

Central Government Employees – FAQ's

**All frequently asked questions about services,
LTC, Leave, Promotion and many more**



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TABLE OF CONTENTS

| S.NO | TITLE |
|------|------------------------------------------------------------------------|
| 1 | Allowance |
| 2 | Allowance (CEA, OTA/NDA, Honorarium/Fee, Leave) |
| 3 | Allowance (Supplement) |
| 4 | Leave |
| 5 | LTC |
| 6 | LTC (NEW) |
| 7 | ACP/MACP Schemes |
| 8 | Seniority |
| 9 | Recruitment Rules |
| 10 | RTI |
| 11 | RTI Online Portal |
| 12 | Long Term Domestic Training Programmes in Public Policy and Management |
| 13 | Intensive Training Programme |
| 14 | Domestic Funding of Foreign Training |
| 15 | EO(MM-II) Section |
| 16 | EO(FA-UN) Section |
| 17 | CS Division |
| 18 | Canteen |
| 19 | R&R and DC Division |
| 20 | Welfare Division |
| 21 | Cadre Review Division |
| 22 | State Reorganisation |



| | |
|-----------|------------------------------------------------------------------|
| 23 | Administrative Tribunals |
| 24 | AIS |
| 25 | Compassionate Appointment |
| 26 | Compassionate Appointment (New) |
| 27 | Non Functional Upgradation(NFU) |
| 28 | Joint Consultative and Arbitration |
| 29 | Related to UPSC, APAR and Commercial Employment after Retirement |
| 30 | Policy of Reservation to SCs, STs and OBCs |
| 31 | Policy of Reservation to Ex-Serviceman |
| 32 | Policy of Reservation to Persons with Disabilities |
| 33 | Sexual Harrassment of Women at Working Place |
| 34 | Flexible Complementing Scheme |
| 35 | AVD-I |
| 36 | OUR BOOKS |



RTI

(AS ON JANUARY 2012)

Q. 1. What is Information?

Information is any material in any form. It includes records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form. It also includes information relating to any private body which can be accessed by the public authority under any law for the time being in force.

Q. 2. What is a Public Authority?

A “public authority” is any authority or body or institution of self government established or constituted by or under the Constitution; or by any other law made by the Parliament or a State Legislature; or by notification issued or order made by the Central Government or a State Government. The bodies owned, controlled or substantially financed by the Central Government or a State Government and non-Government organisations substantially financed by the Central Government or a State Government also fall within the definition of public authority. The financing of the body or the NGO by the Government may be direct or indirect.

Q. 3. What is a Public Information Officer?

Public authorities have designated some of its officers as Public Information Officer. They are responsible to give information to a person who seeks information under the RTI Act.



Q. 4. What is an Assistant Public Information Officer?

These are the officers at sub-divisional level to whom a person can give his RTI application or appeal. These officers send the application or appeal to the Public Information Officer of the public authority or the concerned appellate authority. An Assistant Public Information Officer is not responsible to supply the information.

The Assistant Public Information Officers appointed by the Department of Posts in various post offices are working as Assistant Public Information Officers for all the public authorities under the Government of India.

Q. 5. What is the Fee for Seeking Information from Central Government Public Authorities?

A person who desires to seek some information from a Central Government Public Authority is required to send, along with the application, a demand draft or a banker's cheque or an Indian Postal Order of Rs. 10/- (Rupees ten), payable to the Accounts Officer of the public authority as fee prescribed for seeking information. The payment of fee can also be made by way of cash to the Accounts Officer of the public authority or to the Assistant Public Information Officer against proper receipt. However, the RTI Fee and the mode of payment may vary as under Section 27 and Section 28, of the RTI Act, 2005 the appropriate Government and the competent authority, respectively, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

Q. 6. What is the Fee for the BPL applicant for Seeking Information?



If the applicant belongs to below poverty line (BPL) category, he is not required to pay any fee. However, he should submit a proof in support of his claim to belong to the below poverty line.

Q. 7. Is there any specific Format of Application?

There is no prescribed format of application for seeking information. The application can be made on plain paper. The application should, however, have the name and complete postal address of the applicant.

Q. 8. Is it required to give any reason for seeking information?

The information seeker is not required to give reasons for seeking information.

Q. 9. Is there any provision for exemption from Disclosure of Information?

Sub-section (1) of section 8 and section 9 of the Act enumerate the types of information which is exempt from disclosure. Sub-section (2) of section 8, however, provides that information exempted under sub-section (1) or exempted under the Official Secrets Act, 1923 can be disclosed if public interest in disclosure overweighs the harm to the protected interest.

Q. 10. Is there any assistance available to the Applicant for filing RTI application?

If a person is unable to make a request in writing, he may seek the help of the Public Information Officer to write his application and the Public Information Officer should render him reasonable assistance. Where a decision is taken to give access to a sensorily disabled person to any document, the Public



Information Officer, shall provide such assistance to the person as may be appropriate for inspection.

Q. 11. What is the Time Period for Supply of Information?

In normal course, information to an applicant shall be supplied within 30 days from the receipt of application by the public authority. If information sought concerns the life or liberty of a person, it shall be supplied within 48 hours. In case the application is sent through the Assistant Public Information Officer or it is sent to a wrong public authority, five days shall be added to the period of thirty days or 48 hours, as the case may be.

Q. 12. Is there any provision of Appeal under the RTI Act?

If an applicant is not supplied information within the prescribed time of thirty days or 48 hours, as the case may be, or is not satisfied with the information furnished to him, he may prefer an appeal to the first appellate authority who is an officer senior in rank to the Public Information Officer. Such an appeal, should be filed within a period of thirty days from the date on which the limit of 30 days of supply of information is expired or from the date on which the information or decision of the Public Information Officer is received. The appellate authority of the public authority shall dispose of the appeal within a period of thirty days or in exceptional cases within 45 days of the receipt of the appeal.

Q. 13. Is there any scope for second appeal under the RTI Act?

If the first appellate authority fails to pass an order on the appeal within the prescribed period or if the appellant is not satisfied with the order of the first appellate authority, he may prefer a second appeal with the Central Information



Commission within ninety days from the date on which the decision should have been made by the first appellate authority or was actually received by the appellant.

Q. 14. Whether Complaints can be made under this Act? If yes, under what conditions?

If any person is unable to submit a request to a Public Information Officer either by reason that such an officer has not been appointed by the concerned public authority; or the Assistant Public Information Officer has refused to accept his or her application or appeal for forwarding the same to the Public Information Officer or the appellate authority, as the case may be; or he has been refused access to any information requested by him under the RTI Act; or he has not been given a response to a request for information within the time limit specified in the Act; or he has been required to pay an amount of fee which he considers unreasonable; or he believes that he has been given incomplete, misleading or false information, he can make a complaint to the Information Commission.

Q. 15. What is Third Party Information?

Third party in relation to the Act means a person other than the citizen who has made request for information. The definition of third party includes a public authority other than the public authority to whom the request has been made.

Q. 16. What is the Method of Seeking Information?

A citizen who desires to obtain any information under the Act, should make an application to the Public Information Officer of the concerned public authority in writing in English or Hindi or in the official language of the area in which the



application is made. The application should be precise and specific. He should make payment of application fee at the time of submitting the application as prescribed in the Fee Rules.

Q. 17. Is there any organization(s) exempt from providing information under RTI Act?

Yes, certain intelligence and security organisations specified in the Second Schedule, are exempted from providing information excepting the information pertaining to the allegations of corruption and human rights violations.



RTI ONLINE PORTAL

1. To which Public Authority can I file a request through this portal?

An applicant who desires to obtain information under the RTI Act, 2005 can make a request through this RTI Online Portal to the Central Ministries/Departments and other Central Public Authorities mentioned in ONLINE RTI request form.

2. How do I write my application for seeking the information as per RTI Act 2005?

The text of the application may be written in the prescribed column of the RTI request form. At present, the text of the application is confined up to 3000 characters only.

In case, the text of an application contains more than 3000 characters, it can be uploaded as a PDF attachment in the "Supporting Document" column of the form.

3. How do I make the payment for RTI fee?

After filling the first page of the RTI request form, a non-BPL applicant has to click on "Make Payment" button for payment of the prescribed RTI fee.

The applicant can pay the prescribed RTI fee through the following modes:

- (i) Internet banking through SBI and its associated banks.
- (ii) Using ATM-cum-Debit card of State Bank of India.
- (iii) Credit/Debit card of Master/Visa.



It may be noted that no RTI fee is required to be paid by a citizen who is below poverty line, as per RTI Rules, 2012. However, the BPL applicant must attach a copy of the certificate issued by the appropriate government in this regard, along with the application.

4. Do I get any receipt for online filing of RTI application?

On submission of an application, a unique registration number will be issued, which may be referred by the applicant for any future reference.

It may be noted that the application filed through this RTI Online Portal will reach electronically to the "Nodal Officer" of the said Ministry/Department and "Not" to the CPIO of the concerned Ministry/Department.

The Nodal Officer will transmit the RTI application electronically to the concerned CPIO.

5. What will happen to my application if I select a wrong Public Authority in the RTI request form?

In case the RTI application is not meant for the Public authority which has been selected by the applicant, the "Nodal Officer" of the said public authority would transfer the application electronically to the "Nodal Officer" of the concerned Central Public authority, if aligned to this portal and physically to that Central Public authority which is not aligned to this portal, under section 6(3) of the RTI Act.

It may be noted that RTI applications filed through this portal for the state public authorities, including NCT of Delhi, would be returned, without any refund of fee



6. Will I be informed about the additional fee (if any) is required to pay?

In case additional fee representing the cost is required for providing information, the CPIO will intimate the same, which can be viewed by the applicant through "View Status" option in the RTI Online Portal and an e-mail alert or SMS or both will also be sent to the applicant for the same.

For payment of additional fee online, the applicant needs to use the option 'View Status' in the RTI Online Portal and on providing the registration number of the request, option for "Make Payment" will be available.

7. How do I file an appeal with First Appellate Authority?

For making an appeal to the first Appellate Authority, the applicant has to select the option "Submit First Appeal" in the RTI Online Portal and fill up the form that will appear.

The registration number and e-mail ID of the original application is required for filing the first appeal.

8. Do I need to make any payment for filing an appeal?

As per RTI Act, no fee has to be paid for first appeal.

9. Do I get any SMS from RTI Online Portal?

Though optional, the mobile number can be provided by the applicant/appellant in order to receive SMS alerts.

10. What should I do when my browser show certificate error while opening RTI online portal?



You should ignore the certificate error and proceed forward. Kindly select,

Mozilla Firefox – I understand the risk add exception.

Google Chrome – Proceed Anyway.

Internet Explorer - Continue to this website

11. Is it mandatory to create user account on RTI online web portal?

No. You can directly file your RTI on "Submit Request" tab.

12. What should I do if I forgot my password for the user account?

Use the "Forget Password" utility to regenerate new password. It may be noted that new password would be sent at your registered email ID.

13. What should I do if my password is not working?

You may call the RTI helpdesk or send an e-mail at [helptrtionline-dopt\[at\]nic\[dot\]in](mailto:helptrtionline-dopt[at]nic[dot]in), requesting to reset your password.

14. Can I file RTI application for state public authorities through this portal?

No.

15. What should I do when RTI online portal asks for activation key on first login?

An Activation Key will be sent on your email ID provided during registration. This Activation Key can be used to activate the account on first login.



Provision for re-generation of Activation key is also available after first login or before activation of the user account. The new activation key will be sent on your registered email-id.

16. What should I do if amount is deducted from my account but registration number is not generated?

Kindly wait for the 48 hours as registration number will be generated after reconciliation. If it is not generated within 48 hours kindly send an e-mail at [helptrtionline-dopt\[at\]nic\[dot\]in](mailto:helptrtionline-dopt[at]nic[dot]in) with your transaction details.

17. What should I do when portal is not allowing me to file the first appeal?

This may happen under following two situation:

- 1) When your RTI application has been physically transferred to other public authority, which is not aligned to this portal. In such a case, you are required to file your appeal in physical mode to the concerned public authority.
- 2) Another case can be if your RTI application has not been replied to by CPIO and 30 days period has not lapsed. In such a case, you may file first appeal only after completion of stipulated time period of 30 days.

18. While registering a user account many dots appear after entering password?



Please do not get confused. Password encryption is a security measure. Whenever you enter your password it gets encrypted instantaneously.

While registering your account kindly provide same password in two fields i.e. password & confirm password fields respectively.

19. Can I file online first appeal for any RTI application filed physically in the first place?

No, Online first appeal can only be filed against previously filed online RTI application.

20. Why RTI application filed by me is not reflecting in my user account history?

If you have opted to file RTI or First Appeal directly i.e without logging into your user account, then in such cases you will not be able to see the filed RTI or Appeal in your registered account's history.

21. Why I have received multiple RTI registration numbers, even though I have filed single RTI application?

This is the case where in your RTI application has been forwarded to multiple CPIOs since the information sought lies with more than one PIO.





LONG TERM DOMESTIC TRAINING PROGRAMMES (LTDP) IN PUBLIC POLICY AND MANAGEMENT

Q1. What are the Long Term Domestic Training Programmes sponsored by DoP&T?

A: At present, the three programmes mentioned below are being sponsored by Training Division, DoP&T:

- (i) Post Graduate Programme in Public Policy and Management (PGPPM) offered by Indian Institute of Management, Bangalore (IIMB)
- (ii) Post Graduate Programme in Public Policy and Management (PGPPM) offered by Management Development Institute, Gurgaon (MDI-G)
- (iii) M.A. in Public Policy & Sustainable Development [MA (PP&SD)] offered by TERI, New Delhi
- (iv) During 2015-16, a one year Hybrid Programme “Management of Public Policy Programme (MPPP)” at Indian School of Business (ISB) – Hyderabad/Mohali was launched.

Q2. What is the duration of each Long Term Domestic Public Policy Programme?

A: IIMB: It is a 1-year diploma programme. The programme includes ‘Sessions in the campus of IIMB’ as well as a ‘2 week international component’.

MDI-G: It is a 15-month diploma programme. The first 12 months of the programme includes ‘Sessions in the campus’ of MDI-Gurgaon as well as a ‘2



week international component'. The next three months will be devoted for dissertation/project work/ Policy paper which shall be undertaken at the respective workplaces of the participant-officers.

TERI-New Delhi: It is a 1-year Diploma programme. The pattern of the programme is on the lines of IIMB.

Q3. To what level of officers these programmes are intended for?

A: The Group 'A' officers of Government of India with at least 5 years of service are eligible. However, the Group 'A' officers of State Civil Services should have at least 9 years of service to become eligible for these programmes.

Q4. Officers of which services are eligible for these programmes?

- A:**
- (i) All India Services (IAS, IPS & IFoS)
 - (ii) Central Services-Organized and non-organized, Technical & Non-technical
 - (iii) State Civil Services
 - (iv) Faculty members of State Administrative Training Institutes

Q5. How to apply?

A: DoP&T uploads the concerned circular on its website and also forwards the circular by post to all Ministries/Departments of Government of India and to all State/UT Governments. Officers are encouraged to apply 'through proper channel'. However, officers can also forward an 'advance copy' of their application to the concerned Institute with a copy to Training Division.



Q6. Will there be any interview for selecting the officer?

A: Yes. Concerned Institutes conduct the interviews.

Q7. The number of seats in the programme?

A: The strength of each programme is about 30.

Q8. Is there any 'international component' in the programme?

A: Yes, IIM-Bangalore, MDI-Gurgaon, TERI-New Delhi have an 'international component' of 2 weeks' duration. ISB-Hyderabad/Mohali does not have this component.

Q9. Are the officers required to travel only on 'official passports'?

A: Yes, For travelling abroad as a part of the 'international component' of the programme, each officer is required to obtain an 'official passport'.

Q10. What are the allowances paid to the officers on 'international component' of the programme?

A: The officers are paid 'per diem' and 'accommodation charges' as per the rates applicable under the DFFT Plan Scheme of DoP&T.

Q11. Who will make the arrangements (travel, accommodation etc) in respect of 'international component'?

A: All arrangements including air tickets, accommodation etc., will be made by the concerned Institute in collaboration with the foreign university.

Q12. Who will bear the fees of 'domestic' and 'international' components?

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[Go to top](#) 19



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A: (i) Domestic Course fee will be met by the respective Cadre Controlling Authority (for example, DoP&T for IAS Officers, MHA for IPS officers, MOEF for IFoS etc).

(ii) In respect of other Services and State Civil Service Officers, the concerned Cadre Controlling Authorities of those services and State/UT Governments will bear the course fees respectively.

(iii) In respect of officers belonging to Central Secretariat Service, the Ministry/Department in which the officers are working at that time will bear the domestic course fee.

(iv) In respect of officers belonging to Group 'A', working on deputation basis in a PSU/Statutory Body/Autonomous Body, the 'entire expenditure' i.e. both domestic and international, will have to be borne by the concerned PSU/Statutory Body/ Autonomous Body.

(v) The cost towards international component and daily allowance is to be equally shared by the concerned Cadre Controlling Authorities and DoPT. However, the cost of Visa fees (if any), medical insurance etc., will be met by the Ministries/Department/State Government etc. Where the officers are presently working on actual basis.

Q13. Is the training period treated as 'on duty'?

A: Yes, the entire period of institutional training will be treated as on duty under FR 9(6) (b) (i).

Q14. Could I stay outside the campus during the programme?

A: The programmes of IIM-Bangalore and MDI-Gurgaon are 'residential'. Only in case of TERI-New Delhi, the Institute will arrange for a rented



accommodation near their campus on request. MDI Gurgaon and TERI New Delhi will charge Rs. 10000/month as rent.

Q15. Any special stipulation for officers on deputation to Government of India under the Central Staffing Scheme?

