6 months from the date of convening the first DPC which had adjudged his suitability and kept its findings in the sealed cover. Such a review should be done subsequently also every six months. The review, should interalia, cover the following aspects.

(i) The progress made in the disciplinary proceedings/criminal prosecution and further measures to be taken to expedite their completion.

(ii) Scrutiny of the material/evidence collected in the investigations to take a decision as to whether there is a prima-facie case for initiating disciplinary action or sanctioning prosecution against the officer.

If, as a result of the review, the appointing authority comes to a conclusion in respect of cases covered by item (ii) above that there is no case for taking action against the Government servant concerned, the sealed cover may be opened and he may be given his due promotion with reference to the position assigned to him by the DPC.

SEALED COVER PROCEDURE FOR CONFIRMATION

17.7.2 The procedure outlined in the proceeding paras should also be followed in considering the claim for confirmation of an officer under suspension etc.

17.8 PROCEDURE FOR AD-HOC PROMOTIONS

17.8.1 In spite of the six monthly review referred to in Para 17.7.1 above, there may be some cases where the disciplinary case criminal prosecution against the

Government servant are not concluded even after the expiry of two years from the date of the meeting of the first DPC, which kept its findings in respect of the Government servant in a sealed cover. In such a situation the appointing authority may review the case of the Government servant, provided he is not under suspension, to consider the desirability of giving him ad-hoc promotion keeping in view the following aspects;

a) Whether the promotion of the officer will be against public interest;

b) Whether the charges are grave enough to warrant continued denial of promotion;

c) Whether there is no likelihood of the case coming to a conclusion in the near future;

d) Whether the delay in the finalization of proceedings, departmental or in a court of law, is not directly or indirectly attributable to the Government servant concerned and

e) Whether there is any likelihood of misuse of official position which the Government servant may occupy after ad-hoc promotion, which may adversely affect the conduct of the departmental case/criminal prosecution.

The appointing authority should also consult the Central Bureau of Investigation and take their views into account where the departmental proceedings or criminal prosecution arose out of the investigations conducted by the Bureau.

17.8.2 In case the appointing authority comes to a conclusion that it would not be against the public interest to allow ad-hoc promotion to the Government servant, his case should be placed before the next DPC held in the normal course after the expiry of the two years period to decided whether the officer is suitable for promotion on ad-hoc basis. Where the Government servant is considered for ad-hoc promotion, the D.P.C. should make its assessment on the basis of the totality of the individual's record of service without taking into account the pending disciplinary case/criminal prosecution against him.

17.8.3 After a decision is taken to promote a Government servant on an ad-hoc basis, an order of promotion may be issued making it clear in the order itself that: -

(i) The promotion is being made on purely ad-hoc basis and the ad-hoc promotion will not confer any right for regular promotion; and

(ii) The promotion shall be "until further orders". It should also be indicated in the orders that the Government reserve the right to cancel at any time the ad-hoc promotion and revert the Government servant to the post from which he was promoted.

17.8.4 If the Government servant concerned is acquitted in the criminal prosecution on the merits of the case or is fully exonerated in the departmental proceedings, the ad-hoc promotion already made may be confirmed and the promotion treated as a regular one from the date of the ad-hoc promotion with all attendant benefits. In

case the Government servant could have normally got his regular promotion from a date prior to the date of this ad-hoc promotion with reference to the placement in the DPC proceedings kept in the sealed cover(s) and the actual date of promotion of the person ranked immediately junior to him by the same DPC, he would also be allowed his due seniority and benefit of notional promotions as envisaged in Para 17.6.1 above.

17.8.5 If the Government servant is not acquitted on merits in the criminal prosecution but purely on technical grounds and Government either proposes to take up the matter to a higher court or to proceed against him departmentally or if the Government servant is not fully exonerated in the departmental proceedings, the ad-hoc promotion granted to him should be brought to an end.

SEALED COVER PROCEDURE APPLICABLE TO OFFICERS COMING UNDER CLOUD BEFORE PROMOTION

17.9 A Government servant, who is recommended for promotion by the Departmental promotion Committee but in whose case any of the circumstances mentioned in Para 11.1 above arise after the recommendations of the DPC are received but before he is actually promoted, will be considered as if his case had been placed in a sealed cover by the DPC. He shall not be promoted unt8il he is completely exonerated of the charges against him and the provisions contained in this part will be applicable in his case also.

DATE FROM WHICH PROMOTIONS ARE TO BE TREATED AS REGULAR

17.10 The general principle is that promotion of officers included in the panel would be regular from the date of validity of the panel or the date of their actual promotion whichever is later.

17.11 In case where the recommendations for promotion are made by the DPC presided over by a Member of the UPSC and such recommendations do not require to be approved by the Commission, the date of Commission's letter forwarding fair copies of the minutes duly signed by the Chairman of the DPC or the date of the actual promotion of the officers, whichever is later, should be reckoned as the date of regular promotion of the officer. In cases where the Commission's approval is also required, the date of UPSC's letter communicating its approval or the date of actual promotion of the officer whichever is later will be the relevant date. In all other cases the date on which promotion will be effective will be the date on which the officer was actually promoted or the date of the meeting of the DPC whichever is later. Where the meeting of the DPC extends over more than one day the last date on which the DPC met shall be recorded as the date meeting of the DPC.

Appointments to posts falling within the purview of ACC can, however, be treated as regular only from the date of approval of ACC or actual promotion whichever is later except in particular cases where the ACC approves appointments from some other date.

REFUSAL OF PROMOTION

17.12 When a Government employee does not want to accept a promotion which is offered to him he may make a written request that he may not be promoted and the

request will be considered by the appointing authority, taking relevant aspects into consideration. If the reasons adduced for refusal of promotion are acceptable to the Appointing Authority, the next person in the Select List may be promoted. However, since it may not be administratively possible or desirable to offer appointment to the persons who initially refused promotion, on every occasion on which a vacancy arises, during the period of validity of the panel, no fresh offer of a appointment on promotion shall be made in such cases for a period of one year from the date of refusal of first promotion or till a next vacancy arises whichever is later. On the eventual promotion to the higher grade, such Government servant will lose seniority vis-à-vis his juniors promoted to the higher grade earlier irrespective of the fact whether the posts in question were filled by selection or otherwise. The above mentioned policy will not apply where ad-hoc promotions against short term vacancies are refused.

17.13 VALIDITY OF A PANEL

17.13.1 The panel for promotion drawn up by DPC for 'selection' posts would normally be valid for one year. It should cease to be in force on the expiry of a period of one year and six months or when a fresh panel is prepared, whichever is earlier.

17.13.2 The date of commencement of the validity of panel will be the date on which the DPC meets. In case the DPC meets on more than one day, the last date of the meeting would be the date of commencement of the validity of the panel. In case the panel requires, partially or wholly, the approval of the Commission, the date of validity of panel would be the date (of Commission's letter) communicating their approval to the panel. It is important to ensure that the Commission's approval to the panel is obtained, where necessary, with the least possible delay.

REVIEW OF PANELS

17.14 The 'Select List' should be periodically reviewed. The names of those officers who have already been promoted (otherwise than on a local or purely temporary basis) and continue to officiate should be removed from the list and rest of the names. If they are still within the consideration zone along with others who may now be included in the field of choice should be considered for the 'Select List' for the subsequent period.

PART – VI

REVIEW D.P.C.s

WHEN REVIEW DPCs MAY BE HELD

18.1 The proceedings of any DPC may be reviewed only if the DPC has not taken all material facts into consideration or if material facts have not been brought to the notice of the DPC or if there have been grave errors in the procedure followed by the DPC. Thus, it may be necessary to convene Review DPCs to rectify certain unintentional mistakes, e.g.

a) where eligible persons were omitted to be considered; or

b) where ineligible persons were considered by mistake; or

c) where the seniority of a person is revised with retrospective effect resulting in a variance of the seniority list placed before the DPC; or

d) where some procedural irregularity was committed by a DPC; or

e) where adverse remarks in the CRs were toned down or expunged after the DPC had considered the case of the officer.

These instances are not exhaustive but only illustrative.

SCOPE AND PROCEUDRE

18.2 A Review DPC should consider only those persons who were eligible as on the date of meeting of original DPC. That is, persons who became eligible on a subsequent date should not be considered. Such cases will, of course come up for consideration by a subsequent regular DPC. Further the review DPC should restrict its scrutiny to the CRs for the period relevant to the first DPC. The CRs written for subsequent periods should not be considered. If any adverse remarks relating to the relevant period, were toned down or expunged, the modified CRs should be considered as if the original adverse remarks did not exist at all.

18.3 A Review DPC is required to consider the case again only with reference to the technical or factual mistakes that took place earlier and it should neither change the grading of an officer without any valid reason (which should be recorded) nor change the zone of consideration not take into account any increase in the number of vacancies which might have occurred subsequently.

18.4 CASES WHERE ADVERSE REMARKS HAVE BEEN EXPUNGED OR TONED DOWN

18.4.1 In cases where the adverse remarks were toned down or expunged subsequent to consideration by the DPC, the procedure set out herein may be followed. The appointing authority should scrutinize the case with a view to decide whether or not a review by DPC is justified, taking into account the nature of the adverse remarks toned down or expunged. In cases where the UPSC have been associated

with the DPC, approval of the commission would be necessary for a review of the case by the DPC.

18.4.2 While considering a deferred case, or review of the case of a superseded officer, if the DPC finds the officer fit for promotion/confirmation, it would place him at the appropriate place in the relevant Select List/list of officers considered fit for confirmation or promotion after taking into account the toned down remarks or expunged remarks and his promotion and confirmation will be regulated in the manner indicated below.

18.4.3 If the officers placed junior to the officer concerned have been promoted, he should be promoted immediately and there is no vacancy the junior most person officiating in the higher grade should be reverted to accommodate him. On promotion. His pay should be fixed under F.R. 27 at the stage it would have reached, had he been promoted from the date the officer immediately below him was promoted but no arrears would be admissible. The seniority of the officer would be determined in the order in which his name, on review, has been placed in the Select List by DPC. In any such case a minimum period of qualifying service is prescribed for promotion to higher grade, the period from which an officer placed below the officer concerned in the Select List was promoted to the higher grade, should be reckoned towards the qualifying period of service for the purpose of determining his eligibility for promotion to the next higher grade.

18.4.4 In the case of confirmation, if the officer concerned is recommended for confirmation on the basis of review by the DPC, he should be confirmed and the seniority already allotted to him on the basis of review should not be disturbed by the delay in confirmation.

****

Annexure – I
(Para 4.2.1)

PERFORMA FOR REFERRING PROPOSALS FOR PROMOTION TO U.P.S.C.

1. Name of Ministry / Department / Office

2. Name and designation of members of the Departmental Promotion Committee (copy of the orders constituting the DPC to be attached.).

NAME	DESIGNATION	OFFICE	TELE NO.
1	2	3	4

3. Grade or post to which promotion is to be made.

Design.	Classification	Scale of pay	No. of posts in the grade	Total No. of	No. of regular	Total anticipated

			filled/unfilled	posts filled on ad-hoc basis Pmt. Temp. total	vacancies falling in promotion quota existing	for current year panel only
1	2	3	4	5	6	7

4. Year wise break up of the number of regular vacancies indicated in column 7 of item 3.

Year	General	SC	ST	Total

5. **Recruitment Rules for the grade / post:**

(a) Date on which the Recruitment rules were notified in the Gazett of India and UPSC reference under which they were approved.

(b) Method or recruitment prescribed;
(i) % direct recruitment
(ii) % Promotion
(iii) % deputation/transfer

(c) Whether an up-to-date copy of the recruitment rules has been enclosed. (This should invariably be sent for reference). If any changes in the recruitment rules have been agreed to by the Commission after they were notified, details should be attached.

If, after the approval of the recruitment rules any other post has been created which should normally be included in the field of promotion, give details.

6. Grade or posts from which promotion is to be made.

Designation	Classification	Scale of Pay	Service prescribed for eligibility for promotion.
1	2	3	4

7. UPSC reference No. under which promotion to the grade/post was last considered.

8. Seniority List

(a) Whether the seniority list-as the prescribed Performa (attached0 has been enclosed. If there are more than one feeder grade, enclose separate seniority lists for each grade together with combined Seniority List.

(b) Whether all eligible officers including those belonging to SC/ST and those on deputation etc. are included and whether those belonging to SC/ST and those who are on deputation are clearly indicated in the seniority list.

(c) Whether the list, before finalization was circulated to all concerned.

(d) Whether there are any officers whose seniority has not been finalized. If so, give details.

(e) Whether the seniority list has been duly authenticated by an officer not below the rank of Under Secretary to the Govt. of India.

(f) Whether the list has undergone any changes since it was last placed before the DPC. If so, give details (in the Performa attached).

9. An eligibility list showing separately officers who are eligible for different years for which the Select List is to be prepared should be drawn up and enclosed. **The eligibility list for past years should be drawn up as on the 31st December of the year for which the panel is drawn.** In cases where there are more than one feeder grade for which no specific quotas have been earmarked, a common eligibility list should be forwarded.

10. Character Rolls.

Complete and up-to date character rolls of all the eligible officers are required.

(a) Whether a list (in duplicate) has been attached showing the names of officers whose character rolls are enclosed with this reference.

(b) Are the character rolls complete and up-to-date?
(Character rolls should be sent only after they have been completed).

11. Integrity Certificate:

(a) Whether an integrity certificate in terms of the instructions contained in DOP&T OM No. 1/9/71-Estt(D), dated 22.1.1972 has been enclosed.

(b) Whether there are any officers against whom Vigilance proceedings are either pending or contemplated if so please indicate their names, (if the space is insufficient please attaché separate sheet).

12. Self contained note for the DPC.

Whether a self contained note for the DPC explaining the proposals for promotion, has been enclosed.

13. Check List:

Whether a check list in terms of the DOP&T OM No. 2201/6/86-Estt.(D) DATED 30.5.1986 has been enclosed.

Signature _____
Designation _____
Date _____

PARTICULARS OF CHANGES IN THE SENIORITY LIST
[Vide Item 8(f) of the DPC Performa (I)]

Names of the Officers which were included in the last seniority list but have been deleted in the present seniority list	Reasons for deletion
1	2
Name of officers added in the present seniority list	

Seniority list of officers in the grade of …….. as on ……..

[Vide item 8 (a) of the DPC Performa]

S. No	Name of the Officer	Whether belongs to SC or ST. If not, say neither	Date of birth	Date of regular appointment to the grade	UPSC reference in which recommended/approved	Post held substantively	Remarks

*Signature of authenticating Officer
Designation_____
Date _____

* To be signed by an officer or above the rank of Under Secretary.

Note : ***Two additional annexure in reference to Para 4.2.1 and 4.2.2 regarding confirmation and check list for promotion cases are not printed, being not relevant for Group 'B' officer.***

****

7 – 10

D.O.P.T's O.M. No. 22011/5/86-Estt(D) Dated : 20.06.89

Subject: - Procedure to be observed by Departmental Promotion Committees.

In undersigned is directed to refer to this Department's OM No.22011/5/86-Estt (D) dated the 10th March, 1989 on the above subject and to say that reference seeking clarification on the application of these instructions and also the number of Confidential Reports to be assessed as indicated in Para 2.2.1 of the said OM have been received in this Department and the position is clarified as under:

2. The revised procedure to be observed by the DPC laid down in this Department's OM dated 10.3.89 has to be followed by all the DPCs held after 1.4.89 irrespective of the date (s) of occurrence of vacancies.

3. If two alternative eligibility conditions are prescribed and the officers satisfying these conditions are considered simultaneously instead of under "failing which" clause, the DPC may consider the service record of all officers with particular reference to the ACRs (including ACRs in respect of service in the lower grade if necessary) for the lesser number of years as between the two alternative periods of eligibility service or five years whichever is longer. To cite an instance, if for promotion to a post in the scale of Rs.5900-6700, it is prescribed in the recruitment rules that officers with 8 years' service in the scale of Rs. 3700-5000 or those with 17 years' service in Group 'A' including 9 years service in the scale of Rs.3700-5000 are eligible, the DPC may consider the service record of all officers with particular reference to the ACRs for 8 years (including ACR for service in the lower grade if necessary).

4. Ministries/Departments are requested to bring the above decision to the notice of all concerned for information and suitable action.

****

7 – 11

D.O.P.T's O.M. No. 22011/3/88-Estt(D) Dated : 11.05.1990

Subject: - Procedure for making promotions and functioning of the Departmental Promotion Committee.

Attention of the Ministry of Finance etc. is invited to Para 12.1 of this Department's O.M. No.22011/5/86-Estt.(D), dated 10.4.89 in which it is provided that

where adverse remarks in the Confidential Report of the officer concerned have not been communicated to him, this fact should be taken note of by the DPC while assessing the suitability of the officer for promotion/confirmation. In this connection, the Staff Side of the National Council 9JCH) were of the view that adverse remarks not communicated to a Government servant should not be operated upon and they should be totally ignored. This view of the Staff side has not been found acceptable by Government. However, it may not be quite appropriate that an officer is passed over only on the basis of adverse remarks against which he has had no opportunity to represent as these have not been communicated. The matter has, therefore, been considered further and it has been decided that paragraphs 12.1 and 12.2 of the aforesaid O.M. dated 10.4.89 may be substituted by the following.

12.1 Where the Departmental Promotion Committee find that the adverse remarks in the confidential Report of an offer have not been communicated to him but the adverse remarks are of sufficient gravity to influence their assessment of the officer concerned, then the Committee shall defer consideration of the case of the officer, provided those remarks have been recorded in any of the CRs provided to three immediately preceding years prior to the year in which the DPC is held and direct the cadre controlling authority concerned to communicate the adverse remarks to the officer concerned so that he may have an opportunity to make a representation against the same. Where the un-communicated adverse remarks pertain to a period earlier than the above or where the remarks are not considered of sufficient gravity to influence the assessment of the officer concerned, the DPC may proceed with the consideration of the case but may ignore the remarks while making the assessment.

12.2 After a decision is taken by the competent authority on the representation made by the government servant or in the event of the Government servant not making any such representation, after the period has expired, the DPC shall assess the suitability of the Government servant on the basis of entries now contained in the CR. While considering the deferred case as above, if the DPC find the officer fit for promotion, the procedure prescribed in paragraphs 18.4.2 and 18.4.3 shall be followed.

12.3 In a case where a decision on the representation of an officer against adverse remarks has not been taken or the time allowed for submission of representation is not over, the DPC may in their discretion defer the consideration of the case until a decision on representation.

12.4 In both the cases referred to in paragraphs 12.1 and 12.3 above, where the consideration of a case is deferred on account of adverse remarks contained in the confidential report, the concerned authority should intimate the result of the representation of the officer against the adverse remarks within a period of three months from the date of submission of the said representation, if any".

2. These instructions may please be brought to the notice of all concerned.

****

7 – 12

D.O.P.T's O.M. No. 22011/1/90-Estt(D) Dated : 12.10.1990

Subject: - Zone of Consideration for promotion by selection – Revised instructions.

Attention of the Minister of Finance etc. are invited to this Department's O.M. No.22011/3/76-Estt.(D) date 24.12.80 in which the zone of consideration of officers for promotion by selection is prescribed as under:

No of vacancies	**No. of officers to be considered**
1.	5
2.	8
3.	10
4.	three times the number of vacancies

It is also laid down that where adequate number of SC/ST candidates are not available within the normal field of choice as indicated above, the field of choice may be extended to five times the number of vacancies and the SC/ST (and not any other) coming within the extended field of choice be considered against the vacancies reserved for them.

2. The existing zone of consideration for promotion to selection posts has been examined in the light of the concept of 'benchmark' introduced in the revised DPC guidelines vide O.M. No. 22011/5/86-Estt (D) dated 10.3.89 and dated 10.4.89 and it has been decided to modify the zone of consideration as under: -

No. of vacancies	No. of officers to be included in the zone of consideration.
1.	5
2.	8
3.	10
4.	10+ twice the number of vacancies in excess of three vacancies.

The existing provision relating to extension of the field of choice to five times the number of vacancies in respect of SC/ST will, however, continue.

3. These instructions will take effect from 01.11.1990.

4. Ministries/Departments are requested to bring these instructions to the notice of all concerned, including their attached and subordinate offices, for guidance and also to ensure their compliance.

****

7 – 13

D.O.P.T's O.M. No. 22011/5/90-Estt(D) Dated : 04.11.1992

Subject: - Delinking Seniority from Confirmation.

The seniority of Government servants is determined in accordance with the general principles of seniority contained in MHA OM No.9/11/55-RPS dated 22.12.59 (copy enclosed). One of the basic principles enunciated in the said OM is that seniority follows confirmation and consequently permanent officers in each grade shall rank senior to those who are officiating in that grade.

2. This principle has been coming under judicial scrutiny in a number of cases in the past, the last important judgment being the one delivered by the Supreme Court on 02.5.90 (JT-1990 (2) SC-264) in the case of Class II Direct Recruits Engineering Officers Association Vs State of Maharashtra. In Para 47(A) of the said judgment the Supreme Court has held that once an incumbent is appointed to a post according to rule, his seniority has to be counted from the date of his appointment and not according to the date of his confirmation.

3. The general principle of seniority mentioned above has been examined in the light of the judicial pronouncement referred to above and it has been decided that seniority may be delinked form confirmation as per the directive of the Supreme Court in Para 47(A) of its judgment dated 02.05.90. Accordingly in modification of the general principle 3, proviso to general principle 4 and proviso to general principle 5(i) contained in MHA (Now DOPT) O.M. No. 9/11/55-RPS dated 22.12.59 and Para 2.3 of this Department O.M. dated 03.7.86 (copy enclosed) it has been decided that seniority of a person regularly appointed to a post according to rule would be determined by the order of merit indicated at the time of initial appointment and not according to the date of his confirmation.

4. These orders shall take effect from the date of issue of this office Memorandum. Seniority already determined according to the existing principles on the date of issue of these orders will not be reopened even if in some cases seniority has already been challenged or is in dispute and it will continue to be determined on the basis of the principles already existing prior to the date of issue of these orders.

****

7 – 14

D.O.P.T's O.M. No. 22011/9/89-Estt(D) Dated : 17.04.1994

Subject: - Calculation of vacancies for reporting to Departmental Promotion Committee-Reg..

Attention of the Ministries/Departments is invited to this department's O.M. No. 22011/7/86/Estt.(D) date 19.7.89 in which the crucial date for determining the eligibility of officers for being considered for promotion by DPC has been laid down as 1st July of the year in cases where ACRs are written on calendar year wise and 1st October of the year where ACRs are written of financial year wise. References have been received seeking clarification as to whether calculation of vacancies for reporting to DPC should also be switched over to the financial year wise or calendar year wise, as the case may be, of the analogy of the crucial date prescribed in this Department's O.M. dated 19.7.89. The matter has been examined and it has now been decided that for preparation of a select panel, Ministries/Departments may calculate the vacancies for reporting to DPC of financial year

wise where ACRs are written financial year wise and calendar year wise where ACRs are written calendar year wise.

