

No. 2011/6/75-Estt(D)  
Government of India/Bharat Sarkar  
Cabinet Secretariat/Mantramandal Sachivalaya  
Department of Personnel and Administrative Reforms  
(Karmik Aur Prashasnik Sudhar Vibhag)

New Delhi, the

30 Dec. 1976.

OFFICE MEMORANDUM

**Subject: PROCEDURE FOR MAKING PROMOTIONS AND FUNCTIONING OF THE DEPARTMENTAL PROMOTION COMMITTEES.**

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The undersigned is directed to state that the Ministry of Home Affairs (now the Department of Personnel and Administrative Reforms) have in the past issued various Office Memoranda on the subject relating to the constitution and functioning of the Departmental Promotion Committees and the procedure to be followed in making promotions. A list of such O.Ms. is given in Annexure I. With a view to making such instructions, issued from time to time, handy and available at one place, it has now been decided to consolidate all these instructions. Accordingly, in supersession of all the previous O.Ms. referred to above, the following instructions are hereby issued on the subject for the guidance of all the Ministries/Departments in the Government of India:-

I FUNCTIONS OF THE D.P.Cs.

The Recruitment Rules for various civil posts and services prescribe the method of filling up the posts under the Central Government. 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, DPCs should be formed in each Ministry/Department/Office whenever on occasion arises for making promotions/confirmations etc., as the case may be. The D.P.Cs. so constituted shall judge the suitability of officers for :-

- (a) promotions to selection as well as non-selection posts;
- (b) confirmations 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 in the prescribed period of their probation and
- (d) consideration of cases of government servants for crossing the efficiency bar.

II COMPOSITION OF THE D.P.C.

1. The Union Public Service Commission should be associated with the Departmental Promotion Committees in respect of all Central Civil Services/Posts belonging to Group A where promotion is based on the principle of selection unless it has been decided by a special order of the Government not to associate the U.P.S.C. with a Group A Departmental Promotion Committee. The U.P.S.C. need not be associated in respect of posts belonging to Group A, if promotion is based not on the principle of selection but on seniority-cum-fitness.

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2. The Commission should be associated with the D.P.Cs. constituted for purposes of confirmation of officers who are direct recruits or promotees in services and posts, recruitment to which falls within the purview of the Commission.
3. The size of the D.P.C. should be decided by each Ministry/Department/Office. Whenever, the UPSC is associated with the Departmental Promotion Committee, the Chairman or a Member of the Commission will preside at the meeting of the Departmental Promotion Committee.
4. Members included in DPCs for Group A & B posts should be officers who are at least one step above the posts in which promotions/confirmation is to be made as indicated in annexure II.
5. In respect of DPCs for Groups C & D posts, the 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 one in which promotions are considered. The other member should be an officer of the Department familiar with the work of the persons whose suitability is to be assessed. The officer of another Deptt. 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 the DPC constituted for promotions to a technical post it may also be ensured that the officer nominated by another Department to serve on the DPC has also the requisite technical competence to advise on the suitability of the candidates under consideration.
6. Endeavour should also be made to nominate an S.C./S.T. officer on the D.P.C. constituted for various posts/services particularly where a D.P.C. has to make bulk selection for a large number of vacancies say for 30 or more at a time. In such a case no efforts should be spared in finding a S.C. or S.T. officer for inclusion in the D.P.C. Where an outside member has to be associated with the D.P.C. for Group C or Group D posts, there would be no objection to nominate on such a D.P.C., a S.C./S.T. officer from such other Ministry/Department in the event of such officer not being available in the Ministry/Department itself.
7. The composition of the DPC for considering the cases of Government servants for crossing the E.B. scale 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 E.B. cases.