A: Yes, Officers on deputation to Government of India under the Central Staffing Scheme must complete at least two years of their tenure on deputation on the date of issue of respective circulars to become eligible to apply for these programmes.

Q16. Is the training period of Public Policy Programmes counted outside the central deputation tenure?

A: No, The duration is included as a part of the Central deputation tenure.

Q17. What are the options given to officers who join the Institutes from outside their place of posting?

A: The officers of Central Government, State Government and Union Territories coming from outside their place of posting are allowed one of the following two options by the sponsoring authorities:

(i) The officers will be treated as on duty on tour. They will draw travelling allowance as on tour and allowances as per para ii (a) of the Ministry of Finance, Department of Expenditure OM No. 19030/2/86-E-IV dated 24/3/1986 amended from time to time.

Or

(ii) The officers will be treated as on transfer. They will not be entitled to the Government accommodation at the original place of posting.



Q18. Can the officer retain government accommodation at the original place of posting?

A: Yes, in case an officer proceeding on training is a bona fide occupant of Government accommodation in the general pool controlled by Directorate of Estates, he/she could retain the residential accommodation for the full period of training at his/her place of posting provided the residence is required for bona fide use of members of his/her family.

Q19. Who will pay the salary and other claims of the officers?

A: The salary and other claims of the officers will be paid by the Ministry/Department/Office where they were last working before joining the programme.

Q20. Is Vigilance Clearance required?

A: Yes. Vigilance clearance is invariably required.

Q21. How many years of Annual Confidential Reports/Performance Appraisal Reports – gradings are required?

A: ACR/PAR grading for the last five years are required.

Q22. Is the officer obliged to execute a Bond?

A: Yes, The officer is required to serve the government for a period of five years after completion of the training programme. If the officer quits the service or fails to complete the training, he/she is required to pay to the Government all



expenses incurred (including pay & allowances drawn by the officer) for the training. The bond is to be executed to this extent.



INTENSIVE TRAINING PROGRAMME

1. What is the rationale and background for the Programme?

RATIONALE

The quality of service rendered to the citizens especially to the weaker and marginalized sections of the society is primarily dependent on the knowledge, skill and attitude of the frontline personnel and the performance of an organization is generally determined by the citizens by the quality of the personnel at these delivery points. These personnel are the citizen-interface of the Government and the citizens interact with these personnel as customer either regularly or at the time of need. As such, the orientation and motivation of these personnel is of critical importance for percolation of gains of economic growth. While incentives do help in keeping the motivation levels high, the attitudinal orientation and knowledge levels required for effective service delivery, can be managed only through appropriately designed training interventions.

BACKGROUND

The National Training Policy (NTP) stipulates that the ‘Training would be imparted to all rungs of the civil services starting from the lowest and cutting-edge to the highest in policy making’. In its vision for ‘Training for All’ NTP also acknowledges that the incidence of training is significantly low



at the front-line levels of the civil service. It further adds that concerted efforts have to be made to equip these functionaries to be more responsive to citizens.

In the above context, efforts were made by the Department of Personnel and Training DoPT (Training Division) to sensitize the cutting edge level officials through Intensive district level training programmes during X Plan Period through externally aided projects. Based on the success of these projects, a Plan Scheme of “Intensive Training Programme-Training for All” was launched during the XI Plan Period.

2. What is the objective of this Programme?

The basic objective of the Intensive Training Programme (ITP) is to undertake saturation training of frontline personnel manning the public service delivery chain, in identified sectors, in specific geographical area. The success of the Programme depends on the change that can be brought about in the competency and orientation of the personnel at the delivery point.

3. How is this Programme different from the earlier similar Programmes?

The unique feature of the ITP is that it covers the entire public service delivery chain of the identified sector to bring about change in values and culture of an organization as a whole. Since all personnel undergo the same training programme, the organizational vision and values are shared and cherished by all. This results in ushering in a citizen-centric governance regime by strengthening the supply side of public service delivery chain by empowering all the grass-root level personnel in the



chain in terms of the attitudinal orientation and knowledge level in all the Districts of the country.

4. What is the rationale behind selecting the Districts and Sectors/Departments for implementing this Programme?

While selecting sectors, the following factors may be taken into the account:-

- The sector (s) should relate to administering the pro-poor welfare policies
- The employees involved in these sector(s) should have a significant interface with the citizens
- The sector(s) should have sizeable population of trainees
- Inter-linkages amongst various sectors should be kept in mind such as Water & Sanitation, Rural Development and Health may be taken to have an integrated view of the development.

5. What is the role of State Administrative Institutes and State Governments in implementing the training projects under this programme?

- **Projection of Training Requirement**

The State ATIs are expected to submit the Approach Paper with Work/Action Plan formulated in consultation with the select line Department for implementing the project. The approach paper would mention the geographical area selected, the criterion for selection, the sector (s) selected, the criterion for selection, the total employee population



in the selected sector in the selected area, the number of employees involved in public service delivery sectors, the levels of officers involved, the target number of trainees, the number of trainers to be trained under Training of Trainers (ToT), the pattern of training design – whether residential or non-residential, the training methodologies to be used, the tentative program schedule, the actual venue and dates of actual training roll out. Time-lines for all these activities are also to be indicated. The approach paper should also give the cost of the training programme giving the cost in terms of cost per trainee, the expenditure on account of ToT programme, the preparation of the training material, the board and lodging, travelling etc. It should also indicate the activities proposed to be outsourced.

- **Partnership with State Training Institutes**

The Department of Personnel & Training implements this Programme through the State ATIs which in turn collaborate with the State line Departments to execute specific projects under the Programme. The State ATIs would nominate a Nodal Officer who would act as Project Director in the State and liaise with the Training Division and State Line Departments.

- **Identification of the Training Needs**

The training activities are to be undertaken strictly according to the Systematic Approach to Training (SAT) model of DoP&T. Training Need Analysis (TNA) is to be undertaken before embarking upon other stages of



training cycle. TNA should include stakeholder analysis to assess the expectations of the client groups to identify the gaps in the KSA (knowledge, skills and attitude) levels of the service delivery functionaries.

- **Designing of Training Modules**

On the basis of identified training needs and the approaches as mentioned above, suitable training modules may be designed. During this process inputs may be taken from the intensive district training modules already available under earlier externally aided projects. Details of such modules are available at <http://cbpr.yashada.org>. DoPT may also facilitate services of Master Trainers and exchange of resources from other institutions, if desired.

- **Delivery of the Programme - Ownership by the Line Department**

In order to fulfil the national objective of ‘Training for All’ i.e. covering all the districts and all the sectors, it is imperative that the concerned line departments take the ownership of projects under the ITP.

The line Department will collaborate in assessment of training needs, and would provide creditable line managers with proven track records to be developed as potential trainers. They would also provide the domain specific information, in the form of reports, rules, manuals, Acts, Resolutions, etc. to help ATIs in preparing training material. They would



ensure that the nominated officers participate in the training sessions diligently. They would also help the ATIs in summative and normative assessment of the training roll out. The line Department will also keep track of the pool of trainers so developed to be banked upon in future as resource persons. In the long run, the role of the ATIs should be only to facilitate the training process and act as a consultant to the concerned line Departments.

6. What is the funding pattern under this Programme?

Funds would be released by the DoPT to the concerned State ATI on receiving the project proposal which would be contingent upon the deliverables as under and furnishing of utilization certificates :-

- (i) Completion of TNA
- (ii) Design and Development of the Training Module
- (iii) Roll out of Actual Training
- (iv) Documentation and Evaluation Study etc.

7. What is the monitoring mechanism for implementing the training projects under this programme?

- **Training Division – National Level**

All the State ATIs are required to furnish progress of the training projects on quarterly basis in the prescribed formats to the Training Division.

The implementation of the training would also be reviewed by the officers from the Training Division by visiting the ATIs and the training venues.

The progress of the training projects would also be reviewed during the regional conferences of the ATIs to be organized for this purpose by the Training Division where the Nodal Officers would be expected to make presentations on the status of the projects.

- **Department Level**

The State Line-Departments as owners of the training programme will oversee the implementation of the project to ascertain whether the ITP is fulfilling its objective of qualitative improvement in the knowledge, skill and behaviour of its employees and whether this is leading to improvement in overall organizational efficiency and improved public service delivery.

- **ATI Level**

At the ATI, the progress of the ITP would be monitored at two levels:-

Steering Committee: To be headed by the Director General of the Institute with Principal Secretary of the line Department as Co-Chair. Its basic role would be to facilitate the smooth implementation of the programme and provides the required technical guidance and coordination.

Core Committee: The team is responsible for the actual implementation of the ITP. It would be headed by the Project Nodal Officer and has representation from the faculty, accounts and administration of the concerned institute. The Core Committee would be responsible for sending the quarterly periodic report to the Training Division.

- **District Level**

At the District level the monitoring committee comprising among others the District Nodal Officer nominated by the District Collector and the Nodal Officer appointed for this purpose by the ATI would monitor the actual roll out of the training. This Committee would keep the Core Committee informed of the progress.

8. Which States are implementing the programme?

Presently, the programme is being implemented in 28 States. Proposal from the State of Nagaland is awaited. Some of the sectors covered under the Programme include – School Education, Public Distribution System, Public Health Services, and Police.



DOMESTIC FUNDING OF FOREIGN TRAINING

Q.1 What is the DFFT Scheme?

Ans. Domestic Funding of Foreign Training (DFFT) Scheme is a scheme introduced by the Government of India in 2001 with an objective to upgrade the knowledge & skills of the Government officers as well as to provide exposure to international best practices by deputing them to different long/short-term training programmes.

Q.2 Who is eligible for training under the DFFT scheme?

Ans. The officers belonging to IAS, CSS and SCS are eligible to undergo foreign training under the Scheme. Officers of the other two All India Services, viz., IPS and IFoS and those of other organized Group 'A' Central Civil Services are eligible under the Scheme only when they are holding posts on deputation under the Central Staffing Scheme.

Q.3 Where can I find the Circular giving the terms and conditions along with the eligibility criteria for applying under the Scheme?

Ans. The circular is issued every year and hosted on the website of this Ministry (www.persmin.nic.in)

Q.4 How and when can I apply under the Scheme?

Ans. The circular for training programmes to be conducted in a financial year (April to March) is generally issued in the month of October of the preceding year, e.g., for training programmes to be offered in FY 2011-12, the circular was



issued in October, 2010. The circular also contains an application form for filling up by interested officers.

Q.5 Is there a common Circular for the Long term as well as the Short term Programmes?

Ans. Yes.

Q.6 Which are the areas for Long term and short term programmes sponsored under the DFFT Scheme?

Ans. The long-term programmes are mainly in the fields of public policy, public management, public administration, etc. While the themes for the short-term programmes are leadership, executive development, fiscal decentralization, tax analysis & revenue forecasting, project management, corruption & anti-corruption, health sector reforms, public administration, public finance management, infrastructure and PPP, training of trainers, advance competencies for trainers, environmental policy issues etc. The specific programmes both Long Term and short term are included in the Circular issued each year.

Q.7 How are the selections made?

Ans. It is mandatory to apply 'online' for the training programmes under the DFFT scheme. A software-based eligibility list is generated, followed by a merit list. Based on data available through these lists, a duly constituted Committee recommends officers for long-term and short-term training programmes taking into account the relevance and suitability factors and takes approval of the competent authority.



Q.8 Who bears the cost of the programme and what are the entitlements for living/daily allowances and accommodation allowance?

Ans. The entire cost on participation of officers in training programmes under the DFFT scheme is met by the Training Division, except certain pre-departure expenses. A detailed circular dated 19th January 2011 indicating various entitlements is available in the Ministry's website (www.persmin.nic.in).

Q.9 Is the air travel also arranged by the DOPT? If so, how do we get the air tickets?

Ans. Yes, the travel in the entitled class (on excursion fare basis) is arranged through Air India by the DOPT. For this purpose, vouchers are issued to the Air India office at Safdarjung Airport. The name and contact details of the concerned officers in Air India are intimated to the nominated officers who then get in touch with them and reserve tickets to their respective destinations.

Q.10 Does nomination by DoPT guarantee admission to the programmes?

Ans. Not necessarily. The concerned institutes also have their own selection procedures which may sometimes reject the nominations made by DOPT.

Q.11 How can I avail the Partial Funding under the DFFT Scheme and where do I get the terms and conditions of this component?

Ans. The officers can avail financial assistance under the Partial Funding component for pursuing higher studies in programmes which are relevant to their current and future assignments. The terms and conditions relating to the Partial Funding are contained in a circular dated 17th March 2008 and the same is available in our website (www.persmin.nic.in) which is likely to be revised soon.



Q.12 When I can apply for the support under the Partial Funding Scheme?

Ans. The applications can be made throughout the year but only after securing admission in the chosen programme/ University. However, the period from April to June is ideal as most of the programmes commence in August/September.

Q.13 If I fulfil all the eligibility criteria as per the Circular can I be sure to get the Partial Funding support from the DoPT?

Ans. DOPT administers the partial funding scheme. However, the Central Establishment Board is the final authority in the matter which may lay down its own criteria such as public interest, budget, etc. while deciding the cases of partial funding.



CENTRAL STAFFING SCHEME

Q.1) What is the Central Staffing Scheme?

Ans. Central Staffing Scheme is a provision to man posts in the Ministries/Departments of the Govt. Of India at DS/Director and above levels. It draws officers from all the State Governments and participating Group-A services. Each year the Establishment Officer, Department of Personnel & Training issues a circular to all the Chief Secretaries of the State Governments and the Secretaries of Ministries which are cadre controlling authorities of the participating Group-A services, requesting them to send names of suitable and willing officers for the Central Staffing Scheme. Among the names so sponsored, an 'offer list' of names of officers is prepared each year. Appointments to vacancies filled under the Central Staffing Scheme are made from this 'offer list'.

Q.2) Am I eligible to participate in the Central Staffing Scheme?

Ans. If you belong to any of the services participating in the Central Staffing Scheme, you are eligible.

Q.3) What is the minimum service requirement?

Ans. The minimum service requirement is 9 years as on the 1st of July of that year.

Q.4) How do I apply for the Central Staffing Scheme?

Ans. You will have to fill an online application form available on the Department of Personnel & Training's website www.persmin.nic.in. Click on the link online services in the left-hand corner and then click on Central Staffing Scheme. For

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[Go to top](#) 36



GOVTEMPDIARY

[7th Pay commission](#) [Central Government Employees News](#)



IAS officers, the intra-ias user name and password would be required. If you don't remember the user name and password send an e-mail to persinfotech@nic.in requesting for your user name and password. Your application has to be forwarded 'online' to the DOP&T by the designated Nodal Officer in respect of your Cadre Controlling Authority along with your CR Dossier for consideration of DOP&T.

Q.5) Will I get my choice of stations?

Ans. Officers are normally considered only for those stations for which they have applied subject to availability of vacancies for the particular station. It may be noted that most of the vacancies filled under the Central Staffing Scheme are located at Delhi.

Q.6) What is the tenure under Central Staffing Scheme?

Ans. The tenure is 4 years at Deputy Secretary level and 5 years for Director and Joint Secretary levels.

Q.7) Who is the competent authority for selection of an officer in a particular Ministry?

Ans. The approving authority for appointments under the Central Staffing Scheme is the Appointments Committee of the Cabinet. However, the ACC has delegated the powers for issuing appointment orders in respect of Deputy Secretary/Director rank officers to the Establishment Officer after obtaining recommendations of the Civil Services Board and approval of the Minister in-Charge of the concerned Ministry.



Q.8) What is the Civil Services Board?

Ans. The Civil Services Board comprises the Cabinet Secretary, Secretary (Personnel) and the Establishment Officer among others. It meets at regular intervals (presently fortnightly) to discuss the names of officers in the panels provided by the Establishment Officer for being considered for posting to various Departments/Ministries. The Secretary of the concerned Ministry/Department where the vacancy is to be filled up is also invited.

Q.9) I wish to come to the Centre under the Central Staffing Scheme but my Cadre Controlling Authority is not forwarding my name. Can I be considered?

Ans. No, names can be considered for Central Staffing Scheme only when they are duly sponsored by the cadre controlling authority.

Q.10) What is debarment?

Ans. If an officer after appointment under Central Staffing Scheme does not join, or the State Govt./cadre controlling authority refuses to relieve him, he is debarred from coming on deputation under the Central Staffing Scheme for a period of five years. He is also debarred from being given cadre clearance for going on foreign assignments.

Q.11) What is cooling off requirement?

Ans. There is a provision of mandatory cooling off period of three years between two stints of deputation for DS/Director and JS level officers. The officers are



required to work in their cadre during this period of 'Cooling off'. For officers belonging to the North-East and J&K cadres, the cooling off period is two years.

Q.12) I am working under the Central Staffing Scheme. I have got promotion in my cadre. Can I go back to my cadre?

Ans. On getting promotion to the next level of grade pay, officers are allowed to take premature repatriation to avail of the benefit of promotion. The provision of extended cooling off is not applicable in such cases. For this, a proposal has to be sent to the Department of Personnel & Training (DoPT) by the concerned Ministry with the approval of the Minister in-charge along with a copy of the promotion order.

Q.13) What is extended cooling off?

Ans. If an officer under the Central Staffing Scheme wishes to seek repatriation to his cadre on personal grounds and for reasons not provided in the Central Staffing Scheme, he/she is liable to undergo a period of extended cooling off. This means that the officer's unfinished (balance) tenure under the Central Staffing Scheme is added to the normal cooling off. In other words the normal 'cooling off' of 3 years begins only from the day, the officer would have completed his tenure under Central Staffing Scheme in the normal course.

Q.14) I am retained on offer under the Central Staffing Scheme, Can I withdraw my name? Would I be debarred for that.

Ans. The Cadre controlling authority may request for withdrawal of the name of an officer from the offer list. The officer is not liable to be debarred if the request is received before the officer's name is placed before the Civil Services Board. If



the request for withdrawal is received after the CSB meeting, the officer is liable to be debarred.