2. The Ministries/Departments of the Government of India are requested to bring in the above position to the notice of all concerned including those in attached and subordinate offices for guidance.

****

7 – 15

D.O.P.T's O.M. No. 22011/1/96-Estt(D) Dated : 30.01.1997

Subject: - Seniority of SC/ST officers promoted earlier wis-a-vis candidates promoted later.

According to the general principle 5(i) contained in MHA OM No. 9/11/55-RPS dated 22.12.1959 and Para 2.2 in DOPT OM No. 22011/7/86-Estt.(D) dated 03.07.86 read with DOPT OM No.20011/5/90-Estt.(D) dated 04.11.92, (copy enclosed) seniority of a person regularly appointed to a post according to rule would be determined by the order of merit indicated at the time of initial appointment and seniority of persons promoted to various grades shall be determined in the order of selection for such promotion. Thus, persons appointed through an earlier selection will enbloc be senior to those promoted through subsequent selection.

2. The Supreme Court has in its judgment dated 10.10.1995 in the case of Union of Indian Vs Virpal Sing Chauhan etc. (JT 1995 (7) SC 231) held as follows.

"Even if a Scheduled Caste/Scheduled Tribe candidate is promoted earlier by virtue of rule of reservation/roster than his senior general candidate and the senior general candidate is promoted later to the said higher grade, the general candidate regains his seniority over such earlier promoted Scheduled Caste/Scheduled Tribe candidate. The earlier promotion of the scheduled Caste/Scheduled Tribe candidate in such a situation does not confer upon him seniority over the general candidate even though the general candidate is promoted later to that category."

3. Having regard to the above judgment of the Supreme Court, it has been decided to modify the existing policy of fixing seniority on promotion on the lines mentioned in Para 2 above. Accordingly, it has been decided to add the following proviso to general principle 5(i) contained in MHA (now DOPT) OM No.9/11/55-RPS dated 22.12.59 and Para 2.2 of this Department OM No.22011/7/86-Estt.(D) dated 03.07.1986.

"Provided that if a candidate belonging to the Scheduled Caste or the Scheduled Tribe is promoted to an immediate higher post/grade against a reserved vacancy earlier than his senior general/OBC candidate who is promoted later to the said immediate higher post/grade, the general/OBC candidate will regain his seniority over such earlier promoted candidate of the Schedule Caste and the Scheduled Tribe in the immediate higher post/grade".

4. These orders shall take effect from the date of issue of this office Memorandum.

****

7 – 16

D.O.P.T's O.M. No. 22011/5/91-Estt(D) Dated : 27.03.1997

Subject: - Procedure to be observed by Departmental Promotion Committees.

The undersigned is directed to refer to the instructions contained in Paras 2.1.1, 2.2.2, 2.3.1(i). 2.3.1(i), (ii) & (iii) of this Department's O.M. No. 22011/5/86-Estt (D) dated 10.03.89 and to make the changes in the aforementioned paragraphs.

I. Note : Necessary Corrections as indicated in these Paras to be made in Para No. 2.1.1, 2.2.2, Para (i), (ii), (iii) of Para 2.3.1, 2.3.2 (i), (ii), (iii) of O.M. No. 10.03.89, have been incorporated in at appropriate places.

II. (i), (ii), (iii) & (iv) of Para 2.3.1 of O.M. dated 10.03.89 may be substituted as under:

III. ***Selection – Cum – Seniority and Selection by Merit***

(i) Having regard to the levels of the posts to which promotions are to be made, the nature and importance of duties attached to the posts a bench mark grade would be determined for each category of posts.

For all Group-C, Group-B and Group-A posts (up to and excluding the level of Rs.3700-5000) the bench mark would be 'Good' and will be filled by the method of Selection-cum-Seniority as indicated in sub-para (iii).

(ii) In respect of posts which are in the level of Rs.3700-5000 and above, the bench mark grade should be 'Very Good' and will be filled by the method of Selection by Merit as indicated in sub para (v).

(iii) Each Departmental Promotion Committee while considering the suitability of officers for promotion to posts for which the bench mark has been determined as 'Good' would grade the officers as 'Good' 'Average' and 'Unfit' only. Only those officers, who obtain the grading of "Good" will be included in the panel in the order of their seniority in the lower grade subject to availability of vacancies.

(iv) Notwithstanding the provisions mentioned above, in the case of promotions made for induction to Group A posts/services from lower groups, while the bench mark would continue the to be 'Good', the DPC shall grade the officers as 'Outstanding', 'Very Good', 'Average' and 'Unfit' as the case may be and the officers will be arranged according to the grading obtained, placing the 'Outstanding' Officers on top followed by those grade as 'Very Good' and so on in the select

panel up to the number of vacancies, with the officers having the same grading maintaining their inter-se-seniority in the feeder grade.

Selection by Merit

(v) In respect of services/posts for which the bench mark has been determined to be 'Very Good' each DPC would grade the officer as "Outstanding" "Very Good" "Good" "Average" & "Unfit" as the case may be however, only those officers who are graded as 'Very Good' and above will be included in the select panel, by placing the officers graded as "out Standing" on top followed by those graded as "Very Good' subject to availability of vacancies, with the officers with the same grading maintaining their inter-se-seniority with feeder grade.

(vi) Appointments from the panel shall be made in the order of names appearing in the panel for promotion.

(vii) Where sufficient number of officers with the required bench mark grade is not available within the zone of consideration, officers with the required bench mark will be placed on the panel and for the unfilled vacancies the appointing authority should hold a fresh DPC by considering the required number of officers beyond the original zone of consideration.

IV. *Note: Para 2.3.2(i), (ii), (iii) – necessary modifications made at appropriate places.*

2. Consequently, the provisions contained in some of the paragraphs of this Department's O.M. No. 22011/5/86-Estt(D) dated 10.4.1989 circulating the consolidated guidelines on DPC procedure would require a number of changes and these are indicated in the annexure. (*Note – Corrections made in O.M. dated 10.4.99 hence annexure not given).*

3. Ministry of finance, etc. are requested to take note of the above decision and take immediate steps to amend the recruitment rules for the various posts which were hitherto fore filled by the method of 'selection' and substitute the word 'selection' in the column pertaining to method of promotion to either 'Selection-cum-Seniority' or 'Selection by Merit' as per the above revised instructions.

4. These orders shall be affective from 15th April, 1997.

****

7 – 17

D.O.P.T's O.M. No. 22011/9/98-Estt(D) Dated : 08.09.1998

Subject: - Procedure to be observed by the Departmental Promotion Committees (DPCs) – MODEL CALENDAR FOR DPCs and related matters: -

The undersigned is directed to invite reference to the Department of Personnel and Training Office Memorandum No. 22011/5/86-Estt (D) dated April 10, 1989 containing consolidated instructions on DPCs. These instructions inter-alia provide that the DPCs should be convened at regular intervals (by laying down a time-schedule for this purpose) to draw panels which could be utilized for making promotions against the vacancies occurring during the course of a year. This enjoins upon the concerned authorities to initiate action to fill up the existing as well as anticipated vacancies well in advance of the expiry of the previous panel by collecting relevant documents like seniority list, Annual Confidential Reports (ACRs), integrity certificates, etc. for placing before the DPCs. The instructions further provide that the DPCs should consider ACRs for equal number of years in respect of all officers considered for promotion. The DPCs should assess the suitability of the officers for promotion on the basis of their service records and with particular reference to the ACRs for five preceding years. However, in cases where the required qualifying service is more than five years, the DPCs should see the records with particular reference to the ACRs for the years equal to the required qualifying service. Instructions further provide that no proposal for holding a DPC of Selection Committee should be sent to the UPSC until and unless all the ACRs complete and up-to-date are available.

2. The importance of keeping the ACR dossiers up to date and of timely convening of DPCs cannot be over emphasized. Instances have, however come to notice of the Department of Personnel and Training where the DPCs could not be held in time owing to non availability of complete ACR dossiers of the officers in the zone of consideration and also for lack of prompt administrative action. This invariably delays promotions resulting in considerable frustration among the officials, there by adversely affecting their morale and overall productivity. As such, some remedial action in this regard has become essential.

3.1 Keeping the aforesaid objective in view, it has been considered imperative to provide for a time-schedule, for convening DPCs not only in time but in sufficient advance also so utilize the prepared panel as and when the vacancies arise during the course of the vacancy year. For practical reasons, it is also considered desirable to have separate time schedules for cases requiring approval of the Appointments Committee of the Cabinet and cases which do not require such approval. Accordingly in order to complete all required action, including the approval of the competent authority, well in time (before the commencement of the panel of vacancy year), the administrative action for convening DPCs, in the cases requiring approval of the ACC (ACC cases), could, as such be initiated at least eight and a half months before the commencement of the vacancy year and, similarly, DPCs in such cases could be held at least four months before the commencement of the vacancy year. The means that there would be a clear period of the first three and a half months of the year immediately preceding the vacancy / panel year available for completion of the ACRs etc., followed by another four and a half months time for holding of DPCs. The next one month could be devoted to the post DPC follow up administrative action by the administrative Ministry/Department. The final three months period prior to the commencement of the vacancy year could be left for approval of the Competent Authority (the ACC).

3.2 In relation to the cases which do not require approval of the ACC (non ACC cases), the aforesaid time schedule could follow a different pattern in regard to various activities as discussed above. This is considered desirable to give sufficient time to

the UPSC for holding DPCs in such cases. Accordingly, the administrative action for convening DPCs in such cases could be initiated at least eight months before the commencement of the vacancy year and, similarly, DPCs could be held at least two months before the commencement of the vacancy year. This means that there would clearly be the first four months of the year immediately preceding the vacancy panel year available for completion of ACRs, etc., followed by another six months time for holding of DPCs. The final two months could, as such, be devoted to the post DPC follow up administrative action, including approval of the Competent Authority. The aforesaid time schedule, both in 'ACC' and non ACC cases, may be sufficient by any reckoning. Thus, the Model Calendar of events for ACC/non ACC cases may follow the following illustrative pattern and the DPCs may ordinarily be held accordingly.

SUGGESTED MODEL CALENDAR FOR DPCs

EVENTS	**FINANCIAL** YEAR-BASED	**CALENDAR** YEAR BASE
(1)	(2)	(3)
(i) Vacancy year	2000-2001	2000
(ii) Crucial date for determining eligibility	January 1, 2000	January 1, 2000
ACC CASES [Cases where ACC approval is required (including SAG/HAG grades/posts)]		
(A) Completion of ACR / Integrity Certificates / Vigilance clearance/Seniority List/Penalty and Vacancy position etc. and forwarding DPC proposal to the UPSC.	April- July 15, 1999	January – April 15, 1999
(B) Last date for sending complete proposal along with relevant Recruitment/Service Rules to the UPSC. (Effort should be made to send the proposal to the UPSC as soon as possible without waiting for the last date).	July 15, 1999	April 15, 1999
(C) DPC to be held	July 15, Nov., 1999	April,15 - August, 1999
(D) On receipt of DPC minutes from the UPSC, post DPC follow-up action by the administrative Ministry/Department.	Dec. 1999	Sept. 1999
(E) Approval of the ACC including communication of its approval to the administrative Ministry/Department.	January - March, 2000	October - Dec. 1999
(F) Last date for getting ready the approved select panel by the administrative Ministry/Department	March 31, 2000	Dec. 31, 1999

NOTE: - Dates/periods suggested in the Model Calendar for DPC put no bar on earlier completion of various pre/post-DPC related actions. Every effort may, as such, be made for taking speedy action in the matter without waiting for the last date or completion of the period as suggested by the Model calendar for DPCs.		
Non-ACC CASES [Other grades/posts with/without association of the UPSC)]	April - July, 1999	January - April, 1999
(A) Completion of ACRs/Integrity Certificates/Vigilance clearance/Seniority List/Penalty and Vacancy position etc. and forwarding DPC proposal to the UPSC	July 31, 1999	April 30, 1999
(B) Last date for sending complete proposal along with relevant Recruitment/Service Rules to the UPSC.	August, 1999-January, 1999	May - October,1999
(C) DPC to be held.	February - March, 2000	November - December,1999
(D) On receipt of DPC minutes from the UPSC, post DPC follow-up action (including approval of the competent Authority by the administrative Ministry/Department.	March 31, 2000	December 31, 1999
(E) Last date for getting ready the approved select panel by the administrative Ministry/Department.		
NOTE: - Dates/period suggested in the model calendar for DPC put no bar on earlier completion of various pre/post-DPC related actions. Every effort may, as such, be made for taking speedy action in the matter without waiting for the last date or completion of the period as suggested by the Model calendar for DPC.		

4 As already pointed out in Para-2 above, the success of the Model Calendar would depend on the Ministries/Departments furnishing the complete proposal to the UPSC with relevant ACRs, integrity certificate, copy of Recruitment/Service Rule, seniority list, penalty statement and correct vacancy position, etc. In accordance with the direction contained in Cabinet Secretary's D.O. letter No. DOPT/39022/7/97-Estt (B) dated November 19, 1997 addressed to all Secretaries to Government of India, while referring the DPC proposals to the UPSC, the Joint Secretary (Administration) of the Ministry/Department concerned would certify that the information and documents have been furnished in accordance with the check lists prescribed by the Department of Personnel and Training Vide its office Memorandum No. 2011/5/86-Estt (D) date April 10, 1989 read with Office Memorandum No. 2011/6/86-Estt (D) May 30, 1986.

5 In terms of the Department of Personnel and Training Office Memorandum No. 22011/9/89-Estt (D) dated October 17, 1994 for preparation of select panel, Ministries/Departments may calculate the vacancies for reporting to DPC on financial year basis where ACRs are written financial year wise and on calendar year basis where ACRs are written calendar year wise. The items of work relating to calculation of vacancies arising on various dates in the relevant vacancy year may be completed strictly as per schedule prescribed in the suggested Model calendar for intimation to the UPSC/DPCs.

6 If there is a need for preparing a second and subsequent panels for the same vacancy/panel year, consideration of the ACRs in such a situation may be restricted to the year up to which these were taken into account while preparing the original select panel. This would ensure application of a uniform yardstick with reference to all such select panels for the same vacancy/panel year.

7 In accordance with the existing instructions, the DPC is required to take into account the existing and clear anticipated vacancies in the concerned grade only. The chain vacancies in the higher grade are taken into account only if an appointment has already been made to the higher grade as on the date of the DPC. Unless actual appointment in the higher grade is made, even retirement vacancies in the higher grade are not taken in to account as the same may arise by appointment subsequently. Since in accordance with the suggested Model calendar being prescribed herein the panels for all the grades may be available on the first day of the vacancy year, it is expected that all chain vacancies may become available during the same vacancy year. Accordingly, for the sake of uniform procedure, it is provided that a DPC for a grade may take into account all clear expected vacancies by retirement etc. in the concerned grade as well as chain vacancies on account of retirement etc. in the higher grades which can be clearly anticipated in the same vacancy year.

8 As per the Model Calendar, since the DPC would be convened in the year preceding the vacancy year, the DPC may have to consider some of the officers who are to retire in the vacancy year itself. There may be similar other eventualities. Therefore, in order to have effective panels, DPC may have to provide for an extended panel subject to the parameters prescribed vide this Department's office Memorandum No. 22011/18/87-Estt (D) dated April 9, 1996.

9 The crucial date for determining eligibility in case of financial year based vacancy year would fall on January 01, immediately preceding such vacancy year and in case of calendar year based vacancy year also, the first day of the vacancy year i.e. January 01 itself would be taken as the crucial date. To illustrate the point, January 01, 2000 would be the crucial date for the vacancy year 2000 (calendar year) as well as vacancy year 2000-2001 (financial year).

10 With a view to providing adequate time for circulation/general awareness of these instructions, it is considered desirable to make the aforesaid Model Calendar for DPCs operational with effect from April 1, 1999 in relation to the financial year based vacancy year (200-2001) commencing from April 1, 2000, the Model DPC Calendar may take operational effect from January 1, 1999. In keeping with the decision noted in Para 9 above to adopt, on uniform basis, January 1 as the crucial

date for determining eligibility, it is provided that January 1, 2000 may be adopted as the crucial date in relation to the vacancy years commencing from January 1/April 1, 2000.

11 As for practical reasons, it may not be possible to adopt the aforesaid Model Calendar for DPC in relation to the transitory vacancy years commencing from January 1 / April 1, 1999, it is considered adequate, in order to accelerate DPC related activities, to provide that efforts should be made by the Ministries/Departments to hold the DPC meetings and preparation of panels in advance even for these transitory vacancy years without waiting for the latest ACRs. The crucial date for determining eligibility would, however, in keeping with the decision noted in Para 9, fall on January 1, 1999 in relation to these transitory vacancy years commencing from January 1 / April 1, 1999.

12 All Ministries / Departments are requested to take note of the above clarifications/modifications of the existing instructions for wide circulation on priority basis and strict compliance so that the desired objective of convening of DPC meetings/preparation of the approved select panels as per the aforesaid prescribed time frame may be achieved.

****

7 – 18

D.O.P.'s O.M. No. 22011/3/98-Estt(D) Dated : 17.09.1998

Subject: - Eligibility of officers to be considered for promotion by DPC Fixing of crucial date of

The undersigned is directed to say that where the Recruitment/Service Rules lay down promotion as one of the methods of recruitment, some period of service in the feeder grade is generally prescribed as one of the conditions of eligibility for the purpose of promotion. Vide the Department of Personnel and Training Office memorandum No. 22011/7/86-Estt (D) dated July 19, 1989, the crucial date for determining the eligibility of officers for promotion has been prescribed as under: -

(i) 1st July of the year in cases where ACRs are written calendar year wise.
(ii) 1st October of the year where ACRs are written financial year wise.

2. The matter has been reconsidered by the Government and in supersession of the existing instruction it has now been decided that the crucial date for determining eligibility of officers for promotion in case of financial year based vacancy year would fall on January 1 immediately preceding such vacancy year and in the case of calendar year based vacancy year, the first day of the vacancy year, i.e. January 1 itself would be taken as the crucial date irrespective of whether the ACRs are written financial year wise of calendar year wise. For the sake of illustration, for the panel year 2000-2001, and the panel year 2000 (calendar year), which covers the period from January 1, 2000 to December 31, 2000 the crucial date for the purpose of eligibility of the officer would be January 21, 2000 irrespective of whether ACRs are written financial year wise of calendar year wise.

3. The crucial date indicated above is in keeping with para 9 of the Department of Personnel and Training, Office Memorandum No. 22011/9/98-Estt (D) dated September 8, 1998 which prescribes a Model Calendar for DPCs. In accordance with paragraphs 10 and 11 of the said Office Memorandum, these instructions will come into force in respect of vacancy years commencing from January 1 / April 1, 1999 and will, accordingly, be applicable to all such subsequent vacancy years.

4. These instructions shall be applicable to all services/posts. The Recruitment/Service Rules may, therefore, be amended accordingly. All Ministries/Departments are requested to bring these instructions to the notice of all concerned, including attached/subordinate offices, for guidance and compliance.

****

7 – 19

D.O.P.T's O.M. No. 22011/4/98-Estt(D) Dated : 12.10.1998

Subject: - Procedure to be followed by the Departmental promotion committee (DPCs) in regard to retired employees.

The undersigned is directed to invite reference to the Department of personnel and Training (DOP & Office Memorandum No. 22011/5/86-Estt (D) dated April 10, 1989, containing the consolidated instructions DPCs. The provision made in paragraph 6.4.1 of the aforesaid Office Memorandum lay down the following procedure for preparation of year wise panels where for reasons beyond control, DPC(s) could not be held the year(s) even though vacancies arose during the year(s).

(i) Determine the actual number of regular vacancies that arose in each of the previous year(s) immediately preceding and the actual number of regular vacancies proposed to be filled in the current year separately.

(ii) Consider in respect of each of the years those officers only who would be within the field of choice with reference to the vacancies of each year starting with the earliest year onwards.

(iii) Prepare a 'Select List' by placing the Select List of the earlier year above the one for the next year and so on.

2. Doubts have been expressed in this regard as to the consideration of employees who have since retired but would also have been considered for promotion if the DPC(s) for the relevant year(s) had held in time.

3. The matter has been examined in consultation with the Ministry of Law (Department of Legal Affairs. It may be pointed out in this regard that there is no specific bar in the aforesaid Office Memorandum dated April, 10, 1989 or any other related instructions of the Department of Personnel and Training for consideration retired employees, while preparing year wise panel(s), who were within the zone of consideration in the relevant year(s). According to legal opinion also it would not be in order if eligible employees, who were within the zone of consideration for the relevant year(s) but are not actually in service

when the DPC is being held, are not considered while preparing year wise zone of consideration/panel and, consequently, their juniors are considered (in their places) who would not have been in the zone of consideration if the DPC(s) had been held in time. This is considered imperative to identify the correct zone of consideration for relevant year(s). Name of the retired officials may also be included in the panel(s). Such retired officials would, however, have no right for actual promotion. The DPC(s), may, if need be, prepare extended panel(s) following the principle prescribed in the Department of personnel and Training office Memorandum No. 22011/88/87-Estt(D) dated April 9, 1996.

4. Ministries/Departments are requested to bring these instructions to the notice of all concerned including their attached and subordinate offices.

****

7 – 20

D.O.P.T's O.M. No. 35034/1/97-Estt(D) Dated : 09.08.1999

Subject: - The Assured Career Progression Scheme for the Central Government Civilian Employees.

The fifth Central Pay Commission in its report has made certain recommendations relating to the Assured Career Progression (ACP) Scheme for the Central Government civilian employees in all Ministries/Departments. The ACP Scheme needs to be viewed as a 'Safety Net' to deal with the problem of genuine stagnation and hardship faced by the employees due to lack of adequate promotional avenues. Accordingly, after careful consideration it has been decided by the Government to introduce the ACP Scheme recommended by the Fifth Central Pay Commission with certain modifications as indicated hereunder: -

2. Group 'A' Central Services

2.1 In respect of Group 'A' Central services (Technical/Non-Technical), no financial up-gradation under the Scheme is being proposed for the reason that promotion in their cadres must be earned. Hence, it has been decided that there shall be no benefits under the ACP Scheme for Group 'A' Central service (Technical/Non-Technical). Cadre Controlling Authorities in their Case would, however, continue to improve the promotion prospects in organizations/cadres on functional grounds by way of organizational study, cadre review, etc. as per prescribed norms.