III  
FREQUENCY AT  
WHICH DPC  
SHOULD MEET

The D.P.C. should be convened at regular annual intervals to draw panels which could be utilized for making promotion against the vacancies occurring during the course of a year. It has been observed that Ministries/Departments do not convene meetings of the D.P.Cs. annually for various reasons,

even though eligible officers of the lower grade were available and the vacancies in the higher grade were also available for their promotion. This is often due to non-finalisation of the seniority list of officer of the lower grade which forms the field of consideration. Sometimes, meetings of the DPC are also not convened annually under the impression that a panel, prepared by a D.P.C. for filling "selection" posts, could be kept operative for a period of one year and six months and that, therefore, action to convene the next meeting of the Departmental Promotion Committee could be initiated only after the expiry of that period. As delay in convening the D.P.C. meetings results not only in financial loss to the concerned officers due to delay in their promotion to the higher grade, but also affects them adversely in their future career in as much as their promotion to the next higher grade is also delayed, it is necessary that the DPC meetings should be convened at regular intervals as indicated above. 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.

IV  
DETERMINATION  
OF REGULAR  
VACANCIES

It is essential that the number of vacancies in respect of which a panel is to be prepared by a D.P.C. 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 of incumbents of one post/grade to higher post/grade and vacancies arising from creation of additional posts on a long term basis and those arising out of deputation. As regards vacancies arising out of deputation, it is clarified that for the purpose of drawing-up a select list for promotion, vacancies arising out of deputation for periods more than one year should be taken into account, due note, however, being kept also of the number of the deputationists likely to return to the cadre and who have to be provided for. Purely short term vacancies arising as a result of officers proceeding on leave, on deputation for a shorter period, training etc., should not be taken into account for the purpose of preparation of a panel.

V  
PAPERS TO BE  
PUT UP FOR  
CONSIDERATION  
BY D.P.Cs.

1. In the case of promotions, the proposals should be placed before the DPC in the proforma given in annexure III. In case of confirmation, the proposals should be put up before the Departmental Promotion Committee in the proforma given in Annexure IV. These proformae should be completed and submitted to the DPC- whether the UPSC is associated with the DPC or not.

2. Where a member of the UPSC has to attend a meeting of the Departmental Promotion Committee, 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 ...4/-

be complete as per the proforma given in Annexure III or IV and should be sent in good time before the meeting. 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.

3. The integrity certificate on the lines indicated below should be furnished to the DPCs constituted to consider cases for promotion or confirmation as the case may be :-

"The records of service of the following officers who are to be considered for promotion/confirmation in the grade have been carefully scrutinised and it is certified that there is no doubt as to 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 D.P.C.

4. Where the U.P.S.C. is associated with the D.P.C. the certificate will be recorded by an officer not below the rank of a Deputy Secretary to the Govt. Where U.P.S.C. is not associated the officer incharge of the administration section in the Ministry/Department/Office concerned who processes and submits names and particularly of eligible officers to the DPC should himself record the certificate.

5. 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 fulfil the prescribed eligibility conditions. The officers whose names are included in the panel will be promoted in accordance with the procedure set out in Section X(4) of this O.M. 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. In the event of their being found fit for confirmation, permanent post will be kept reserved for them but the actual confirmation against those posts will be made on their reversion to the parent cadre.

6. Very 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 his own parent department for purposes of promotion as well as confirmation. This is subject to the condition that the deputation, foreign service etc., 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.

7. An officer proceeding on study leave should be treated on the same basis as an officer proceeding on deputation for purpose of sub-para 5 & 6 above if the study leave was

duly sanctioned by the competent authority and the competent authority certifies that he would have continued to officiate to such appointment 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 case of Government servants who are granted special leave for training abroad, under the various trainings schemes.

8. It may happen that a government servant who is recommended for appointment to a post as 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 the officer was holding the lower post in temporary capacity and has been appointed to the higher post as direct recruit before the date of the meeting of the DPC for promotion to the higher post.

#### VI

PROCEDURE TO  
BE OBSERVED  
BY D.P.C.

1. Each Departmental Promotion Committee should decide its own method and procedure for objective assessment of the suitability of the candidates. Ordinarily a personal interview should not be regarded as necessary and the panel for promotion/confirmation may be drawn-up on the basis of assessment of the record of work and conduct of the officers concerned.