Q.15) What is end tenure leave? Who sanctions it?

Ans. An officer under Central Staffing Scheme can avail leave up to a maximum of 60 days after his tenure is over. This is debited from his earned leave account. The leave is sanctioned by the Ministry where he is working under the Central Staffing Scheme. On expiry of the leave, the officer is automatically reverted to his parent cadre.



FOREIGN ASSIGNMENTS

Q.1 What are the categories of Foreign Assignments?

A. Long Term Assignments (Period over 90 days)

- (1) Foreign posts of the Government of India. These are posts in the Embassies/High Commissions of India under the administrative control of various Ministries/Departments of the GoI (other than the Ministry of External Affairs). These posts carry tenure of three years. These are filled through the Civil Services Board procedure by the E.O. Division in the Department of Personnel & Training after due circulation of the vacancy.
- (2) Captive posts of the GoI. These include the posts of Executive Directors in the World Bank, the International Monetary Fund (IMF), the Asian Development Bank (ADB) etc., Advisers and Technical or Executive Assistants to the Executive Directors and other similar posts where recruitment is restricted to Indian experts. These are also filled through the Central Staffing Scheme of the GoI by the E.O. Division in the Department of Personnel & Training after due circulation of the vacancy.
- (3) International Assignments to the UN and its agencies: Selections to these assignments are secured by the officers themselves either through open advertisements or being directly offered such positions by the International Bodies and by nomination by the GoI for competitive selection by the International Body. Maximum tenure limits to such assignments is 5 years at a stretch and 7 years in the entire career.



Short Term Consultancies (Period up to 90 days)

(4) Short Term Consultancies offered by International Bodies for a period of up to 90 days. Officers below the level of Joint Secretary are entitled to take up such short-term consultancies. There is a ban on JS and above level officers for taking up short-term consultancy assignments. Tenure limits for Short-term consultancy assignments are 90 days in a calendar year and 25 months in the entire career. However, officers of Joint Secretary and above levels can only take up 'pro-bono' short term teaching assignments for a period of one month in a year. Officers have to take leave due and admissible (other than Extra Ordinary leave) for such assignments.

Q.2 What is the procedure for getting cadre clearance of DOP&T for the foreign assignments mentioned in (3) above?

A. The procedures laid down in para 3 of the Consolidated Deputation Guidelines for All India Service Officers contained in DOP&T's letter No. 14017/33/2005-AIS (II) (Pt.I) dated 28.11.2007 and para 2.1 of the Consolidated Deputation Guidelines for Organized Group 'A' & 'B' Services contained in DOP&T's O.M. No. AB-14017/2/07-Estt. (RR) dated 29.2.2008 are applicable.

Q.3 Whether clearance of DOP&T is required for officers working under the Central Staffing Scheme to take up foreign assignments?

A. Yes. All the proposals for grant of cadre clearance in respect of AIS officers (whether in the cadre or working at the Centre) for taking up foreign assignments are required to be sent to DOP&T for approval. All



the proposals for grant of Cadre Clearance in respect of Joint Secretary and above level officers belonging to Organized Group 'A' & 'B' Services (whether in the cadre or working at the Centre) for taking up foreign assignments are also required to be sent to DOP&T for approval. However, all proposals for grant of Cadre Clearance to officers of below JS level, belonging to Organized Group 'A' & 'B' Services to take up foreign assignment will be processed by the Cadre Controlling Authority. However, for curtailing the tenure of Group 'A' service officers below the level of Joint Secretary and working under the Central Staffing Scheme approval of the ACC through DOP&T would be required.

Q.4 What are the restrictions on officers dealing with International Organizations in their official capacity?

A. There are no restrictions on officers up to the level of Director. However, for JS and above levels, in case the officer has had official dealing with the international organization and the Secretary of the concerned Ministry categorically certifies that the officer did not use his official position to get the foreign assignment, such cases will be considered by the Committee of Secretaries based on the merits of each individual case and appropriate recommendations made if the assignment has been offered by applying against an open advertisement.

Q.5 Is there a cooling off requirement?

A. After every period of deputation there shall be a mandatory "Cooling off" period of three years for JS and below levels, one year for Addl. Secretary level and 'Nil' for Secretary level.



Q.6 Is there a prescribed format for submitting proposals of foreign assignments to DOP&T?

A. Yes, separate checklists have been devised for submitting long term foreign assignment proposals to DOP&T for AIS & Group 'A' & 'B' services. The same are available on the Departmental website.

Q.7 Whether the foreign assignment can be taken up while on Central deputation with the GoI? If yes, what is the prescribed tenure limit?

A. An officer who is on Central deputation with the GoI after having completed his normal 'cooling off' in the cadre, may be permitted to proceed on a foreign assignment subject to the tenure limits mentioned in Question No. 1. However, overall absence from the cadre will be limited to 7 years, in both the stints put together. Cadre clearance at the time of such shifting would be required.

Q.8 Can I shift from one foreign assignment to another foreign assignment?

A. Yes, with the prior approval of the Competent Authority. However, this will be subject to the overall tenure limits of 5 years at a stretch and 7 years in the entire career.

Q.9 I proceeded on foreign assignment before issue of the Consolidated Deputation Guidelines issued on 28.11.2007 and 29.2.2008. Will I be governed by the earlier instructions or whether the new Guidelines would apply?



A. Tenures approved by the Competent Authority prior to the issue of the Consolidated Deputation Guidelines would not be affected. However, extension of tenure of foreign assignment beyond the approved periods would be governed as per the new Deputation Guidelines dated 28.11.2007 and 29.2.2008.



CONCERNING CENTRAL SECRETARIAT SERVICE

Question 1. What is the role of CS-I Division?

CS.I Division looks after the cadre management of the Central Secretariat Services (CSS)

Question 2: What is the composition of CSS?

CSS comprises the following Grades:

| S.No | Group of Post/Grade | Grade | Classification |
|------|---------------------|------------------------------------|-------------------------------------------|
| 1. | A | Senior Selection Grade (Director) | Central Civil Service Group A Ministerial |
| 2. | A | Selection Grade (Deputy Secretary) | Central Civil Service Group A Ministerial |
| 3. | A | Grade-I (Under Secretary) | Central Civil Service Group A Ministerial |
| 4. | B | Section Officer | Central Civil Service Group B Ministerial |
| 5. | B | Assistant | Central Civil Service Group B Ministerial |

Question 3: What is sanctioned strength in each grade of CSS?



As per CSS Rules 2009 notified on 27th February, 2009, the sanctioned strength in each grade of CSS is as under :-

- Senior Selection Grade – 110
- Selection Grade (combined) – 330
- Grade-I (Under Secretary) – 1400
- Section Officer – 3000
- Assistant – 4904

However, after the 2nd cadre restructuring of CSS in July, 2010, the combined strength in the grades of Deputy Secretary and Director has been fixed at 600, with a ceiling of 220 posts for Director and 40 posts for Joint Secretary (In-situ).

Question 4: What is the pay structure of the various Grades of CSS?

The scales of pay attached to the various Grades of the Service are as follows:

- (i) Senior Selection Grade: Rs. 37400-67000 (PB-4)+Rs.8700 (Grade Pay)
- (ii) Selection Grade: Rs. 15600-39100 (PB-3) + Rs. 7600 (Grade Pay)
- (iii) Grade I: Rs. 15600-39100 (PB-3) + Rs.6600 (Grade Pay)
- (iv) Section Officers' Grade: Rs.9300-34800 (PB-2) + Rs.4800 (Grade Pay)

Note: The non-functional pay scale of Rs. 15600-39100 (PB-3) + Rs.5400 (Grade Pay) is admissible to the Section Officers of the Service on completion of 4 years of approved service in that grade and the officers continue to be in Group B.

- (v) Assistants Grade: Rs.9300-34800 (PB-2) + Rs.4600 (Grade Pay)



Question 5: What is the mode of recruitment to CSS?

- Vacancies in the grade of Assistant are filled by direct recruitment (75%), limited departmental competitive examination (10%) and promotion on seniority basis (15%)
- Vacancies in the grade of Section Officer are filled by promotion on seniority basis from the grade of Assistant (50%) and by Limited Departmental Competitive Examination (50%)
- Vacancies in the grade of Under Secretary, Deputy Secretary and Director are filled by promotion.

Question 6: What are the eligibility conditions for appearing at the Limited Departmental Competitive Examination for the Section Officer grade?

As per Central Secretariat Service Section officers' Grade (Limited Departmental Competitive Examination) Regulations, 2010, the following are the eligibility conditions for Limited Competitive Examination for the Section Officer grade:

- Assistants of CSS or Personal Assistants of CSSS with five years' approved service on the crucial date, and
- At least four Annual Performance Appraisal reports in the grade of Assistant or Personal Assistant
- The Personal Assistants of CSSS should possess a Bachelor's degree from a recognized university or equivalent.

Question 7: How is eligibility for promotion in relation to any grade of CSS determined?

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[Go to top](#) 48



GOVTEMPDIARY

[7th Pay commission](#) [Central Government Employees News](#)



In case of promotion to a particular grade of CSS, eligibility is determined on the basis of completion of required number of years of approved service as under:

- In the case of direct recruits, the approved service in the grade is counted from the 1st day of the July of the year following the year in which the examination for direct recruitment is held;
- In the case of officers recruited through Departmental examination from the 1st day of the July of the year for vacancies of which such examination was held and
- In the case of officers recruited to a grade on the basis of length of service in the lower grade from the 1st day of July of the year for which the recruitment is made.

Promotions are made from amongst eligible officers within the zone of consideration subject to fitness and vigilance clearance.

Question 8: Whether any Cadre restructuring of CSS has been conducted?

The Cadre Restructuring of CSS has been conducted twice in October, 2003 and July, 2010. The decisions taken as a result of these restructurings are available in the DOP&T website (www.persmin.nic.in→DOP&T→Central Secretariat→CSS→Restructuring).

Question 9: In which cases cadre clearance is required from CS-I Division?

Cadre clearance in advance is required from C.S.I Division when a CSS officer of the grade of Under Secretary and above applies for

- A post on deputation,



- Long term domestic training and
- Foreign visit on personal grounds

Note: In the case of foreign training, cadre clearance from CS.I Division is necessary for officers of all grades of CSS.

Question 10: What matters are being controlled in a centralized manner in CSS?

The matters being controlled centrally in CS-I Division are:

- Regular appointments to all grades of CSS
- Inter-ministerial postings and transfers of all CSS officers
- Rotational transfers in all grades of CSS
- Maintenance of Post Based Reservation Roster for the grades of SO and Under Secretary
- Maintenance of APARs in respect of Under Secretaries and above
- Maintenance of Immovable property Return in respect of Under Secretaries

Question 11: How are ex-cadre/newly created posts encadred in CSS?

The Ministry/Department wishing to encadre ex-cadre/newly created posts in CSS is required to send a formal proposal in this regard in a prescribed format to CS-I Division. Such proposals are considered keeping in view the pay structure, duties and responsibilities, likelihood of continuance of the posts etc for encadrement in respective grades of CSS.

Question 12: What is the procedure for processing the applications for VRS by CSS personnel?

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[Go to top](#) 50



GOVTEMPDIARY

[7th Pay commission](#) [Central Government Employees News](#)



Whenever a CSS officer (of the grades of Under Secretary and above) gives notice of voluntary retirement, this will be examined/processed by the respective Ministry having regard to the rules on the subject and will be referred to DOP&T for final approval after the same has been approved by the Secretary in-charge of that Ministry/Department.

Question 13: How the applications for re-employment and commercial employment of retired CSS personnel are to be channelled?

Any proposal for extension in service/re-employment in respect of a CSS officer (of the grades of Under Secretary and above) will be examined by the Administrative Ministry in the light of extant instructions and will be referred to CS Division only after approval of the Minister in-charge of the Ministry/Department and giving detailed justification for further action.

Proposal for commercial employment etc. after retirement of a CSS officer (of the grades of Under Secretary and above) may be processed by the Administrative Ministry/Department and referred to the CS Divisions of DOP&T for approval.

Question 14: Is there any RTP for CSS personnel?

Yes, the revised Rotational Transfer Policy (RTP) for CSS officers was issued vide OM No. 21/2/2009-CS-I(P) dated 29/4/2009. This was subsequently modified vide OM No. 21/2/2009-CS-I(P) dated 8/4/2010. As per these guidelines,



- The combined tenure of CSS officers in a particular Ministry/Department shall be five years in the case of Under Secretary, Deputy Secretary and Director.
- The combined tenure of CSS officers in a particular Ministry/Department shall be 7 years in the case of Section Officer/Assistants.
- On promotion, an official of CSS at any level shall be posted out of the Ministry/Department if he/she has served in the same Ministry/Department in any capacity for a period exceeding the prescribed tenure for the promotion post.
- If the CSS officers have two years' of service to retire, he will not come under the RTP, and on promotion, if any, he will be adjusted within the same Ministry/Department, if his/her Ministry/Department has a vacancy to accommodate him/her.
- If an officer has six months to retire, he is retained in the same Ministry even if no vacancy is available in the promotional grade in that Ministry, by upgrading the post held by him.

Question 15: Where a CSS officer will report on repatriation from deputation/study leave/long leave/ long term foreign training?

Officers of the level of Under Secretary and above on return from deputation/study leave/ long leave/ long term foreign training are required to report to CS-I Division for further posting in the cadre.

However, Assistants and Section Officers will report to the respective cadre units from where they proceeded on such deputation/training/leave.

Question 16: Whether there is any training programme for CSS officers?

[Disclaimer](#) | [Our books](#)

[Go to top](#) 52



GOVTEMPDIARY

[7th Pay commission](#) [Central Government Employees News](#)



A cadre training programme has been devised for CSS (CSS CTP) officers. The details are available in DOP&T website (www.persmin.nic.in→DOP&T→Central Secretariat→CSS→Training Policy).

Question 17: What are the courses conducted under CSS-CTP?

- a) Level-A: Four weeks training for Upper Division Clerks who have rendered 4 years of approved service in the grade.
- b) Level-B: Five weeks training for Assistants who have rendered 6 years of service in the grade
- c) Level-D: Eight weeks training for Section Officers who have rendered 6 years of approved service in the grade
- d) Level-E: Six weeks training out of which two weeks in the form of foreign component for Under Secretaries who have rendered 4 years of approved service in the grade.
- e) Level-F: Three weeks training with one week foreign component for Dy. Secretaries who have rendered 4 years of approved service in the grade.
- f) ADR(F): Sixteen weeks training for the Newly Recruited Assistants.

Question 18: What is the basis of nomination for the training?

Nominations are made to each level of training as per the seniority of the officers, subject to vigilance clearance and ACR/APAR status.

Question 19: Is there any exemption from the CSS training?

There shall be no exemption from mandatory training as a rule. However, the following cases could be considered for postponement from the mandatory training related to the promotions under the following circumstances;



- i) Maternity/Paternity leave/Mother care/ Child Care up to 5 years after birth on the basis of medical certificate to be issued by AMA (as per CSMA Rules).



CANTEEN

FREQUENTLY ASKED QUESTIONS UNDER THE RIGHT TO INFORMATION ACT, 2005 AND ANSWERS THERETO

Department of Personnel & Training [Office of Director (Canteens)]

Question 1: What is the date from which canteen employees have been declared as Government employees.

The canteen employees have been declared as Govt. Employees w.e.f. 1.10.1991 vide this Department's O.M. No.12/5/91-Dir. (C) dated 29.1.1992.

Question 2: Is there ban on filling up of posts in Departmental Canteen.

Vacancies in Canteens/Tiffin Rooms can be filled. Reference is invited to O.M. No.15/2/2010-Dir.(C) dated 13.10.2010 & 27.6.2011. This O.M. is uploaded on www.lpersmin.nic.in link Welfare ↔Canteen↔Recent Orders/Circulars.

Question 3: What is the status of recognition of Canteen Employees Association?

Process of Recognition is under progress.

Question 4: Which is the competent authority for re-categorisation of canteens as per SIU recommendations.

Head of the Department in consultation with Internal Finance Wing Division is competent authority for re-categorisation of canteens. Orders contained in OM No. 13/6/2008-Dir (C), dated 3/6/2008.

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[Go to top](#) 55



GOVTEMPDIARY

[7th Pay commission](#) [Central Government Employees News](#)



Question 5: The date from which services of canteen employees is reckonable for grant of financial upgradation under ACP/MACP for the purpose.

For the purpose of determining the eligibility for consideration of financial upgradation of canteen employees, the service will be reckonable from 26.9.1983 or the actual appointment in regular pay scales.



R&R AND DC DIVISION OF DOPT

1. What is Surplus Cell?

The Section which is looking after the Surplus Staff in the DOPT is called Surplus Cell.

2. What is the meaning of Surplus employees?

Surplus employees means the Central Civil Servants (other than those employed on adhoc, casual, work-charged or contract basis) who-

- (a) Are permanent or, if temporary, have rendered not less than five years' regular continuous service; and
- (b) Have been rendered surplus alongwith their posts from Ministries, Departments, Offices of the Government of India, as a result of-
 - (1) administrative and financial reforms, including, inter-alia, restructuring of an organization, zero base budgeting, transfer of an activity to a State Government, Public Sector Undertaking or other autonomous organization, discontinuation of an on-going activity, and introduction of changes in technology; or
 - (2) studies of work measurement undertaken by the Staff Inspection Unit of the Ministry of Finance or any other body set up by the Central Government or the Ministry/Department concerned; or
 - (3) abolition or winding up either in whole or in part of an organization of the Central Government.

3. What is Surplus Roll?



Rolls means the list of surplus staff currently under redeployment or readjustment through the Cell.

