

PROMOTION

9.1 The regular promotions of the government employees are generally decided on the basis of recommendations made by the Departmental Promotion Committees. The Departmental Promotion Committees are constituted to judge the suitability of officers for -

- (a) promotions to "Selection" as well as "Non-selection" posts
- (b) 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 subsequent confirmation if found suitable for retention in service.

9.2 The UPSC should be associated with DPCs in respect of all Central Civil Services/posts belonging to Group 'A' where promotion is based on the principles of "Selection cum Seniority" 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 the posts belonging to Group 'A', if the promotion is based not on the principles of "Selection" but on "seniority-cum-fitness" only. Whenever the UPSC is associated with a DPC, the Chairman or a Member of the Commission will preside over the meeting of the DPC.

9.2.1 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.

9.2.2 The eligibility dates for determining the eligibility of officers for promotion would be the first day of the crucial year, i.e. January, 1 irrespective of whether ACRs are written financial year-wise or calendar year-wise.

9.3 **Zone of Consideration**

In the normal zone of consideration, field of choice from the eligible officers is to be kept as twice the number of vacancies + 4. However, in case the vacancies are reserved for SC/ST also, then the field of choice is to be extended upto 5 times of the number of vacancies. This zone is called as an extended zone for consideration for SC/ST. The normal zone and the extended zone for vacancies will accordingly be as follows:-

No. of vacancies	Normal Zone	Zone for consideration for SC/ST
1	5	5

2	8	10
3	10	15
4	12	20
5 and above	Twice the number of vacancies + 4	5 times the number of vacancies

9.4 **Guidelines for DPCs**

The following guidelines are laid down to regulate the assessment of suitability of candidates by DPCs:

9.4.1 While merit has to be recognised 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.

9.4.2 Confidential Reports 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, the DPC should assess the suitability of the employees for promotion on the basis of their Service Records and with particular reference to the CRs for five preceding years irrespective of the qualifying service prescribed in the Service/Recruitment Rules. (If more than one CR has been written for a particular year, all the CRs for the relevant years shall be considered together as the CR for one year).

9.4.3 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 above para. If this is also not possible, all the available CRs should be taken into account.

9.5 **Principles to be observed for preparation of panel**

9.5.1 In case of 'selection' (merit) promotion, the hitherto existing distinction in the nomenclature ('selected by merit' and 'selection-cum-seniority') is dispensed with and the mode of promotion in all such cases is rechristened as 'selection' only. The element of selectivity (higher or lower) shall be determined with reference to the relevant benchmark ("Very Good" or "Good") prescribed for promotion.

9.5.2. The DPC shall determine the merit of those being assessed for promotion with reference to the prescribed benchmark and accordingly grade the officers as 'fit' or 'unfit' only. Only those who are graded 'fit' (i.e. who meet the prescribed benchmark) by the DPC shall be included and arranged in the select panel in order

of their inter-se seniority in the feeder grade. Those officers who are graded 'unfit' (in terms of the prescribed benchmark) by the DPC shall not be included in the select panel. Thus, there shall be no supersession in promotion among those who are graded 'fit' (in terms of the prescribed benchmark) by the DPC^{1[1]}.

9.6 Procedure to be followed by DPC in respect of government servants under cloud

9.6.1 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 a charge-sheet has been issued and the disciplinary proceedings are pending; and
- iii. Government servants in respect of whom prosecution for a criminal charge is pending.

9.6.2 The DPC shall assess the suitability of the government servants coming within the purview of the circumstances mentioned above along with other eligible candidates without taking into consideration the disciplinary case/criminal prosecution pending. The assessment of the DPC, including "Unfit for Promotion", will be kept in a sealed cover.

9.6.3 The same procedure outlined in the above para will be followed by the subsequent Departmental Promotion Committees convened till the disciplinary case/criminal prosecution against the government servant concerned is concluded.