3. Group 'B', 'C' and 'D' Services' Posts and Isolated Posts in Group 'A', 'B', 'C' and 'D' Categories

3.1 While in respect of these categories also promotion shall continue to be duly earned, it is proposed to adopt the ACP Scheme in a modified form to mitigate hardship in cases of acute stagnation either in a cadre or in an isolated post. Keeping in view as relevant factors, it has, therefore been decided to grant two financial up-gradations [as recommended by the Fifth Central Pay Commission and also in accordance with the Agreed Settlement dated September 11, 1997 (in

relation to Group 'C' and 'D' employees) entered into with the Staff Side of the National Council (JCM)] under the ACP Scheme to Group 'B', 'C' and 'D' employees on completion of 12 years and 24 years (subject to condition No. 4 in Annexure-I) of regular service respectively. Isolated posts in Group 'A', 'B', 'C' and 'D' categories which have no promotional avenues shall also qualify for similar benefits on the pattern indicated above. Certain categories of employees such as casual employees (including those with temporary status), ad-hoc and contract employees shall not qualify for benefits under the aforesaid Scheme. Grant of financial up-gradations under the ACP Scheme shall, however, be subject to the conditions mentioned in Annexure-I.

3.2 **'Regular Service'** for the purpose of the ACP Scheme shall be interpreted to mean the eligibility Service counted for regular promotion in terms of relevant Recruitment/Service Rules.

4. Introduction of the ACP Scheme should, however in no case affect the normal (regular) promotional avenues available on the basis of vacancies. Attempts needed to improve promotion prospects in organizations/cadres on functional grounds by way of organizational study, cadre reviews, etc. as per prescribed norms should not be given up on the ground that the ACP Scheme has been introduced.

5. Vacancy based regular promotions, as distinct from financial up-gradation under the ACP Scheme, shall continue to be granted after due screening by a regular Departmental Promotion Committee as per relevant rules/guidelines.

6. Screening Committee

6.1 A departmental Screening committee shall be constituted for the purpose of processing the cases for grant of benefits under the ACP Scheme.

6.2 The composition of the Screening committee shall be the same as that of the DPC prescribed rules is headed by the Chairman/member of the UPSC, the Screening Committee under the ACP Scheme shall, instead, be headed by the Secretary or an officer equivalent rank of the concerned Ministry/Department. In respect of isolated posts, the composition of the Screening committee (with modification as noted above, if required) shall be the same as that of the DPC for promotion to analogous grade in that Ministry/Department.

6.3 In order to prevent operation of the ACP Scheme from resulting into undue strain on the administrative machinery, the screening Committee shall follow a time schedule and meet twice in financial year – preferably in the first week of January and July for advance processing of the cases. Accordingly, cases maturing during the first half (April-September) of particular financial year for grant of benefits under the ACP Scheme shall be taken up for consideration by the Screening Committee meeting in the first week of January of the previous financial year. Similarly, the screening Committee meeting in the first week of July of any financial year shall process the cases that would be maturing during the second-half (October-March) of the same financial year. For example, the Screening Committee meeting in the first week of January, 1999 would process the cases that would attain maturity during the period April 1, 1999 to September 30, 1999 and

the Screening committee meeting in the first week of July, 1999 would process the cases that would mature during the period October 1, 1999 to March 31, 2000.

6.4 To make the Scheme operational, the Cadre Controlling Authorities shall constitute the first Screening Committee of the current financial year within a month of the date of issue of these instructions to consider the cases that have already matured or would be maturing up to March 31, 2000 for grant of benefits under the ACP Scheme. The next Screening Committee shall be constituted as per the time schedule suggested above.

7. Ministries/Departments are advised to explore the possibility of effecting savings so as to minimize the additional financial commitment of the ACP Scheme may entail.

8. The ACP Scheme shall become operational from the date of issue of this Office Memorandum.

9. In so far as persons serving in the Indian Audit and Accounts Departments are concerned, these orders are issued after consultation with the Comptroller and Auditor General of India.

10. The Fifth Central Pay Commission in paragraph 52.15 of its Report has also separately recommended a "Dynamic Assured Career Progression Mechanism" for different streams of doctors. It has been decided that the said recommendation may be considered separately by the administrative Ministry concerned in consultation with the Department of Personnel and Training and the Department of Expenditure.

11. Any interpellation/clarification of doubt as to the scope and meaning of the provisions of the ACP Scheme shell be given by the Department of Personnel and Training (Establishment-D).

12. All Ministries/Departments may give wide circulation to these instructions for guidance of all concerned and also take immediate steps to implement the Scheme keeping in view the ground situation obtaining in services/cadres/posts within their administrative jurisdiction.

ANNEXURE – 1

Conditions for Grant of Benefits under the ACP Scheme

1. The ACP Scheme envisages merely placement in the higher pay-scale/grant of financial benefits (through financial up-gradation) only to the Government servant concerned on personal basis and shall, therefore, neither amount to functional/regular promotion nor would r3quire creation of new posts for the purpose.

2. The highest pay scale up to which the financial up-gradation under the Scheme shall be available will be Rs.14300-18-300. Beyond this level, there shall be no financial up-gradation and higher posts shall be filled strictly on vacancy based promotions.

3. The financial benefits under the ACP Scheme shall be granted from the date of completion of the eligibility period prescribed under the ACP scheme of from the date of issue of these instructions whichever is later.

4. The first financial up-gradation under the ACP Scheme shall be allowed after 12 years of regular service and the second up-gradation after 12 years of regular service from the date of the first financial up-gradation subject to fulfillment of prescribed conditions. In other words, if the first up-gradation gets postponed on account of the employee not found fit or due to departmental; proceedings, etc. this would have consequential effect on the second up-gradation which would also get deferred accordingly.

Two financial up-gradations under the ACP Scheme in the entire Government service career of an employee shall be counted against regular promotions (including in-situ promotion and fast track promotion availed through limited departmental competitive examination) availed from the grade in which an employee was appointed as a direct recruit. This shall mean that two financial up-gradation under the ACP Scheme shall be available only if no regular promotions during the prescribed periods (12 and 24 year) have been availed by an employee. If an employee has already got one regular promotion, he shall qualify for the second financial up-gradation only on completion of 24 years of regular service under the ACP Scheme. In case two prior promotions shall accrue to him.

Residency periods (regular service) for grant of benefits under the ACP Scheme shall be counted from the grade in which an employee was appointed as a direct recruit.

6. Fulfillment of normal promotion norms (benchmark, departmental examination, seniority-cum-fitness in the case of Group 'D' employees, etc.) for grant of financial up-gradations, performance of such duties as are entrusted to the employees together with retention of old designations, financial up-gradations as personal to the incumbent for the stated purposes and restriction of the ACP Scheme for financial and certain other benefits (House Building Advance, allotment of Government accommodation, advances, etc.) only without confirming any privileges related to higher status (e.g. in nation to ceremonial functions, deputation to higher posts, etc.) shall be ensured for grant of benefits under the ACP Scheme.

7. Financial up-gradation under the Scheme shall be given to the next higher grade in accordance with the existing hierarchy in a cadre/category of posts without creating new posts for the purpose. However, in case of isolated posts, in the absence of defined hierarchical grades, financial up-gradation shall be given by the Ministries/Departments concerned in the immediately next higher (standard common) pay-scales as indicated in Annexure-II which is in deeping with Part-A of the first schedule annexed to the Notification dated September 30, 1997 of the Ministry of Finance (Department of Expenditure). For instance, incumbents of isolated posts in the pay scale S-4, as indicated in Annexure-II will be eligible for the proposed two financial up-gradations only to the pay scale S-5 and S-6. Financial up-gradation on a dynamic basis (i.e. without having to create posts in the relevant scales of pay) has been recommended by the Fifth Central Pay

Commission only for the incumbents of isolated posts which have no avenues of promotion at all. Since financial up-gradations under the Scheme shall be personal to the incumbent of the isolated post, the same shall be filled at its original level (pay scale) then vacated. Posts which are part of a well defined cadre shall not qualify for the ACP scheme on 'dynamic' basis. The ACP benefits in their case shall be granted conforming to the existing hierarchical structure only.

8. The financial up-gradation under the ACP Scheme shall be purely personal to the employee and shall have no relevance to his seniority position. As such there shall be no additional financial up-gradation for the senior employee on the ground that the junior employee in the grade has got higher pay scale under the ACP Scheme.

9. On up-gradation under the ACP Scheme, pay of an employee shall be fixed under the provisions of FR 22(1) a (1) subject to minimum financial benefit of Rs.1000/- as per the Department of Personnel and Training Office Memorandum No. 1/6/97-pay, I dated 5, 1999. The financial benefit allowed under the ACP Scheme shall be final and no pay fixation benefit shall accrue at the time of regular promotion i.e. posting against a functional post in the higher grade.

10. Grant of higher pay scale under the ACP Scheme shall be conditional to the fact that an employee, while accepting the said benefit. Shall be deemed to have given his unqualified acceptance fort regular promotion subsequently, he shall be subject to normal debarment for regular promotion as prescribed in the general instructions in this regard. However, as and when he accepts regular promotion thereafter, he shall become eligible for the second up-gradation under the ACP scheme only after he completes the required eligibility service/period under the ACP Scheme in that higher grade subject to the condition that the period for which he was debarred for regular promotion shall not count for the purpose. For example, if a person has got one financial up-gradation after rendering 12 years of regular service and after 2 years therefore if he refuses regular promotion and is consequently debarred for one year and subsequently he is promoted to the higher grade on regular basis after completion of 15 year (12+2+1) of regular service, he shall be eligible for consideration for the second up-gradation under the ACP Scheme only after rendering ten more years addition to two years of service already rendered by him after the first financial up-gradation (2+10) in that higher grade i.e. after 25 years (12+2+1+10) of regular service because the debarment period of one year cannot be taken into account towards the required 12 years of regular service in that higher grade.

11. In the matter of disciplinary/penalty proceedings, grant of benefits under the ACP Scheme shall be subject to rules governing normal promotion. Such cases shall, therefore, be regulated under the provisions of relevant CCS(CCA) Rules, 1965 and instructions there under:

12. The proposed ACP Scheme contemplates merely **placement on personal basis** in the higher pay scale/grant of financial benefits only and shall not amount to actual/functional promotion of the employees concerned. Since orders regarding reservation in promotion are applicable only in the case of regular promotion, reservation orders/roster shall not apply to the ACP Scheme which shall extend its benefits uniformly to all eligible SC/ST employees also. However, are the time of

regular/functional (actual) promotion, the Cadre Controlling Authorities shall ensure that all reservation orders are applied strictly;

13. Existing time bound promotion schemes, including in-situ promotion scheme, in various Ministries/Departments may, as per choice continue to be operational for the concerned categories of employees. However, these schemes shall not run concurrently with the ACP Scheme. The administrative Ministry/Department…… not the employees shall have the option in the matter to choose between the two schemes, i.e. existing time bound promotion scheme of the ACP Scheme, for various categories of employees. However, in case of switchover from the existing time bound promotion scheme to the ACP Scheme, all stipulations (viz for promotion, redistribution of posts, up-gradation involving higher functional duties, etc.) made under the former (existing) scheme would cease to be operative. The ACP Scheme shall have to be adopted in its totality;

14. In case of an employee declared surplus in his/her organization and in case of transfers including unilateral transfer on request, the regular service rendered by him/her in the previous organization shall be counted along with his/her regular service in his/her new organization for the purpose of giving financial up-gradation under the Scheme; and

15. Subject to condition No. 4 above, in cases where the employees have already completed 24 years of regular service, with or without a promotion, the second financial up-gradation under the scheme shall be granted directly. Further in order to rationalize unequal level of stagnation, benefit of surplus regular service (not taken into account for the first up-gradation under the scheme) shall be given at the subsequent stage (second) of financial up-gradation under the ACP Scheme as a onetime measure. In other words, in respect of employees who have already rendered more that 12 years but less than 24 years of regular service, while the first financial up-gradation shall be granted immediately, the surplus regular service beyond the first 12 years shall also be counted towards the next 12 years of regular service required for grant of the second financial up-gradation and, consequently, they shall be considered for the second financial up-gradation also as and when they complete 24 years of regular service without waiting for completion of 12 more years of regular service after the first financia up-gradation already granted under the Scheme.

Note : Annexure not given.

****

CHAPTER - 8

HISTORICAL LETTERS

(PROMOTIONS, SENIORITY, SELECTIONS, PAY FIXATION & OTHERS)

8 – 1

Rly. Bd.'s No. E(CS) 61 PM1-117 **dated : 17.09.61**

Sub: - Officiating promotion to Class-I (Senior Scale).

Under the extant orders, a class-I (Junior Scale) Officer, who has completed 4 years service, is eligible for consideration for officiating promotion to the Senor Scale; & if such an officer who is considered eligible & suitable for promotion is available at the time when a vacancy of Senior Scale post occurs, it is not necessary to consider any temporary or class-II officer in preference to the Class-I (Junior Scale) officer. It has come to the Board's notice that on certain Railways the aforesaid provision has been interpreted to mean that a temporary officer of a class-II officer, who has been satisfactorily holding a Senior Scale appointment in an officiating capacity should automatically be reverted immediately when a class-I (Jr. Scale) officer completes 4 years of service and is considered suitable for promotion to the Senior Scale.

2. The accepted principle is that only those persons who are eligible and suitable at the time of filling up a vacancy are to be considered; the reversal of the arrangements thus made without regard to administrative convenience when other persons who have a claim for consideration for promotion, become eligible and suitable subsequently is not correct. In other words, an arrangement already made, by the officiating promotion to senior scale when a temporary class-I (Jr. Scale) officer was not available, should not be reversed later, merely to make room for the class-I officer who become eligible and available subsequently. The only exemption to this should be when the class-II officers some who has been promoted to Senior Scale, is not borne on the panel approved by the Departmental Promotion Committee. In cases where a class-I (Jr. Scale) officer becomes eligible after the available senior scale vacancy has already been filled by promotion of a temporary officer or a class-II officer, the class-I officer should wait until another vacancy arises. In case, however, no vacancy occurs to promote the class-I officer within a reasonable time (One year), the matter should be reported to the Board to consider if any adjustments are necessary.

In cases wherein officers officiating in the Senior Scale have to revert due to termination of a leave arrangement, or expiry of sanction of a temporary post, etc., the order of reversion will be: -

I) Class-II Officers;
II) Temporary Officer;
III) Class-I Officer.

****

8 – 2

Rly. Bd.'s No. E(GP) 75/1/58 dated : 29.10.1977

Sub: - Officiating Promotion of Class-II Officers to Senior Scale on the Railway.

Reference Railway Board's letter No. E(GP)68/1/6 dated 07.10.1969 where in the General Managers were vested with the power to make ad-hoc officiating promotion to senior scale of class-II officers for a period up to two months. The Railway Ministry have now decided that the General Managers may be authorized to make such ad-hoc officiating promotions to Senior scale of class-II officers for a period up to (but not exceeding) one year. In this connection the Board have decided that the following procedure will be followed.

i) The General Managers will constitute a selection Committee to draw up an ad-hoc panel for promotion to Senior Scale, for each Departments consisting of three Head of the Deptt. (C.P.O., Head of the Department concerned and another Head of Department).

ii) The ad-hoc panel will be drawn on the basis of seniority-cum-fitness.

iii) The officers promoted to senior scale from the ad-hoc panel will be paid full senior scale pay under normal operation of rules.

iv) The ad-hoc panel will be operated only after all the Officers borne on the officiating panel (list 'B') approved by the Departmental Promotion Committee have been promoted to Senior Scale.

v) The ad-hoc promotees will be replaced as soon as the regular D.P.C. panel is received by the Railway from the Railway Ministry.

vi) In making ad-hoc promotion the orders regarding reservation of vacancies for Scheduled Caste and Scheduled Tribe will apply as usual.

2. An officer placed on the ad-hoc panel shall not be permitted to officiate in senior scale for a period exceeding one year without specific prior approval of the Ministry of Railways.

****

8 – 3

Rly. Bd.'s No. E(P&A) 77 RG6-1 dated : 03.11.77

Sub: - Procedure to be followed for promotion of officers from Group 'B' to Group 'A' and within Group 'A' whether under suspension or whose conduct is under investigation.

The question of evolving a procedure for promotion of officers from Group 'B' to Group 'A' and within Group 'A' who are under suspension, or against whom disciplinary proceedings have been initiated and/or whose conduct is under investigation, has been under consideration. The Ministry of Railways have now decided that in such cases the following procedure may be followed.

(a) An officer whose conduct is under investigation may be promoted, if promotion is otherwise due except when the investigation has been completed and the competent authority is of the view that disciplinary proceedings should be initiated against him, in which case, promotion is to be withheld.

(b) Where the officer is under suspension or where the disciplinary proceedings have already been initiated for imposition of a major or minor penalty, he should not be promoted until finalization of the proceedings.

2. It is clarified that the mere fact that a preliminary enquiry or a regular case has been registered by the Central Bureau of Investigation against a gazetted officer, or that complaints against him are being looked into in a preliminary departmental enquiry, by vigilance investigations or otherwise, will not be ground for treating the said officer as one whose conduct is under investigation. Promotion is to be withheld only when the competent authority on consideration of the results of the investigations either by the Central Bureau of Investigation (CBI) or any agency-departmental, vigilance or otherwise has formed the opinion that the evidence collected indicates a prima facie case against the officer, and that a charge sheet may be issued on specific imputations where departmental action is contemplated or sanction for prosecution may be accorded where prosecution is proposed. Until the competent authority arrives at such a conclusion, the officer may be treated at par with others in the matter of promotion.

****

8 – 4

Rly. Bd.'s No. E(GP) 76/1/87 **dated : 25.02.78**

Sub: - Enhancement of Promotion Quota in Central Group 'A' Services.

The Administrative Reforms Commission on the Personnel Administration, made the following recommendation in order to provide greater opportunity for advancement of the talented persons who are not already in Class-I:

"Recommendation No. 16(A) : The quota of vacancies in Class-I to be filled by promotion may be increased up to a maximum of 40% where the existing quota falls short of that percentage."

2. The government having carefully considered this recommendation have decided that the existing quota for promotion of class-II officers to class-I in.

a) Civil Engineering Department.
b) Mechanical Engineering and Transportation (Power Department)
c) Electrical Engineering Department

d) Signal & Telecommunication Department.
e) Stores Department.
f) T(T) & C Department
g) Accounts Department

will be increased from 33-1/3% to 40% of the vacancies in respective Railway Services.

3. The Railway Services Recruitment Rules are being suitably amended separately.

****

8 – 5

Rly. Bd.'s No. E(GP) 75/1/58 dated : 27.02.78

Sub: - Officiating Promotion of Class II Officers to Senior Scale on the Railway.

With reference to this Ministry's instructions issued under letter of even number dated 29.10.77 on the above subject, the following guide lines are laid down as to the detailed procedure to be followed promotion to Senior Scale.: -

i) As suitability of a Class-II officer for officiating promotion to senior scale is to be adjudged on the basis of his seniority subject to fitness, the field of consideration will be restricted to as many class-II officers as the number to be empanelled. In case the required number is not found from among those so considered, the number to be considered may be increased corresponding to the short fall;

ii) Only Class-II Officers with not less than 3 years non-fortuitous service in Class-II are to be considered for the ad-hoc panel;

iii) The selection committee may assess the fitness of an officer based on his performance as reflected in his Confidential Reports over a period of 3 to 5 years, as may be decided by the General Manager.

iv) The ad-hoc panel can be operated upon after the date on which it has been approved by the General Manager.

v) A class-II officer now officiating on ad-hoc basis will continue to be paid his class-II pay and Rs. 150/- P.M. Till the Railway Administration has drawn up the ad-hoc panel. There after the officer may be paid full senior scale pay if he finds a place in the duly approved ad-hoc panel and is in turn for such promotion.

vi) The ad-hoc promotions continuing at present beyond the period of two months will be regulated by the Ministry till such time the panel for ad-hoc promotions is available to make such promotions. The particulars of cases where Board's approval is required may please be indicated early.

vii) In drawing up the ad-hoc panels, the instructions contained in this Ministry's letter No. E(SCT)68GM15/12, dated 16.03.74 regarding reservation of posts for

Scheduled Caste/Scheduled Tribe Officers will apply. The cases of SC/ST candidates who would come within the field of consideration equal to five or six times the number of vacancies should be considered and if found suitable, should be included in the ad-hoc panel for promotion against reserved vacancies.

****

8 – 6

Rly. Bd.'s No. E(GP) 77/1/103 dated : 29.03.78

Sub: - Officiating promotion of Class-II officers to Senior Scale on the Railways.

1. In terms of instructions contained in Railway Ministry's letters No.E(GP)77/158 dated 29.10.77 and 27.02.1978, the General Managers have been authorized to form panels of Class-II officers for their ad-hoc officiating promotion to Senior Scale on the basis of seniority-cum-fitness, according to the procedure outlined therein. It has been also laid down that such Ad-hoc officiating arrangements can be continued by the General Manager for a period up to, but not exceeding one year, and that the General Managers have to obtain prior approval of the Railway Ministry for continuing any such officiating arrangements beyond one year.

2. The Ministry of Railways, have in consultation with the Union Public Service Commission, now decided that hereafter the officiating panels (Lists 'B') for making officiating promotion of class-II officers to long term vacancies in Senior Scale in various Departments, will not be drawn up by the Departmental Promotion Committees convened under the aegis of the UPSC. As a result, henceforth these officiating promotions will be made on the basis of seniority-cum-suitability from the ad-hoc panels drawn up by the General Managers, in accordance with the instructions referred to in Para 1 above.

3. However, under the provisions of the Union Public Service Commission (Exemption from Consultation) Regularization, a Class-II Officer may not be continued in Senior Scale (Class-I) Beyond a period of one year without the approval of the UPSC. Accordingly all cases of Class-II Officers who are promoted ad-hoc to Senior Scale, and who are likely to be continued in such officiating promotion for more than a year, will have to be reported by this office to the UPSC before the expiry of the period of one year in order in obtain their approval to the continuation of the arrangement. For this purpose the following procedure may please be followed.

3.1 Each case of ad-hoc officiating promotion to Senior Scale should be reviewed after the first six months of officiating to assess if this would continue beyond one year and in cases where the arrangements are to be continued beyond the period of first one year, the Railway Ministry should be approached immediately thereafter with details in respect to the officers concerned. The proforma in which this information is to be furnished to this office will be sent to you shortly.

****

8 – 7

Rly. Bd.'s No. E(GP) 75/1/58 dated : 09.01.79

Sub: - Officiating promotion of Class-II Officers to Senior Scale.

The Ministry of Railways have issued instructions in their letter No.

1) **E(GP) 75/1/58 dated 29.10.77**
2) **E(GP) 75/1/58 dated 27.02.78**
3) **E9GP) 77/1/103 dated 29.03.78**

Laying down the procedure to be followed by the Railway Administration in making ad-hoc promotions of Class-II Officers to the Senior Scale. For facility of reference these are being cons9olidated and reiterated as follows.

(a) The General Manager of Railways & Production Units have been authorized to make ad-hoc promotions to Sr. Scale for a period up to (But not exceeding) one year.