4. What is the scheme for redeployment of Surplus Employees?

The instructions in this regard are contained in DOPT's O.M. No.1/18/88-CSIII dated 1/4/1989.

5. What are the rules to regulate redeployment of Surplus Employees?

It contains in Notification No. 1/14/89-CS.III dated 28/02/1990.

6. Whether the Surplus Employees are retrenched at the end of 6 months of un-redeployment?

No, there is no such provision after 1.4.1989.

7. What is O.M. No. 1/1/2002-CSIII dated 26/3/2002?

This OM contains steps for identifying surplus staff for their transfer to the Surplus Staff Establishment and their disposal.

8. How many Associations are recognized by R&R and DC Division?

At present five Associations are recognized by this Division i.e

- (i) Central Secretariat Clerical Service Association
- (ii) Central Secretariat Non-Gazetted Employee Union
- (iii) Central Secretariat Stenographers Service Association
- (iv) Central Government Staff Car Drivers Association
- (v) Central Secretariat Stenographers (Gazetted) Association



9. What are the rules governing recognition, de-recognition of Service Association?

Recognition-derecognition is governed by the CCS(RSA) Rules 1993.

10. How the election for Office Bearers is held and is it held under the supervision of Govt?

The instructions regarding election is laid down in O.M. No.2/5/94-JCA dated 28.7.1994. Government associate with the election process only if so requested by the association.

11.What is the tenure of the members of the Departmental Council?

As per Order No. 1/2/2008-CS-IV dated 27.7.2009 term of staff of the Departmental Council is three years.

12.How the seats in the Departmental Council is distribute amongst the Service Association?

As per clause 5(C) Note 1,2,3 & 4 of the Constitution of the Departmental Council the Chairman of the Council distribute the seats on the basis of respective strength of the Association.



WELFARE DIVISION

Annexure-III

Department of Personnel & Training (Welfare Section)

Frequently asked question relating to work allotted to Welfare Section,
Department of Personnel & Training, Lok Nayak Bhawan, New Delhi.

1. What is the eligibility of Central Government Resident Welfare Association for receipt of Grants in aid from Department of Personnel & Training?

All Welfare Association of the Central Government Employees registered under the Societies Registration Act, 1860 having membership of not less than 200 Government Servants (unless otherwise justified as a special case) which are recognized by the DOPT are eligible for receipt of Grants-in-Aid from DOPT.

2. What should be the name of Association?

No distinction of class or character should appear in the name of Association (s). It is advisable to name an Association as 'CENTRAL GOVERNMENT EMPLOYEES RESIDENTS WELFARE ASSOCIATION/KENDIRYA SARKARTH KARAMCHARI AWASIYA SUDHAR KALYAN SABHA followed by the

[Disclaimer](#) | [Our books](#)

[Go to top](#) 60



GOVTEMPDIARY

[7th Pay commission](#) [Central Government Employees News](#)



name of blocks/type/number of quarters/area covered or represented by the Association so as to suitably give identification to it.

3. Who is eligible for membership of Resident Welfare Association?

There shall be two types of members.

(1) REGULAR

All Central Government Employees and employees of Lok Sabha, Rajya Sabha, Supreme Court, High Court, UPSC, Statutory and Autonomous bodies, Delhi Administration shall qualify for 'Regular' membership of an association in receipt of grant-in-aid from Department of Personnel and Training subject to fulfilment of prescribed conditions.

(2) ASSOCIATE

Employees of the following offices shall, however, be eligible for enrolment as 'Associate' member only:-

- (i) Members of the Armed Forces and other Armed Forces of the Union.
- (ii) Retired Government Servants.

4. To whom the membership of RWA is not open

Membership shall not be open to the employees of the private shops/companies.

5. Who will manage the affairs of Residential Welfare Association?



The affairs of the Residential Welfare Association will be managed by an elected Managing Committee consisting of the following office-bearers:-

- President - (one post)
- Vice-President - (one post)
- Secretary - (one post)
- Joint Secretary - (one post)
- Treasurer - (one post)
- Convenor (Civic Amenities & Health Services) - (one post)
- Convenor (Sports & Cultural Activities) - (one post)
- Convenor (Environment & Consumer Rights and & Security) - (one post)
- Members - (Two post)

6. When should election of RWA be held?

The election of RWA should be held every 2 years.

7. Who will be eligible to vote/contest the RWA election?

Members (including Associate Members), whose subscription and other dues are not in arrears upto 31st March of the preceding year, shall be eligible to vote. Thus only, eligible residents who became



member/associate member of Association by 31st March, of a year shall be eligible to vote, and/or contest RWA elections, as the case may be, during the next financial year.

8. Are the persons due to retire within the period of 2 years of election are eligible to contest the election?

Those persons who are due to retire within this period would not be eligible to contest the election.

9. Whether the associate members are eligible to seek office in the Managing Executive Committee?

The following Associate members as mentioned who are allottees and residing in the areas or are residing on sharing basis after obtaining official approval shall not be eligible to seek office in the Managing Executive Committee, though they shall have the right to vote in the election :-

- i. Retired Central Government Servants
- ii. Member of Armed Forces and other Armed Forces of Union

10. What are the duties and responsibilities of the President of RWA?

He shall preside over the meetings of the General Body/Managing Committee and exercise general supervision over the activities of the Association. He may dispose of such important and urgent matter which



for want of time cannot be put up to the Managing Committee and report the same in the next meeting of the Managing Committee. He may also authorize expenditure up to Rs. 350/- expenditure so incurred should be got approved by the Managing at its next meeting. He would be treated as 'Head' of the Association. In the event of resignation by any office bearer/member the President shall arrange to convene a meeting of the Managing Committee within a week of receipt of resignation in which Area Welfare Officer will also be invited.

11.What are the duties and responsibilities of the Secretary of RWA?

He shall

- (i) maintain a register containing the names and addresses of the members of the Association,
- (ii) issue notice of the meetings in consultation with the Presidents and record the minutes of the meetings,
- (iii) be responsible to the Managing Committee for all activities of the Association and will conduct correspondence on behalf of the Association,
- (iv) have authority to incur expenditure not exceeding Rs. 150/- in anticipation of formal sanction, such expenditure being reported to the Managing Committee for approval at its next meeting,
- (v) submit a report on the working of Association for the preceding year at the Annual General Meeting and



- (vi) execute contracts on behalf of the Association as and when authorized to do so by the Managing Committee,
- (vii) keep all the records (excluding cash and accounts) of the correspondence with him.

12.What are the duties and responsibilities of the Treasurer of RWA?

He shall

- (i) be responsible for making all collections and receive cash and give receipts thereof on behalf of the Association and be responsible for the proper maintenance of Association Accounts,
- (ii) (ii) keep regular accounts of money received and disbursed and be responsible for the proper maintenance of the accounts book and other Registers of the Association and for this purpose, he shall post all the receipts of income and expenditure regularly in the Cash Book and put it up for information of the Managing Committee in its next meeting,
- (iii) work as Financial Advisor to the President/Secretary of the Association,
- (iv) keep cash in hand up to Rs. 100/- only and to deposit excess funds, if any, in the Bank,
- (v) prepare and annual statement of accounts at the end of the financial year and after approval of the Managing Committee, submit it to the Annual General Body meeting, duly audited (along with the Auditor's report and replies thereto, if any,).



13. Who is eligible for appointment as Returning Officer at the time of election of RWA?

The Managing Committee shall, at the appropriate time, in consultation with and after the approval of the Area Welfare Officer, appoint a RETURNING OFFICER for conducting the election among the members of Association for holding the annual election. Only a regular member would be eligible for such appointment. No such person who held an executive post in the last Managing Committee will be appointed as RETURNING OFFICER, provided such member shall not himself be taking part or contesting the said election.

14. What is the source of income of RWA?

Source of income of RWA shall be as under :-

1. Subscription and fees as laid down in the constitution and/or funds raised from time to time on special counts.
2. Grants-in-aid from Government.
3. Donation from Government(s) or Official Bodies.

Note:- Chowkidar fund shall not be taken into consideration for any purpose by the Government.

15. Who is eligible for the post of Area Welfare officer and his tenure?

The resident of area who fulfils the following conditions is eligible for the post of Area Welfare Officer:-

- i) He should be a gazetted officer
- ii) The Resident Welfare Association is not allowed to nominate any name for AWO.
- iii) He must be resident of area for which he is the applicant and the area (including the adjacent areas) should have at least 300 Govt. Employees in the area(s).
- iv) The officer applying should not be an officer bearer of Central Govt. Employee or any Residents Welfare Association.
- v) He should not be retiring within 2 years of his appointment as AWO i.e. he should serve for full term of two years as AWO.
- vi) He should possess the sound health to undertake the job in question.
- vii) Preference should be given to those, who have telephones at their residences.
- viii) He should not be a controversial person.
- ix) The tenure of the AWO shall be for 2 years from the date of appointment or till their services are required by the Government whichever ever is earlier. However, if there is no other candidate for the area, the old AWO, if he has applied afresh may be allowed to continue for another term. Officers desirous of being nominated as AWO have to apply through their respective Ministries/Departments to the Chief Welfare Officer, Department of Personnel & Training, New Delhi.

16.What are duties and responsibilities of AWOs?



The Area Welfare Officers (AWOs) are nominated for residential colonies to look after the welfare and related problems of Central Government employees and their families. AWO is not an appointment under the Government of India and is only a functional arrangement to provide a link between the Central Government employees residing in various colonies and the concerned civic and other agencies providing service to them. The functions of AWOs are largely official in nature and are performed by them on honorary and voluntary basis.

The AWOs are field officers and function as coordinating officers between the local Government Departments/Civic Authorities like CPWD, CGHS, Horticulture, police and others in their respective areas. As per 'Model Rules and Regulation' of the Central Government Employees Residents Welfare Associations, the AWO is the ex-officio patron of the Association. He is expected to provide the lead and guidance to the Welfare Associations in achieving their objectives of promotion of socio-cultural, recreational and other Welfare activities for the benefit of Central Govt. Employees and their families. To enable the AWOs to discharge their responsibilities efficiently the Government has issued instructions to all the Ministries/Department for allowing certain facilities to their officers. They are allowed to use office stationery, service postage stamps etc. for entering into correspondence with the concerned authorities and Government servants. They are also allowed to leave office with permission for meeting various Civic/Police Authorities for solving problems of the residents.



CADRE REVIEW DIVISION

Question 1. Whether the Geology Stream of Geological Survey of Geological Survey of India is classified as an Organised Group 'A' Service?

The queries seeking information about specific Services are transferred to the respective Cadre Controlling Authorities.

Question 2. Whether benefit of Non-Functional Selection Grade can be extended to the Group 'A' Officers (General Central Service) Category?

In terms of this Department's O.M. No.22/1/2000-CRD dated 6.6.2000, the benefit of Non-Functional Selection Grade can be extended to the Organized Group 'A' Services only.

Question 3. What are the benefits and privileges of the Organized Group 'A' Services?

The following are the probable benefits of an organised group 'A' service:

- i) Promotion within reasonable time-period, subject to the availability of the vacancy. The career progression, however, varies from service to service
- ii) Benefits of Non-Functional Selection Grade/Non-Functional Junior Administrative grade, as applicable.

Question 4. What is the meaning of Organized Service?

The attributes of an organised group 'A' service are available at this department's website (www.persmin.nic.in) under the link Central Services wing- Cadre Review Division Recent Circulars.



Question 5. Please provide a list of all the Organized Group ‘A’ Services.

This Department does not maintain any separate list of organised group ‘A’ service. The details of Central Group ‘A’ services are, however, available on this department’s website (www.persmin.nic.in)

Question 6. What are the guidelines for cadre review of Group ‘B’ ‘C’ and ‘D’ Services.

The guidelines for cadre review of Groups ‘B’., ‘C’ & ‘D’ Cadres are contained to this Department’s Office Memorandum No. 2/1/87-PP dated 23.11.1987.

(G.C. Fout)

Under Secretary (CS-1&CRD)

To
Under Secretary (Admn.)
(Ms. Jayanthi Sriram)
Department of Personnel & Training,
North Block, New Delhi



STATE REORGANISATION

Q.1. What is Advisory Committee?

Ans. The Committee constituted under the Reorganisation Act to assist the Central Government in allocation of the State Service Personnel (other than AIS) to one of the successor States.

Q.2. What is the role of State Advisory Committee?

Ans. The State Advisory Committee (SAC) formulates state specific guidelines for allocation of employees. The SAC finalise distribution of posts between the successor States keeping in view sanctioned posts category-wise, grade-wise, department/directorate-wise and the administrative structure of departments of successor states. It circulates the Tentative Final Allocation List (TFAL) and provides opportunities to represent against the tentative allocation. It considers representations made by the employees and forwards its recommendations to the Central Government for final view.

Q.3. What is the role of the State Government in the allocation process?

Ans. It is the responsibility of the successor States to provide necessary assistance to the State Advisory Committee and also for furnishing details of sanctioned posts category-wise, grade-wise, department/directorate-wise to the State Advisory Committee to enable them to finalise distribution of posts between the successor States. The successor States have the responsibility to furnish official comments on the representations received and provide copies of necessary rules, orders, category-wise gradation list etc. to the SAC.



Q.4. What is the role of the Central Government in the allocation process?

Ans. The Central Government basically plays the role of coordinator and if a dispute was not settled then of a referee or an Arbitrator and no more. The Central Government has the responsibility to finally allocate all the State Personnel of erstwhile state between the successor states. For this purpose the Central Govt. constitutes State Advisory Committee, issues broad guidelines for allocation of state government employees.

Q.5. What is the basis of allocation?

Ans. The broad principle of allocation of State Cadre Employees which inter alia include allocation first by 'option', followed by Domicile (Home District) and lastly by inclusion of junior most personnel in the reverse order of seniority. If the number of posts allocated to a successor States are more than the total number of 'optees' and 'domicile' (Home District), in order to fill up the balance posts the employees lower down in the seniority position in the cadre are considered for allocation even against their options. Option once exercised by the employees is not reversible.

Q.6. Whether the allocation under the Reorganisation process have any impact on the service conditions of the State Government Employees?

Ans. No. The service conditions of the employees are protected under the Reorganisation Act.

Q.7. What are the exemptions available?



Ans. The following exceptions in the allocation are available:

- (i) Women employees - allocated based on option
- (ii) Class IV employees - allocated based on option
- (iii) Handicapped persons - allocated based on option
- (iv) Spouse policy single - both the spouse to be allocated to a successor state based on their option.
- (v) Medical hardships cases - allocation is based on option in the following
 - (a) Cancer patient - self or family*
 - (b) Blindness - self only
 - (c) Heart Bye-pass surgery date - self only if done within two years from the of representation is considered by the Committee.
 - (d) Kidney Transplantation/Kidney Failure and continuing on dialysis - self or family*
 - (e) Mental illness treatment for - self or family*, restricted to indoor at least three months.
 - (f) Bhopal Gas Tragedy - allocated based on option only if the compensation amount

received by self/family is more than Rs.50,000/- or more.

- (g) SC/ST employees basis - allocated based on domicile or on option

* family include spouse, dependent children and dependent parents.

Q.8. What is the role of the Central Government in relieving of the State Government Employees after their final allocation?

Ans. The Central Government has no role in relieving of State Government employees. The employees are relieved by respective State Govt. after final allocation orders are issued by the Central Government in mutual consultation.

Q.9. What is the procedure for allocation of State Service Personnel?

Ans. Procedure followed for allocation of State service personnel:

- (i) The State Re-organisation Coordination Department, Government of Uttar Pradesh in consultation with both State Governments after going through the details of sanctioned posts category-wise, cadre-wise, shall finalize the distribution of posts between the successor States keeping in view the administrative structure of departments finalized for the new successor States by the Central Government as also the work requirement of individual departments in the successor States post reorganization.
- (ii) State Service employees whose services are transferable within the state may be asked to indicate their option to serve in either of the Successor States



after the reorganization of states is given effect to. State service personnel may be advised that without prejudice to their rights it would be open for the Government to post them either provisionally or on final basis in any successor State in the administrative interest or in the exigencies of public service.

- (iii) The U.P. State Reorganization coordination Department on behalf of State Advisory Committee in terms of the above mentioned guidelines is required to issue a Tentative Final Allocation List (TFAL). The TFAL is widely published and circulated. The representations of employees are invited against their tentative allocation.
- (iv) The representation of the employee are considered by the State Advisory Committee after taking the views of Administrative Department and then furnish their recommendations to the Central Government for final allocation.
- (v) Based on the recommendations of the State Advisory Committee, the Central Government is to issue final allocation orders under Section 73 (2) of the U.P. Reorganization Act, 2000.

Q.10. What is spouse policy?

Ans. Both wife and husband may be allowed to stay in one State, as far as possible.



ADMINISTRATIVE TRIBUNALS

Q.1 What is the objective behind setting up of Central Administrative Tribunal?

Ans. To provide in-expensive and speedy relief to Central Government Employees in respect of their grievances related to service matters.

Q.2. What are the jurisdiction of a Central Administrative Tribunal?

Ans. CAT adjudicates disputes with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or other local authorities within the territory of India or under the control of Government of India and matters connected therewith or incidental thereto.

Q.3. What are the qualifications for appointment as Chairman and other Members of the Tribunal?

Ans. (1) A person shall not be qualified for appointment as the Chairman unless he is, or has been, a Judge of a High Court:

Provided that a person appointed as Vice-Chairman before the commencement of this Act shall be qualified for appointment as Chairman if such person has held the office of the Vice-Chairman at least for a period of two years.