2. Selection Method:- Where promotions are to be made by selection method as prescribed in the Recruitment Rules, the field of choice viz., the number of officers to be considered should ordinarily extend to 5 or 6 times the number of vacancies expected to be filled within a year. The officers in the field of selection, excluding those considered unfit for promotion by Departmental Promotion Committee, should be classified by the Departmental Promotion Committee as "outstanding", "Very good", and "Good", on the basis of their merit, as assessed by the D.P.C. after examination of their respective records of service. In other words, it is entirely left to the DPC to make its own classification of the officers being considered by them for promotion to selection posts, irrespective of the grading that may be shown in the CRs. The panel should, thereafter, be drawn-up to the extent necessary by placing the names of the 'Outstanding Officers' first, followed by the officers categorised as 'Very good' and followed by the officers belonging to any

'Very good' and followed by the officers categorised as 'good'. The inter-se-seniority of officers belonging to any one category would be the same as their seniority in the lower grade.

3. Non-Selection method:- Where the promotions are to be made on non-selection basis according to Recruitment Rules, the Departmental Promotion Committee need not make a comparative assessment of the records of officers and they should categorise the officers as 'Fit' or 'Not yet fit' for promotion on the basis of assessment of their records of service. The Officers categorised fit should be placed in the panel in the order of their seniority in the grade from which promotions are to be made.

4. Confirmation:- In the case of confirmation, the D.P.C. 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 on the basis of their performance in the post as assessed on the basis of their record of service.

5. Probation :- In the case of probationers also, 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.

6. Efficiency bar :- The DPC constituted for considering cases of Govt. servants for crossing the E.B. 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, performance in written tests and/or trade test prescribed by the administrative Ministry, if any. The DPC need only to 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 efficiency bar stage on the due date should also be done in accordance with the same procedure by the DPC.

7. Officers under suspension whose conduct is under investigation or against whom disciplinary proceedings initiated or about to be initiated :- In cases of officers who are under suspension or whose conduct is under investigation or against who disciplinary proceedings have been initiated or about to be initiated, the officers' suitability for promotion should be assessed at the relevant time by the DPC and a finding reached whether, if the officer had not been suspended, or his conduct had not come under investigation, he would have been recommended for selection. Where a list is prepared for selection posts, the DPC should also take a view as to what the officers' position in that list would have been, but for his suspension etc. The finding should be recorded separately and attached to the proceedings, in a sealed envelope superscribed 'Findings regarding merit and suitability for promotion to confirmation in (Service/grade/post) in respect of Shri (name of the officer) and Not to be opened till after

the termination of the suspension of disciplinary proceedings against Shri (name of the Officer)". The proceedings of the Departmental Promotion Committee, etc., need not contain the note "The findings are contained in the attached sealed envelope". The authority competent to fill the vacancy should be separately advised to fill the vacancy only in an officiating capacity, where the findings as to the suitability of the officer are for his promotion; and (ii) to reserve a permanent vacancy; where such findings are for his confirmation.

8. Where adverse remarks in the Confidential Record of an officer concerned have not been communicated to him, this fact should be given due weightage by the DPC while assessing the suitability of the officer concerned for promotion/confirmation.

9. In cases, where decision on the representation of officers 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 pending decision on the representation.

10. An officer whose increments have been withheld 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 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 competent authority as and when occasions arise for such assessment. In assessing the suitability the competent authority 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 and the fact of the imposition of the penalty he should be considered suitable for promotion. Even where however, the competent authority considers that in spite of the penalty the officer is suitable for promotion, the officer should not be promoted during the currency of the penalty.

11. 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.

12. The claims of Officers who are away on deputation, foreign service, etc. should also be taken into account by the DPC while considering cases of promotions/confirmations.

#### VII

VALIDITY OF THE PROCEEDINGS OF DPCs WHEN ONE MEMBER IS ABSENT The proceedings of the Departmental Promotion Committee shall be legally valid and can be operated 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 D.P.C. and provided further that majority of the members constituting the Departmental

Promotion Committee are present in the meeting.

VIII  
CONSULTATION  
WITH THE UPSC

The recommendations of the Departmental Promotion Committee, whether it included a member of the UPSC or not should be referred to the Commission for approval, if

1. Consultation with the Commission is compulsory under article 320(3) of the Constitution of India, read with U.P.S.C. (exemption from consultation) Regulation, 1958, as amended from time to time. Broadly speaking, subject to certain exceptions mentioned in the Regulations in so far as promotions are concerned, consultation with the Commission is compulsory in respect of promotions from Group B to Group A posts. However, a reference may be made to the Regulations, as and when necessary.