(b) (i) The General Manager will constitute a selection committee to draw up an ad-hoc panel of Class-II officers for ad-hoc officiating promotion to Sr. Scale for such Department, consisting of three Heads of Departments (CPO, Head of the Department concerned and another Head of Department.)

ii) Suitability of a class –II officers for his ad-hoc officiating promotion to Sr. scale is to be adjusted on the basis of his seniority subject to fitness and the field of consideration will be restricted to as many class-II officers as the number to be empanelled. In case the required number is not found from among those so considered, the number to be considered may be increased corresponding to the shortfall.

iii) Only class-II officers with not less than 3 years non-fortuitous service in class-II as on 1st April of a particular year are to be considered for the ad-hoc panel.

iv) In drawing up the ad-hoc panels, the instructions contained in this Ministry's letter number E(SCT)68 CM 15/12 dated 16.03.1974 regarding reservation of posts for Schedule Cast/Scheduled Tribe Officers will apply. The cases of SC/ST candidates who would come within the field of consideration, which will be equal to five or six times the number of vacancies will be considered and if found suitable, should be included in the ah-doc panel for promotion against reserved vacancies.

v) The Selection Committee may assess the fitness of an Officer based on his performance as reflected in his Confidential Reports for the last three years. The Officer's CR's over a long period (say 5 years) may, however, be reviewed by the Selection Committee if it is to the advantage of the Officer. The assessment for fitness of an officer for officiating in Senior Scale

should not be solely based on his C.R. for a single or a particular year. An overall assessment as to his fitness should be made on the basic or CRs relating to 3/5 years as the case may be.

vi) An ad-hoc panel drawn up in terms of this procedure shall be operated upon only after the date on which it has been approved the General Manger.

vii) A class-II Officer promoted to officiate to Senior Scale, from the ad-hoc panel, will be paid full Sr. Scale pay under normal operation of rules.

Under the provisions of the Union Public Service Commission (Exemption from Consultation) Regulations, a Class-II Officer may not be continued in Sr. Scale beyond a period of one year without the approval of the U.P.S.C. Accordingly, all cases of Class-II Officers who are promoted ad-hoc to the Sr. Scale, and who are likely to be continued in such officiating promotion for more than a year, will have to be reported by this office to the U.P.S.C. before the expiry of the period or one year, in order to obtain their approval to the continuation of the arrangement beyond one year. For this purpose the following procedure may please be followed.

2.2 Each case of ad-hoc officiating promotion to Sr. Scale should be reviewed after the first six months of the officiating to assess if this would continue beyond one year and in cases where the arrangements are to continue beyond the period of one year, the Railway Ministry should be approached immediately thereafter, duly furnishing the details of the officers concerned in the proforma already prescribed for the purpose.

****

8 – 8

Rly. Bd.'s No. 79-E(SCT)15/15 New Delhi dated : 07.03.79

Sub: - Officiating promotion of Class-II Officers to Senior Scale on the Railway.

Reference is invited to Para (vii) of this Ministry's letter No. E(GP)75/1/58 dated 27.02.78 and E(GP)75/1/58 dated 09.01.79 in which it was laid down that the instructions contained in the Board's letter No. E(SCT)68CMT 15/12 dated 16.03.74 regarding reservation of vacancies of ST/ST would apply while drawing up ad-hoc panels for officiating promotion to Sr. Scale and that the SC/ST candidates within the field of consideration equal to five or six times the number of vacancies should be considered for the purpose. When these instructions were issued the position was that panels for officiating promotion would be drawn on the basis of selection by the DPCs constituted under the auspices of the UPSC.

2. Pending the availability of such panel drawn by the DPC, the Railway Administrations were authorized to draw up ad-hoc panels on the basis of seniority-cum-suitability, to meet administrative requirements. After the issue of these instructions, it was decided that officiating panels (list B) for making officiating promotion to senior scale will no longer be under the auspices of the UPSC. In the light of this procedural change it was also decided that such officiating panels would be drawn by the Railways themselves on the basis of seniority-cum-suitability. Accordingly the Railways were authorized vide Board's letter No. E(GP)77/1/103 dated 29.03.78 to draw up ad-hoc panels for officiating promotion to Class-II officers to Sr. Scale on the basis of seniority-cum-suitability.

3. As a result of this qualitative change in the character of selection of Class-II officers for officiating promotion to the Sr. Scale, a question has been raised regarding consideration of the case of SC/ST officers. After a careful consideration of the question, it has been decided by the Ministry of Railways that Class-II SC/ST officers who satisfy the conditions of eligibility should be considered for ad-hoc officiating promotion to Sr. Scale against reserved vacancies regardless of their seniority position.

****

8 - 9

Rly. Bd.'s No. E(GP) 75/1/58 **dated : 20.06.80**

Sub: - Officiating promotion from Group 'B' (Class-II) to Group 'A' (Senior Scale).

As per extant rules Group 'B' (Class-II) officers who have put in a minimum of three years regular service in Group 'B' (Class-II) are only eligible for officiating promotion in Group 'A' (Senior Scale). It has been brought to the notice of this Ministry that there is a shortage of Group 'B' (Class-II) in various departments on Zonal Railways and that there are also no Group 'A' (Junior Scale) Officers with requisite minimum length of 3 years service for being considered for officiating promotion to Senior Scale.

After careful consideration, Board have decided that Group 'B' (Class-II) officers who have put in a minimum of three years service in Group 'B' (Class-II) both fortuitous and non-fortuitous may be put to look after duties in senior scale on payment of charge allowance of Rs.150/- per month in addition to their pay in Group 'B' (Class-II) posts. These officers will, however, be eligible to draw pay in senior scale offer completion of three years regular service in Group 'B' (Class-II).

****

8 - 10

Rly. Bd.'s No. E(GP) 81/1/40 **dated : 18.05.1981**

Sub: - Promotion of Group 'B' Officers to Senior Scale on ad-hoc basis.

Reference is invited to this Ministry's letter No. E(GP)75/1/58 dated 29.10.1977 and 27.02.1978, E(GP)71/1/10 dated 29.03.1978 and E(GP)78/1/115 Pt.III dated 25.06.1979.

2. It has been represented by the ministry that panels for ad-hoc promotion of Group 'B" (Class-II) Officers to the Senior Scale are not being prepared in time with the result that Group 'B' Officers eligible for consideration for such promotion have to wait even where vacancies in Senior Scale exit. It has also been represented that the ad-hoc panels are not being published for the information of the officers concerned.

3. In the light of the representations made, the Railway Ministry have decided that there should be no avoidable delay in drawing panels of Group 'B' Officers for ad-hoc

promotion to Senior Scale. The panel may also be published for the information of the officers, with the clear indication that the panel is only ad-hoc and the officers promoted out of the panel are liable to be replaced when regular Group 'A' (Class-I) Officers become available.

****

8 - 11

Rly. Bd.'s No. E(0)III/81/PM5/7 dated : 24.08.1981

Sub: - Promotion of Class-I Jr. Scale Officers to Senior Scale on ad-hoc basis.

In terms of extant orders, class-I officers ordinarily with not less than 4 years of service in Class-I/Junior Scale are to be Promoted to Senior Scale. However, on the recommendations of the Zonal Railways, Board, have in some cases, agreed to Class-I Officers with less than 4 years but more than 3 years service in Class-I being detailed to look after the duties of the posts of Senior Scale on their Junior Scale pay plus a special pay of Rs.150/- per month.

The Ministry of Railways have considered a proposal to delegate the powers to the GMs of Zonal Railways to promote Junior Scale Officers with less than 4 years Service in Class-I/Junior Scale to Senior Scale and have decided that the General Managers may now themselves, if considered necessary, detail the Junior Scale/Officers with a minimum of 3 years service in Class-I to look after the duties of the Senior Scale posts, on their grade pay plus a special pay of Rs.150/- per month, subject to the condition that pay plus special pay does not exceed the pay admissible on the regular promotion to senior scale on completion of 4 years of class-I service. The following further conditions are also to be satisfied before Class-I Officers with more than 3 years and less than 4 years service are detailed to look after the duties of the post of Senior Scale posts.

i) No suitable /eligible class-II officer is available for promotion to Senior Scale.

ii) The Junior Scale Officer has put in a minimum of 3 years service and completed his probation successfully.

Note: This letter is superseded by Railway Board's letter No. E(CP)/85/1/48 dated 31.12.85.

****

8 - 12

Rly. Bd.'s No. E(GP) 75/1/58 dated : 11.10.1982

Sub: - Officiating promotion from Group 'B' (Class-II) to Group 'A' (Senior Scale).

Reference as invited to this Ministry's letter of even number dated 29.10.77 delegating authority to the General Managers to draw panels for ad-hoc officiating promotion of Group 'B' (Class-II) officers to Senior Scale as per the procedures indicated

therein. For such ad-hoc promotion group 'B' Officers who have rendered not less than 3 years of non-fortuitous service in Group 'B' are eligible for consideration. However, due to shortage of Group 'B' officers with the requisite period of non-fortuitous services and also due to non-availability of eligible Group 'A' (Class-I) Jr. Scale Officers for consideration for promotion to Senior Scale, the Ministry in their letter of even number dated 20.06.80 had relaxed the condition, and provided for considering Group 'B' officers who have rendered 3 years of service, fortuitous and non-fortuitous put together, to be put out to look after duties in Senior Scale with a charge allowance of Rs.150/- p.m. The requirement of 3 years of service in Group 'B' for the officer to acquire eligibility for consideration for appointment to Senior Scale follows the provision contained in the Recruitment Rules of all established services, for promotion of Group 'B' Officers to Group 'A'/Junior Scale and is the minimum necessary for a Group 'B' Officer to gain adequate experience, so as to be in a position to shoulder responsibilities in Senior Scale.

2. It has been reported to the Ministry by the Railways that due to delay in formation of Group 'B' panel(s) on account of circumstances said to be beyond the control of the Administr5ation junior employees promoted to Group 'B' on ad-hoc basis in administrative arrangements pending selection, gained eligibility for consideration for promotion to Senior Scale by virtue of having rendered 3 years of service, both fortuitous and non fortuitous, while seniors who have had not the opportunity for such ad-hoc promotion to Group 'B' do not come up for consideration as a result of not satisfying he requirement of three years service. Such a situation is no doubt anomalous. Before considering the issue, whether a junior group 'B' Officer gaining eligibility for ad-hoc promotion to Senior Scale in such a situation be allowed to him, the Railway Ministry would like to have your specific views whether the relaxation allowed in the Ministry's letter of even number dated 20.06.80 would require to be continued for the same can now be withdrawn and the original stipulation of 3 years non-fortuitous service be insisted upon in future. Since the relaxation has been in force for more than 2 years now, it should be possible to decide on the need for its continuance or otherwise based on the administrative situation on your system.

****

8 - 13

Rly. Bd.'s No. E(GP) 75/1/58 **dated : 24.04.1983**

Sub: - Officiating ad-hoc appointment of Group 'B' (Class-II) Officers in Group 'A' (Senior Scale).

General Managers have been delegated the authority to draw panels according to the procedure indicated in Board's letters No. E(GP)75/1/58 dated 29.10.77 and 27.02.78 for ad-hoc officiating appointment of Group 'B' officers in Senior Scale Officers who have rendered not less than three years of non-fortuitous service in Group 'B' are eligible for consideration, Owing, however, to the non-availability of eligible Group 'A' Junior Scale officers as also shortage of Group 'B' officers with the requisite period of non-fortuitous service, Group 'B' officers with the requisite period of non-fortuitous service, Group 'B' officers who have rendered three year of total service, including fortuitous service, have also been made eligible to be considered for being posted to look after duties in Senior Scale on payment of a charge allowance of Rs.150/ p.m.

2. In the context of making such arrangement, the following issues have been referred to the Ministry for advice/decision:

a) Whether Junior Group 'B' (Class-II) officers acquiring eligibility before their senior in Group 'B' for ad-hoc appointment in Senior Scale can be considered and appointed in Senior Scale or whether the seniors can also be considered for such appointment by reason of their juniors receiving consideration;
b) On such appointment, what pay should be allowed to the juniors viz. whether in grade of Rs.1100-1600 (RS) or their pay should be regulated with a charge allowance of Rs.150/- p.m. till the senior is promoted.
c) Whether juniors so promoted can be reverted to accommodate seniors on the latter becoming eligible.

3. The situation of the nature as referred to at (a) above may arise due to the following:

a) A senior Group 'C' employee, as a result of his being away at the time of selection to Group 'B' may not have been considered at the main selection and on his qualifying in the selection on return may have been empanelled and appropriately placed on the panel as per his seniority and gradation, in such a case the juniors on the Group 'B' panel having got promoted earlier will gain eligibility for consideration for appointment to Senior Scale ahead of the Senior.
b) A junior employee may gain places on the Group 'B' panel by reason of his performance in supplementary selection and getting superior gradation. Such an employee is senior to others placed below him in the group 'B' panel and at the time his juniors on the panel are considered he may not have actually rendered three years of service in Group 'B' and gained eligibility.

4. Appointment of Group 'B' officers straight away in Senior Scale without being regularly selected for appointment to Group 'A' of the service is ad-hoc in nature and is based on seniority subject to fitness. The normal sequence, therefore, is a senior Group 'B' officer would get appointed to Senior Scale before his juniors. However, incidence of cases of the nature as referred to above, is not unlikely. Service of three years in Group 'B' being the minimum prescribed for an officer to acquire experience so as to facilitate shouldering responsibilities in Senior Scale, it has not been considered necessary to relax the limit. A Group 'B' officer cannot therefore be considered for appointment in Senior Scale without his rendering three years of service in Group 'B'

5. In administrative requirements, if vacancies in Senior Scale are required to be filled and eligible Group 'A'/Junior Scale officers are not available for consideration, Group 'B' officers who have gained eligibility and have been considered fit by the committee may be promoted to Senior Scale on ad-hoc basis. On appointment in Senior Scale they will be eligible to draw pay as may be admissible in grade Rs.1100-1600/- if they have completed three years on non-fortuitous service in Group 'B', otherwise a charge allowance of Rs.150/- p.m. should only be allowed. Even, if a senior Group 'B' officer, is not promoted to Senior Scale while his juniors get promoted, the former will on the basis of his seniority position in Group 'B' considered for purposes of selection for absorption in Group 'A'. In respect of Group 'B' officers serving in projects/Construction organization like the M.T.P., Railway Electrification, Diesel Component Works, the eligibility of officers for appointment to Senior Scale posts on ad-hoc basis in the projects/Construction and the pay

to be allowed on appointment to Senior Scale will have to be decided depending upon their position in the cadre on the parent Railways.

6. On the question, whether a junior Group 'B' officer promoted to Senior Scale should be reverted to accommodate a senior when the latter becomes eligible, the situation will have to be dealt with depending on the overall availability of eligible officers, including Group 'A' Junior Scale officers, for appointment to Senior Scale, the duration and nature of vacancies in Senior Scale, the period for which a senior officer may have to wait, if a vacancy is nor in hand nor is likely to be available in a short period. This may be decided by the General Manager locally taking into account the administrative needs and the arrangements already made.

****

8 - 14

Rly. Bd.'s No. E(GP)/85/1/48 **dated : 31.12.1985**

Sub: - Promotion of Group 'B' Officers to Sr. Scale on ad-hoc basis.

Vacancies arising in Sr. Scale posts are required to be filled by the promotion of Group 'A'/Junior Scale Officers who have rendered in Junior Scale the years of service prescribed. Notwithstanding this, it has been the practice on the Railways to promote Group 'B' Officers directly to Senior Scale even before their regular appointment in Group 'A' service, wherever junior scale officers are not available. Till 1977 such promotions were made on the basis of panels for officiating promotion drawn by the DPCs convened by the Union Public Service Commission. From 1978 onwards, the procedure of drawing panels by the DPCs for officiating promotion of Group 'B' Officers to Senior Scale has been dispensed with and instead the procedure of drawing lists of Group 'B' Officers considered suitable, as per seniority cum fitness, for appointment in Sr. Scale on ad-hoc basis has been introduced.

2. Officers who have rendered not less than three years of non fortuitous service in Group 'B' are considered for Ad-hoc appointment in Senior Scale, as per seniority cum fitness, fitness being assessed by a committee of three HODs. Instructions also exist that Junior Scale officers with more than three years of service but less than four years of service may also be detailed to look after duties in Senior Scale, on payment of a special pay Rs.150/- p.m. in addition to pay in Junior Scale.

3. In the context of the above, the Board have had under consideration the order of priority that should be followed in the matter of filling Senior Scale vacancies.

After a careful consideration, taking into account the fact that a Group 'B' Officer posted to work in Senior Scale on ad-hoc basis has not yet been appointed to Group 'A' service the Board have decided as follows:

I) Vacancies arising in Senior Scale should be filled with Group 'A'/Junior Scale Officers who are eligible for appointment to Sr. Scale.

II) If eligible Group 'A'/Junior Scale officers are not available but Junior Scale Officers with a minimum of three years of service in Junior Scale who have completed the probation successfully are available they should be considered for looking after duties in Senior Scale on payment of a special pay of Rs.150/- p.m. in addition to pay in Junior Scale, subject to the condition the pay plus special pay does not exceed the pay admissible on regular promotion to Senior Scale on completion of the year of service prescribed in Junior Scale. The consideration will be in preference to Group 'B' officers, even if the Group 'B' officers have rendered over three years of service in Group 'B'.

III) Failing (i) and (ii) above, Group 'B' officers who have rendered not less than three years of service in Group 'B' and have been adjusted suitable by a committee of HODs for appointment against Senior Scale vacancies should be considered for ad-hoc appointment.

IV) While ordering reversion, the reverse order of the priority indicated above should be followed.

4. The above instructions are in super-session of all the earlier instructions on the subject and in modification of Para 2(i0 of Board's letter No. E(0)III-81 M5/7 dated 24.08.81.

****

8 - 15

Rly. Bd.'s No. E(GP) 85/1/48 dated : 04.03.1986

Sub: - Promotion of Group 'B' officers to Senior Scale on ad-hoc basis..

Reference is invited to the Department of Railways (Railway Board's letter of even number dated 31.12.1985) regarding promotion of Group 'B' officers to Senior Scale on ad-hoc basis. Representations have been received expressing apprehension that implementation of these instructions would lead to reversion of Group 'B' officers who had been promoted to Senior Scale on ad-hoc basis prior to 31.12.1985.

2. It is clarified that the instructions of 31.12.1985 have not made any change whatsoever in the instructions contained in the Board's letter No. E(GS)61PMI-117 dated 27.09.1961 in the matter of the order to be followed when officers officiating in the Senior Scale have to revert due to termination of a leave arrangement of expiry of sanction of a temporary post, etc.

3. The Board would further like to mention that the instructions contained in their letter dated 31.12.1985 do not anywhere require that promotions of Group 'B' officers already made prior to 31.12.1985 should be subject to review in terms of the instructions contained in the said letter and hence no such review need be undertaken. It is clarified that these instructions have prospective application.

****

8 - 16

Rly. Bd.'s No. E(GP) 85/1/48 Pt.'A' **New Delhi dated : 11.03.1986**

Sub: - Promotion of Group 'B' (Class-II) Officers to Senior Scale on ad-hoc Basis.

Reference Board's letter of even number dated 31.12.1985. Representations have been received from the Class-II officer's Associations on the Railways asking for the Board's letter referred to above to be withdrawn. The following have been mentioned in support of this request.

i) There should be no discrimination between Group 'A' and Group 'B' officers in pay and in the prospects for promotion;

ii) The prospects of Group 'B' officers for promotion have been damaged as a result of issue of the letter dated 31.12.1985.

In addition, a mention has also been made that Group 'A' Junior Scale Officers promoted to Senior Scale before completion of four years should be reverted and Group 'B' officers who have completed three years of service should be promoted to Senior Scale, without keeping the vacancies unfilled.

2. Group 'A' and Group 'B' services are distinct. The Third Pay Commission, while recommending the scales of pay took into consideration all relevant factors as also representations made by the Association of the Class-II Officers for abolition of Class-II service and for their merger with the Junior Scale of the corresponding Class-I service. The Pay Commission observed that distinction between Class-I/Junior Scale and Class-II was justified and was not repugnant to any principle and recommended that Class-II cadre should continue as a separate entity. The distinction between Group 'B' and Group 'A'/Junior Scale exists in all the organized services of the Government and is not peculiar to the Railways. No decision for its abolition can, therefore, be taken unilaterally by the Railways.

3. As per the Recruitment Rules governing appointment to Senior Scale posts in the Organized Services only Group 'A' Junior scale officers who have rendered the prescribed years of service in Group 'A' are eligible for such promotion. In terms of these rules, a Group 'B' officer has the avenue for promotion to Group 'A' service at the Junior Scale level on the basis is selection and not directly to Senior Scale. A Group 'B' officer has thus no right under the rules for promotion to Senior Scale without first gaining eligibility therefore, through promotion to Group 'A'.

4. In spite of these provisions in the Recruitment Rules, in order to meet immediate needs, relaxation have been made and ad-hoc promotions of Group 'B' officers directly to Group 'A' Senior Scale have been effected. The Board's letter of 31.12.85 does not alter this position.

5. The instructions contained in the Board's letter dated 31.12.85 have only prospective application. Ad-hoc promotions of Group 'B' officers to Senior Scale already made prior to 31.12.85 were not required to be reviewed and this has been clarified in the

Board's letter of even number dated 04.03.86. Consideration of Group 'B' officers for ad-hoc promotion to Senior Scale to meet immediate needs has not been discontinued.

6. The Class-II Officers Association may be replied to suitably.

****

8 - 17

Rly. Bd.'s No. E(GP) 85/1/48 **New Delhi dated : 18.06.1987**

Sub: - Promotion of Group 'B' Officers to Senior Scale on ad-hoc Basis.

Reference is invited to Board's letters No.E(GP)85/1/48 dated 31.12.85 and 04.03.86 on the above subject.

2. During the meeting of the Indian Railway Class-II officers Federation held with the Board on 06.04.87, the Federation represented that vacancies arising in Senior Scale posts are being kept unfilled by the Railway Administrations with the result, Group 'B' Officers who have attained eligibility, although available for consideration, are being denied the opportunity of promotion. After consideration of the representation, the Board have decided that vacancies in Senior Scale may be filled, by considering officers, who are eligible and available for such consideration as on the date of occurrence of the vacancy. If both Junior Scale Officers and Group 'B' Officers are eligible for consideration as on the date of occurrence of vacancy, the order to be followed for their consideration shall be as indicated in Para 3.1 of Board's letter of even number dated 31.12.85.

****

8 - 18

Rly. Bd.'s No. 87-C(SCT)1/23/2 **RBE No. 150/87**

New Delhi dated : 25.06.1987

Sub: - Implementation of Reservation Rules in filling up of Senior Scale posts in officiating promotions.

It has recently come to Board's notice that SC/ST Group 'B' officers are not being promoted to Senior Scale on ad-hoc basic against the reserved vacancies on the ground that they are not within the zone of consideration. In this connection, attention is drawn to instructions contained in Board's letter No. 79-E(SCT)15/15 dated 07.03.79 in which it has been laid down that the Group 'B' SC/ST officers who satisfy the conditions of eligibility should be considered for ad-hoc officiating promotion to Senior Scale against reserved vacancies regardless of their seniority position.

