

No. 20011/1/2012-Estt. (D)
Government of India
Ministry of Personnel, Public Grievances & Pension
Department of Personnel & Training

North Block, New Delhi,
Dated the 4th March, 2014

OFFICE MEMORANDUM

Subject: Inter se seniority of direct recruits and promotees - instructions thereof

The undersigned is directed to refer to the subject mentioned above and to say that the fundamental principles of inter se seniority of direct recruits and promotees in Central Civil Services/posts were laid down in the Department of Personnel & Training (DOPT) O.M. No. 9/11/55-RPS dated 29.12.1959 which provided, inter alia, that 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 quotas of vacancies reserved for direct recruitment and promotion respectively, in the Recruitment Rules.

2. The carrying forward of unfilled slots of a vacancy year, for being filled up by direct recruits of later years, was dispensed with through modified instructions contained in DoPT O.M. No.35014/2/80-Estt.(D) dated 7.2.1986 which provides that rotation of quotas for purpose of determining seniority would take place only to the extent of the available direct recruits and the promotees. The unfilled direct recruitment/promotion quota vacancies would be carried forward and added to the corresponding direct recruitment/promotion quota vacancies of the next year (and to subsequent years where necessary) for taking action for the total number of direct recruitment/promotion 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/promotees selected against the carried forward vacancies of the previous year, would be placed en-bloc below the last promotee/direct recruit, as the case may be, in the seniority list, based on the rotation of vacancies for that year.

3. All the existing instructions on seniority were consolidated by DoPT through a single O.M. No. 22011/7/86-Estt(D) dated 03.07.1986.

4. In view of divergent stance taken by different Ministries/Departments on interpretation of 'available direct recruits and promotees' in the context of OM dated 7.2.86, the DoPT had issued O.M. No. 20011/1/2006-Estt.(D) dated 3.3.2008 which provided that the actual year of appointment, both in the case of direct

recruits and promotees, would be reckoned as the year of availability for the purpose of rotation and fixation of inter se seniority.

5. The matter has been examined in pursuance of Hon'ble Supreme Court Judgment on 27.11.2012, in Civil Appeal No. 7514-7515/2005 in the case of N.R. Parmar vs. UOI & Ors in consultation with the Department of Legal Affairs and it has been decided, that the manner of determination of inter-se-seniority of direct recruits and promotes would be as under:

- a) DoPT OM No. 20011/1/2006-Estt.(D) dated 3.3.2008 is treated as non-existent/withdrawn *ab initio*;
- b) The rotation of quota based on the available direct recruits and promotees appointed against the vacancies of a Recruitment Year, as provided in DOPT O.M. dated 7.2.1986/3.07.1986, would continue to operate for determination of *inter se* seniority between direct recruits and promotees;
- c) The available direct recruits and promotees, for assignment of *inter se* seniority, would refer to the direct recruits and promotees who are appointed against the vacancies of a Recruitment Year;
- d) Recruitment Year would be the year of initiating the recruitment process against a vacancy year;
- e) Initiation of recruitment process against a vacancy year would be the date of sending of requisition for filling up of vacancies to the recruiting agency in the case of direct recruits; in the case of promotees the date on which a proposal, complete in all respects, is sent to UPSC/Chairman-DPC for convening of DPC to fill up the vacancies through promotion would be the relevant date.
- f) The initiation of recruitment process for any of the modes viz. direct recruitment or promotion would be deemed to be the initiation of recruitment process for the other mode as well;
- g) Carry forward of vacancies against direct recruitment or promotion quota would be determined from the appointments made against the first attempt for filling up of the vacancies for a Recruitment Year;
- h) The above principles for determination of *inter se* seniority of direct recruits and promotees would be effective from 27.11.2012, the date of Supreme Court Judgment in Civil Appeal No. 7514-7515/2005 in the case of N.R. Parmar Vs. UOI & Ors

- i) The cases of seniority already settled with reference to the applicable interpretation of the term availability, as contained in DoPT O.M. dated 7.2.86/3.7.86 may not be reopened.