2. The member of the Commission who presides over the D.P.C. specifically desires that the Commission should be consulted.

IX

PROCEDURE TO BE  
FOLLOWED WHEN  
APPOINTING AUTHORITY DOES NOT  
AGREE WITH THE  
RECOMMENDATIONS  
OF D.P.C.

1. The DPC is a recommendatory body and the recommendations made by it are subject to approval by the appointing authority. There may be certain occasions when, for valid reasons, the appointing authority may find it necessary to disagree with the recommendations of the duly constituted D.P.C. The procedure to be followed in such cases will be as given below.

2. Where UPSC is associated with the D.P.C., the recommendations of the DPC should be treated as recommendations of the U.P.S.C. If it is considered necessary by the appointing authority to vary or disagree with the recommendations made by the DPC, the procedure prescribed for over-ruling the recommendations of UPSC should be followed. The relevant portion of the procedure as set out in the Ministry of Home Affairs O.M.NO. 18/42/50-Estts dated 27-11-50 is reproduced below:-

"The Government of India have decided that where the Union Public Service Commission have been consulted in regard to any appointment(s) the recommendations made by the Commission should not be departed from unless, in the opinion of the Honourable Minister concerned, exceptional circumstances exist which in the public interest require such departure. In such a case the reasons for holding this opinion should be communicated to the Commission and the Commission given an opportunity of further justifying their recommendations. On the receipt of the observations of the Commission, their recommendations should be considered further by the Ministry concerned. If, after further consideration, the Ministry still considers that the recommendations made by the Commission should not be accepted, the case should be referred with a self-contained summary to the Establishment Officer of the Government of India who will place it before the Appointments Committee of the Cabinet consisting of the Hon'ble the Prime Minister, the Hon'ble Minister for Home Affairs and the Hon'ble Minister administratively concerned with the appointment(s). In cases in which the Hon'ble Home Minister or the Hon'ble the Prime Minister happens to be the Minister concerned with



the appointment, the Honourable Finance Minister will be added to the Committee. The decision reached by the Appointments Committee in all such cases should be communicated to the Commission by the Ministry administratively concerned. Final orders in accordance with the decision will also be issued by that Ministry, copy being endorsed to the Commission."

3. The recommendations of the D.P.C. on which U.F.S.C. 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 D.P.C., such appointing authority should indicate the reasons for disagreeing and refer the entire matter to the D.P.C. for reconsideration of its earlier recommendations. In case the D.P.C. reiterates its earlier recommendations, giving also reasons in support thereof, it should be open to the appointing authority either to accept the recommendations, if the reasons adduced by the DPC are convincing or if that authority does not accept the recommendations of the D.P.C., it may submit the paper to the next higher authority with its own recommendations. The decision of the next higher authority should be taken as final.

(b) Where the appointing authority is the President of India, the recommendations of the DPC should be submitted to the Hon'ble Minister Incharge of the Department concerned for acceptance or otherwise of their recommendations. In case the circumstances do necessitate, the Hon'ble Minister may refer the matter again to the DPC for reconsideration of its earlier recommendations. If the D.P.C. reiterates its earlier recommendations, giving also reasons in support thereof, the matter should be placed before the Hon'ble Minister for his decision. The decision taken by the Hon'ble Minister either to accept or to vary the recommendations of the DPC shall be final.

X IMPLEMENTATION 1; The recommendations of the Departmental Promotion Committee OF THE RECOMMENDATIONS OF are advisory in nature and should be duly approved by the appointing authority before being implemented. A clearance THE DPC from the Vigilance Section of the Office/Deptt. should also be obtained before making actual promotion or confirmation of officer approved by D.P.C. to ensure that no disciplinary proceedings are pending against the officer concerned.

2. Promotion of whatever duration, should as far as possible be made in the order in which the name 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 it is convenient and desirable to make posting 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.