(2) A person shall not be qualified for appointment,-



(a) as an Administrative Member, unless he has held for at least two years the post of Secretary to the Government of India or any other post under the Central or State government and carrying the scale of pay which is not less than that of a Secretary to the Government of India for at least two years or held a post of Additional Secretary to the Government of India for at least five years or any other post under the Central or State Government carrying the scale of pay which is not less than that of Additional Secretary to the Government of India at least for a period of five years:

provided that the officers belonging to All India Services who were or are on Central deputation to a lower post shall be deemed to have held the post of Secretary or Additional Secretary, as the case may be, from the date such officers were granted proforma promotion or actual promotion whichever is earlier to the level of Secretary or Additional Secretary, as the case may be, and the period spent on Central deputation after such date shall count for qualifying service for the purpose of this clause;

(b) as a Judicial Member, unless he is or qualified to be a Judge of a High Court or he has for at least two years held the post of a Secretary to the Government of India in the Department of Legal Affairs or the Legislative Department including Member-Secretary, Law Commission of India or held a post of Additional secretary to the Government of India in the Department of Legal



Affairs and Legislative Department at least for a period of five years.

Q.5. Where are the benches of Central Administrative Tribunals located?

Ans. There are 17 Benches of the Tribunal, located throughout the country wherever the seat of a High Court is located, with 33 Division Benches. In addition, circuit sittings are held at Nagpur, Goa, Aurangabad, Jammu, Shimla, Indore, Gwalior, Bilaspur, Ranchi, Pondicherry, Gangtok, Port Blair, Shillong, Agartala, Kohima, Imphal, Itanagar, Aizwal and Nainital.

Q.6. What are the limitations of admitting an application?

Ans. As per Section 21 of the Administrative Tribunal Act, 1985 :- (1) A Tribunal shall not admit an application,-

- (a) In a case where a final order such as is mentioned in clause (a) of sub- (2) of section 20 has been made in connection with the grievance unless the application is made, within one year from the date on which such final order has been made;
- (b) In a case where an appeal or representation such as is mentioned in clause (b) of sub-section (2) of section 20 has been made and a period of six months had expired thereafter without such final order having been made within one year from the date of expiry of the said period of six months.

(2) no proceedings for the redressal of such grievance had been commenced before the said date before any High Court,



The application shall be entertained by the Tribunal if it is made within the period referred to in clause (a), or, as the case may be, clause (b). Of sub section (1) or within a period of six months from the said date, whichever period expires later.

3. Notwithstanding anything contained in sub-section (1) or sub-section(2), an application may be admitted after the period of one year specified in clause (a) or clause (b) of sub-section (1) or, as the case may be, the period of six months specified in sub-section (2), if the applicant satisfies the Tribunal that he had sufficient cause for not making the application within such period.



AIS-III

FAQ in respect of AIS II (Cadre Desk)

| Sl.No | FAQ | Remarks | | | | | | | | | | |
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| 1. | What are the norms for fixing the strength at various levels of IAS (Cadre) Posts in States/Joint Cadres? | <p>The norms fixed for various levels of IAS (Cadre) Posts in States/Joint Cadres are as follows:-</p> <table><tr><th>Level of Posts</th><th>Fixed norms</th></tr><tr><td>Apex Level</td><td>2%</td></tr><tr><td>Above super Time Scale</td><td>8%</td></tr><tr><td>Super Time Scale</td><td>30%</td></tr><tr><td>Senior Scale</td><td>60%</td></tr></table> | Level of Posts | Fixed norms | Apex Level | 2% | Above super Time Scale | 8% | Super Time Scale | 30% | Senior Scale | 60% |
| Level of Posts | Fixed norms | | | | | | | | | | | |
| Apex Level | 2% | | | | | | | | | | | |
| Above super Time Scale | 8% | | | | | | | | | | | |
| Super Time Scale | 30% | | | | | | | | | | | |
| Senior Scale | 60% | | | | | | | | | | | |
| 2. | Where can one find the cadre rules for the IAS? | <p>The IAS (Cadre) Rules, 1954 as amended from time to time are available on this Department's website. The path is www.Persmin.nic.in→Acts & Rules – All India Service (AIS) Rules – Revised All India Service Rules (Vol. II) – Indian Administrative Service (Cadre) Rules, 1954.</p> | | | | | | | | | | |



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| 3. | How many cadres of the IAS are there at present? | There are 24 cadres/ Joint cadres of the IAS at present. |
| 4. | Is there any cadre of the IAS for the Centre? | No. The IAS Officers come to Central Government on deputation basis under 'Central Staffing Scheme' to man various levels of posts in the Central Ministries/Departments. The State Governments have been provided 'Central Deputation Reserve' @ 40% of the Senior Duty Posts or Cadre Post for this purpose. |

FAQ in Respect of AIS II (Pension Desk)

| Sl.NO | FAQ | Remarks |
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| 1. | Voluntary retirement of IAS officers | The services division (AIS-II) of the Department is concerned with cases of voluntary retirement under Rule 16(2A) of AIS(DCRB) Rules, 1958. Cases of IAS officers who completed 20 years of qualifying service or any date thereafter to be specified in the notice and not attained 50 years of age |



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| | | <p>fall under Rule 16(2A) of AIS(DCRB) Rules, 1958.</p> <p>Concerned State Government is the competent authority to accept voluntary retirement under Rule 16(2) of AIS(DCRB) Rules, 1958. Cases of IAS officers who have completed thirty years of qualifying service or have attained fifty years of age fall under Rule 16(2) of AIS(DCRB) Rules, 1958.</p> <p>Voluntary retirement of IPS and IFS is dealt by the respective cadre controlling authorities i.e. Ministry of Home Affairs and Ministry of Environment and Forests.</p> |
| 2. | Permission to the IAS officers for post retirement commercial employment. | <p>Rule 26 of the All India Services (DCRB) Rules, 1958 regulates the post retirement commercial employment of retired AIS officers.</p> <p>As per rule 26 of the All India Services (Death-cum-Retirement Benefits) Rules, 1958 a pensioner shall not accept any commercial employment before the expiry of one</p> |



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| | | <p>year from the date of his retirement, except with the previous sanction of the Central Government. Further, the previous sanction may be granted by the State Government concerned on whose cadre the member of the service is borne and who is not holding a post higher than a post in the pay scale of Rs. 22400-24500/- (pre revised) and has not worked under the Central Government during the preceding three years prior to his retirement from the service.</p> <p>Aforesaid rule also provides that if a pensioner accepts a commercial employment without such sanction, it shall be competent for the Central Government to declare by an order in writing that he shall not be entitled to the whole or such part of the pension and for such period as may be specified in the order. However, no such order shall be made without giving the pensioner concerned an opportunity of showing cause against such declaration.</p> |
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| | | <p>For permission of the Central Government under Rule 26 of AIS (DCRB) Rules, 1958, retired AIS officer is required to apply in prescribed profarma schedule 'L' for taking up post retirement commercial employment.</p> <p>The procedure as follows is adopted in processing applications for grant of permission under Rule 26 of AIS(DCRB) Rules, 1958 to accept post retirement commercial employment:-</p> <p>On receipt of the request from retired IAS officer in prescribed profarma Schedule L, comments of concerned Ministries/Departments/State Governments where the officer had served during the period of three years prior to his/her retirement, are sought. They are required to give their comments taking into consideration the factors given in Rule 26(3) of AIS(DCRB) Rules, 1958. Rule 26(3) of AIS(DCRB) Rules, 1958 provides that in granting or refusing</p> |
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| | | <p>permission under sub-rule (1) or sub rule (2) to a pensioner for taking up any employment, the Central Government or the State Government as the case may be, shall have the following factors, namely:-</p> <p>(i) whether the organisation the pensioner proposes to join has any conflict of interest or activities prejudicial to India's foreign relations, national security and domestic harmony; and whether the organisation is undertaking any form of intelligence gathering;</p> <p>(ii) whether the pensioner has been privy instances of corporate misgovernance etc. They are also required to clarify if the emoluments and pecuniary benefits offered by the proposed employer to the pensioner are far in excess of those currently prevalent in the industry. Department of Revenue is required to examine the proposal from the angles of income-tax, customs, enforcement etc.</p> |
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| | | <p>In case the organization is not based in India and/or is not controlled by Indian citizens, the comments of Ministry of External Affairs and Internal Security in MHA are sought on the issue whether the organization the pensioner proposes to join has any conflict of interest or activities prejudicial to India's foreign relations, national security and domestic harmony, and whether the organization is undertaking any form of intelligence gathering.</p> <p>(ii) Due diligence concerning applicant: Vigilance status of the applicant is obtained.</p> <p>Views/comments of the Ministries/Departments in which the applicant was posted in the three years prior to retirement are sought under Rule 26(3) of AIS(DCRB) Rules, 1958.</p> |
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| 3. | Deputation of IAS officers under Rule 6(2) (ii) of IAS (Cadre) Rules, 1954. | <p>Pension Desk is concerned with deputation of IAS officers under Rule 6(2) (ii) to an autonomous body, trust, society, etc. not controlled by the Government, or a private body. Such autonomous or private bodies fulfil all four of the following criteria:</p> <ul style="list-style-type: none"> a) They are functionally autonomous of the Central and State Governments; b) They are not substantially funded by the Central and State Governments; c) The Central or State Governments do not have powers to give them directions; and to sensitive or strategic information in the last three years of his service which is directly related to the areas of interest or work of the organisation which he proposes to join or the areas in which he proposes to practice/consult. <p>(iii) whether there is conflict of interest between policies of the</p> |
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| | | <p>office(s) held by the pensioner during the last three years and the interest represented or work undertaken by the organisations he proposes to join. Such conflict of interest, however, should not be interpreted narrowly to mean normal economic competition with Government or its Undertakings,</p> <p>(iv) whether the service record of the pensioner is clear, particularly with respect to integrity and dealings with Non-Government Organisations,</p> <p>(v) the emoluments offered by the proposed employer to the pensioner and whether the proposed emoluments and pecuniary benefits are far in excess of those currently prevalent in the industry. (The word “far in excess” should not be narrowly interpreted to cover increases in such benefits that may be result of buoyancy in the industry or in the economy as a whole); and</p> <p>(vi) any other relevant factors.”</p> |
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| | | <p>Comments of concerned Ministries/Departments/State Governments are mandatory.</p> <p>Procedure for due diligence:-</p> <p>i) Due diligence concerning organisation:</p> <p>Comments with regard to the Organisation (registered under the companies act) the applicant proposes to join are sought from Ministry of Corporate Affairs and D/o Revenue. Ministry of Corporate Affairs is required to examine in the light of d) they are not companies (except Section 25 companies) registered under the Registration of Companies Act.</p> <p>Provided further that deputation to section 25 companies shall be allowed only on standard government deputation terms.</p> <p>Deputations are allowed only to officers who have served at least 9 years in the cadre, are clear from</p> |
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| | | <p>vigilance angle and have not dealt with the borrowing organisation in the last five years. Neither the officer nor any of his/her blood relations should have been connected with the setting up of or management of the organisation. There will be a mandatory cooling off after every period of deputation under Rules 6(1) and 6(2) (ii)</p> |
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FAQ in respect of AIS –III Section

| Sl.No | Question | Reply |
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| 1. | How much period of ex-India leave in conjunction with official duty may be given to a member of All India Services? | <p>It has been decided to raise the maximum period of ex-India leave in conjunction with official duty to 3 weeks while adhering to the limit of 50% of the period of official duty abroad. However, in the case of official visits of duration less than 8 days, the limit of 50% may be relaxed and ex-India leave upto a maximum of 4 days may be granted. The power to grant such leave is delegated to the State Governments and</p> |



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| | | Ministries/Departments of the Government of India subject to the condition that further leave shall not be permitted above such limits under any circumstances and no reference shall be made to the Department of Personnel and Training in this regard. |
| 2. | What is the minimum period of service prescribed for being eligible for grant of study leave? | A member of service should have at least rendered 7 years (6 years for Northeast Cadre) of service before he can be considered for grant of study leave. |
| 3. | What is the maximum period for which leave can be granted to a member of service? | No member of the service can be granted leave of any kind for a continuous period exceeding five years. |
| 4. | Whether State Govts. And Ministries, Departments of Government of India have been delegated the power to sanction private visits abroad which are purely personal without any sponsorship and not liable to official visit further such visits can be undertaken E.L and H.P.L? | Yes. Such visits can be undertaken on leave due and admissible whether E.L or H.P.L. |



FAQ in respect of AIS-II (Pay Desk)

| What are the promotional grades available to an officer appointed as a Direct Recruit/Regular Recruit in Indian Administrative and what are their different eligibility criteria. | After appointment of the as Regular Recruit in the Junior Scale (Pay Band-3; Rs. 15600-39100 plus grade pay Rs. 5400) of IAS, the officer is eligible to be appointed on promotion to the following grades of Service: | | |
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| | Grade/Pay Structure | Elegibility Criteria | Composition of Screening Committee |
| | (i) senior Time Scale : Pay Band-3: Rs. 15600-39100 plus grade pay Rs.6600; | An officer is eligible for appointment to the Senior Time Scale on completion of 4 years' service, subject to the provisions of rule 6A of the IAS (Rectt.) Rules, 1954. Subject to availability of posts, this scale can be allowed from or after 1 st January during the relevant | A Committee consisting of the Chief Secretary and two officers of at least Supertime Scale level of the State Government concerned shall evaluate the |



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| | | year in which officers become eligible for this scale. | performance of the eligible officers for deciding their suitability for promotion to posts in the Senior Time Scale. |
| | (ii) Junior Administrative Grade: Pay Band-3: Rs. 15600-39100 plus grade pay Rs.7600; | An officer is eligible for appointment in the Junior Administrative Grade on completing 9 years of service. This grade is non-functional and shall be admissible without any screening, as a matter of course, to all the officers of the Senior Time Scale | N.A |



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| | | from 1 st January of the relevant year, except in cases where any disciplinary/criminal proceedings are pending against the officer. | |
| | (iii) Selection Grade: Pay Band-4: Rs.37400-67000 plus grade pay Rs.8700; | An officer of the Junior Administrative Grade shall be eligible for appointment to the Selection Grade on completion of 13 years of service as per the proviso to rule 3(2A) of the IAS (Pay) Rules, 1954. This grade will be available from or after 1 st January of the relevant year subject to availability of | A Committee consisting of the Chief Secretary and two officers of the concerned State Government in the Supertime Scale of above, shall screen the eligible members of |



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| | | vacancies in this grade. | the Service for promotion in this grade. |
| | (iv) Super Time Scale: Pay Band - 4: Rs.37400-67000 plus grade pay Rs.10000; | The members of the Service who are working in the Selection Grade and have completed 16 years of service shall be eligible for appointment in the Supertime Scale at any time during the year of their eligibility, subject to availability of vacancies in this grade. | The Screening Committee to consider officers for promotion in this scale would consist of the Chief Secretary as Chairman and 2 officers working in the grade of Principal Secretary within the State Government |

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| | | | concerned, as members. If, however, there is only one officer working in the grade of Principle Secretary to the Government available in the cadre, the senior-most Supertime Scale officer available in the cadre may be included in the Committee. |
| | (v) Above Super Time Scale: HAG Scale: Rs.67000- | The zone of consideration for promotion in this | The Screening Committee |



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| | (increment@3%)- 79000; | grade may consist of the Supertime Scale level officers who have completed 25 years' service. Promotion of officers thus cleared could be made at any time during the relevant year, provided vacancies in this grade are available. | to consider officers for promotion in this scale will consist of the Chief Secretary as Chairman and one senior-most officer each working in the grades of Chief Secretary to the Government and Principal Secretary to the Govt. respectively in the cadre, as members. If an officer of the grade |
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| | | | of Principal Secretary to the Government is not available in the cadre, the senior-most officer of the same level of the cadre working in the government of India may be taken as a member. |
| | (i) Apex Scale : Rs.80,000 (fixed) | The zone of consideration for promotion in this grade would consist of all the members of the Service who have completed 30 years of service. | The Screening Committee for this purpose shall consist of the Chief Secretary |



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| | | <p>Appointment in this grade would be made from amongst the officers thus cleared, at any time during the relevant year and subject to the provisions of rule 9(7) of the I.A.S. (Pay) Rules, 1954.</p> | <p>concerned, one officer working in this grade in the cadre and another officer of the cadre serving in Government of India in the same grade.</p> |
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COMPASSIONATE APPOINTMENT

14014_02_2012-Estt.D-30052013

Department of Personnel & Training
Establishment 'D' Division

Frequently Asked Question (FAQs) on Compassionate Appointment

| S.No | Question | Answer |
|-----------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Introduction and Objective | | |
| 1. | Under what provisions of Government, appointments on compassionate grounds are regulated? | <u>The appointments on compassionate grounds against a post in Central Government are regulated in terms of the provisions of “Scheme for Compassionate Appointment under Central Government” issued under Department of Personnel & Training O.M. No. 14014/6/1994-Estt(D) dated 09.10.1998, as amended from time to time. All the instructions on compassionate appointments have been consolidated vide O.M. 14014/02/2012-Estt(D) dated 16.01.2013 and are available on the Department’s website</u> |



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| | | www.persmin.nic.in <u>(Oms&Orders>Establishment>(A)</u> <u>Administration (III) Concessions in</u> <u>Appointments (a) Compassionate</u> <u>Appointments)</u> |
| 2. | What is the objective of scheme for compassionate appointments? | <p>The objective of the Scheme is to grant appointment on compassionate grounds to a dependent family member of a Government servant who has died while in service or who is retired on medical grounds before attaining the age of 55 years (57 years for erstwhile Group 'D' employees), thereby leaving the family in penury and without any means of sustainable livelihood <u>so as to provide relief to the family of the Government servant concerned form financial destitution and to help it get over the emergency.</u></p> |
| 3. | Is the Scheme applicable to member of Armed Forces? | <p><u>Yes.</u> Dependent family member of a Armed Force personnel can be considered for appointment against a civilian post within any establishment/organisation under the Ministry of Defence, if the armed force personnel:</p> |