2. Accordingly, it is reiterated that the above instruction should be followed meticulously. A copy of Board's letter No. 79-E(SCT)15/15 dated 07.03.79 is enclosed for ready reference.

Please also confirm that rosters are being maintained for officiating promotion to Senior Scale in all the Departments of your Railway.

****

8 - 19

Rly. Bd.'s No. E(GO) 85/1/6 dated : 21.07.1987

Sub: - Ad-hoc appointment of Group 'B' officers in Senior Scale.

Reference is invited to Secretary's Confidential D.O. letter No. 87/289-B/Secy./Admn. Dated 15.05.1987 addressed to you indicating the norms to be adopted for purposes of considering officers for promotion/deputation/training. In terms of the norms prescribed in the said letter, a Group 'B' officer to be considered as suitable for promotion to senior scale, should have 17 points from the last five Confidential Reports. With the issue of the Confidential D.O. letter dated 15.5.1987, the earlier instructions contained in Confidential letter of even number dated 09.02.1987 stand superseded.

2. Group 'B' Officers with not less than three years of non-forfeiture service are considered for ad-hoc promotion to Senior Scale, wherever Junior Scale Officers are not available to fill vacancies in Senior Scale. Situations may arise where the Group 'B' officer may not have rendered five years of service in Group 'B'. In such cases, Confidential Reports pertaining to the non-gazetted service should be taken into account, to the extent needed, to make up five years.

(Refer W. Rly. Letter No.E(G)838//0(Vol.II) dated 03.08.1987, also)

****

8 - 20

Rly. Bd.'s No. 88/289/B/Secy/Admn. dated : 23.03.1988

Sub: - Classification of ACRs in terms of Points' system.
Ref: - Letter No.87/289/-B/Secy/Admn.dated 15.05.1987.

Railway Board have reviewed the existing policy regarding assessment of ACRs in terms of 'Points" system and it has been decided that: -

(a) For the purpose of empanelment, deputation, training, etc., while considering the last 5 years ACRs, the classification like 'Not Fit/Not yet' in the last 3 years will earn 2.5 points, but in the first 2 years such classification will earn 3 points.

(b) 'Average' rating or 'Not Fit' in the last ACR will continue to be treated as 'Grey Area', irrespective of qualifying points by the Board.

****

8 - 21

Min. of Finance No. F.6(82)-IC/91 dated : 22.09.1992

Sub: - Creation of a promotional grade of Rs.2200-75-2800-EB-100-4000 for the Audit & Accounts officers of the organized Accounts Cadres.

Consequent upon restructuring of the Indian Audit and Accounts Department, 80% of the posts of Auditors and Section Officers (Audit) were placed in the higher scale of Rs. 425-800 and Rs. 650-1040 respectively w.e.f. 01.03.84. On the recommendation of the Fourth Central pay Commission that there should be broad parity in the pay structure of Accounts and Audit Staff, the re-structuring scheme was extended to the Accounts staff w.e.f. 01.04.87. However, the cadres of Audit/Accounts Officers were not restructured.

2. The Matter regarding grant of an appropriate scale of pay to the Audit/Accounts Officers has, therefore, been under consideration of the Govt. for some time past. Keeping in view the duties and responsibilities and the functional needs, it has now been decided to provide a promotional grade in the scale of Rs.2200-75-2800-EB-100-4000 for Audit/Accounts Officers in IA&DA and other organized Accounts Cadres, except 'Railway Accounts Cadre. The number of posts in the promotional scale of Rs.2200-75-2800-EB-100-4000 will be 80% of the sanctioned strength of the respective cadres of Audit/Accounts Officers.

3. The Audit/Accounts Officers in the scale of Rs. 2375-75-3200-EB-100-3500 with a minimum of three years regular service will be eligible for promotion to the scale of Rs.2200-75-2800-EB-100-4000. The promotion will be made after following the due process of promotion by adopting the principle of seniority cum fitness. As the posts in the scale of Rs. 220-75-2800-EB-100-4000 are in the functional promotional grade, benefit of F.R-11-I(a)(1)(old FR 22-G) will be admissible on appointment to this scale.

4. The classification of the posts of Audit and Accounts Officers will, however, remain the same i.e. Group 'B' even after the promotion to the scale of Rs. 2200-75-2800-EB-100-4000.

5. These orders shall be effective from 01.04.1992. However, the benefit of fixation of pay on notional basis in the promotional scale of Rs.2200-7500-2800-EB-100-4000 may be allowed w.e.f. 01.04.1987 or from the first of the month follo9wing the month in which the officer completed 3 years regular service as Audit/Accounts Officer in the scale of Rs. 2375-75-3200-EB-100-3500, whichever is later, subject to the availability of posts in the promotional grade. No arrears of pay will be admissible for the period prior to 01.04.1992.

6. These orders issue in consultation with the controller and Auditor General of India in so for as these relate to Indian Audit & Accounts Department.

8 - 22

Rly. Bd.'s No. E(O)III PM6/132 dated : 05.09.84

Sub: - Appointment to General Manager's Posts.

The government of India has had under consideration, the question of reviewing the principles and procedure for making appointments to the posts of General Managers and equivalents under the Ministry of Railways. Government has accordingly sanctioned the scheme as annexed for the purpose.

The objective of the scheme is to lay down clear guidelines for selection of officers from amongst the various Railway services for appointment to posts on General Managers and equivalent in the Indian Railways, so as to provide equitable opportunities for the members of the various services and to ensure that these posts are manned by persons of proven ability and competence, having due regard to the specific requirements of each post, for the smooth and efficient running of the Railway system.

Order: Ordered that a copy of the resolution be circulated among the members of various Group 'A' Railway services.

Ordered also that the Resolution be published in the Gazette of India for general information.

ANNEXURE

SCHEME FOR MAKING APPOINTMENTS TO POSTS OF GENERAL MANAGERS AND EQUIVALENT IN THE RAILWAYS.

1. **TITLE**: The scheme shall be called the scheme for appointment to the posts of General Managers and equivalent in the Indian Railways.

2. **DATE OF EFFECT**: The scheme shall come into force with effect from the 5th September, 1984.

3. **APPLICABILITY** : The scheme shall be applicable to the posts of General Managers and equivalent in the scale of Rs. 3000-3500 as listed in Annexure-I

4. **METHOD** :

A panel of names of names for consideration for appointment to the posts listed in appendix I shall be prepared by a selection Committee set up in accordance with Para 5 of the scheme. For this purpose, the Selection Committee shall consider separately on merits all eligible officers of each of the Railway Service listed in Appendix-II, in the order of their seniority in the respective Service and prepare a panel of officers considered suitable in all respect, for appointment to the posts of General Manager and equivalent. The selection Committee may also recommend the specific vacancy if any for which a particular officer included in the panel may be comparably more suitable.

The panel as prepared by the Selection Committee shall be submitted for the approval of the Appointment Committee of the Cabinet and on its approval will constitute the Select List for appointment to the vacancies of the posts of General Managers and equivalent listed in Appendix. I.

On every occasion on which appointment is required to be made to any particular vacancy/vacancy/vacancies amongst the posts of General Managers and equivalent listed in Appendix-I, the Railway Board shall, keeping in mind the specific requirement(s), if

any, of the post(s) to be filled up, process the case for obtaining the approval of the appointment Committee of the Cabinet for appointment of person/persons included in the selection list, to such post/posts.

5. **SELECTION COMMITTEE** ;

The Selection Committee shall consist of Chairman Railway Board as Chairman, and Secretary to the Government of India in the Department of Personnel & AT and member of the Railway Board to be nominated by the Cabinet Secretary by rotation each year, as members.

6. **ASSESSMENT OF SUITABILITY** :

The Selection Committee will assess the suitability in all respects of officers belonging to the Group 'A' services listed in Appendix-I on merits, based on the record of their service and experience and any special requirements of the post(s) for which selection is to be made. In judging the suitability of the officers, the Selection Committee will give due consideration to their performance as Divisional Railway Managers and as Principal Heads of Departments in the Railways.

7. ELIGIBILITY :

Officers belonging to the Railway Services listed in Appendix-II, who satisfy the following criteria, will be eligible for consideration by the Selection Committee.

Every such officer should – on 1st July of the year in which selection is made:

i) be less than 56 years of age ;

ii) have put in not less than 25 years of regular continuous service including period of probation, if any, in a group 'A' service listed in appendix-I.

iii) be holding a level-I or equivalent or higher post, and

iv) have put in minimum of five years service in the senior administrative Grade (i.e. Level –II and Level-I combined) including service rendered in higher posts, if any.

8. In preparing a panel of names for consideration for appointments to the posts of General Managers and equivalent, the Selection Committee – shall as far as may be practicable to ensure that : -

i) Equitable opportunities are available to the members of various services listed in Appendix-II, consistent with the experience and specific requirements of the vacancies in the posts of General Managers and equivalent for which the panel is being made.

ii) There is no undue predominance of any of the Railway Services listed in Appendix-II amongst the holders of the posts of General Managers and equivalent; and

iii) An officer of the appropriate service with adequate experience in the post of General Manage and equivalent would become available for considering for appointment against a future vacancy in the corresponding functional post of Member of the Railway Board.

Provide, however that in making recommendations in accordance with (i), (ii) and (iii) above, the Selection Committee shall as far as may be practicable, ensure that the difference in batch years between any two officers included in any one panel, is not ordinarily more than two.

Explanation 1: For the purpose of (i) above, holding of more than 6 posts of General Managers and equivalent by officers belonging to any particular service would ordinarily be construed as undue predominance.

Explanation 2: Batch for the purpose of this paragraph will mean persons recruited for any particular service through the same competitive examination.

Explanation 3 : The year to which any particular batch of a service belongs (Viz. Batches year) will be determined by the earliest date on which any person selected for appointment to the service through the same competitive examination, joins.

Explanation 4: Two batch years difference as mentioned in this paragraph is explained through the following example: -

If the senior most officer is belonging to any one of the eight services mentioned in Appendix-II selected by the Selection Committee for inclusion in the panel, belongs to the 1956 batch, then a junior most person belonging to any of the services selected for inclusion in the panel, should not ordinarily belong to a batch later than 1958.

9. CURRENCY OF PANEL:

The Selection Committee shall meet once a year as soon after 1st June of each year as possible, or at such other intervals of less than 2 year, if the circumstances so require for drawing up a panel consisting of such number of names as may be necessary for appointment to the existing and anticipated vacancies in the posts of General Manager and equivalent during the period from 1st July of the year to the 30th June of the next year. The panel drawn up by the Selection Committee shall remain valid for one year or the date of the next meeting of the Selection Committee whichever is earlier.

10. RELAXATION :

Any of the above mentioned provisions of the Scheme may, if considered expendient in the public interest, be relaxed to the extent necessary, in consultation with the Department of Personnel and Administrative Reforms. Any such relaxation shall be specifically brought to the notice of the Appointment Committee of the Cabinet while recommending appointments.

11. INTERPRETATION :

All questions of doubt regarding the interpretation of the Scheme shall be decided by the Ministry of Railways in consultation with the Department of Personnel and Administrative Reforms.

****

APPENDIX – I

List of posts of General Managers (Ref. Para 3 of the scheme)

GMs (open line) – 9, GMs – I.C.F. C.L.W., D.L.W., Wheel & Axle Plant, N.F. Rly. (Const.), Metro Rly. and Director General, R.D.S.O. – one each – total – 16

Any other post that may be created after the publication of the Scheme in the scale of pay equivalent to the scale of General Managers unless such post or posts, is specifically excluded from the scheme.

****

APPENDIX – II

(Ref. Para 4.1of the scheme)

List of Railway Services whose officers are eligible for appointment as General Managers and equivalent.

IRSE, IRTS, IRSME, IRSEE, IRPS, IRSSE, IRSS & IRAS

****

8 - 23

Rly. Bd.'s No. E(GP) 85/1/6 **dated : 11.01.1988**

Sub: - Ad-hoc appointment of Group 'B' officers in Senior Scale.

Reference is invited to Board's confidential letter of even number dated 21.7.1987, indicating that for purposes of considering Group 'B' officers for ad-hoc promotion to posts in Senior Scale, the norms advised in secretary, Railway Board's Confidential D.O. letter No. 87/289-B/Secy/Admn dated 15.5.1987 should be followed. In terms of the said letter date 15.5.1987, a Group 'B' officer to be considered as suitable for promotion should have 17 points from the last five ACRs. Officers getting 15-16 points from the last five ACRs as also those who have been rated as 'Average' or 'Not fit' in the last ACR, irrespective of the qualifying points obtained, should be treated as falling in 'grey area' and cases of officers falling in grey area would, for purposes of promotion, require review by the Board.

2. The requirement of review of the cases of Group 'B' officers falling in grey area, has been considered and it has been decided by the Board that Group 'B' officers may be approved by the General Managers for ad-hoc promotion to Senior Scale as per the following criteria: -

i) Group 'B' officers who have secured 17 points from the last five ACRs with the last ACR containing at least the rating "Good and fit for promotion".

ii) Group 'B' officers with 16.5 or 16 points from the last five ACRs, with the last two ACRs containing at least the rating "Good and fit for promotion."

iii) Group 'B' officers securing 15.5 points from the last five ACRs with the last three ACRs containing at least the rating "Good and fit for promotion".

iv) Group 'B' officers getting 15 points from the last five ACRs, with the last four ACRs containing at least the rating "Good and fit for promotion".

3. All other cases with rating of 17 points or less should be rejected.

4. With the issue of this letter, cases need not be sent to the Board for purposes of review.

8 - 24

सं0 ई (जी पी) 87/2/123 तई दलल,

दतमक : 19.09.1988

तषय : शणी-II सेम मो पदोनतार - "सेर" अरर अंक दतेम।

रेलत पर शणी II प्रणत के संबंध मे अतपलत क जतल प कयस के संबंध म

बोड त समय-समय पर अतदेश जर कय ह। हल ह मो उनहतत इत अतदेशत कस

तर

करत क पशत पर त्चसर कयस है जिससस सातशिचर हो क से्सत्तरत क लए अंक दत म।

त्भनत रेलत पर अपतसयी रयी पधदारयो म। कई स्रत्क अनरर तह। है। रदतससर,

उनहतत त्तशचय कयस है क तमतलंखर पंकयस कस अतपसलत कयस जसयं।

1 मलयसकंत : I) मलयसकंत तपछल पसंच ष क। रोपतीय रपो् पर आधसरर होतस चसहए।

II) पसंच रोपतीय रपो् मे अधकरम 25 अंको क लए अंक

तिमनलाखर पकसर से दयस

जसय।

उतकष् : 5 अंक

बहर अचछस : 4 अंक

अचछस : 3 अंक

अचछस/योगय तह। : 2.5

अंक औसर : 2

अंक औसर से कम : 1 अंक

तो्ः I) "तपछल रीत ष म। योगय तह/अभी योगय तह।"

्राकरण क लए 2.5 ा्स् दये जसयर कनर पहल। दो रोपतीय

रपो् म। इस पकसर क ्राकरण क लए 3 ा्स् दये जसयर।

II) अंक दत क लए उपयकर मसतदणड/पाकयस 75% रिकरयत केअररर प्रणत क लए लसर ह। अ् शणी लतपकत क लए अंक दरत कर दये जसयर।

3) "पदोनतार क लए योगय" क रप म। ्राकर होत क लए कमचसरा को तपछल 5

ष क। रोपतीय रपो् म। कम से कम 15 अंक लेत हतर और तपछल रोपतीय रपो्

मे "पदोनतार क लए योगय" क रप म। मलयसकंत होतस चसहए। इसक अलस तपछलारोपतीय रपो् म। "औसर" अथ्स "योगय तह।" मलयसकंत म।

आत पर भी कमचसर को "ग एरयस" म मसतस जसयेरस भले ह उसत अंक पसार कय हए हत।

यह भी तातशचय कयस रयस है क अंक द रयी अंरम गडंर के आधसर पर हआंबर त कय जसये बलिक सामार दसरस समपण रोपतीय रपोर कस अधययत कयसजसये और अंक दते के लए गडंर क जसये।

****

8 - 25

Rly. Bd.'s No. E(GP) 86/1/23 **dated : 18.06.1987**

Sub: - Instructions concerning promotion from Group 'C' to 'B' cadres.

All vacancies in Group 'B' are filled by promotions on the basis of selection of eligible Group 'C' employees and also on the basis of Limited Departmental Competitive Examination, wherever the scheme is in force. Where the scheme of LDCE is in force, selection is held to fill 75% (**now 70%**) of the vacancies and LDCE is held to fill the remaining 25% (**now 30%**) of the vacancies.

2. ***Frequency of Selection:*** Selection for appointment to Group 'B' posts should be held once in two years. Where due to unforeseen developments, such as creation of new posts, up gradations etc., the panel drawn gets exhausted and the biennial selection is away by more than six months a fresh selection may be held. The need for conducting such selections should however, be rare and due care should be taken in working out the vacancies for the normal biennial selection.

3. ***Composition of Selection Committee :*** Selection Committee will be constituted under the orders of the General Manager for the purpose of making recommendations to him in respect of Group 'C' staff considered suitable for promotion to Group 'B'.

The Selection Committee should consist of 3 Heads of Department or Additional Heads of Department including the Chief personnel Officer or Additional Chief Personnel Officer and the Head of the Department concerned or as has been provided for in the relevant Recruitment Rules. The Senior Deputy General Manager or the Addl. CVO of the Vigilance Organization should not be nominated to serve on the committee of none of the officer constituting the Departmental Promotion Committee belongs to either Scheduled Caste or Scheduled Tribe, a fourth officer belonging Scheduled Caste or Scheduled Tribe holding the rank not lower than the Junior Administrative Grade may be nominated.

4. ***Assessment of vacancies:*** Vacancies for two years should be assessed carefully and to the vacancies so assessed an addition of 20% of the cadre including construction reserve should be made and for the total number of vacancies so determined the panel should be formed. Addition of 20% of the cadre should be based only on the cadre of Group 'B' and Junior Scale posts or the average of the number of offices sent on deputation and for training both from Group 'B' and Senior Scale during a period of two years preceding the selection whichever is greater. If in certain rare situations inclusion of 20% of the cadre would lead to inflation in the size of the panel, the General Manager may restrict the assessment to a number as would meet the requirement, duly keeping a record for the action.

5. ***Reservation in favour of SCs/STs:*** Rules of reservation apply in filling the vacancies in Group 'B' on the basis of selection. Only those eligible SCs/STs, who are in the Zone of consideration determined in accordance with the rules, should be called for the selection. There is no carry forward of the element of reservation if either SCs/STs are not available in the zone of consideration or the available SCs/STs have not qualified for appointment against the reserved vacancies. In such situations the reserved vacancy should be de-reserved and filled only after de-reservation.

6. ***Condition of eligibility***: For the selection all Group 'C' employees working in grade the minimum of which is Rs.425/- in the revised scale and in higher Group 'C' grades on a regular basis who have rendered not less than 3 years of non fortuitous service

in the grade and have reached the stage of Rs.560/- are eligible. There will be no distinction between permanent and temporary employees.

In case a Junior employee is considered for selection by virtue of his satisfying the relevant minimum service conditions all persons senior to him shall be held to be eligible, not with standing the position that they do not fulfill the requisite minimum service s conditions.

7. ***Zone of consideration :*** The number of employee to be called for the selection will be in accordance with the sliding scale in the order of seniority as shown below:

1.	Vacancy	-	5 employees
2.	Vacancies	-	8 employees
3.	Vacancies	-	10 employees
4.	Vacancies and above	-	employees equal to three times the number of vacancies.

7.1 Since employee from the different streams will be eligible to appear for the selection, their integrated seniority for purposes of the selection should be determined on the basis of total length of non-fortuitous service rendered in grade Rs.700-900 (RS) and above. In other words the date of appointment to the grade Rs. 700-900 (RS) on a non-fortuitous basis will be the criterion.

7.2 If adequate number of SC/STs is not available within the field so determined for consideration against reserved vacancies, the field should be extended to five times the number of vacancies and only those SCs/STs coming in the extended field (and not the others) should be considered.

7.3 Where due to exceptional reasons beyond the control of the Administration it is not possible to hold the selection as scheduled and it is delayed by more than one selection period, the first selection that is held thereafter should follow the procedure indicated below: -

(a)-The actual number of vacancies for each of the selections should be assessed separately.
(b)-The employees who would be within the field of consideration with reference to the vacancies to be filled at each selection starting with earliest selection should only be considered for each selection.
(c)-A panel should be prepared for each of the selections.
(d)-All the panels should be consolidated by placing the panel of the earlier period above the one for the next and so on.

7.4 In respect of selections for the Group 'B' posts of Assistant Personnel Officer all employees who are eligible and who volunteer for the selection should be considered, without any limitation of number.

8. ***Selection procedure***: The selection is based on a written test to adjudge the professional ability, viva-voce and assessment of records by the Selection Committee. The marks allotted and the qualifying marks under the different head are as follows.

	Maximum marks	Qualifying marks

(i)	Professional ability	50	30
(ii)	Personality, Address, Leadership & Academic technical qualifications	25	15
(iii)	Record of Service	25	15
	Total	**100**	**60**

In respect of Accounts department the marks allotted and qualifying marks are as follows:

		Maximum marks	Qualifying marks
(i)	Professional ability written test	25	30
	Viva-Voce	25	
(ii)	Record of Service	25	15
(iii)	Personality, Address, Leadership & Academic technical qualifications	25	15
(iii)			
	Total	**100**	**60**

8.1-The question paper for the written test should have a practical bias i.e. should be designed to test the ability of candidates to tackle the practical problems they are likely to face rather than their theoretical knowledge. It is in view of this that no syllabus has been prescribed for the written examination except the written examination for the post of Assistant Personnel Officer and the Railways depending on the local conditions/practices should set the paper.

8.2-Ten percent of the total marks allotted for testing the professional ability should be set apart for questions on official language policy and official language rules. While the employees should be encouraged to attempt the questions on official language policy and official language rules the questions should not be compulsory.

8.3-The setting of the question paper and evaluation of answer books should be done by one and the same officer of SA grade level who need not necessarily be a member of the selection committee. Questions on official language policy and official language rules may be set by or in consultation with the Mukhya Raj Bhasha Adhikari.

8,4-No moderation of the performance is permissible.

8.5-Personality, Address and Qualities of leadership should be assessed at the viva-voce test. In case of written test is not held for adjudging professional ability this should also be assessed at the viva-voce through questions with a practical bias.

8.6-Marks for record of service should be given on the basis of confidential reports and relevant service records. Integrity of character should receive special consideration.

8.7-The successful candidates shall be arranged as follows.

(1) Those securing 80% marks and above graded as 'Outstanding'.
(2) Those securing between 60% marks and 79% marks graded as 'Good'

8.8-The panel should consist of employees who had qualified in the selection, corresponding to the number of vacancies for which the selection was held. Employees securing the gradation 'Outstanding' will be placed on top followed by those securing the gradation, 'Good' inter-se-seniority within each group being maintained.