3. 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 alongwith ...10/-

others who may now be included in the field of choice should be considered for the 'select list' for the subsequent period.

4. If the panel contains the name of a person who has gone on deputation or foreign service in the public interest including the 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 his cadre. In case the officer has gone on ex-cadre post on his own volition 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 claims 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. ]

5. If the proceedings of the DPC for promotion contain findings in sealed envelope in respect of persons under suspension or against whom departmental proceedings are pending, the vacancy that would have gone to the officer if his name had been included in the panel should be filled on an officiating basis by the next person in the approved list. After termination of the suspension/disciplinary proceedings against him, if it was held that suspension was wholly unjustified and the officer was completely exonerated in the disciplinary proceedings and if the sealed envelope contain recommendation in his favour, then he should be promoted to the higher post if necessary by reverting the junior most officiating person. Where however, the post which could have gone to the officer but for his suspension or the departmental proceedings, ceases to exist before the conclusion of the departmental proceedings, he can only be promoted to the first vacancy that may be available in future and if the officer concerned is found fit for promotion at that time. His seniority should however be fixed in the higher grade as if he had been promoted in accordance with his position in the select list/ panel.

The period during which any officer junior to the suspended officer concerned was promoted to the higher grade should be reckoned towards to the minimum period of service, for the purpose of determining his (suspended officer) eligibility for promotion to the higher grade. The pay of such officers should, on promotion, be fixed by allowing the intervening period, during which the suspended officer could not be promoted due to his suspension, be counted for increments in the higher grade but no arrears would be admissible. These concurrence will also be admissible to those Government Servants who, though not under suspension, could .11/

not be promoted to the higher grade on account of their being implicated in Departmental proceedings or on account of their conduct being under investigation and who were subsequently completely exonerated. With regard to the claim for confirmation of an officer under suspension or an officer whose conduct is under investigation or an officer against whom departmental proceedings are about to be initiated, a permanent vacancy should be reserved for such an officer till a final decision is reached on the proceedings against him, or where such an officer is reduced in rank for a specified period, till he is actually restored to his original rank.

6. If a person's name is included in the panel for promotion to the higher post (for which recruitment can be made by promotion as well as 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 promotee according as his turn for appointment comes earlier from the direct recruitment list or from the promotion list.

7. The recommendations of the DPC in the case of Government servants for crossing the E.B. have to be considered by the authority competent to pass an order under F.R. 25. Where a Govt. servant who has been held up at the E.B. stage on the due date on account of unfitness to cross the E.B. is allowed to cross the E.B. at a later date as a result of subsequent review of his case by the DPC, the increment next above the E.B. shall be allowed to him from the date of such order to cross the E.B. Where it is proposed to fix his pay at a higher stage taking into account the length of service from the due date for crossing the E.B., the case should be referred to the next higher authority for a decision. Instructions regarding over-ruling of the recommendations of the DPC for promotion and confirmation would apply in this case also.

XI AD HOC  
PROMOTIONS

1. The DPC procedure indicated above should be followed strictly in all cases as a general rule. In exceptional circumstances and under exigencies of public service, it may be necessary to make adhoc appointment without following the prescribed procedure. Such adhoc appointments should be subjected to the following instructions:

(a) purely short term vacancies caused by leave, short term deputation, training etc., may be filled by adhoc appointment if the posting of the persons next in the approved panel would be administratively difficult or if he is not interested in such short-term promotion. Such appointment can be made also when the panel is exhausted or expired and if there is no time to convene a D.P.C. meeting and prepare a fresh panel. Ad-hoc appointments made to fill in short term vacancies should be only by promotion of departmental candidates and not by direct recruitment.

(b) In the case of regular vacancies due to death, retirement, resignation, promotion, deputation for period exceeding one year, the vacancies should be filled by the regular method and not by ad hoc appointments. However, if the panel is exhausted or expired and if delay is anticipated in preparing a fresh panel, and if the exigencies of public interest require the ...12/-

filling up of vacancy immediately, adhoc appointment can be made without following the prescribed procedure. Even in such cases direct recruitment should be avoided as far as possible since it might create complications if the candidate selected by regular process is different from the ad hoc appointee. In any case, Ministries/Departments should periodically review all such ad hoc appointments and replace the ad hoc appointees by persons approved for regular appointment in accordance with prescribed procedure.