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| | | <p>a) Dies during service; or</p> <p>b) Is killed in action; or</p> <p>c) Is medically boarded out and is unfit for civil employment</p> |
| 4. | Can dependents of a deceased government employee who committed suicide be considered for compassionate appointment? | Yes. If the family satisfies the criteria to be considered for compassionate appointment (see S. No. 29) |
| Age Limit for appointment on compassionate grounds | | |
| 5. | What is the upper and lower age limit for making compassionate appointment? | The age limits would be based on the Recruitment Rules of the post to which the compassionate appointment is proposed to be made. |
| 6. | Whether upper age limit prescribed for a post can be relaxed while making appointment on compassionate ground? | Yes. Upper age limit can be relaxed wherever found to be necessary. |
| 7. | Whether lower age limit prescribed for a post can be relaxed while making appointment on compassionate ground? | No. The lower age limit cannot be relaxed below 18 years of age. |

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| 8. | What is the crucial date for determining age eligibility for appointment on compassionate grounds? | Age eligibility shall be determined with reference to the 'date of application' for compassionate appointment. |
| 9. | Which authority is competent to grant relaxation of upper age limit? | Authority competent to take a final decision for making compassionate appointment in a case is the competent authority to grant relaxation of upper age limit. |
| 10. | Is there any restriction of age limit of medically retired government servant for consideration of cases of dependents for compassionate appointment? | Yes. The Government servant should have retired on medical grounds before attaining the age of 55 years (57 years for erstwhile Group D employees) |
| Definition of a Dependent Family Members | | |
| 11. | Who are considered dependent Family Members for the purpose of consideration of appointment on compassionate grounds? | Dependent Family Member means: a) Spouse; or b) Son (including adopted son); or c) Daughter (including adopted daughter); or d) Brother or sister in the case of unmarried Government servant; or |

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| | | e) Member of the Armed Forces, as defined in S.No. 3, who was wholly dependent on the Government servant/ member of the Armed Forces at the time of his death in harness or retirement on medical grounds, as the case may be. |
| 12. | Whether a 'married daughter' can be considered for compassionate appointment? | <u>Yes</u> , but subject to conditions: i. That she was wholly dependent on the Government servant at the time of his/her death in harness or retirement on medical grounds. ii. She must support other dependents members of the family. |
| 13. | Whether 'married son' can be considered for compassionate appointment? | <u>No</u> . A married son is not considered dependent on a government servant. |
| 14. | Whether 'married brother' can be considered for compassionate appointment? | <u>No</u> . A married brother is not considered dependent on a government servant. |
| 15. | Whether dependent of an employee working on 'daily wage or casual or apprentice | <u>No</u> . Only the dependent of regular government employee can be considered for compassionate appointment. |

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| | or ad-hoc or contract or re-employment' basis can be considered for compassionate appointment? | |
| 16. | Whether dependent of "confirmed work-charged staff" can be considered for compassionate appointment? | <u>Yes.</u> Confirmed work-charged staff is covered by the term Government servant. |
| 17. | Whether a widow appointed on compassionate ground be allowed to continue in service after re-marriage? | <u>Yes.</u> |
| 18. | Whether dependent of deceased government employee can be considered for compassionate appointment when there is an earning member in the family? | <u>Yes.</u> In deserving cases, even where there is already an earning member in the family, a dependent family member may be considered for compassionate appointment with prior approval of the Secretary of the Department/Ministry concerned who, before approving such appointment, will satisfy himself that grant of compassionate appointment is justified having regard to number of dependents, assets and liabilities left by the Government servant, income of the earning member as also his liabilities including the fact that the earning |



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| | | member is residing with the family of the Government servant and whether he should not be a source of support to other members of the family. |
| 19. | Whether dependent of a missing government employee can be considered for compassionate appointment? | Yes. Subject to conditions prescribed in this Department O.M dated 09.10.1998, dependent family of missing government employees can be considered for compassionate appointment. |
| Competent Authority for Compassionate Appointments | | |
| 20. | Who is the competent authority to make appointment on compassionate grounds in | <p>a) Joint Secretary in-charge of administration in the Ministry/Department concerned;</p> <p>b) Head of the Department under the Supplementary Rule 2(10) in case of attached and subordinate office;</p> <p>c) Secretary in the Ministry/Department concerned in special type of cases;</p> |
| Posts/vacancies against which compassionate appointments can be made | | |
| 21. | Against which group of posts a compassionate appointment can be made? | Compassionate appointment can be made only upto 5% of vacancies falling under direct recruitment quota in Group |

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| | | ‘C’ posts (Including erstwhile Group ‘D’ posts) in a ‘recruitment year’. <u>The manner of determination of vacancies has been explained in the consolidated instructions on compassionate appointment dated 16.01.2013</u> |
| 22. | How do we make appointment on compassionate grounds in small offices/cadres in which there are less than 20 direct recruitment vacancies in a ‘recruitment year’, the minimum vacancies required to make a compassionate appointment? | Group ‘C’ posts, in which there are less than 20 direct recruitment vacancies in a recruitment year, may be grouped together and out of the total number of vacancies ‘in a year’, 5% may be filled up on compassionate grounds subject to the condition that appointment on compassionate grounds in any such post should not exceed one. For the purpose of calculation of vacancies for compassionate appointment, fraction of a vacancy either half or exceeding half but less than one may be taken as one vacancy. |
| 23. | How are vacancies for appointment on compassionate grounds to be calculated in small Ministries/Departments where sufficient vacancies do | The small Ministries/Departments may apply a more liberalized method of calculation of vacancies under 5% quota for compassionate appointment. Small Ministries/Departments, for the purpose of these instructions, are defined as |



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| | not arise, year after year, for making compassionate appointment? | organizations where no vacancy for compassionate appointment could be located under 5% quota for the last 3 years. Such small Ministries/Departments may add up the total of DR vacancies in Group 'C' and erstwhile Group 'D' posts (excluding technical posts) arising in each year for 3 or more preceding years and calculate 5% of vacancies with reference to the grand total of vacancies of such years, for locating one vacancy for compassionate appointment. This is subject to the condition that no compassionate appointment was/has been made by the Ministries/Departments during 3 years or number of years taken over and above 3 years for locating one vacancy under 5% quota. |
| 24. | Can compassionate appointment be made against a Group 'A' or Group 'B' post? | <u>No.</u> |
| 25. | Can compassionate appointment be made to a | <u>No.</u> |



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| | Group 'A' or Group 'B' post if the dependent has higher qualification? | |
| 26. | If compassionate appointment cannot be given in a year, can it be considered in the next recruitment year? | <u>Yes.</u> There is no time limit for compassionate appointment. A request for compassionate appointment can be carry forward to next or more years, but the total compassionate appointment made in a year should not exceed 5% limit of the direct recruitment Group C quota |
| 27. | Can compassionate appointment be made against a future vacancy? | <u>No.</u> Compassionate appointment can be made only if a regular vacancy is available for that purpose. No appointment can be made against a future vacancy. |
| 28. | Whether the administrative Ministry/Department/ Office are required to prepare a waiting list for appointment on compassionate ground? | <u>No.</u> Since no compassionate appointment can be made against a future vacancy, no waiting list is to be prepared. |
| 29. | Can a Committee constituted in a Ministry/Department for considering the request for appointment on | <u>No.</u> The recommendation of the Committee should be limited to existing vacancies only. No recommendation for |



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| | compassionate ground recommend persons for appointment against the next year vacancy? | appointment on compassionate ground can be made against a future vacancy. |
| 30. | Can appointment on compassionate grounds be made against a Technical post? | <u>Yes.</u> Compassionate appointment can also be made against technical 'posts' at Group 'C' and erwtwhile Group 'D' level. The 5% quota of vacancies will be calculated on the basis of total DR vacancies arising in a year against the technical posts. |
| 31. | Is reservation roster applicable to compassionate appointments? | <u>Yes.</u> A person selected for appointment on compassionate grounds should be adjusted in the recruitment roster against the appropriate category viz SC/ST/OBC/General depending upon the category to which he belongs. For example, if he belongs to SC category he will be adjusted against the SC reservation point, if he is ST/OBC point and if he belongs to General category he will be adjusted against the vacancy point meant for General category. |
| Criteria for consideration of the desirability of compassionate appointments | | |

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| 32. | What is criteria for determining eligibility of a person for consideration for compassionate appointment | <p>Following factors are to be mandatorily taken into consideration for making compassionate appointments:</p> <ul style="list-style-type: none"> a) The family is indigent and deserves immediate assistance for relief from financial destitution; and b) Applicant for compassionate appointment should be eligible and suitable for the post in all respects under the provisions of the relevant Recruitment Rules. <p>The onus for examining the penurious condition of the dependent family rest with authority making compassionate appointment. Courts have clearly stated in various judgments that offering compassionate appointment as a matter of course, irrespective of the financial condition of the family of the deceased or medically retired Government servant, is untenable.</p> |
| Exemptions admissible for compassionate appointees | | |
| 33. | What are exemptions available to administrative Ministry/Departments while | Compassionate appointments are exempted from observance of the following requirements:- |



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| | making compassionate appointment? | <p>a) Recruitment procedure i.e. without the agency of the Staff Selection Commission or the Employment Exchange.</p> <p>b) Clearance from the Surplus Cell of the Department of Personnel and Training/Directorate General of Employment and Training.</p> <p>c) The ban orders on filling up of posts issued by the Ministry of Finance (Department of Expenditure)</p> |
| 34. | Whether a person appointed as LDC on compassionate ground exempted from requirement of passing the type writing test. | <p>In the matter of exemption from the requirement of passing the typing test, those appointed on compassionate grounds to the post of Lower Division Clerk will be governed by the general orders issued in this regard:-</p> <p>i. By the CS Division of the Department of Personnel and Training, if the post is included in the Central Secretariat Clerical Service; or</p> <p>ii. By the Establishment Division of the Department of Personnel and Training, if the post is not</p> |



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| | | included in the Central Secretariat Clerical Service. |
| 35. | Whether a person who does not fulfil education qualification of a post can be appointed on compassionate ground? | <u>Yes.</u> A person who does not fulfil educational qualification of a post can be appointed as “ Trainee ” (<u>DOPT OM No. 14014/2/2009-Estt(D) dated 11.02.09 and 03.04.2012</u>) |
| 36. | Whether Government Department can appoint a widow who does not fulfil educational qualification requirement of a post? | <u>Yes.</u> In case a widow who does not fulfil educational requirement of a post is considered for compassionate appointment, she can be appointed only against a <u>multi-tasking staff</u> post provided the appointing authority is satisfied that she can satisfactorily perform duties of the post with the help of some on job training. |
| 37. | Can dependents of deceased government employee be considered for appointment on compassionate ground on casual/daily wage/ad-hoc/contract basis? | <u>No.</u> Only <u>regular appointment</u> can be made on compassionate grounds against a regular vacancy. |
| Time -Limit for considering cases of compassionate appointments | | |

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| 38. | Is there any time limit for considering a case for compassionate appointment? | Subject to availability of a vacancy and instructions on the subject issued by this Department, as amended from time to time, any application for compassionate appointment can be considered without any time limit subject to the merit of each case (see criteria mentioned in S.No.32). |
| 39. | Can a Department consider belated requests for compassionate appointment? | Ministries/Departments can consider requests for compassionate appointment even where the death or retirement on medical grounds of a Government servant took place long back. While considering such belated requests it should, however, be kept in view that the concept of compassionate appointment is largely related to the need for immediate assistance to the family of the Government servant in order to relieve it from economic distress. The very fact that the family has been able to manage somehow all these years should normally be taken as an adequate proof that the family had some dependable means of subsistence. |

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| 40. | Can the cases which were closed on completion of 3 years' time-limit as provided in DOPT OM dated 5.5.2003, be re-opened after the waiver of time-limit in DoPT OM dated 26.07.2012? | <u>Yes</u> , provided that the cases were closed due to non-availability of vacancies during the 3 year time-period and subject to the criteria mentioned in S.No. 32 and S.NO. 39. <u>Such cases should not be opened merely because the time limit has been waived off.</u> |
| 41. | Whether belated case of compassionate appointments against the Group D can be considered now after regularization of all Group 'D' employees as Group 'C' employees. | The belated cases of compassionate appointment are to be considered as per the revised recruitment rules for the MTS posts. |
| Status and admissibility of pay/allowances of a Trainee | | |
| 42. | What will be Status of Trainee? | A person appointed as 'Trainee' enjoys the Status of Government servant from initial day and will be allowed all the allowances and benefit allowed to a government servant. |
| 43. | What will be maximum time period allowed for a person appointed as 'Trainee' to acquire minimum education qualification | A person appointed as a 'Trainee' on compassionate grounds has to acquire minimum educational qualifications in 5 years. |

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| 44. | Whether a person appointed on compassionate grounds as 'Trainee' will have probation period. | <u>Yes.</u> The probation period, as specified in Recruitment rules of the post/grade against which he/she is appointed would commence from the date he/she acquires minimum educational qualifications. |
| 45. | Whether Earned Leave, Half pay leave and other types of leave as applicable to regular Government employees would be admissible to a Trainee | A 'Trainee' appointed on compassionate ground would be entitled for all kinds of leave allowed to a regular Government servant. |
| 46. | Admissibility of Leave Travel concession as applicable to regular government servants. | A 'Trainee' appointed on compassionate ground would be allowed LTC concession only completion of one year service. |
| 47. | Is a Trainees appointed on compassionate grounds entitled to Medical facilities/Benefit of CGEGIS/CGHS and Children Educational Allowance. | <u>Yes.</u> As allowed to a regular government servant in the pre-revised pay scale of Rs.4440-7440/- without grade pay. However, he would not be entitled to OTA during the period as a Trainee. |
| 48. | Admissibility of New Pension Scheme | <u>Yes.</u> As allowed to a regular government servant in the pre-revised pay scale of Rs. 4440-7440/- without grade pay. |

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| 49. | Whether dependent of a Trainee appointed on compassionate grounds entitled to compassionate appointment. | <u>Yes.</u> |
| Miscellaneous | | |
| 50. | Which administrative authority is responsible for informing the dependents of deceased government employee or a medically retired official about the scheme for compassionate appointment? | Welfare Officer of the concerned Ministry/Department/Office is responsible for appropriate counselling and facilitating the process of compassionate appointment of the dependent of a deceased or medically retired Government employee. |
| 51. | Whether maintenance of the family of the deceased employee is responsibility of person appointed on compassionate ground? | <u>Yes.</u> A person appointed on compassionate grounds under the scheme has to give an undertaking in writing that he/she will maintain properly the other family members who were dependent on the Government servant/member of the Armed Forces in question and in case it is proved subsequently (at any time) that the family members are being neglected or are not being maintained properly by |



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| | | him/her, his/her appointment may be terminated forthwith. |
| 52. | Once a person has been appointed on compassionate ground, can be considered eligible for consideration for appointment on compassionate ground against another post? | No. when a person has been appointed on compassionate grounds to a particular post, the set of circumstances, which led to such appointment, should be deemed to have ceased to exist and he/she should strive in his/her career like his/her colleagues for future advancement and any request for appointment to any higher post on considerations of compassion should invariably be rejected. |
| 53. | Can an appointment on compassionate ground be transferred from one person to another person? | Appointment made on compassionate grounds cannot be transferred to any other person and any request for the same on considerations of compassion is invariably to be rejected. |
| 54. | How is the seniority of a person appointed on compassionate ground to be determined? | A person appointed on compassionate ground in a particular recruitment year may be placed at the bottom of all the candidates recruited/appointed through direct recruitment, promotion etc. in that year, irrespective of the date of joining of the candidate on compassionate ground. |



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| 55. | Can service of an employee appointed on compassionate grounds terminated for not fulfilling the terms and condition of offer of appointment. | The compassionate appointments can be terminated on the ground of noncompliance of any condition stated in the offer of appointment after providing an opportunity to the compassionate appointee by way of issue of show cause notice asking him/her to explain why his/her services should not be terminated for non-compliance of the condition(s) in the offer of appointment and it is not necessary to follow the procedure prescribed in the Disciplinary Rules/Temporary Service Rules for his purpose. |
| 56. | Can a dependent of deceased government employee who held the erstwhile Group 'D' now MTS post, considered for appointment on compassionate ground against a Group 'C' post? | Yes. A family member of erstwhile Group 'D' post Government servant (now MTS) can be appointed to a Group 'C' post for which he/she is educationally qualified, provided a vacancy in Group 'C' post exists for this purpose. |
| 57. | Can an application on compassionate ground rejected because the family of the deceased government | No. an application for compassionate appointment cannot be rejected merely on the ground that the family of the Government servant has received the |



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| | employee has received benefits under various welfare scheme? | benefits under the various welfare schemes and will have to be considered on the basis of criteria mentioned in S.No. 32 and S.No. 39. |
| 58. | Can an application on compassionate ground be rejected on the ground of re-organisation in the Ministry/Department/Office? | No. Compassionate appointment cannot be denied or delayed merely on the ground that there is reorganisation in the Ministry/Department/Office. It should be made available to the person concerned If there is a vacancy meant for compassionate appointment and he or she is found eligible and suitable under the scheme (see criteria mentioned under S.No. 32). |
| 59. | Can courts order appointment on compassionate grounds? | The Supreme Court has held in its judgement dated February 28, 1995 in the case of the Life Insurance Corporation of India vs. Mrs Asha Ramchandra Ambekar and others [JT 1994(2) S.C. 183] that the High Courts and Administrative Tribunals cannot give direction for appointment of a person on compassionate grounds but can merely direct consideration of the claim for such an appointment. |

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[Go to top](#) 121



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COMPASSIONATE APPOINTMENT (New)

Definition of a Dependent Family Member

FAQ-25022015

Department of Personnel & Training

Establishment 'D' Section

| S.No | Question | Answer |
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| 60. | Whether 'married son' can be considered for appointment? | Yes, if he otherwise fulfils all the other requirements of the Scheme i.e. he is otherwise eligible and fulfils the criteria laid down in this Department's O.M. dated 16 th January, 2013. This would be effective from the date of issue of this FAQ viz. 25 th February, 2015 and the cases of compassionate appointment already settled w.r.t the FAQs |



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| | | <p>dated 30th May, 2013, may not be reopened.</p> <p>Sr.No.13 of the FAQs dated 30th May, 2013 may be deemed to have been modified to this extent.</p> |
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(Rakesh Moza)

Under Secretary to the Government of India

Tel. No. 2304 0339



RECRUITMENT RULES

DOP&T's No. 14014/02/2012-Estt(D) dated 25th February, 2015

AB.14017_13_2013-Estt-RR

No. AB.14017/13/2013-Estt. (RR) (1349)

Government of India

Ministry of Personnel & Training)

North Block, New Delhi

1. What are Recruitment Rules?

Ans. Recruitment Rules are rules notified under proviso to Article 309 or any specific statutes for post(s) prescribing inter alia the method of recruitment and eligibility for such recruitment. It contains notification part having substantive rules and schedule part (as per prescribed Annexure-I). Recruitment Rules are subordinate legislation and so, they are statutory in nature.