8.9-The recommendations of the selection committee should be put up to the General Manager for approval. If he does not approve of the recommendations he will record his reasons in writing there for and order a fresh selection. Once a panel is approved by the General Manager no amendment or alteration in the panel should be made except with the prior approval of the Railway Board.

9. ***Currency of panel***: The panel will be current for a period of 2 years from the date of approval of the competent authority or till a fresh panel on the basis of next selection becomes available whichever is earlier. Where provisional panels are drawn the currency will count form the date of approval of the provisional panels. If the operation of an approved panel has been held in abeyance either wholly or partly as a result of injunction from the court of Law the currency of the panel should be reckoned after excluding the period covered by the court's directive. Before operating the panel after the vacation of the injunction/after disposal of the case by the Court of Law, the personal approval of the General Manager should be taken.

10. ***Consideration of Employees on deputation***: In case where employees eligible to take the selection are abroad on deputation/secondment and are not likely to return in a few months time, the selection held in their absence should be finalized without waiting for their return. On their return they should be called for the first selection held thereafter and on the basis of their performance in the selection they should be considered for proforma inclusion in the panel framed during their absence abroad. If an employee is thus included in the panel no arrears would be payable to him and entitlement to pay in Group 'B' would commence only from the date of his actual officiating promotion. For the panel thus enlarged Board's approval should be obtained. In respect of eligible employees who are on deputation to office/establishment, within the country, it should be ensured that adequate advance notice is given to such employees and they are considered at the selection without fail.

11. ***Medical fitness of employees selected for promotion to group 'B'*** : Employees selected for promotion to Group 'B', service either on regular or ad-hoc basis should be fit in all respects including physical fitness for the duties assigned to the particular category of posts to which the promotion is made. If, however, relaxation in the medical standard is required the same should be proposed only in the cases of employees who have exceptional qualifications and whose services in Group 'B' cadre will be beneficial to the Administration. Promotion with relaxed medical standard should be made only with the approval of the Board and will be purely ad-hoc in nature and will not confer on the officers promoted any right to continue or claim retention in Group 'B' as a regular measure. The continuance of ad-hoc promotion will be subject to the availability of a post

conforming to the suitability of the officer, from the medical point of view (since discontinued).

12. ***Supplementary – selection***: Not more than one supplementary selection should be held to cater to the absentees. While holding the supplementary selection all care and caution should be exercised to ensure that employees who did not avail of the main selection are provided the opportunity at the supplementary selection. Measures to notify the employees either for the main selection or the supplementary selection, particularly in case where employees are serving outside the Railway including employees on deputation should not be routine.

13. Selection should not be held separately for the Group 'B' posts in the different branches within a department except in the case of Mechanical Engineering Department and T(T) & C Departments where selections for the Group 'B' posts in each of the following streams, should be held separately.

	Mechanical Engg. Deptt.	T(T) & C Deptt.
	---	---
1.	Carriage and Wagon	1. Commercial
2.	Loco (open line)	2. Operating
3.	Workshops	

14. ***Refusal on Promotion*** : An employee empanelled for promotion to Group 'B' refusing promotion, when his turn arises should be debarred for promotion for one year and if after one year, he refuses promotion again, his name should be deleted from the panel. When promoted, after the period for which he is debarred, seniority will be as from the date of effect of promotion and he will be junior to all employees promoted earlier than him on regular basis from the same panel but will be senior to employees from the subsequent panel, if any formed.

15. ***Other instructions***: The answer papers of the written examination as will as the mark sheets of viva-voce should be marked with indelible ink. Each answer book should carry a fly leaf. Both the fly leaf as well as the answer book should be stamped and signed by the Gazetted Officer in charge of conduct of the examination. The employee should write his name and designation on the fly leaf only. After the answer books are received from the employee the fly leaf should be removed and allotted a Roll number which should also be simultaneously recorded on the corresponding answer book. The answer book should be sent to the examiner with the Roll number alone indicated on the answer books. The fly leaves removed from the answer books should be carefully preserved in a sealed cover which should be kept in the personal custody of the Chief Personnel Officer.

16. ***Ad-hoc promotion***: In the event of an empanelled officer not being available due to the absence of a panel, ad-hoc promotion of the eligible Group 'C' employee may be made subject to his suitability being assessed by a screening Committee of the HOD concerned, the CPO and an officer of appropriate rank belonging to SCs/STs from the Deptt., other than the one represented by the HOD. The occasion for ordering ad-hoc promotion should be rare and even where ad-hoc promotions are made, efforts should be made to replace the ad-hoc arrangements at the earliest.

17. ***Representations against selection***: Representations against selections should be dealt with on merits without restriction of any time for their submission.

18. Detailed instructions issued from time to time concerning reservations in favour of SCs/STs and consideration of employees figuring/facing action under the Railway Servants Discipline and Appeal Rules should be referred to, wherever necessary.

****

8 - 26

Rly. Bd.'s No. E(GP) 87/2/72 dated : 11.01.1988

Sub: - Selection for promotion from Group 'C' to Group 'B'.

As per extant instructions, selections for promotion to Group 'B' posts should be held in all the departments once in 2 years and the vacancies for the selections should be assessed properly. It is essential that not only the schedule for holding the selections is maintained, but the assessment of vacancies is also done conforming to the instructions, so that regularly selected employees to the extent needed become available and ad-hoc promotions are avoided. The field of consideration for the selection should be determined on the basis of sliding scale, as indicated in Board's letter No. E(GP)81/1/18 dated 09.02.1981.

2. It has recently come to the notice of the Ministry that some of the employees, included in the field as per their eligibility and turn, for two successive Group 'B' selections on a Railway did not appear with the result the Administration could not secure the required number of qualified employees and there was substantial shortfall in qualified employees and there was substantial shortfall in empanelment. Instructions exist for calling extra employees required to make up the field in the event of employees already included therein expressing their unconditional unwillingness to be considered at the selection. Instances have also come to notice of panels getting exhausted immediately after formation, leading to the necessity for making ad-hoc promotions to Group 'B'. This could be due to : -

a) proper assessment of vacancies not having been made or

b) due to services of officers having been spared on transfer/deputation/secondment, causing a depletion in the cadre, a factor not anticipated or known at the time of assessment.

3. The position has been examined. It has been decided as follows:

(i)-The selection for Group 'B' posts should be held once every two years without fail. The work should be spread out evenly so as to cover half of the departments in the first year and the rest of the department in the following year and the cycle repeated. The various processes connected with the selection should be commenced adequately in advance, so that the schedule for holding the selection is not disturbed. For this purpose, a suitable calendar may be drawn on the position of your system and the work monitored closely to ensure that the schedule is not tripped. The work in this regard should be reviewed periodically at the level of C.P.O.

(ii)-Vacancies for two years should be assessed properly with the aid of all known factors and possible anticipation. To the vacancies so assessed, an addition of 30% (Thirty percent) of the cadre of both Group 'B' and Junior Scale posts including Construction Reserve should be made. This is in modification of the existing instructions for providing the addition at 20%.

For selections to the Group 'B' posts of AHO, Law Officer, APRO, AS(P&S), Assistant Chief Cashier, ACMT where the cadre is small and the incidence of vacancies is not regular, the assessment should be limited to the vacancies existing plus those anticipated to arise during the two years period covered by the assessment. In other words, there will be no addition to the assessment as a percentage on the cadre strength;

(iii)-The Notice issued for the selection, besides containing the names of eligible employees constituting the field, should contain a reserve list carrying the names of extra eligible employees with the indication that the latter would be called for the written examination in the event of drop out of employees constituting the field.

(iv)-Employees constituting the field should be advised individually of the proposed selection with the clear stipulation, that they should on receipt of the notice, advise their willingness/unwillingness to take the selection. For this purpose, each individual notice should have a counterfoil which should be returned by the employees within a fortnight of receipt indicating willingness or unwillingness to take the selection. The notice should carry a clear indication that it is the employee's responsibility to advise his/her willingness/unwillingness to take the selection and failure to respond or provide the intimation within the period allowed will be treated as unwillingness on his/her part to take the selection. Depending on the position of unwillingness reported or non-receipt of any intimation, employees from the reserve list should be called to the extent necessary for taking the selection.

(v)-Such employees who neither appear for the written examination nor indicate their unwillingness should be treated as having availed of an opportunity, for purposes of the instructions contained in Para 1(ii) of Board's letter No. E(GP)85/1/78 dated 10.09.1986.

(vi)-Paras (iii), (iv) and (v) will not apply to selections of APO for which the field is not determined with reference to the vacancies and all eligible volunteers in response to the notice are considered.

(vii)-All ad-hoc arrangements made should be terminated on the declaration of the panel. There should also normally be no need to resort to ad-hoc arrangements before the new selection in view of the provision for a liberal assessment of vacancies taking into account 30% of the cadre of both group 'B' and Junior Scale posts including construction reserve. If the panel is likely to be used up before the next selection becoming due after two years, steps should be initiated to hold the next selection without waiting for the 2 years period to be over, so that the next panel becomes available. In the event of ad-hoc arrangements still becoming necessary, due to unavoidable

contingencies like injunctions from Court of Law, consideration for such appointment should exclude those who although called, did not appear for the earlier selection and also those who failed to qualify in the written test of viva-voce or the selection.

4. Every effort should be made to ensure that the number of employees taking the selection corresponds to the field without any shortfall.

****

8 - 27

Rly. Bd.'s No. E(GP) 88/2/11 dated : 20.08.1991

Sub: - Selections/LDCEs for promotion from Group 'C' to Group 'B'.

***Ref: - Bd. letter No.* E(GP) 88/2/111 dated 15.03.89**
***Bd. letter No.* E(GP) 74/2/44 dated 22/23.06.74 & 08.05.91**
***Bd. letter No.* E(GP) 76/2/96 dated 03.06.77, 03.08.77, 31.08.77**
***Bd. letter No.* E(GP) 87/2/61 dated 23.06.88, 27.06.90, 13.11.90**
***Bd. letter No.* E(GP) 87/2/123 dated 19.09.88, 29.09.88**
***Bd. letter No.* E(GP) 2/61 dated 10.01.90**

In their letter quoted above, the Board have issued orders from time to time laying down procedure from selection to Group 'B' both in the selection against 75% and LDCE.

2. The matter has been reviewed with a view to rationalizing the procedure and in partial modification of the instructions contained therein, the Board have decided that the following procedure should be followed in the written test, viva-voce and evaluation of record of service.

WRITTEN TEST:

(i) L.D.C.E.

Prescribed Papers	**Max. Marks**	**Qualifying Marks**
	---	---
Professional Paper-I (Professional Subject and Genl. Knowledge	150	90
Professional paper-II (Professional Subjects and Estt. and Financial Rules)	150	90

NOTE: -

(a) Out of 150 marks the questions relating to professional subject will carry at-least 100 marks in each paper.

(b) In case of Accounts Departments paper-I will cover General knowledge and English subjects of paper-II(A) circulated under Board's order dated 03.08.77 and paper-II will cover the subjects of paper-II(B) & III of this office letter dated 03.08.77 as classified in Board's letter no. 78-C/III/20/49 dated 09.09.78.

(c) The main examination mentioned above shall be proceeded by a pre-qualifying test in all subjects in terms of orders contained in Board's letter No.E(GP)88/2/111, dated 15.03.89.

(d) Apart from the minimum qualifying marks stated above, there will be no separate minimum qualifying marks for any subject.

(ii) SELECTION

Prescribed papers	**Max. Marks**	**Qualifying Marks**	**Remarks**
One paper on Professional subject and Estt. and Financial Rules	150	90	(out of 150, Professional subjects will carry atleast 100 marks)

NOTE: - In the case of S&T Department the portion relating to professional subject shall be equally divided between (i) Mechanical, Signaling and Land Line Communications and (ii) Electrical, Signaling and Wireless Communications as per the instructions contained in Board's letter No. E(GP)79/2/25 dated 04.05.79 and the syllabus circulated there which shall be followed.

RECORD OF SERVICE AND VIVA VOCE
(both for selection and LDCE)

		Max.	Qualifying Marks
(i)	Viva-voce	25	30 (including atleast 15 marks in the Record of service)
(ii)	Record of service	25	

The record of service will be evaluated in terms of the instructions contained in Board's letter No.E(GP)87/2/123 dated 19.9.88 and 29.9.88.

The Board have also decided that the papers on non-professional portions i.e. Establishment and Financial Rules. General Knowledge and General English etc. shall also be set and evaluated by the PHODS/HODs of the concerned department and not necessarily by FA&CAO and Chief Personnel Officer.

3. These instructions come into force after 15 days from the issue thereof and the examinations and the viva-voce conducted and record of service evaluated before that date as per earlier instructions will not be affected.

****

SECTION – 2

CHAPTER – 9

IMPORTANT EXTRACTS/QUOTES

REGARDING ASSURANCES/REKCOMMENDATIONS BY MINISTERS / RAILWAY BOARD / HIGH LEVEL COMMITTEES

A. PAY SCALES

1. Extract of unambiguous declaration in the **Central Legislative Assembly** by the then War & **Transport Minister** during his budget speech in **February, 1944,** Viz.,

> "During the year, the Government have had under discussion with the Standing Finance Committee the question of **abolition of the lower gazetted service.** Government do not accept as valid the reasons advanced by the majority of the Committee against the step and **purpose to carry the measure through,** at the appropriate time".

2. Extract of subsequent decision **by Railway Board (refer Standing Finance Committee Meeting 17th & 18th July, 1946)**

   (i) The **lower gazetted service shall be abolished** and all the present confirmed lower gazetted service officers who are considered suitable shall be promoted to the Superior Services placing them junior to all the confirmed officers already in the later service.

   (ii) The **promotion of subordinates** shall be so arranged in future that the total number in the junior scale never exceeds **35% of the total strength of that cadre.**

   (iii) The increase in cadre due to abolition of the lower gazetted service shall not cause any increase in the number of vacancies to be filled by recruitment from U.K.

   (iv) Persons of **non-Asiatic domicile** now in lower gazetted service who will be promoted to the superior services enbloc on its abolition, shall count against vacancies which would have been filled by recruitment in the U.K., if such recruitment had not been suspended during the war.

   (v) Provision for the **change will be made in the budge for 1947-48 and the abolition will be made effective from 1st April, 1947".**

3. **Extract of First Pay Commission Report:**

   (Part-II : Para 29)

"….. The inclination of the majority of members, however, was that it was desirable to retain the two classes: but the **departments where the differentiation between the two classes was not necessary or possible, either because of the mode of recruitment or because of the difficulty of distinguishing between the importance and responsibility of duties respectively performed by Class I and Class II officers, the two fold classification may be dispensed with and the two groups treated as one gazetted service."**

4. **And another extract from the same First Pay Commission report:**

(Part-III – Page 177 : Para 17)

"…. If the lower gazetted service is abolished, there will be no necessity to provide a separate scale to it. If it is not abolished or to the extent to which it may not be abolished, suitable sections of the scale we have suggested for Class II (see paragraph 65 supre) may be adopted for the lower gazetted service. **But it will not be proper to post any person usually pertaining to the superior service and yet pay him only on the Class II bases."**

5. **Extract of High Level "Tandon Committee: (Page 41) regarding Group 'B'**

"….. Their designations as Group 'B' officers has reinforced the differences between the two streams for recruiting managers resulting in a short cleavage. **It is strongly recommended that this distinction be removed and all those once selected to become officers should compete on an equal footing for further promotions and responsibilities.** This would, of course, entail some changes in the recruitment process and training. A Task Force may look into all implications and suggest how this anachronism may be removed, **so that managers from the two streams respect each others strengths and work to common goal".**

6. **Extract of Railway Convention Committee of Parliament Report submitted on 23.06.1994:**

"1.89 ….. The Committee find that a two-fold classification of gazetted cadre exists in the Railways. The Group 'B' officers, though they **perform the same duties, shoulder the same responsibilities and exercise the same power** as that of Group 'A' officers, are granted a lower-grade pay scale of Rs. 2000-3500, while the Group 'A' officers are paid a higher scale of Rs.2200-4000. The Committee further note that the **First Pay Commission recommended abolition of two fold classification in the departments where differentiation between the two classes was not necessary or possible either because of the mode of recruitment or because of the difficulty of distinguishing between the importance and responsibility of the duties respectively performed by Class I and Class II officers and two groups treated as one gazetted service.** But this recommendation was not accepted by the Government and this issue of Railway Gazetted Services was not examined by the subsequent Pay Commissions. Though, **during evidence, the Chairman, Railway Board, had assured the Committee that the Board was in the process of preparing**

papers for putting it before the Cabinet, the Committee strongly recommends **that this two fold classification should be done away with.**

However, till a final decision is taken by the Ministry of Railway **on the abolition of the two fold classification, the Group 'B' officer of Indian Railways should be granted the scale of Rs. 2200-4000."**

7. Extract of **Rly. Bd.'s meeting on 22.10.92.**

"Para 2, **Proposal to apply the equivalent of Group 'A' pay scale to 80% of Junior Scale Group 'B' posts (**as has been done in the Indian Audit and Accounts Services) **in all the Railway cadres** should be proposed again for consideration of the Cabinet."

8. **Minister of Railways Sh. C.M. Poonacha's address in All India Conference of Class-II officers of Indian Railways, held at GORAKHPUR on 14.09.68.**

"You **(meaning the President of Federation)** have rightly pointed out that the distinctions and the areas of differential treatment should be reduced if not eliminated. I will, perhaps, lay emphasis on the term eliminated, because it is time that we brought the pattern of working and also of the pattern of formulation of the various units of **officer's classes into one common category** and to be dealt with as such. Not only **I will also agree with you** that the efficiency could be improved to considerable extent and may repeat that this is what the Railway Board have also been endeavouring as quoted by your President. **The Board have taken this view that this should be done."**

9. **Sh. Madhav Rao Scindia's letter No. 88/EG ® 11/4 Pt. dated 06.10.1989 to Finance Minister.**

I feel that the **high degree of anomaly in the pay scales of the Group 'B' officers of the Railways cannot be compared with the other departments or even other anomalies in the Railways itself created through implementation of IV Pay Commission recommendations.** Hence it is incumbent on the Government to identify only those situations, where similar serious anomalies exist and consider them sympathetically instead of making it applicable to all Ministries/Departments and all cases.

10. **Chairman Railway Board's evidence before the first Pay Commission.**

"Railway Board and the government were committed to amalgation proposal because it was not possible in the Railway Admn. To differentiate the duties to be allotted to Group 'A' and Group 'B' officers."

11. Extracts of Sh. G.K. Khare, the then Chairman Railway Board's evidence before the "Railway Convention Committee: in May 1993.

"We **tried to give them a better grade.** We had moved this, Unfortunately, we did not have success in it. We are now **in the process of preparing papers for**

putting it before the Cabinet. We will suggest the scale of Rs. 2200-4000, which they are asking".

12. **ANSWER TO PARLIAMENT UNSTARRED QUESTION NO. 7567 DATED 28.04.1989 IN LOK SABHA**

a) In Civil Engg., Mech. Engg., Traffic, Electrical, S&T, Stores, Accounts and Personnel Deptts. Of Railways, **Junior scale posts and Group 'B' posts are operated, Interchangeably and therefore, it is not possible to segregate Junior Scale posts from Group 'B' posts in these Departments…."**

13. **Railway Board's letter No. 91-E(GR)II/11/9 dated 27.09.91 addressed to Gen. Secy./IRPOF.**

" The post of the Asstt. Officer in the lowest rung of gazetted cadre on the Indian Railways is combined Junior Scale/Group 'B' except for IRMS and RPF and it is **not possible** to clearly demarcate the **Junior Scale posts and Group 'B' posts** in an organization like the Indian Railways. The post is considered as **Group 'A' Jr. Scale when it is manned by Jr. Scale Group 'A' officer', otherwise it is a Group 'B' post:.**

14. **Para 1.3 of Memorandum of the Board to IRPOF dated 23.2.93.**

"Post in Jr. Scale and Group 'B' are operated interchangeably and they cannot be segregated. The post is Group 'B' if the incumbent is Group 'B' officer and it is in Jr. Scale if the incumbent is Junior Scale Officer."

15. **(Ref: Rly. Bd.'s letter no. 94/E(GR)II/11/3 dated 02.03.94)**

" A Jr./Scale Group 'B' post is treated as **a junior scale post when it is occupied by a junior scale officer** and when it is occupied by a Group 'B' officer it is treated as Group 'B' post.**"**

B. DKPC, RECRUITMENTS, AD-HOCISM/QUOTA ETC. ONLY.

16. Extract from **Sh. Lal Bahadur Shastri's (**the then Railway Minister**)** Speech in Parliament (during budget) on 18.02.1953).

"I shall consider here two important matters which are exercising the minds of class II officers. One of them is that the quota for promotion to class-I service viz., **25 percent of vacancies has not been fully implemented.** I have made enquiries and I find that there is substance in this complaint. Steps are now being taken **to grant promotion to the full quota** and this should, in fact be completed in the near future. I have also **decided** that the existing quota of promotion should be increased from **25 percent to 33.3% of vacancies in order to facilitate promotions** for a larger number."

17. **Next year on 19.02.1954, he again stated;**

"I had mentioned last year that steps were being taken to grant promotion from Class-II to Class-I service **up to the full quota already** in force."

***NOTE**: - Even today there are only **9% Group 'A' posts are filled by Group 'B'** officers permoted in Group 'A' against the laid down quota of 40% for them.*

18. **Sh. Jaffer Sharief, Minister of Railways note to Railway Board dated 29.03.1995.**

"Promotion to Group 'B' posts are made through a positive act of selection from amongst the meritorious staff who by **virtue of rendering considerable long service** before coming up to Group 'B' post **acquire thorough knowledge** of Railway Rules and regulations due to **vast experience** gained by them.

As per Recruitment Rules the eligibility conditions for promotion of Group 'B' officers to Group 'A'/ Sr. Scale is **three years regular service.** A large number of Group 'B' officers have been **working in Sr. Scale on ad-hoc basis for many years.** Hence, after putting three years of meritorious service by Group 'B' promotee officers **DPC should be convened for them, immediately** and those who clear the DPC should be placed in Group 'A' / Jr. Scale till **the vacancies become available in Sr. Scale** to promote them. Since **the posts held by Group 'B' promotee officers and directly recruited Group 'A' / Jr. Scale Officers are the same**, directly recruited officers are not affected in any way. This will **also not affect the promotional avenue of directly recruited officers** due to nearing and early retirement of promotee officers. This, besides **being in conformity with the Recruitment Rules, will discourage ad-hoc promotions** which remains continued for years and also dispense with the **problem of double fixation of pay of these officers which has been one of their important issues**."