(c) Every Ministry/Department should prescribe suitable reporting system for reporting all continuing adhoc appointments to the Secretary/Minister in charge of the Administrative Ministry who would give suitable directions for terminating the ad-hoc arrangements as early as possible. Ad-hoc appointments continuing for more than one year may be reported to the Department of Personnel and Administrative Reforms on 1st June every year.

2. Whenever an appointment is made on ad hoc basis the fact that the appointment is ad-hoc and that such appointments will not bestow on the person a claim for regular appointment and that ad-hoc service rendered would not count for the purpose of seniority in that grade and for eligibility for promotion, confirmation, should be spelt out clearly in the order of appointment.

XII  
PERIOD OF  
VALIDITY  
OF PANEL

1. The panel drawn-up by D.P.C. would normally be valid for one year. In any case, 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.

2. The date of the commencement of the validity of the panel will be the date on which the D.P.C. 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 the validity of panel would be the date (of a Commission 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.

XIII  
DATE FROM  
WHICH PROMOTION  
ARE TO BE  
TREATED AS  
REGULAR

The general principle is that promotion of officers included in the panel would be regular from the date of the validity of the panel or from the date of their actual promotion whichever is later. This is explained below.

In cases, where the recommendations for promotion are made by the D.P.C. presided over by a member of the U.P.S.C. by circulation of papers and such recommendations do not require to be approved by the Commission, the date of the Commission's letter forwarding fair copies of the minutes duly signed by the Chairman of the D.P.C. or the date of actual promotion of the officer whichever is later, should be reckoned as the date of regular promotion of the officer. In cases, in which all the officers included in a panel or only some of them require the consultation with the UPSC, the date of regular promotion of any one included in that panel would be the date of actual promotion or the

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Date of UPSC's letter communicating their approval whichever is later. In cases which promotions of officers included in a panel do not require any consultation with the UPSC, the promotions should be deemed as regular from the date of actual promotions on the date of the meeting of the DPC whichever is later. Further, if the meeting of the DPC extended over more than one day, the last date on which the DPC met shall be regarded as the date of meeting of the DPC.

XIV  
REFUSAL OF PROMOTION

When a Govt. 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 appointment on promotion shall be made in such cases for a period of six months 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 Govt. servant will lose seniority vis-a-vis his erstwhile juniors promoted to the higher grade earlier irrespective of the fact whether the posts in question are filled by selection or otherwise. The above mentioned policy will not apply where adhoc promotions against short-term vacancies are refused.

XV  
REVIEW OF THE PROCEEDINGS OF THE DPC IN RESPECT OF OFFICERS IN WHOSE CASES ADVERSE REMARKS HAVE BEEN EXPUNGED FOR TONED DOWN

1. It may be that there are some adverse remarks in the Character Rolls of officers coming within the zone of consideration for promotion. In such cases, if the period of 6 weeks allowed for submission of a representation is not yet over, or a decision on the representation has not yet been taken, the DPC may, in their discretion, defer consideration of the case of the officer, till a decision on the representation is taken.

2. In case the DPC defers consideration, after the decision is taken on the representation, the case should be brought before the DPC for consideration-irrespective of the fact whether the adverse remarks were toned down, expunged or left unchanged.

3. In case, the DPC did not defer consideration of the case and has taken into account the adverse remarks no further action would be necessary, if the competent authority, after considering the representation against the adverse remarks, decides not to tone down or expunge the adverse remarks. In cases, where the adverse remarks were toned down or expunged the appointing authority should scrutinise the case with a view to decide whether or not a review by the DPC is justified taking into account, the nature of the adverse remarks toned down or expunged. Representations received after the time allowed need not be brought to the notice of the DPC unless the competent authority had entertained the same after

condoning the delay. 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.

4. 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 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.

5. If the officers placed junior to the officer concerned have been promoted, he should be promoted immediately and if 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 officers would be determined in order in which his name, on review, has been placed in the select list by the DPC. If 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 purposes of determining his eligibility for promotion to the next higher grade.