2. What are Service Rules?

Ans. Service Rules are Recruitment Rules for any of the Organized Central Services covering many aspects including constitution of the Service, seniority, probation and other conditions of service.

3. Whether Recruitment Rules are applicable retrospectively?

Ans. The legal position is that the posts are to be filled up as per the eligibility conditions prescribed in the Recruitment Rules in force at the time of occurrence of vacancies unless the Recruitment Rules are amended



retrospectively. The practice has however been to give effect to the Recruitment Rules prospectively.

4. Why are Recruitment Rules framed?

Ans. As soon as decision is taken to create a new post/ service to upgrade any post or re-structure any service, the Recruitment Rules/ Service Rules are framed. Any post is filled up as per the provisions of the Recruitment Rules/ Service Rules.

5. Why are Recruitment Rules amended?

Ans. Revision in the Recruitment Rules is made by way of amendment to incorporate changes due to implementation of Central Pay Commission Report, modification of orders/ instructions on the subject, creation/ abolition of posts etc. during the intervening period.

6. How Recruitment Rules are framed/ amended?

Ans. Recruitment Rules for Group 'A' & 'B' posts/service are framed/ amended by the administrative Ministry/Department in consultation with Department of Personnel & Training, Union Public Service Commission and Ministry of Law (Legislative Department) and approval of competent authority in the Ministry/Department to be obtained.

7. Why and how are Recruitment Rules relaxed?

Ans. The power to relax clause in the Recruitment Rules/ Service Rules provides the authority to relax the rules in respect of class or category of person. The administrative Ministry/Department may resort to relaxation of



the rules in consultation with Department of Personnel & Training and Union Public Service Commission.

8. Who is competent authority to frame/amend the Recruitment Rules?

Ans. All Recruitment Rules including their amendments should be approved at the level of Minister-in-charge, unless the Minister has by general or special order delegated such approval at a lower level(s).

9. Who is competent authority to frame/amend the Recruitment Rules of Group ‘C’ posts?

Ans. Administrative Ministries/ Departments are empowered to frame/ amend the Recruitment Rules in respect of Group ‘C’ posts keeping in view the guidelines/ Model Recruitment Rules issued by this Department on various aspects. In case of deviation from existing guidelines/ Model Recruitment Rules, the concurrence of Department of Personnel & Training is to be obtained.

10. Who is competent authority to relax the Recruitment Rules of Group ‘C’ posts?

Ans. The Ministries/ Departments are competent to relax the Recruitment Rules for Group ‘C’ posts. The provisions governing upper age limit or qualifications for direct recruitment should not however be relaxed without prior concurrence of Department of Personnel & Training.



11.What is the format/ procedure to send the proposal for consultation with Department of Personnel & Training for framing/ amendment of Recruitment Rules?

Ans. Proposal for framing/ amendment of Recruitment Rules for Group ‘A’ & Group ‘B’ posts (except Service Rules) is sent to Department of Personnel & Training, first, on-line under Recruitment Rules Framing Amendment and Monitoring System (RRFAMS) of the on-line services of Department of Personnel & Training. After approval of on-line Recruitment Rules in Department of Personnel & Training, the proposal is referred by the Administrative Ministry/ Department in a file with a self-contained note accompanied inter alia the following:-

- (i) Check-list for sending proposal to Department of Personnel & Training.
- (ii) Copy of the report of freezed on-line Recruitment Rules.
- (iii) Draft Recruitment Rules including notification and Schedule 1 (for posts other than those in the Organized Services) in the proforma in Annexure I.
- (iv) Supporting particulars in Annexure II (for framing of Recruitment Rules) / Annexure-III (for amendment of Recruitment Rules), as prescribed in Department of Personnel & Training OM No. AB. 14017/48/2010-Estt. (RR) dated 31.12.2010.
- (v) Recruitment Rules for the feeder posts(s) and the higher post, if any.
- (vi) Present sanctioned strength of the post for which rules are being framed/ amended as also of the lower and higher posts.

12.What are model Recruitment Rules?



Ans. Model Recruitment Rules for a number of common categories of posts have been framed in consultation with Union Public Service Commission, wherever required. While framing/ amending Recruitment Rules for such posts, the model rules should be adhered to.

13.What is procedure for consultation with Union Public Service Commission?

Ans. After obtaining the concurrence of the Department of Personnel & Training, the Administrative Ministry/Department should refer the draft Recruitment Rules for posts/services which are within the purview of the Union Public Service Commission in a self-contained letter to the Commission, along with the information in the prescribed proforma (Check list, Annexure II/Annexure-III etc.). It should be stated in the letter to the Commission whether the clearance of the Department of Personnel & Training (and also the Department of Pension & Pensioners' Welfare were required) has been obtained in respect of the proposals in question.

14.What is initial constitution clause in Recruitment Rules?

Ans. In cases where a new service is formed and the Recruitment Rules are framed for the first time and that there are officers already holding different categories of posts proposed to be included in the service on a regular/long term basis, a suitable 'Initial Constitution' Clause may be inserted in the Notification so as to count the regular service rendered by such officers before the date of notification of the Rules.



15. Whether reservation, relaxation of age limit and other concessions for special categories of persons are applicable in Recruitment Rules?

Ans. These concessions in recruitments are made applicable by inserting the following ‘Saving Clause’ in the covering notification of the Recruitment Rules:-

“Nothing in those rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Ex-Servicemen and other special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard”.

16. What is the schedule in Recruitment Rules?

Ans. The schedule of Recruitment Rules of post(s) is a 13 columns table as per prescribed Annexure-I (vide OM No. AB-14017/48/2010-Estt. (RR) dated 31.12.2010) containing details of the post(s) along with method of recruitment and eligibility criteria. The prescribed schedule is used for post(s) which are not covered by any organized service.

17. What is notification part of Recruitment Rules?

Ans. Notification of Recruitment Rules contains the substantive rules which include the provisions related to title, date of commencement, enabling provision for applicability of schedule, disqualification clause, power to relax clause saving clause and any other rule specific to a post viz. initial constitution clause, liability for all-India Service etc.

18. What are the upper age limits prescribed for Direct Recruitment?



Ans. The upper age limits for different posts depend upon the nature of duties, education qualifications and experience requirements as prescribed in this Department OM No. AB-14017/48/2010-Estt (RR) dated 31.12.2010 (Para 3.7.4.1 & 3.7.4.2).

19.What are relaxations available for upper age limit in direct Recruitment Rules?

Ans. A provision is prescribed in the recruitment rules for relaxation of the upper age-limit for departmental candidates up to 40 years for appointment by direct recruitment to Groups C posts and for Government servants up to 5 years for direct recruitment to Group A and B posts:

20.How to calculate crucial date for age limit?

Ans. In the case of recruitment through the Union Public Service Commission and the Staff Selection Commission, the crucial date for determining the age-limit shall be as advertised by the UPSC/SSC. In the case of other recruitment, the crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam etc.)

21.How is the educational and other qualification required for direct recruit fixed?

Ans. The minimum educational qualifications and experience required for direct recruitment may be indicated as precisely as possible and if necessary, into two parts, viz., “Essential Qualifications” and “Desirable Qualifications” taking into account the pay band/ grade pay and the nature of duties, and the



provisions in the approved Recruitment Rules for similar higher and lower posts in the same hierarchy.

22. Whether the educational qualifications prescribed for direct recruits are applicable to promotes?

Ans. The educational qualifications are not generally insisted upon in the case of promotion to posts of non-technical nature; but for scientific and technical posts, these should be insisted upon, in the interest of administrative efficiency, at least in the case of senior Group A posts in the Pay Band-3 Grade Pay Rs. 6600 and above. Sometimes the qualifications for junior Group A posts and Group B posts may not be insisted upon in full but only the basic qualification in the discipline may be insisted upon.

23. Whether any age limit prescribed for promotion?

Ans. Unless there are any specific grounds, the age limit prescribed for direct recruits are not insisted upon in the case of promotes.

24. When probation for appointment to a post/service in Central Government is prescribed? What is the duration of probation?

Ans. The probation is prescribed when there is direct recruitment, promotion from one Group to another e.g. Group B to Group A or officers re-employed before the age of superannuation. There will be no probation for promotion from one grade to another but within the same group of posts e.g. from Group 'C' to Group 'C' and for appointment on contract basis, tenure basis, re-employment after superannuation and absorption. The period of probation is



as prescribed in this Department OM No. AB-14017/48/2010-Estt (RR) dated 31.12.2010 (Para 3.10.1 & 3.10.2).

25.What are the methods of recruitments?

Ans. The different methods of recruitment are:

- (a) Promotion
- (b) Direct Recruitment
- (c) Deputation
- (d) Absorption
- (e) Re-employment
- (f) Short-term contract

26.How is the method of recruitment or percentage of vacancies to be filled by various methods of recruitment decided?

Ans. The percentage of vacancies to be filled by each method that may be prescribed for a particular post or Service depend on a judicious blending of several considerations, e.g.,

- (i) the nature of duties, qualifications and experience required;
- (ii) the availability of suitable personnel possessing, the requisite qualifications and experience within a cadre.
- (iii) The need for ensuring that suitable incentives exist for the maintenance of an adequate standard of efficiency in the cadre;
- (iv) Consideration of the question whether, having regard to the role to be performed by a specified cadre or Service, it is necessary to provide for direct intake of officers at an appropriate level with a view to injecting fresh



knowledge and experience that may not be normally available in a particular Service or Department etc.

(v) The proper mix of the six methods of recruitment i.e. (a) promotion (b) direct recruitment (c) deputation (d) absorption & re-employment (f) short-term contract (mentioned at (a) to (f) above).

27.What is promotion?

Ans. Promotion is method of recruitment from feeder grade post(s) to higher post in the hierarchy as per the provisions of the Recruitment Rules. If promotion is kept as a method of recruitment, it is also necessary to lay down the number of years of qualifying service before the persons in the field become eligible for promotion. Only regular, and not ad hoc, period of service is taken into account for purposes of computing this service.

28.What is Direct Recruitment?

Ans. Direct Recruitment is the recruitment which is open to all candidates, eligible as per the provisions regarding age, educational qualification/experience etc. as prescribed in Recruitment Rules.

29.What is Deputation?

Ans. Deputation is a method of recruitment where officers of Central Government Departments or State/UT Government from outside are appointed to post(s) in Central Government for a limited period, by the end of which they will have to return to their parent cadres. In case of isolated post, it is desirable to keep the method of recruitment of deputation/ short term



contract as otherwise the incumbents of such posts, if directly recruited, will not have any avenue of promotion/career progression.

30.What is short term contract?

Ans. Short term contract is also a form of deputation where officers from non-Government bodies e.g. universities, research institutions, public sector undertaking for teaching, research, scientific and technical post(s) can come to Central Government posts.

31.Whether absorption and Deputation are synonymous? What is absorption?

Ans. Absorption and deputation are not synonymous. There is a substantial difference between absorption and deputation. Under the provision absorption, the officer, who initially comes on deputation, may be permanently absorbed in the post/grade if recruitment rules prescribe for absorption as mode of recruitment. Such absorption can be effected only in the case of officers who are on deputation from the Central/State Government.

32.What is composite method of recruitment?

Ans. In cases where the field of promotion or feeder grade consists of only one post, the method of recruitment by “deputation (including short-term contract)/promotion” is prescribed so that the eligible departmental officer is considered along with outsiders. If the departmental candidate is selected for appointment to the post; it is to be treated as having been filled by promotion; otherwise, the post is to be filled by deputation/short-term contract for the prescribed period of deputation/short-term contract at the end of which the



departmental officer will again be afforded an opportunity to be considered for appointment to the post.

33.How is field of deputation decided?

Ans. The field for “deputation/short-term contract/absorption should, as far as possible, consist of officers holding analogous posts on regular basis but may be widened to include officers working in the next lower grade also with the qualifying service on regular basis normally prescribed for promotion.

34.How is the period of qualifying service for promotion decided?

Ans. The qualifying service for promotion from one grade to another is necessary so that there is no premature promotion or undue jump in pay and also to ensure that the officer has sufficient opportunity to demonstrate his competence/potential for holding the higher post. The period of qualifying service varies from post to post depending upon the scale of pay and the experience, required for manning the higher post. Broadly, the following qualifying service to be followed is prescribed in this Department OM No. AB-14017/48/2010-Estt (RR) dated 31.12.2010 (para 3.12.2).

35.What is the maximum age limit for Deputation?

Ans. The maximum age limit for appointment on deputation (including short term contract) or absorption shall be not exceeding 56 years as on the closing date of receipt of applications.

36.What is the crucial date for determination of eligibility of absorption/deputation?



Ans. The guidelines for crucial date for determination of eligibility for absorption/deputation are as follows:-

(i) In the case of a vacancy already existing at the time of issue of the communication inviting nominations, the eligibility may be determined with reference to the last date prescribed for receipt of nominations in the Ministry/Department/Organization responsible for making appointment to the post i.e. originating Ministry etc.

(ii) In the case where a vacancy is anticipated, the crucial date for determining eligibility should be the date on which the vacancy is expected to arise.

37.How is Departmental Committee formed?

Ans. When promotion is kept as a method of recruitment, the detailed composition of the Departmental Promotion Committee, with minimum 3 officers, may be indicated. In the case of promotion to Group 'A' posts, the Union Public Service Commission shall also be associated. The total strength of DPC including Chairman need not necessarily be an odd number, as the decision is to be taken as a joint one.

38.What are the circumstances in which Union Public Service Commission is to be consulted for recruitment?

Ans. UPSC is required to consult in case of recruitment to all Central Civil Services and Central Civil Posts. Exemption from Consultation with Union Public Service Commission is governed by the Union Public Service Commission (Exemption from Consultation) Regulations, 1958 as amended from time to time and the Central Civil Services and Civil Posts (Consultation with Union Public Commission) Rules, 1999 as amended. Some of the



circumstances in which the Union Public Service Commission are to be consulted in making recruitment to the posts are illustrated below:-

- (i) Direct Recruitment,
- (ii) Re-employment,
- (iii) Absorption,
- (iv) Composite method of recruitment (i.e. where the departmental candidate is to be considered along with outsiders),
- (v) In case of deputation – (a) if the field for consideration includes State Government Officers or Group ‘A’ & ‘B’ officers of the Central Government simultaneously and (b) if the field for consideration consists of not only Central/State Government officers but also officers from non-Government institutions.
- (vi) Any relaxation or amendment of the provisions of the Recruitment Rules.

39. Whether recruitment to a post can be made in absence of recruitment rules of a post?

Ans. If there are overriding compulsions for filling any Group A or Group B post in the absence of Recruitment Rules, then the Ministries/Department may make reference to Union Public Service Commission for determination of method of recruitment as a onetime measure for filling up of a post on regular basis.

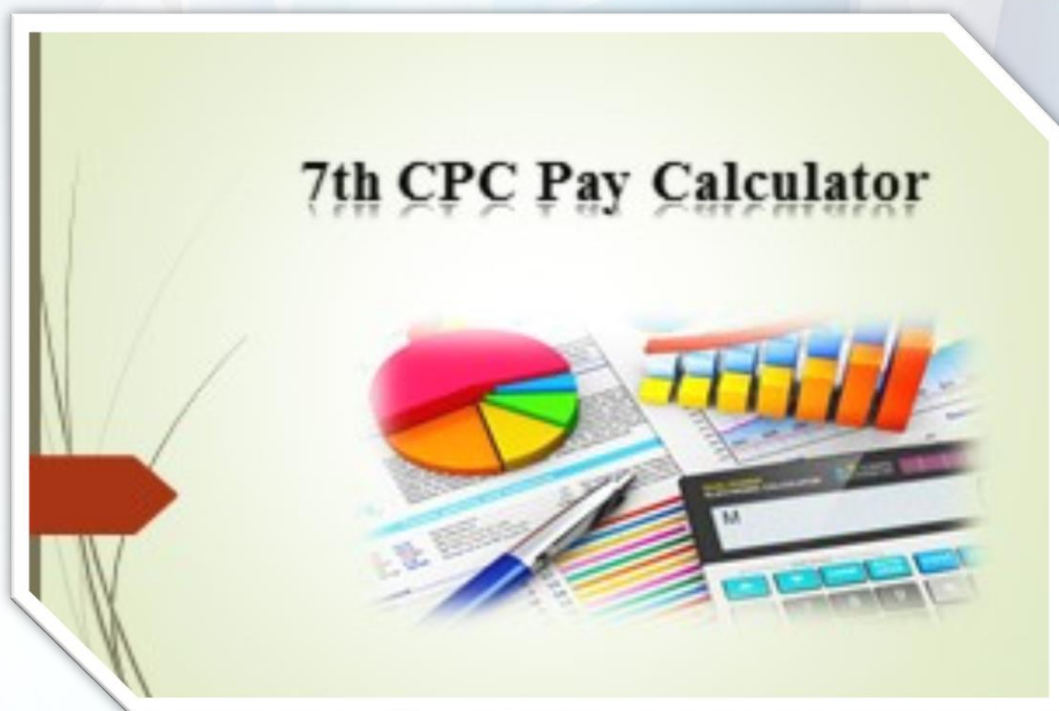
40. What are the limits for notification of Recruitment Rules?