***NOTE: -** This clear cut directive **envisages formation of panel** through DPC, in advance and has **not been implemented even today.** This single action shall result **in avoiding delay in DPCs, reduction in Ad-hocism, dispense away with defective system of fixation of pay on promotion, and shall ensure implementation of codal provision** in respect with fixation of cadre strength being presently flouted.*

19. **D.O.P.Ts O.M. No.22011/3/91-Estb.(D) dated 13.05.91.**

"Very often, action for holding DPC meeting is initiated after a vacancy has arisen. This **result in undue delay in filling up of the vacancy causing dissatisfaction among these who are eligible for promotion**. It may be ensured that regular meetings of DPC are held every year for each category of posts so that an **approved panel is available in advance** for making promotions against vacancies arising over a year".

***NOTE: -** Even before the directive of MR as above (para 3). The D.O.P had also said the same as is clear from this para.*

20. **D.O.P.Ts O.M. No. 23036/3/77-Estb.(D) dated 07.10.77**

"The prime Minister has noted that in a number of cases appointment **are made ah-hoc either** because Recruitment Rules have not been finalized or **there has been delay in** the filling up of the posts in a regular manner. The Prime Minister has, therefore, desired that Ministries/Departments should **take action to fill up the posts** in good time before **vacancies actually occur in order to avoid ad-hoc appointment.** In case which there is unjustifiable delay, **responsibility for the delay should be assigned** and those responsible should be suitably dealt with it."

NOTE: - *Even Prime Minister's directive, have not been implemented. Delay in DPCs is a* ***regular feature*** *on Railways, yet no action has been taken against anyone.*

21. **Rly. Bd.'s file No. E(GC)89/1-Note of Director Estb.(GC) dated 14.08.89.**

"Posts in senior scale and above are all group 'A' Posts which in the normal course are required to be manned by Group 'A' officers weather directly recruited or promoted from Group 'B'. To facilitate this, rules provide that 60% of vacancies in Junior Scale in Group 'A' should be filled by direct recruitment and 40% by promotion from Group 'B'. If this percentage had been consistently and correctly followed over the years, **the percentage of promotee Group 'A' Officers in Senior Scale and above should not be very much below 40% of the total senior scale and above posts.** However, promotee Group 'A' officers **constitute only 14%** of the Senior Scale and above posts and the remaining 86% of such posts manned by directly recruited Group 'A' officers (Including Temporary officers). Taking Senior Scale posts alone, the position is more anomalous., as **promotee Group 'A' officers man only 7.7%** of senior scale posts and above 87% of Senior Scale posts are manned on ad-hoc basis by Group 'B' officers."

22. **Director (Gaz. Cadre's) Note dated 14.09.89**

250 posts were upgraded in 1973 and 382 in 1980 with the following commitment to Cabinet Committee.

"The proposal for up-gradation of Junior Scale to Senior Scale posts would **largely benefit Class II officers** who were already officiating in the Senior Scale for many years. These Class II officers would have put in 28-30 years of service and would have otherwise to retire **as Assistant Officers. All these officers have been promoted from Class III in which they have served 15 to 20 years. The** proposed up-gradation of posts in necessary to mitigate unmerited hardship by stagnation of such promotee officers".

NOTE*: -* *It is regretted that instead of giving benefit of majority of posts to Group 'B' officers, as stated therein,* ***not even a single post was actually given to them.***

23. **Joint Director E(GP) Rly. Bd.'s note dated 13.09.89.**

A study conducted in June 1988 brought out that: -

i) Nearly 2000 Group 'B' officers are working against Junior Scale Group 'A' posts;

ii) About 1700 are officiating in Senior Scale on Ad-hoc basis and

iii) Only 195 were working in Sr. Scale on regular basis which comes to only 7.7% of the cadre structure (against the statutory provision of 40%).

NOTE**: -* ***The above needs no explanation. It is clear cut acceptance of the facts which are/were regularly being projected by the promotee officers.

24. **Railway Board's File No. E(GP)89/1(Member Staff's Note to Adviser M.S. dated 07.09.89)**

"The issue of providing opportunities for Group 'B' staff to come to Group 'A' was discussed in Board meeting. It was decided that in calculating the vacancies **those posts should also be included for which ad-hoc arrangements had been made for Grop 'B'** officers with ad-hoc promotions to Senior Scale. For filling these vacancies the usual **ratio of 60: 40 need not apply as we** do not want to increase the intake of Group 'B' officers (Direct recruited officers). These vacancies may be filled **within a period of 3 to 5 years depending upon the number of vacancies, exclusively by Group 'B' officers.**

Please take action on these lines urgently."

NOTE**: -* *It is regretted that despite clear cut directives, to* ***regularize Group 'B' officers within 3-5 years, *the calculation of vacancies presently being done to fill up these vacancies in 20 years. The following statement makes it very clear that the intake of Group 'B' in Group 'A' is being reduced continuously for the past five years, instead of increasing the same despite existence of above 2000 vacancies, in Sr. Scale.*

	1990	***1991***	***1992***	***1993***	***1994***	***1995***	***1996***
Planned intake of Group-'B'in Group 'A'	*198*	*181*	*173*	*136*	*98*	*100*	*176*

***NOTE**: -* *The most important aspect of the above is that this intake is against about 7200 Group 'B' officers working, meaning thereby as intake of about 1.5% per year. Can it be called career planning when 1.5% of the officers are only promoted in a year and more than 50% of such promotee officers retire without any benefit, i.e. within 3years? Most of Group 'B' officers retire in Group 'b' even after completing 10-12 years service in Group 'B'.*

25. **Recruitment/Induction-inadequate**

As per Parliament Question No. 482 Dated 06.09.96 (Rajya Sabha)

Year	Vacancies	Filled	Planned	Short Fall	DR. Prom	Total	As per Planned	Actual
1993	618	212	185	397	212+141	353	265	221
1994	606	174	113	287	174+116	290	316	319
1995	666	106	12	118	106+70	176	490	548

***NOTE**: - Evidently the recruitment is not covering even the normal wastage/vacancies.*

26. **Assurance of Sh. Ram Vilas Paswan in Parliament Question No.482 dated 06.09.96 (Rajya Shabha)**

I will ensure that DPCs (For induction of Group 'B' in Group 'A') are held in time.

I will work in the direction to get the assurance / directions of previous minister of Railways are implemented.

I will get the time limit fixed for abolishing Ad-hocism (from the cadre of officers – Sr. Scale/Jr.Scale.)

27. **Cadre Structure**

As on 01.01.98, the cadre position on Indian Railways is as under: -

	No.	DR	Occupied By Promotees	
Members	7	7	-	-
Gen. Mgrs	25	25	-	-
AGMs/PHODs	103	103	-	-
SAGs	334	314	20	-
SG/JAGs	2166	1769	325	-
Sr. Scale	2671	109	363	1259 (Sr. scale ad-hoc)
Jr. Scale	3377	553	-	2824 (Manned)
Group 'B'	2122	-	2122	-
	11305	**4320**	**780 "A"**	**4083**
			2122 "B"	

	Sanc.		**Actual**		**Group 'B'**		
Group 'A'	9183	91.3%	5100	44.9%	In Group 'A'	780	11.2%
Group 'B'	2122	18.7%	6205	55.1%	In Sr. Scale Ad-hoc	1259	18.0%
					In Sr. Scale (Manned)	2824	40.4%
					Group 'B'	2122	30.4%
Total	**11305**		**11305**			**6985**	

****

CHAPTER – 10

EXTRACTS OF RECOMMENDATIONS OF THE RAILWAY CONVENTION COMMITTEE (1991) VII – REPORT ON STAFF WELFARE AND INDUSTRIAL RELATIONS IN RAILWAY, AND ACTION TAKEN BY THE MINISTRY OF RAILWAYS.

PARA No. 1.89:

From the Memorandum and evidence of the Indian Railway Promotee Officers' Federation, the Committee find that a two fold classification of gazetted cadre exists in the Railways. The Group 'B' officers, though they perform the same duties, shoulder the same responsibilities and exercise the same powers as that of Group 'A' officers, are granted a lower grade pay scale of Rs. 2000-3500, while the Group 'A' officers are paid a higher scale of Rs. 2200-4000. The Committee further noted that the **First Pay Commission recommended abolition of two fold classification in the departments were differentiation between the two classes was not necessary or possible** either because of the mode of recruitment or because of the difficulty of distinguishing between the importance and responsibility of the duties respectively performed by Class-I and Class II Officers and **two groups treated as one gazetted service.** But this recommendation was not accepted by the Government and **this issue of Railway Gazetted Services was not examined by the subsequent Pay Commissions.** Though, **during evidence, the Chairman, Railway Board has assured the Committee that the Board was in the process of preparing papers for putting it before the Cabinet,** the Committee **strongly recommends that this two-fold classification should be done away** with. However, till a final decision is taken by the Ministry of Railways on the abolition of the two fold classification, **the Group 'B' Officers of Indian Railways should be granted the scale of Rs. 2200-4000.**

REPLY OF THE GOVERNMENT:

The successive Pay Commissions have not accepted the demand for parity in pay scales & status of Group 'B' & Junior Scale Group 'A' Officers and were of the view that such distinction was fully justified and not repugnant to any particular principle and that the distinction between Group 'B' & Group 'A' should continue. This distinction was also upheld by CAT/New Delhi in a case filed by Northern Railway Class II Officers' Association, who had raised the demand for parity in pay scales between Group 'B' and Group 'A'/Jr. Scale on the grounds of performing similar duties and responsibilities. On an SLP filed by the Association against the above judgment, the Supreme Court in their order dated 04.08.95 only directed the Govt. to take expeditious decision on the relevant recommendations of the Special Committee set up by the Ministry of Railways who were also examining this issue.

2. The Gupta Narain Committee set up by the Ministry of Railways for making recommendations on rationalization of Management Services on Indian Railways have not recommended abolition of the distinction presently being maintained between Group 'B' and Group 'A' / Junior Scale.

3. As earlier brought out in the Action Taken Note on Para 29 of the 11th Report of the Railway Convention Committee, the proposal made out by the Ministry of Railways for upgradation of 80% posts in the Group 'B' cadres of all the Organized Services on the

Indian Railways to scale Rs.2200-4000 was not agreed to by the Ministry of Personnel, Public Grievances & Pensions & Ministry of Finance & hence the matter could not be placed before the Cabinet.

4. The Group 'b' scale on the Railways has, however, since been revised up wards to Rs. 2375 – 3750, w.e.f 30.07.93, after obtaining Cabinet's approval, in the compliance of the verdict of CAT / New Delhi in a case filed by Northern Railway Class-II Officers'Association.

5. In the Official Side Memorandum submitted to the Fifth Pay Commission, the Ministry of Railways had proposed that a Selection Grade equivalent to Rs.2200-4000 may be introduced to the extent of 80% of the posts manned by Gr. 'B' Officers with minimum three years of service.

6. The Fifth Pay Commission's recommendations on the subject are reproduced below:

Para 83.87 & 83.88 of Chapter 83, Section III of 5th Central Pay Commission's Report.

"We have carefully analyzed the arguments for and against grant of pay parity between Group 'B' and Group 'A' junior scale officers and have examined the judgment of Central Administrative Tribunal and recommendations of previous CPCs on the issue. We agree with the rationale given by the Administrative Tribunal and previous Pay Commissions for not accepting the demand of the Federation. This rationale summarized as under: -

Junior Scale/Group 'A' is essentially a post for training and working post for training and working post comes only from senior scale.

While the group 'B' officer often exercises similar statutory powers as Junior Group 'A' officer, the responsibilities he is called upon to discharge are somewhat routine and there is greater degree of supervision.

The intention is to build up the Group 'A' JTS Officer while he is still young and to develop his qualities of drive and initiative. On the other hand, the Group 'B' service often marks the culmination of the career of efficient Group 'C' employees.

The merger of Group 'B' with Junior Group 'A' cadre would mean a large addition (30,000 at the time of 3rd CPC) to this base of posts most of which would have been filled by lower standards of recruitment and promotion.

The merger would considerably reduce promotion prospects of directly recruited Group 'A' officers and render that service very unattractive for candidates of right calibre.

The distinct classification of Group 'B' and Junior Scale (Group 'A') is justified and not repugnant to any particular principle.

We do not agree with the solution suggested by the Ministry that a selection grade equivalent to Group 'A' junior time scale be granted to the Group 'B' officers with

minimum of three years service to the extent of eighty percent of posts manned by Group 'B' officers. We have considerably improved the pay scale of Group 'B' officers in Railways and thus reduced the gap between the apex Group 'C' pay scale and Group 'A' junior time scale. We consider this to be adequate."

7. In para 49.9(c), Chapter 49 of their Report, Vol.1 the Fifth Pay Commission has recommended as under: -

> "For the Railway Services, the scale of Rs.2375-3750 has been surrendered to Group 'C' cadres and all Group 'B' cadres have been moved up to Rs.2500-4000."
>
> Accordingly instructions have been issued by the Ministry of Railways prescribing the revised scale of Rs.7500-12000 for Group 'B' Officers of Railways. The junior scale Group 'B' Officers have been given the revised scale of Rs.8000-13500.

8. As the matter has been reviewed afresh by the Fifth Pay Commission who have reiterated the previous Pay Commission's stand for maintaining the two-fold classification and also in view of the fact that this Ministry is not competent to take any unilateral decision in the matter which is an issue of relevance throughout the Central Government, the recommendation of the Railway Convention Committee for abolition of two fold classification is not feasible of acceptance.

PARA No.1.90

"The Committee note that though the Group 'B' officers are physically available and working in Jr. Scale/Sr. Scale of Group 'A' posts, they are not being inducted into Group 'A' as per their own quota of 40% (now 50%) at the appropriate time, i.e. after 3 years as laid down in the rule No.209(b) of Indian Railways Establishment Code. Further, an inordinate delay of 3 to 4 years takes place in the induction of Group 'B' officers into Group 'A". The Committee are of the opinion that if the Group 'B" officers are inducted into Group 'A" based on the cadre and not on the vacancies, the legitimate representation of Group 'B' in Group 'A' will be ensured that the grievances of Group 'B' officers regarding low percentage of Group 'A' will be mitigated. In this connection, the Committee learn that even the Forth Pay Commission had recommended on similar lines."

REPLY OF THE GOVERNMENT:

Para 209 (B) (1) of Indian Railways Establishment Code Volume I quoted by the Committee reads as under: -

> **"Appointments to the posts in the Junior Scale shall be made by selection on merit from amongst Group 'B' officers of the departments concerned with not less than 3 years of non-fortuitous service in the grade."**

It will be clear from the above mentioned para that 3 years non-fortuitous service in the grade is only a condition for eligibility and does not, ipso-facto, confer a right upon the eligible candidates to be automatically inducted into Group 'A'/Jr. Scale immediately, on completion of 3 years of non-fortuitous service. It has to be noted that the eligible Group 'B' officers have to undergo a positive act of selection by a Departmental Promotion Committee convened by the Union Public Service Commission and the induction into

Group 'A'/Junior Scale depends upon the vacancy position as also the merit of the candidates.

So far as the observations of the Committee on alleged inordinate delay of 3 to 4 years are concerned, it may be state that while all efforts are made to minimize the delay in holding the Departmental Promotion Committee meetings, sometimes delays do occur due to circumstances beyond control like injunctions from the various courts of law, etc.

Quotas have been prescribed in the relevant Recruitment Rules for filling up the vacancies in Junior Scale/Group 'A of organized services by direct recruitment and by promotion of Group 'B' officers. Taking into account all relevant considerations, Ministry of Railways have decided that in the indents placed on the Union Public Service Commission for direct recruitment to Junior Scale / Group 'A' and in the DPC proposals for promotion from Group 'B' to junior scale/Group 'A', the quota prescribed in the Recruitment Rules for direct recruitment/promotion should be strictly followed.

Para No. 1.2:

With regard to RDSO and other miscellaneous services, the committee recommend that the Ministry of Railways being a nodal employer, should bring these unorganized services at par with the zonal railways gazetted service and grant them similar facilities of promotion, scale of pay and other benefits.

REPLY OF THE GOVERNMENT:

The criteria for classification of a service as an organized service are inter-alia as under:

1. There should be direct entry/recruitment in the junior scale.
2. There should be sufficient number of posts available in all grade.
3. These should be hierarchy of promotions.

In the case of services where criteria indicated above does not get fulfilled and there is no possibility of regular (yearly) intake at Junior Scale level and the promotion has to be subject to the availability of vacancies as and when they arise, it is not feasible to organize the service on the lines of organized services.

All efforts are made to convert an unorganized service into an organized one within the given criteria. Since normally number of posts in such cadres is relatively very small and vacancies arise once in few years or do not arise as per any time schedule, such services have to remain classified as unorganized services in public interest. However, even in these services, to put the matters beyond doubt, all aspects of recruitment and promotion are regulated in terms of the prescribed recruitment rules.

These recruitment rules, wherever so required, are duly notified and are observed. It is not the case of administrative discretion to conduct recruitment and grant promotion. In fact, it is regulated by the recruitment rules. For example, in the case of Sr. Rajbhasha Adhikari the model was adopted on the lines of similar set up existing on civil side. There

is no discrimination as a parallel set up exists under the ministry of Home Affairs and we, in fact, have adopted that.

It is also not the case that higher grade posts are not available to unorganized services. In fact, the 4th Pay Commission Scales, by and large, have been granted to unorganized services also. Other benefits like passes, PTOs, TA, DA etc. are also normally extended to them as admissible at comparable levels.

Fifth Pay Commission have not made any recommendations for bringing miscellaneous services at par with the organized services. However, their recommendation in regard to Assured Career Progression, as and when accepted, will benefit the officers in other than organized services also.

No further action is now required on the RCC Recommendation in question.

****

CHAPTER – 11

SOME IMPORTANT QUOTES

A. PAY SCALE

1. The Govt. proposes to abolish the lower Gazetted Service (now Group 'B')

(Transport Minister of British Govt. on floor of Parliament during Budget speech in Feb, 1944)

2. Provision of change for abolition to be made in the budget for 1947-48 and abolition to be effective 01.04.47

(Standing Finance Committee (Railway Board) Meeting 17th & 18th July 1946).

3. Govt. is committed to abolish Group 'B' and have only one class of officers.

(Chief Commissioner of Railways (CRB) while deposing before first pay commission.)

4. "Departments where the differentiation between the two classes was not necessary or possible either because of the mode of recruitment or because of the difficulty in distinguishing between the importance and responsibility of the respectively performed by class 1 and class 2 officers, the two fold classification may be dispensed with and the two groups treated as one Gazetted Services"

(1st Pay Commission**)**

5. Class 2 posts where incumbents performed duties similar to those of class1 officers may be abolished

(1st Pay Commission**)**

6. It is strongly recommended that this distinction be removed and all those once selected to become officers should complete on an equal footing for further promotion and responsibilities.

(Prakash Tandon Committee on Railways in its report in 1995)

7. Board to recommend same grade as group 'A' junior scale to promotee officers.

(CRB's Assurance before Parliament R.C.C. in May 1993)

8. The committee strongly recommended that this two fold classification should be done away with.

(Railway Convention Committee-VII Report laid in Parliament on 23.08.94)

9. Till the decision is taken to merge the two categories of officers in Railways, Asstt. Officers of both the groups must be provided same pay scale of Rs. 2200-4000.

(Railway Convention Committee (RCC) in August, 1994 7th Report)

10. I feel that the degree of anomaly in the pay scale of the group 'B' officers of the Railways cannot be compared with the other departments or even other anomalies in the Railways itself created through implementation of IV Pay Commission Recommendations. Hence it is incumbent on the Government to identify only those situations, where similar serious anomalies exist and consider them sympathetically instead of making it applicable to all Ministries/Departments and all cases. By this method, it would also be possible to withstand the departments of general type for revision of scales of pay:

(Extracts of Shri Madha Rao Scindia's letter dated Oct.89 to Finance Minister)

11. I will lay emphasis on the term eliminating the distinctions/areas of differenting treatment follow the pattern of formulation of the various units of officer classes into one.

(C.M. Poonacha – Railway Minister addressing conference of Group 'B' officers on 14.09.68 at Gorakhpur.)

12. The demand of the Indian Railways class-II officers for doing away with the present classification by status and should be done away with.

(Shri George Fernandes signed agreement with Genl. Secy., Indian Railway Class-II Officers Federation in Nov.,1973).

13. I feel concerned, when I see the violation of uniformly accepted principal of "equal pay for equal work".

(Shri L.K. Advani while addressing Indian Railway Promotee Officers Federation in New Delhi in 1992).)

14. Junior Scale and Group 'B' posts are operated interchangeable and not possible to segregate these in Group 'A' & Group 'B'.

{Parliament Question No. 7567 dated 26.4.89 (Lok Sabha)}

15. **Posts in assistant officers not possible to demarcate in Group 'A' & Group 'B'. It is Group 'A' when held by direct recruit otherwise Group 'B'.**

(Railway Board's letter No. 91-E(GR)II/11/9 dated 27.09.91)

16. **Posts in Junior Scale and Group 'B' are operated interchangeable and they cannot be segregated. The posts are Group 'B' if the incumbent is Group 'B' officer and Group 'A' if incumbent is direct recruit.**

(Railway Board's letter No. 94/E(GR) II/11/3 dated 02.03.94)

B. 80% POSTS TO BE IN JUNIOR SCALE FOR GROUP 'B'

1. **Proposal to apply the equivalent of Group 'A' pay scale to 80% of Junior Scale Group 'B' posts (as has been done in the Indian Audit and Accounts Service) in all the Railway Cadres should be proposed again for consideration of the cabinet.**

Railway Board Resolution dated 22.10.92.

2. **Denial of 80% posts by the Vth Pay Commission to al departments on Railways no acceptable to Railway Ministry. To maintain parity to all Group 'B' officers of all departments be given grade of Junior Scale.**

Railway Board Recommendation.

3. **A selection grade equivalent to Rs. 2200-4000 may be introduced to the extent of 80% of the post manned by Group 'B' officers.**

Railway Boards supplementary recommendation to Vth Pay Commission.

C. CAREER PLANNING – DPC, QUOTA

1. **"I had mentioned last year that steps were being taken to grant promotion from class 2 to class 1 service up to full quota:**

Shri Lal Bahadur Shastri, Railway Minister in Parliament on 19th Feb., 1954.

2. **"No delays in DPCs in fulfillment of quota promised"**

Shri Lal Bahadur Shastri, Railway Minister in 1952-53-54)

3. **Quota of Group 'B' officers in Group 'A' should be on percentage of posts only & not on vacancies:.**

(Extracts of 4th Pay Commission Report)

4. **"The committee are of the opinion that if the Group 'B' officers are inducted into Group 'A' based on cadre and not on the vacancies, the legitimate representation of Group 'B' in Group 'A' will be ensured and the grievances of Group 'B' officers regarding low percentage in Group 'A' will be mitigated in this connection, the committee learnt that the 4th Pay Commission had recommended on the similar lines"**

(Extract of RCC recommendation laid in Lok Sabha on 23.08.94)

5. **"Arrange DPC panels in advance and fill up these vacancies through these panels:**

Shri Jaffar Sharief, Ministers order in Board's files in March 1995.