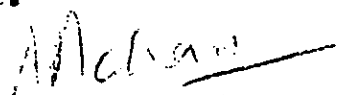
6. In the case of confirmation, a permanent post can be kept reserved for the types of cases mentioned in paras 1 to 3 above. If the officer concerned is recommended for confirmation on the basis of review by the DPC, he should be confirmed against the reserved vacancy and the seniority already allotted to him on the basis of review should not be disturbed by the delay in confirmation.

To rectify certain unintentional mistakes etc., it may be necessary to convene a review DPC under certain circumstances e.g. (a) when eligible persons were omitted to be considered or (b) ineligible persons were considered by mistake or (c) where the seniority of a person is revised with retrospective effect to differ with the seniority list placed before the earlier DPC or (d) where some procedural irregularity was committed by a DPC or (e) when adverse remarks in the CRs were toned down or expunged after the DPC had considered the case of the officer. Whenever such review DPC meets, it should consider only those persons who were eligible as on the date of meeting of original DPC. That is, persons who became eligible as on a subsequent date should not be considered by that review DPC. Such cases will, of course, come up for consideration by the 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. However, 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.

XVII  
INSTRUCTIONS  
REGARDING  
SCHEDULED  
CASTES/SCHE-  
DULED TRIBES

Instructions have been issued from time to time by the Department of Personnel & A.R. regarding reservations and concessions to Scheduled Castes and Scheduled Tribes in the matter of promotions and regarding reservations in confirmations. These instructions should be duly taken into account by the appointing authorities concerned while formulating proposals for promotion/confirmation for consideration of the DPC. The relevant instructions should also be kept in view by the DPC while considering proposals for promotions/confirmations.

Ministry of Finance etc. are requested to bring these instructions to the notice of all concerned in the Ministries, including their attached offices for guidances and also to ensure their compliance.

  
(R. RAGHAVCHARI)  
DIRECTOR

To

All the Ministries/Departments of the  
Government of India

\* PRADEEP \*

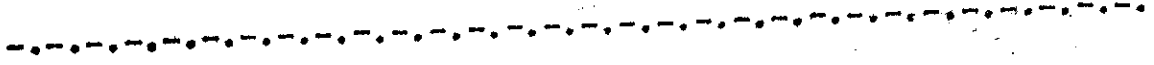
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Annexure II

Pay scale(pre-revised) of 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.



(Pre-revised)

- |   |  |
|---|--|
| 1. Rs. 400-950 or equivalent<br>Rs. 700-1250 or equivalent.                                     | Officers of the rank of Deputy Secy. to the Govt. of India or above  |
| 2. Rs. 1100-1400 or equivalent.<br>Rs. 1300-1600 or equivalent.<br>Rs. 1300-1800 or equivalent. | Officers of the rank of Director in the Govt. of India, (Scale Rs. 1800-2000) or above.  |
| 3. Rs. 1600/1800-2000 or equivalent<br>Rs. 2000-2250 or equivalent.                             | Officers of the rank of Joint Secy. to the Govt. of India. In such cases the Secy./Additional Secy. of the Deptt./Ministry should invariably be one of the Members of the DPCs |
| 4. Rs. 2250-2500<br>Rs. 2500-2750 } or equivalent   | Secy./Addl. Secretary to the Govt. of India.   |





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(c) Whether an upto-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.

5. Grade or post from which promotion is to be made

Designation	Classification	Scale of pay	Requirement prescribed for promotion.	Whether reservations are required to be made for S/C and S/T for promotion from this grade/post to the grade/post indicated in S. No.3 above, in accordance with the orders in this regard.
.....				
.....				

6. UPSC reference No1 under which promotion to the grade/post were last considered.

7. Seniority List

- (a) Whether a seniority list as in the prescribed proforma (Annexure I) has been enclosed.
- (b) Whether all eligible Officers, including those belonging to S/C and S/T and those on deputation etc. are included and whether those belonging to S/C, S/T and those are on deputation are clearly indicated in the seniority List.
- (c) Whether the list, before finalisation was circulated to all concerned.
- (d) Whether there are any Officers whose seniority has not been finalised. If so, give details.
- (e) Whether the seniority list (Annexure I) has been duly authenticated by an Officer not below the rank of Under Secretary to the Government of India.