7. As the conferment of seniority would be against the Recruitment Year in which the recruitment process is initiated for filling up of the vacancies, it is incumbent upon all administrative authorities to ensure that the recruitment process is initiated during the vacancy year itself. While requisition for filling up the vacancies for direct recruitment should be sent to the recruiting agency, complete in all respects, during the vacancy year itself, the timelines specified in the Model Calendar for DPCs contained in DoPT O.M. No.22011/9/98-Estt(D) dated 8.9.98 and the Consolidated Instructions on DPCs contained in O.M. No.22011/S/86-Estt(D) dated April 10, 1989 should be scrupulously adhered to, for filling up the vacancies against promotion quota.




(Mukta Goel)
Director

Tele: No. 23092479

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(Mukta Goel)
Director

Tele: No. 23092479

No. 20020/4/2010-Estt. (D)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)

North Block,
New Delhi
Dated the 30th April , 2013

OFFICE MEMORANDUM

Subject : Seniority of officers holding posts/grades in grades merged in pursuance of recommendations of Sixth Central Pay Commission.

The undersigned is directed to invite attention to this Department's O.M of even number dated 13.09.2012 which laid down guidelines to be followed in determination of seniority of grade(s) merged in pursuance to recommendation of 6th Central Pay Commission.

2. The erstwhile Group 'D' (now merged MTS Grade) having different designation as sanctioned in different Ministries/Departments had following pay scale(s):

S.No.	Pre-revised Pay scales (in Rs.)	Revised Pay Scales (in Rs.)
1.	2550-55-2660-60-3200	PB-I 5200-20200 1800
2.	2610-60-3150-65-3540	
3.	2610-60-2910-65-3300-70-4000	
4.	2650-65-3300-70-4000	
5.	2750-70-3800-80-4590	

3. The Issue of seniority of merged MTS Grade (erstwhile Group 'D' post) has been examined in consultation with UPSC. The post(s) in the erstwhile Group 'D' for the purpose of determination of seniority, can be grouped into five different categories as under:

S.No.	Pre-Revised Pay Scale of the Post	Category
1.	2750-70-3800-80-4590	Category-I
2.	2650-65-3300-70-4000	Category-II
3.	2610-60-2910-65-3300-70-4000	Category-III
4	2610-60-3150-65-3540	Category-IV
5.	2550-55-2660-60-3200	Category-V

4. The determination of seniority of merged grade will be regulated as per following guidelines:

- I. As on 29.08.2008, holders of posts in Category-I will be enbloc senior to the holder of posts in Category-II, similarly holder of the posts in Category-II will be senior to holder of the posts in Category-III and so on.
- II. While merging the different grade(s), the inter se seniority in a post which existed as on 29.08.2008 is to be maintained.
- III. Within same category, where different stand alone posts have been merged, inter se seniority will be determined based on length of continuous officiation in the post.
- IV. Only the regular service in the grade is to be counted for determination of service and ad-hoc service, if any, is to be ignored.
- V. Seniority is to be determined based on the substantive post held by the employee irrespective of the fact that such employee has been allowed financial upgradation to the next higher grade under ACP Scheme or any other scheme.
- VI. In case of employees who joined a erstwhile Group 'D' post either by promotion or direct recruitment between 01.01.2006 to 29.08.2008, inter-se seniority will be determined as per guidelines laid down in this Department's O.M. of even number dated 13.09.2012.

5. Hindi version will follow.


30/08/2013
(Virender Singh)

Under Secretary to the Government of India
Tel.: 23093804

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6. The Registrar General, the Supreme Court of India, New Delhi.

7. The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi.
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9. The Secretary, Union Public Service Commission, New Delhi
10. The Secretary, Staff Selection Commission, New Delhi
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12. National Commission for Scheduled Castes, New Delhi
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36/4/2013
(Virender Singh)

Under Secretary to the Government of India
Tel.: 23093804

No. 0598/AN/D.

OFFICE OF THE CONTROLLER GENERAL OF DEFENCE ACCOUNTS :
R.K. PURAM, NEW DELHI-22, Dt. THE 2 SEPTEMBER, 1967 :

8

To

All Controllers of Defence Accounts.

Subject: RECKONING OF SENIORITY OF CLASS III (Exe. & Selection Grade Clerks and Accountants) AND CLASS IV EMPLOYEES.

*Govt. of India, Min of Fin. Department of Expenditure (Defence Division) letter No. 15046/Accts/AN/D/Part dated 1-9-1967.

Forwarded for necessary action.