9.7 It has been decided that the "Sealed Cover Procedure" prescribed in the Department of Personnel and Training, OM No. 22011/4/91-Estt.(A) dated 14.9.1992^{2[2]} referred to above may be followed at the time of consideration for ad hoc promotion also in the case of government servants -

- (i) who are under suspension;
- (ii) in respect of whom a charge-sheet has been issued and the disciplinary proceedings are pending; and
- (iii) in respect of whom prosecution for a criminal charge is pending^{3[3]}.

9.8 Processing of recommendations of DPC

^{1[1]}Govt. of India OM No. 35034/7/97-Estt.(D) dated 08.02.2002.

^{2[2]}DP&T OM No. 22011/4/91-Estt.(A) dated 14.9.92.

^{3[3]}Govt of India Pers. & Trg. OM No. 28036/2/98-Estt.(D) dated 23.2.99.

The recommendations of the DPC are advisory in nature and should be duly approved by the appointing authority. 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 no disciplinary proceedings are pending against the officer concerned. Promotion should be made strictly in the order in which the names of the officers appear in the panel.

9.9 Refusal of promotion

9.9.1 When a government employee does not want to accept an offer of promotion, he may make a written request to that effect and the same will be considered by the appointing authority. 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 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-a-vis his 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 ad hoc promotions against short-term vacancies are refused.

9.9.2 In cases where the reasons adduced by the officer for his refusal for promotion are not acceptable, the appointing authority should enforce the promotion of the officer and in case the officer still refuses to be promoted, then even disciplinary action can be taken against him for refusing to obey the orders of the appointing authority.

9.10 Validity of a panel

9.10.1 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 or when a fresh panel is prepared, whichever is earlier.

9.10.2. 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.

9.11 Assured Career Progression Scheme

The Assured Career Progression Scheme for Central Government employees was introduced by the Government of India on the recommendations of the Fifth Central Pay Commission to deal with the problem of genuine stagnation and hardship faced by the employees owing to lack of adequate promotional avenues. This scheme is operational since 9th August, 1999, for group 'B', 'C' and 'D' employees only. Casual employees (including those holding temporary status), ad-hoc & contract employees are not covered in this scheme. The salient features of the scheme are:

(i) The ACP Scheme provides merely placement of government servants in the higher pay scale upto Rs.14300-18300 without regular promotion. It would neither require creation of new posts nor will it have relevancy to the seniority of the government servants.

(ii) The first financial upgradation under the ACP Scheme is allowed after 12 years of regular service followed by second upgradation after 12 years of regular service from the date of the first financial upgradation subject to fulfillment of prescribed conditions. Regular service will be counted from the grade in which an employee was approved as direct recruit. If the first upgradation gets postponed on account of the employee not found fit or due to departmental proceedings, the second upgradation would also get deferred accordingly. In case two prior promotions on regular basis have already been received by an employee, no benefit under the ACP Scheme shall accrue to him. In case of an employee declared surplus in his/her organisation and in case of transfer including unilateral transfer on request, the regular service rendered by him/her in the previous organisation shall be counted along with his/her regular service in his/her new organisation for the purpose of giving financial upgradation under the Scheme.

(iii) On upgradation under the ACP Scheme pay of an employee is fixed under the provisions of FR 22 (I) a (1) subject to a minimum financial benefit of Rs.100/- as per the Department of Personnel and Training Office Memorandum No.1/6/97-Pay.I dated July 5, 1999. The Financial benefit allowed under the ACP Scheme is 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.

(iv) In the matter of disciplinary/penalty proceedings, grant of benefit 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 thereunder.

(v) The 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 reservations in promotion are applicable only in the cases of regular promotions, the reservation roster shall not apply to the ACP Scheme. However, at the time of

regular/functional (actual) promotion, the Cadre Controlling Authorities are to ensure that all reservation orders are applied strictly. After the introduction of this scheme, the government has issued various clarifications regarding the same^{4[4]}.

^{4[4]}For details see GOI OM No.35034/1/97-Estt (D) dated: 9.8.99