.....3/-

.....

8. Character Rolls

Complete and up-to-date character rolls of all the eligible officers are required.

- (a) whether a list (in duplicate) 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).

.....

9. Integrity certificate

a Whether in integrity certificate, in terms of the instructions contained in the Ministry of H.A. O.M. No. 1/9/71-Estt(D) dated 22.1.1972 has been enclosed.

.....

10. Self-contained note for the DPC

Whether a self-contained note for the DPC, explaining the proposals for promotion, has been enclosed.

.....

Signature \_\_\_\_\_  
 Designation \_\_\_\_\_  
 Date \_\_\_\_\_

J.Bist/-  
 16/12/76

*20*

ANNEXURE-I

Vide Item 7 of the DPC Pro-Forma

Seniority list of Officers in the grade of \_\_\_\_\_  
as on \_\_\_\_\_

Sr.No.	Name of the Officer	Whether belongs to Sch. Caste or Sch. Tribe. If not, say neither	Date of Birth	Date of regular appointment to the grade.
1	2	3	4	5

UPSC reference in which recommended/ approved	Post held substantively	Remarks
6	7	8

Signature of authenticating Officer

DESIGNATION \_\_\_\_\_

Date \_\_\_\_\_

\*To be signed by an officer <sup>of</sup> or above the rank of Under Secretary.

Vide Item 6 of the DPC Pro-forma

Particulars of changes in the seniority list.

(i)

Name 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
---	---

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

(ii)

Name of Officers added in the present seniority list

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.



(b) Method of 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.

-----  
6- Seniority List :

- (a) Whether a seniority list as in the prescribed proforma (Annexure I) has been enclosed.
- (b) Whether all eligible officers, including those on deputation and those holding the higher posts on a local or purely ad-hoc or temporary basis
- (c) Whether the list, before finalisation, was circulated to all concerned.
- (d) Whether there are any officers whose seniority has not been finalised. If so, give details.
- (e) Whether the seniority list (Annexure I) has been duly authenticated by an officer not below the rank of an Under Secretary to the Government of India.
- (f) Whether the list has undergone any changes since it was last placed before the DPC. If so, give necessary details in Annexure I (B)
- (g) In cases of confirmation of officers appointed by different methods e.g. Promotion, Direct Recruitment or Transfer, please enclose separate seniority lists also in addition to combined list.
- (h) Whether the list includes names of officers who have been recommended for direct recruitment to the same post, but whose names also come within the field of eligibility for promotion? If so, give details.

-----  
7. Character rolls:

Complete and up-to-date character rolls of all the eligible officers are required.

- (a) Whether a list (in duplicate) 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).
- (c) Names of officers, if any, in whose cases adverse remarks in their Character Rolls were communicated to them and the time allowed for submission of a representation is not yet over.
- (d) Names of officers, if any, who have submitted representations against adverse entries in their character Rolls, but decisions on the representations have not yet been taken.

8. Self-contained Note for the DPC

Whether a self -contained note for the DPC, explaining the proposals for confirmation has been enclosed.

Signature \_\_\_\_\_

Designation \_\_\_\_\_

Date \_\_\_\_\_



ANNEXURE I

Vide Item 6 of the DPC Pro Forma  
Seniority list of officers in the grade \_\_\_\_\_  
as on \_\_\_\_\_.

S.No.	Name of the officer	Date of Birth	Date of regular appointment to the grade
1	2	3	4

UPSC reference in which recommended/approved.	Post held substantively.	Remarks
5	6	7

\*Signature of authenticating Officer \_\_\_\_\_  
Designation \_\_\_\_\_  
Date \_\_\_\_\_

\*To be signed by an officer of or above the rank of Under Secretary.

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ANNEXURE I(A)

Vide Item 6 of the DPC Pro Forma

Particulars of changes in the seniority list.

(i)

Name 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
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

(ii)

Names of officers added in the present seniority list:

- 1.
- 2.
- 3.
- 4.
- 5.