2. The following subsidiary instructions to implement the decision as contained in the Govt. letter under transmission are issued:-

It will be seen from the Govt. letter under transmission that the principles of seniority as contained in the Min. of Home Affairs O.M. No. 9/11/55-RPS dated 22-12-59 (copy enclosed) will be followed in respect of future entrants recruited on or after 1-9-67. For this purpose Controllers will please notify in their Part II Orders the date of selection for appointment (date of the letter offering the appointment to the candidate) in addition to the date of appointment in respect of future entrants in all grades. The date of selection for appointment will also be recorded in the service books of the future entrants in addition to date of appointment. When more than one individual is selected for appointment in a particular grade on the same date, the select list should be arranged in order of merit as assigned at the time of selection which will determine their inter-se seniority. Based on the select list Controller will maintain gradewise seniority roster of fresh entrants of all grades on the principles as laid down in the M.H.A. O.M. No. 9/11/55-RPS dated 22-12-1959.

All India seniority roster will be maintained by this office in all grades (except for sweepers, farashes, Chowkidars, Bhistas, Halls whose confirmation is done by the Controllers locally) in respect of future entrants based on the principles laid down in the M.H.A. O.M. quoted above. For this purpose inter-se seniority of individuals if happened to have been selected for appointment in a particular grade on the same date, will be determined according to dates of appointment, inter-se seniority within each group (Controller wise) being maintained.

By way of illustration, model showing the position of inter-se seniority in the Controller's roster as well as in the All-India roster in cases where dates of selection for appointment by C.G.D.A. happen to be the same, is enclosed (Annexure 'B').

3. To facilitate maintenance of All-India seniority roster Controllers will please forward to this office quarterly returns (so as to reach by 15th/ October covering the preceding period i.e. September only. Nil report is also required.

4. In respect of existing staff the present system of determining all-India seniority with reference to date of confirmation/appointment in the grade will continue, as in their cases, due to non-availability of date of selection for appointment in their service books, determination of inter-se seniority in the manner as laid down in the M.H.A. O.M. No. 9/11/55-RPS dated 22-12-59 is not possible and therefore maintenance of all India seniority rosters for them would not serve any useful purpose.

Please acknowledge receipt.

(of the month following the quarter) in the enclosed proforma (Annexure 'A'). The first quarterly return will be sent by 15th,

(K. SAMPATH KUMAR)

FOR CONTROLLER GENERAL OF DEFENCE ACCOUNTS :

Copy to :- 'G' Section and all Groups of AN/Section.

F.No.20011/1/2006-Estt. (D)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated the 3rd April, 2012

OFFICE MEMORANDUM

Subject:- Consolidated instructions on seniority contained in DOP&T's O.M.
No. 22011/7/1986-Estt. (D) dated 03.07.1986-Clarification
regarding

The undersigned is directed to refer to this Department's consolidated instructions contained in O.M. No. 22011/1/2008-Estt. (D) dated 11.11.2010 laying down the principles on determination of seniority of persons appointed to services/posts under the Central Government and to state that a large number of references have been received seeking clarifications on 'year of availability' in fixation of relative seniority of promotees and direct recruit officers who had joined service in the different calendar year but in the same financial year.

2. The issue has been examined in consultation with UPSC. The model calendar (time schedule) for DPCs as contained in this Department's O.M. No. 22011/9/98-Estt. (D) dated 8th September, 1998 suggests time-frame for conducting/completing formalities for DPC meeting/promotions. As per this O.M., Ministries/Departments that are following financial year i.e. 1st April to 31st March of next year for completion of confidential reports (now APARs) should get the select panel approved for the next financial year by 31st March of the previous financial year. Similarly, those Ministries/Departments, which follow calendar year for completion of confidential report (now APARs) i.e., 1st January to 31st December, should get the select panel approved by 31st December of the preceding Calendar Year.

3. It is hereby clarified that the year of availability for the purpose of relative seniority of direct recruits/promotees would be same as prescribed in the model calendar for DPCs i.e.

- (i) 1st April to 31st March of the next year where confidential reports (now APARs) are completed financial year-wise.
- (ii) 1st January to 31st December where confidential reports (now APARs) are completed calendar year-wise.


(Virender Singh)

Under Secretary to the Government of India
Tel. : 2309 3804

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