6. **"Very often action for holding meeting is initiated after vacancy has arisen. This results in undue delay in filling of the vacancies causing dis-satisfaction among those who are eligible for promotion. It may be ensured that regular meetings of DPC are held every year for each category of posts so that an approved select panel is available in advance for making promotions arising over a year".**

(Reference DOP/OM No. 22011/2/91 Estt. (D) dated 13.05.91)

7. **"It was decided (By Railway Board in its meeting on 07.09.89) that in calculating the vacancies these posts should also be included for which Ad-hoc arrangements had been made of Group 'B' officers with ad-hoc promotions to senior scale. For filling these vacancies the usual ratio of 60:40 need not apply as we do not want to increase the intake of Group 'A' officers (Direct recruit officers),. These vacancies may be filled within the period of 3 to 5 years depending upon the no. of vacancies, exclusively by Group 'B' officers. Please take action on these lines urgently".**

(Ref. Member Staff, Railway Board note to Adviser (Staff) dated 07.09.89).

CHAPTER – 12

EXTRACTS OF IMPORTANT NOTINGS ON THE BD'S FILES (AS SUBMITTED BY RLY. ADM. IN COURT)

12 – 1

Rly. Bd.'s No. EG(P)Adv.(MS)/Misc.

Subject: - Redressal of grievances of Group 'B' officer.

The Group 'B' officers have been representing that the chances of their promotion to Group 'A' are very meager. They have stated that only about 9% of the total cadre in Group 'A' is manned by promotee officers.

They have pointed out that the present system of promoting Group 'B' officers to the extent of only 40% of vacancies is not adequate and that as recommended by the pay Commission, it should be 40% of the cadre. This recommendation has not been accepted by the Government. However, position can slightly improve if the percentage for group 'B' officers is raised from 40% to 50% of the vacancies for promotion to Group 'A'. A Memorandum proposing change in the Recruitment Rules accordingly for all Group 'A' services should be prepared and put up for Board's consideration within week's time.

In this connection attention is invited to E(GP)'s circular letter No.E(GP)76/1/87 dated nil (copy enclosed). The Memorandum should be put up by JDE(GP) for consideration of the Board latest by 23rd June, 1989. A copy of the Memorandum should also be given to JDR(GR) so that he can initiate action for making draft amendments in the Recruitment Rules.

Sd/-
ADV. (MS)
16.6.89

This may be put up alright. But concurrently we should immediately take action to approach UPSC that Group 'B' officers who have done 8 years and more of Group 'B' with 3 years in Senior Scale should be promoted to Group 'A' as a one time relaxation. We also should not reduce the intakes of Group 'A' but increase intake of Group 'B' to Group 'A'. This can be done by taking part of the senior scale posts operated by Ad-hoc promotions as vacancies every year.

Sd/-
M.S.
3.8.89

The issue of providing greater opportunities for Group 'B' staff to come to Group 'A' was discussed in today's Board Meeting.

It was decided that in calculating the vacancies, those posts should also be included for which ad-hoc arrangements had been made for Group 'B' officers with ad-hoc promotions top senior scale. For filling these vacancies, the **usual ratio of 60:40 need not apply** as we do not want to increase the intake of Group 'A' officers. These **vacancies**

may be filled within a period of 3 to 5 years depending upon the number of vacancies, exclusively by Group 'B' officer.

Please take action on these lines urgently.

Sd/-
M.S.
07.09.89

****

12 – 2

Reference: Board's (MS)'s Orders on page 3/n

As per the extant rules, 60% (50% in IRPS) of the vacancies in Group 'A' Jr. Scale are filled by direct recruitment through UPSC and 40% (50% in IRPS) by promotion of Group 'B' officers who have rendered 3 yrs. Service or more in Group 'B'. At the Sr. Scale level, a large number of temporary and work charged posts are created to meet the requirements of construction and developmental activities. The cadre at the level of Jr. Scale Group 'A' is not, therefore, adequate to provide the required number of eligible Group 'A' officers for appointment in Sr. Scale. As such, ad-hoc appointments in Sr. Scale from amongst Group 'B' officers have become a regular feature in the Railways brought out by administrative necessities.

2. As per information available at this end, there are nearly 3800 Group 'B' officers on the Railways. Out of these about 1981 have rendered more than 5 years service in Group 'B' on 01.08.89. The service wise break up may kindly be seen at F/A. Out of these, 1462 Officers are working in Sr. Scale on ad-hoc basis. The service-wise break up of ad-hoc arrangements, the number likely to be regularized, the balance uncovered are as under:

Name of service	No. of Gr.'B' officers appointed to Gr.'B' before 1.1.84 and officiating in Sr. Scale.	The number likely to be absorbed in Gr.'A' Jr. Scale 1986, 1987 & 1988 Exam. DPCs	Balance
Civil	506	133	373
Mechanical	162	83	79
Traffic	155	76	75
Electrical	127	80	47
S&T	207	62	145
Stores	76	32+31 (from 1985 DPC)	13
Accounts	85	44	41
Personnel	144	31	113
Total	**1462**	**572**	**890**

3. The Group 'B' officers are absorbed in Jr. Scale Group 'A' through annual DPCs against the departmental quota prescribed in the Recruitment Rules of respective services. The recent position is that (i) vice up to 1985 Recruitment year have taken place for all services except IRSS, (ii) the proposals against 1986, 1987 examinations have been sent to

UPSC, the DPCs for IRPS and IRSSE have already met, and proposals for DPCs against 1986 Examination are being framed. On absorption in Jr. Scale, they are assigned seniority on the basis of weight age of their Group 'B' service up to a maximum of 5 years and the ad-hoc appointments in Sr. Scale get regularized.

4. A Study conducted in June 1988 brought out that: -

(i) Nearly 2000 Group 'B' officers are working against Jr. Scale Group 'A' Posts.
(ii) About 1700 are officiating in Sr. Scale on ad-hoc basis and
(iii) Only 195 were working in Sr. Scale on regular basis which comes to only 7.7% of the cadre strength.

The in-escapable conclusion emerging from the above is that representation of Group 'B' officers in Sr. Scale is far below the quota prescribed for induction in Sr. Scale and a large number of them are working in Sr. Scale which have also been questioned by UPSC in the past. This can only be done through induction of Group 'B' officers in Jr. Scale in addition to those getting inducted through normal annual DPCs as per prescribed quotas.

5. If the criteria of Group 'B' officers having 5 years or more on 1.1.89 and officiating in Sr. Scale is taken into account, it will be seen from para – 3 that immediately there are 1462 such officers who need to be inducted in Group 'A' Jr. Scale. About 572 would get inducted through DPCs up to 1988 Exam. for which the proposals have already been sent to UPSC or are being framed. As such, action has to be taken to absorb about 900 remaining Group 'B' officers in Group 'A' /Jr. Scale in addition to the ones who would be getting absorbed through normal prescribed quota. The Board have also desired that this process may be completed within 3 to 5 years.

6. Summing up, approval of the Board is solicited for:

(i) The absorption of 900 Group 'B' officers in Jr. Scale in addition to the ones getting absorbed though normal DPCs, in relaxation of prescribed quotas in a phased manner spread over 3 – 4 years. The service wise and Railway wise distribution will be worked out as per prescribed procedure.

After the Board approve, a reference will be made to UPSC. Simultaneously, information regarding eligible officers, CRs, ICS etc. will be obtained from Railways/Production Units. DE (GC) may also kindly see regarding the position brought out in Paras 3 & 4.

Sd/-
JDE (GP)
13.04.89.

****

12 – 3

In Railway Services, Junior Scale (Group 'A') posts and Group 'B' posts are operated interchangeable depending on whether the incumbent is in Group 'A' or

Group 'B' and there is no clear-cut identification of such posts as Junior Scale (Group 'A') posts or Group 'B' posts.

2. Posts in Senior Scale and above are all Group 'A' posts which, in the normal course are required to be manned by Group 'A' officers whether directly recruited or promoted from Group 'B'. To facilitate this, rules provide that 60% of vacancies in Junior Scale (Group 'A') should be filled by direct recruitment and 40% by promotion from Group 'B'. **If this percentage had been consistently and correctly followed over the years, the percentage of promotee Group 'A' officers in senior scale and above posts should not be very much below 40% of the total senior scale and above posts.** However, promotee Group 'A' officers constitute only 14% of the senior scale and above posts and the remaining 86% of such posts are manned by directly recruited Group 'A' officers (including 'Temporary' officers). Taking senior scale posts alone, the officers man only 7.7% of senior scale posts and about **67% of senior scale posts are manned on ad-hoc basis by Group 'B' officers.** This imbalance seems to have arisen on account of the following factors operating cumulatively over the years: -

(i) It is well known that promotee Group 'A' officers, because of their higher age at the time of entry into Group 'A', superannuated in large numbers after a service of only a few years in Group 'A'. Weightage for this factor does not appear to have been given in the annual calculations of wastage requirements which were, by and large, taken as a percentage of total Group 'A' cadre.

(ii) In the cadre review of 1973, 250 posts were upgraded from JS/ Group 'B' to senior scale and in the cadre review of 1980, 382 posts were similarly upgraded. **These up-gradation were largely for the benefit of Group 'B' officers**, as will be clear from the following extract from the Memorandum submitted to the Cabinet relating to 1973 Cadre Review: -

"The proposal for up-gradation of Junior Scale to "Senior Scale posts would largely benefit Class II officers who were already officiating in the Senior Scale for many years. These Class-II officers would have put in 28-30 years of service and would otherwise have to retire as Assistant Officers. All these officers have been promoted from Class III, in which they had served for 15 to 20 years. The proposed up-gradation of posts is necessary to mitigate unmerited hardship by stagnation of such promoted officers."

As a follow-up action, these upgraded posts should perhaps have been filled by larger induction of Group 'B' officers into Group 'A' in a phased manner so that the senior scale posts are manned on regular basis. This does not appear to have been done, with the result that these upgraded posts continued to be manned by ad-hoc promotion of Group 'B' officers in the absence of Group 'A' Junior Scale Officers (whether promotee or directly recruited).

3. In the light of the position brought out above, as a corrective step for the time being, it is proposed that Group 'B' officers who have put in 8 years or more of regular Group 'B' service may be considered for induction in Group 'A' Junior Scale. The approximate number of such Group 'B' officers in different Services has been estimated as under: -

Deptt.	No. of Group 'B'	Number likely to be	Balance

	officers with 8 years or more of regular Group 'B' service as on 01.09.89	absorbed in Group 'A' Jr. Scale against 1986, 1987 & 1988 exam DPCs	
Civil	454	133	321
Mechanical	75	83	-
Traffic	108	76	32
Electrical	130	80	50
S&T	164	62	102
Stores	39	63	-
Accounts	43	44	-
Personnel	97	31	66
Total	**1110**	**572**	**571**

4. It will be seen that only in Civil Engineering Department the number of Group 'B' officers with more than 8 years of regular Group 'B' service will remain high even after the DPCs up to 1988 Examination are finalized. Therefore, the proposal in so far as it relates to Civil Engineering Department may be implemented in three stages corresponding to DPCs of 1989 Exam, 1990 Exam and 1991 Exam. In respect of Traffic, Electrical, S&T and Personnel Departments the proposal may be implemented in one stage i.e. corresponding to DPC of 1989 Exam. Accordingly the number of Group 'A' vacancies (against promotion quota) for 1989 Examination may be increased immediately, after working out the Railway-wise figures. Similar action in respect of Civil Engg. Department for 1990 DPC and 1991 DPC may be taken later. It is estimated that all Group 'B' officers with more than 8 years in Group 'B' will come up for consideration in the DPCs corresponding to 1987 and 1988 Examinations.

Sd/-
Adv. MS
15.09.89

I agree with the proposal, I would like to review the situation regarding DPC of 86, 87 & 88 examination. It has to be impressed on UPSC the extreme urgency for finalizing it, in case it is waiting on their account.

Sd/-
MS
15.9.89

****

12 – 4

No. E(GP) 89/1/66-PT

With a view to remove stagnation in Group 'B' officers as well as reduce the large number of ad-hoc appointees from Group 'B' to Senior Scale, a proposal was sent to UPSC on 30.10.89 to conduct a special DPC for inducting about 654 Group 'B' officers into Group 'A'. The subject has since been discussed several times at the level of Joint Secretary, UPSC and various queries raised by them have been answered. I understand that

the Addl. Secy. dealing with the subject has once again raised a number of queries and has also asked for detailed information about the cadre structure on the Railways before passing on the papers to the Commission for a decision. I had an informal discussion with the Addl. Secy. Yesterday, in the course of which he mention that the commission would like to be clear on two points namely:

1) Whether induction of such a large number of Group 'B' officers into Group 'A' would adversely affect the promotion prospects of directly recruited Group 'A' officers; and

2) What are the long term plans of the Ministry of Railways for finding a permanent solution to the problem of ad-hoc promotions of Group 'B' officers to Senior Scale?

I explained to him that the effect on direct recruits would be marginal since most of the officers who will be in the zone of consideration for promotion to Group 'A' are already officiating in the Senior Scale i.e. occupying Group 'A' posts in the senior time scale. As regards a long term solution, I advised him that we are considering various alternatives for eliminating ad-hoc promotion to Senior Scale, e.g.

(i) Up grading some of the Senior Scale posts to JAG:

(ii) Counting of Senior Scale posts filled up on ad-hoc basis as vacancies for the recruitment of Group 'A' officers and laying down a time bound programme for filling them up by direct recruitment / promotion:

(iii) Examining the possibility of permitting Group 'B' officers to be promoted directly to Senior Scale after completion of prescribed qualifying service in Group 'B' in line with the rules of recruitment already existing in certain services.

'A' Since the matter has already been delayed considerably. I suggest that Chairman, UPSC may be requested to convene a meeting at which we can explain our position and get a final decision taken.

Adv. (MS)
09.06.90

I agree "A', CRB may also like to See.

Sd/-
M.S.
10.06.90

Seen, we must make out in advance a briefing note, which should include the relevant facts and figures. We must also try to work out, by simulation, what would be the impact of such promotions in promotions to JA if not above. For all I know, It may have the imfrictious affect of bringing JA grade spans of Group 'A' to a reasonable time frame of 8 to 9 year against 6-7 year now.

Sd/-
CRB

14.06.90

My self and DE/GC discussed this case with Sh. Gujral U/Secy., UPSC on 21.08.90. UPSC desire to be furnished with a detailed simulation exercise bringing out how the promotional prospects of directly remitted officers to JA grade and above will be affected by the proposal in question.

After discussion if was agreed that such an exercise in respect of one or two services may be provided. DE (GC) may kindly see. Any information / assistance required from us will be provided.

Sd/-
DE/GP
22.08.90

****

12 - 5

The exercise may be undertaken in respect of Mechanical and Electrical Departments.

2. For this purpose, the following information is required: -

(i) The likely date of special DPC for induction of more Group 'B' officers into junior scale. Perhaps, we may assume 01.04.1991 as the likely date of the DPC. JDEG (P) may kindly see.

(ii) The date with reference to which 8 years regular service in Group 'B' is to be reckoned. Perhaps, we may assume this date as 01.01.91. JDEG (P) may kindly see.

(iii) List of Group 'B' officers who would have put in 8 years of regular Group 'B' service on the date assumed vide item (ii) above.

(iv) The names of Group 'B' officers likely to be inducted into junior scale in the DPC corresponding to 1988 examination so that these names can be deleted from the list prepared in accordance with item (iii) above.

3. The names of Group 'B' officers who were promoted to Group 'B' on regular basis prior to 01.01.84 had already been collected. From this list, the name of officers who are likely to be inducted into junior scale in the DPC corresponding to 1988 examination are required to be deleted and a list of Group 'B' officers with more than 8 years regular service as on 01.01.91 is required to be prepared. For this purpose, JDEG(P) may kindly indicate the names of Group 'B' officers who are likely to be inducted into junior scale in the DPC corresponding to 1988 examination.

Sd/-
D.E. (GC)
27.08.90

****

12 – 6

During discussions with Shri Gujral, Under Secretary, UPSC, it was desired that in one or two services it should be worked out as to how special induction of Group 'B' officers into Group 'A would affect the promotion prospects of directly redrafted Group 'A' officers.

2. The normal DPCs for induction of Group 'B' officers into junior scale against 40% corresponding to 1988 examination have not yet been finalized except in respect of the Electrical Department. Unless the names of Group 'B' officers likely to be inducted into junior scale through the normal 1988 DPC are know, it will not be possible to know the profile of Group 'B' officers likely to be inducted into Junior Scale through special induction. Therefore, the exercise desired by UPSC has been made in respect of the Electrical cadre only, wherein the normal DPC corresponding to 1988 examination has already been finalized.

3. The following assumptions have been made: -

(i) It has been assumed that the DPC for special induction of Group 'B' officers into the junior scale is likely to be finalized on 01.04.91.

(ii) The date with reference to which 8 years regular service in Group 'B' is to be reckoned for the special DPC has been assumed as 01.01.91.

4. Based on the above assumptions, a list of Group 'B' officers of IRSEE with more than 8 years of regular Group 'B' service as on 01.01.91 has been prepared. The list of these officers is placed below. It will seen there from that there 114 officers and the break up of their retirements is as under: -

Retiring in 1991	-	08
Retiring in 1992	-	09
Retiring in 1993	-	08
Retiring in 1994	-	14
Retiring in 1995	-	06
Retiring in 1996	-	11
Retiring in 1997	-	06
Retiring in 1998	-	06
Retiring in 1999	-	06
Retiring in 2000	-	12
Retiring in 2001	-	05
Retiring in 2002	-	08
Retiring in 2003	-	04
Retiring in 2004	-	05
Retiring in 2005	-	01
Retiring in 2006	-	03
Retiring in 2007	-	01
Retiring in 2008	-	01

		114

The date of increment on Time Scale of these officers is likely to be 01.04.1986 (i.e. with a weightage of 5 year from the likely date of induction) and they would be completing 17 years of Group 'A' service in 2003 by which time 103 out of 114 of the officers would have retired as JA grade / Selection grade officer. There would, therefore, be hardly any impact on the promotion prospects of directly recruited Group 'A' officers to SA grade. The promotion prospects to JA grade will also not be adversely affected since adequate JA grade posts are available.

5. A note on the above lines, along with the list at S.No.53 may be sent to UPSC.

Sd/-
SO/E(GC)
17.10.90

****

12 – 7

S.No. 63 – (Receipt)

This is regarding bulk induction of Group 'B' officers into Group 'A' / Jr. Scale of various Railway Services.

Vide this office letter dated 30.10.89 (S.No.6), the Commission was approached to induct 654 Group 'B' officers in JS/Group 'A' in various Railway Services over and above the promotion quota in order to remove stagnation amongst Group 'B' offices. The Commission vide their letter date d05.03.91 (S.No.65) agreed to for absorption of 463 Group 'B' officers in Group 'A' /JS as a special case.

On a rough analysis the total number of Group 'B' officers furnished by the railways in different services has been indicated in the statement placed below at F/A. Also the break up of 463 vacancies is in ratio proportion to 654; number of officers likely to be absorbed in these and vacancies and the total balance number as available in different services has been indicated in a separate statement placed below at F/3.

Sd/-
SO/E(GC)
17.03.91

As to 654 Group 'B' officers proposed to be absorbed in Group 'A' / Junior Scale on various Railway Services, the Commission have agreed to the absorption of 463 officers. It is proposed to allocate the 463 vacancies between the service, in which extra induction was proposed and revised distribution is indicated below:

Name of the Department	Vacancies proposed for for extra induction to UPSC	Total Vacancies 463 as agreed to by UPSC
S&T	107	71
Civil Engg.	337	238
Traffic	68	48

Personnel	69	49
Elect.	73	52
Total	**654**	**463**

The Railway wise allocation of these vacancies will be made after taking into accounts the latest position of the number of Group 'B' officers with 8 years or more service in their department on the Railways and deducting these from the normal absorption i.e. likely to take place through the DPCs up to 1990 examination.

This was also discussed with EDE (GC).

Sd/-
DE(GP)
11.04.91

****

12 – 8

In October 1989, we had sent a proposal to the UPSC for absorption of Group 'B' officers to Group 'A' in Junior Scale in the following services as a one time exception in addition to the annual intake of 40% of the vacancies in Group 'A' through the DPCs. The proposal envisaged absorption of about 650 officers from Group 'B' to Jr. Scale as per the details given below:

IRSE	337
IRTS	68
S&T	107
IRSEE	73
IRPS	69

The number was so arrived at after taking into account the number of Group 'B' officers who had put in 8 years or more of non-fortuitous service in Group 'B' as on 01.09.1989. I had a series of meetings with the officers of the UPSC to clarify various doubts and objections raised by them. After a great deal of efforts, the UPSC has agreed for absorption of 463 Group 'B' officers into Group 'A' vide their letter at S.No. 63. As the number has been reduced by the UPSC, we were able to accommodate officers with about 8 ½ years of service on the relevant date. This is a substantial relief for the Group 'B' officers and it will contribute immensely to the overall working on the Indian Railways. In addition, Railways will be benefited by reduction in the ad-hoc arrangements in Senior Scale to that extent.

We propose to fill up these posts by obtaining detailed information and documents such as CRs and integrity certificates from the zonal railways along with the 1990 proposals.

This is a good work done by DE(GP), Shri R.R. Kohli and EDE (GC), Shri V. Sivaraman and their officers and staff.

Sd/-
Adviser (MS)
12.04.91

****

12 – 9

The Department wise allocation of 463 vacancies has been decided at pages 33-34/n/ante. The number of Group 'B' officers with 8 year service on 01.04.91 worked out on the basis of the information furnished by E(GC) Branch at S.No. 59/1 is as under:

Name of the service	No. of vacancies allocated	No. of officers with 8 years service as on 01.04.91 (excluding the number likely to be absorbed against regular DPCs for the years 1989 & 1990).
IRSE	238 (To be filled in three years)	291
IRSEE	52	75
IRPS	49	55
IRSSE	76	125
IRTS	48	69

EDE (GC) may kindly see.

2. As mentioned at prepage, the distribution of vacancies amongst different Railways & Production Units has been done on the basis of the number of officers with 8 years service on the respective railways and production units on 01.04.91 after deleting these from the number of officers with least service on railway or production wait.

At present, proposals for 1989 vacancies have been sent to the UPSC. The proposals for 1990 vacancies have also become due. An exercise is being under taken to see if the Railways have furnished particulars of sufficient o9fficers for the 463 extra vacancies. In case, this information is available, consolidated proposals for 1990 vacancies and extra vacancies will be sent to the Commission. In case, however, the information available is no adequate to frame such consolidated proposals, efforts will be made to send the proposals against 1990 vacancies to the Commission so that the DPCs may be brought up to date. Simultaneously, the matter will be & chased up with the Railways vigorously and as soon as the information/documents for extra vacancies are available, the proposals therefore will be sent. The endeavour will be to hold combined DPCs both for 1990 and extra vacancies.

Adv., (MS) may kindly see

MS, FC, MS, ML, MT, CRB

****