Ans. The Recruitment Rules or amendment(s) thereto as finally approved by the Union Public Service Commission are required to be notified within a

period of 10 weeks from the date of receipt of their advice letter. This time limit should be strictly adhered to.

41.What needs to be done in case where posts are transferred to some other Ministries/Departments?

Ans. The Ministry/Departments concerned should mutually agree for transfer of the posts and the same should be concurred by Department of Expenditure. Thereafter, the existing RR needs to be de-notified in consultation of Department of Personnel & Training, Union Public Service Commission and Ministry of Law. Suitable recruitment rules in the transferred Department may be framed/amended following due procedure.



NON-FUNCTIONAL UPGRADATION (NFU)

14017_47_2011-Estt.RR-01082012

DEPARTMENT OF PERSONNEL AND TRAINING

ESTT. (RR) DIVISION

| S.No | Point of doubt | Clarification |
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| 1. | What are the recommendations of 6 th CPC for grant of Non-Functional Upgradation to for Officers of Organized Group 'A' Services? | <p>The Government should, consider batch-wise parity while empanelling and /or posting at Centre between respective batches of IAS and other organized Group A services with the gap being restricted to two years.</p> <p>Whenever any IAS officer of a particular batch is posted in the Centre to a particular grade carrying a specific grade pay in pay bands PB-3 or PB-4, grant of higher pay scale on non-functional basis to the officers belonging to batches of organized Group A services that are senior by two years or more should be given by the Government.</p> |



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| 2. | Whether the recommendations of 6 th CPC have been accepted by the Government? | Yes. This will also be applicable to the Indian Police Service and the Indian Forest Service in their respective State Cadres for which the relevant cadre controlling authorities will issue the orders. (Ministry of Finance, Department of Expenditure Notification dated 29 th August, 2008 refers) |
| 3. | When were the guidelines on NFU issued by DOPT? | DOPT have issued detailed instructions on grant of NFU to the officers of Organized Group A Services in OM No. AB-14017/64/2008-Estt. (RR) dated 24 th April, 2009. |
| 4. | To whom the instructions are applicable? | NFU is applicable to the officers of Organized Group A services in PB-3, PB-4 and in HAG scale also where there is such a Grade in the Service. |
| 5. | From which date the grant of NFU to officers of Organized group A services is to be made? | The benefit is based on the recommendations of 6 th CPC and will be available w.e.f the date of posting of IAS officers in various grades on/after 01.01.2006. |



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| 6. | What are the eligibility conditions to be met for grant of NFU? | The terms and conditions for grant of NFU are prescribed in the Annexure to the OM dated 24.4.2009. As per the same all the eligibility criteria and promotional norms including 'benchmark' for upgradation to a particular grade pay would have to be met at the time of screening for grant of higher pay scale under these orders. |
| 7. | What is the definition of the term 'Batch'? | For the purpose of grant of NFU the 'Batch' for direct recruit officers in the induction grade shall be the year following the year in which competitive exam was held. In subsequent grades the 'Batch' would remain the same provided the officer is not superseded due to any reason. In case an officer is superseded the officer would be considered along with the 'Batch' with which his seniority is fixed. |
| 8. | Where the entry of officers in Organized Group A Service by DR is at STS, JAG level, how the 'Batch' shall be reckoned? | In respect of officers entering Organized Group A service by DR at STS, JAG level, they shall be assigned the benefit of 'Batch' corresponding |



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| | | to the 'Batch' of the officers with whom the seniority is clubbed. |
| 9. | Whether the benefit is available to Group B officers inducted into the Organized Group A service? | Yes. Such officers shall be assigned the benefit of 'Batch' corresponding to the batch of the 'direct recruit' officers with whom their seniority is clubbed. |
| 10. | Whether the officers can exercise option regarding date of fixation in the higher scale as provided in CCS(RP) Rules? | Provisions of CCS(RP) Rules, 2008 will apply. |
| 11. | Whether retired employees are eligible for the benefit of NFU? | Retired officers who are otherwise eligible as on due date shall be considered for the benefit of pay upgradation. |
| 12. | Whether the scheme is applicable to Scientists, Doctors, etc. who are covered by their own in-situ promotion schemes? | Non-Functional Upgradation and other in situ promotion schemes are separate schemes and it would not be desirable to mix one with the other. The benefit of NFU to Organized Group A Services shall not be applicable to the officers in those Organized Services where FCS and DACP Schemes are already operating and where officers are already |

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| | | separately covered by their own in-situ Career Progression Schemes. |
| 13. | Whether DOPT OM dated 13.4.2010 on communication of ACR prior to 2008-09 is applicable while considering cases for NFU? | The instructions issued in this Department's OM dated 13.4.2010 on communication of ACRs prior to 2008-09 shall be applicable for considering cases of NFU also. |
| 14. | What is the due date of upgradation if found unfit on the date assigned to a batch? | If an officer is not found eligible during a vacancy year and is found fit in the next vacancy year, NFU may be granted from the 1 st April, i.e. the 1 st day of the next vacancy year. |
| 15. | How to consider cases where the officers do not meet the qualifying service in the vacancy year in which the batch is covered for non-functional up gradation? | If an officer does not meet the eligibility requirement as on the 1 st January of the corresponding vacancy year then such officer is to be considered for grant of NFU in subsequent vacancy year on completion of qualifying service w.e.f. 1 st April, i.e. 1 st day of the next vacancy year. |
| 16. | How the NFU shall be given in respect of officers given penalty? | The NFU becoming due after the expiry of the penalty period may be granted w.e.f. the due date as per DOPT instructions. In respect of |

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| | | officers for whom NFU becomes due before the expiry of the penalty period, the same may be granted from the day next to the date on which penalty gets over. |
| 17. | Whether the instructions regarding counting of past Group A service at the time of lateral entry on DR basis to higher grades as per DOPT OM dated 1.9.98 shall be applicable for grant of NFU also? | In view of the provisions on meeting the prescribed eligibility criteria and promotional norms in DOPT OM dated 24.4.09, these instructions shall be applicable for the purpose of grant of NFU also. |

(Mukta Goel)
Director (E.I)



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LEAVE TRAVEL CONCESSION (LTC) MATTERS

Department of Personnel & Training

Establishment (A-IV)

| S.No | Question | Answer |
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| 1. | How are the claims of LTC be adjusted in case of delayed submission? | <p>Where advance has been drawn, the claim for reimbursement shall be submitted within one month of the completion of the return journey.</p> <p>Where no advance has been drawn, the expenditure incurred shall be submitted within three months of the completion of the return journey.</p> <p>Administrative Ministry/Department concerned can admit the claim in relaxation of the provisions subject to the following time limits without reference to DoPT:</p> <p>a) Where no advance is taken, LTC Bill submitted within a period not exceeding six months; and</p> |



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| | | <p>b) Where advance has been drawn, claim for reimbursement submitted within a period of three months after the completion of return journey (provided the Govt. servant refunds the entire advance within 45 days after the completion of the return journey. Rule 14 of CCS (LTC) Rules, 1988 read with-</p> <p><u>O.M. No. 31011/5/2007-Estt.A dated 27 September, 2007</u></p> |
| 2. | Can a Govt. servant visit NER or J&K on more than one occasion on conversion of Hometown under the relaxation allowed for LTC visits to NER/J&K? | <p>Govt. servant who has availed the benefit of Home Town conversion to NER/J&K in one block (say 2006-2009) can again visit NER/J&K in the new/next block (say 2010-2013) subject to availability of LTC in a particular block so long as the relaxation is in force.</p> <p><u>1. O.M No. 31011/4/2007-Estt.(A) dated 02.05.2008</u></p> <p><u>2. O.M No. 31011/4/2007-Estt.(A) dated 23.04.2010</u></p> <p><u>3. O.M No. 31011/2/2003-Estt.(A) dated 18.06.2010</u></p> |



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| 3. | Can a Govt. employee avail of air travel to NER/J&K in case of All India LTC if his Hometown and the Headquarters are at the same place? | Both NER and J&K scheme of LTC allow relaxation for air travel on All India LTC to all categories of employees to the extent specified in the DOP&T's O.M 31011/4/2007-Estt.(A) dated 02.05.2008 and DOP&T's O.M 31011/2/2003-Estt.(A) dated 18.06.2010 even if the Hometown and the Headquarters are same. |
| 4. | Whether Govt. servant who has already availed one Home Town LTC in the current block can avail LTC to visit NER? | Yes, he can avail it against All India LTC. |
| 5. | Can a Govt. servant avail the benefit of visiting NER/J&K twice in a particular block of 4 years? | Yes, a Govt. servant can visit NER/J&K by conversion of his Home Town LTC and also by availing All India LTC subject to validity period of the scheme and fulfilling of other conditions. |
| 6. | Can a fresh recruit avail the benefit of Home Town conversion to NER/J&K? | A fresh recruit Govt. servant can also avail the benefit of Home Town conversion to NER/J&K against one of the three occasions of Home Town available to him in each block. |



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| 7. | Can fresh recruit avail of conversion of Home Town to visit NER/J&K under the relaxation allowed for visiting NER/J&K? | <u>Any Govt. employee can avail of the relaxation for visiting NER/J&K and convert one Home Town LTC for such visit in a block of 4 years as long as the relaxations continue.</u> <u>1. O.M No. 31011/4/2007-Estt.(A) dated 02.05.2008</u> <u>2. O.M No. 31011/2/2003-Estt.(A) dated 18.06.2010</u> |
| 8. | Can a fresh recruit Govt. servant avail of All India LTC anytime during the 4 year block? | It can be availed only in the 4 th occasion of the block and not at random. |
| 9. | Whether Carry over of LTC is allowed to fresh recruits? | Carry over of LTC is not allowed to fresh recruits as they are eligible for every year LTC for the first 8 years of service. |
| 10. | Who is a fresh recruit entitled for LTC every year? | A person who has joined service for the first time is treated as a fresh recruit for the first eight years. <u>O.M. No. 31011/4/2008-Estt.(A) dated 23.09.2008.</u> |
| 11. | How the LTC entitlements of fresh recruits are | On completion of one year, the fresh recruit can be allowed 3 Home Town |

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| | regulated in the first eight years? | LTC and 1 All India LTC in each block of Four years in the first 8 years. <u>O.M. No. 31011/4/2008-Estt.(A) dated 23.09.2008.</u> |
| 12. | Whether Dependent parents of fresh recruits can avail LTC for the journey from Home Town to Headquarters and back? | No, the dependent parents of fresh recruits can not avail LTC for the journey from Home Town to Headquarters and back. |
| 13. | Whether claims for reimbursement can be allowed for road journeys by bus/taxi or other vehicle operated by private operators? | LTC Rules do not permit reimbursement for journey by a private car (owned/borrowed/hired) or a bus/van or other vehicle owned by private operators. LTC facility shall be admissible only in respect of journeys performed in vehicles operated by Govt. or any Corporation in the Public sector run by the Central or State Govt. or a local body. Rule 12(2) of CCS(LTC) Rules, 1988 read with- <u>DoPT's O.M. No. 31011/4/2008-Estt.A dated 23 September, 2008.</u> |

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| 14. | Whether airfare of children whose full fare is charged by the airlines is reimbursed? | If full fare has been charged by the airlines and paid by the Government servant, the same will be reimbursed. |
| 15. | Can a Govt. servant use the service of travel agents for LTC purpose? | Yes, but it should be limited to M/s Balmer Lawrie and Company and M/s. Ashok Travels and Tours. |
| 16. | What is the definition of family for LTC? | <p>For LTC purpose, family consists of</p> <p>(i) spouse of the Govt. servant and two surviving unmarried children or Step children.</p> <p>(ii) Married daughters, who have been divorced, abandoned or separated from their husbands and widowed daughters residing with and wholly dependent on the Govt. servant.</p> <p>(iii) Parents and/or step parents residing with and wholly dependent on the Govt. servant.</p> <p>(iv) Unmarried minor brothers as well as unmarried, divorced, abandoned, separated from their husbands and widowed sisters residing with and wholly dependent on the Govt. servant provided their parents are either not</p> |



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| | | <p>alive and are themselves wholly dependent on the Govt. servant.</p> <p>Rule 4 of CCS(LTC) Rules, 1988 read with</p> <p><u>O.M. No. 31011/4/2008-Estt.(A) dated 23.09.2008.</u></p> |
| 17. | What are the dependency criteria? | <p>A member of family whose income from all sources, including pension, temporary increase in pension does not exceed Rs. 3500 from 01.09.2008 and Dearness relief thereon is deemed to be wholly dependent on the Government servant.</p> |
| 18. | Can parents/children residing at other places avail LTC to visit the Govt. servant at Headquarters and go back? | <p>No, reimbursement of LTC claims being restricted to the entitlement for journey between Headquarters and place of visit, the amount reimbursable in such cases is nil.</p> <p><u>O.M. No. 31011/14/86-Estt.(A) dated 07.05.1987</u></p> |

(B. Bandyopadhyay)

Under Secretary to the Government of India





LTC ENTITLEMENTS OF A FRESH RECRUIT

31011_7_2013-Estt.A-IV-26092014

No. 31011/7/2013-Estt.(A-IV)

Department of Personnel and Training

Establishment (A-IV)

Dated: 26th September, 2014

North Block, New Delhi

The 6th CPC had recommended that “Fresh Recruits” to the Central Government may be allowed to travel to their Home Town along with their families on three occasions in a block of four years and to any place in India on the fourth occasion. This was accepted by the Government and orders were issued vide DoPT O.M. No. 31011/4/2008-Estt.(A) dated 23rd September, 2008.

2. This Department receives a number of references seeking clarifications from various Ministry/Departments about the year wise LTC entitlements of Fresh Recruits. Based on the same, a set of frequently asked questions have been answered as under:

Question 1. What are the LTC entitlements of a Fresh Recruit?

Fresh recruits to the Central Government are allowed to travel to their home town along with their families on three occasions in a block of four years and to any place in India on the fourth occasion. This facility shall be available

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to the fresh recruits only for the first two blocks of four years applicable after joining the Government for the first time.

Question 2. How are the two blocks of four years applied to the Fresh Recruit?

The first two blocks of four years shall apply with reference to the initial date of joining the Government service even though the Govt. servant may change the job within the Government subsequently. However, as per Rule 7 of CCS (LTC) Rules, 1988, the LTC entitlement of a fresh recruit will be calculated calendar year wise with effect from the date of completion of one year of regular service.

Question 3. Are the LTC blocks of four years in respect of Fresh Recruits same as the regular blocks like 2010-13, 2014-17?

No. The first two blocks of four years of fresh recruits will be personal to them. On completion of eight years of LTC, they will be treated at par with other regular LTC beneficiaries as per the prescribed blocks like 2014-17, 2018-21 etc.

Question 4. If a fresh recruit does not avail LTC facility in a particular year, can he/she avail it in the next year?

No. Carryover of LTC to the next year is not allowed in case of a fresh recruit as he is already entitled to every year LTC. Hence, if a fresh recruit does not avail of the LTC facility in any year, his LTC will deem to have lapsed with the end of that year.



Question 5. How will the LTC entitlements of a Fresh Recruit be exercised after the completion of eight years of service?

(a) After the completion of eight years of service, when the next LTC cycle of fresh recruit coincides with the beginning of the second two year block (eg.2016-17) of the running four year block (2014-17), he will be eligible only for 'Home Town' LTC if he/she has availed 'Any Place in India' LTC in the eighth year. Cases, where the new LTC cycle of fresh recruit coincides with the second year of the running two year block (ex. 2017 of 2016-2017), he will not be eligible for LTC in that year. Refer illustrations 1 & 3 for further explanation.

(b) At the end of the eighth year of LTC, when the new LTC cycle of a fresh recruit coincides with the beginning of a regular four year block, his entitlement in the regular block will be exercised as per the usual LTC Rules. Refer illustration 2.

Question 6. How will the LTC entitlement computed in case of a fresh recruit joining the service on 31st December of any year?

A fresh recruit who joins the Government service on 31st December of any year, will be eligible for LTC w.e.f. 31st December of next year. Since, 31st December is the last date of a calendar year, his first occasion of LTC ends with that year. Hence, he may avail his first Home Town LTC on the last day of that year. From next year onwards he would be eligible for the remaining seven LTCs. Refer illustration 3.

Question 7. How will the entitlements of a fresh recruit be computed who has joined the Govt. service before 01.09.2008?

A fresh recruit who has joined Government service before 01.09.2008 (i.e before the introduction of this scheme) and has not completed his first eight years of service as on 01.09.2008 will be eligible for this concession for the remaining time-period till the completion of first eight years of his/her service. Refer illustration 4.

Question 8. Can a fresh recruit whose Home Town and Headquarters are same, avail LTC to Home Town?

No. A fresh recruit whose Home Town and Headquarters are same, cannot avail LTC to Home Town. He may avail LTC to any place in India on the fourth and eighth occasion only. As per Rule 8 of CCS (LTC) Rules, 1988, LTC to Home Town shall be admissible irrespective of the distance between the Headquarters of the Govt. servant and his Home Town which implies that Headquarters and Home Town should be at different places.

(B. Bandyopadhyay)

Under Secretary to the Govt. of India

Ph. (011) 23040341

Illustrations

Illustration 1:



An employee joins the Government service on 1st September, 2008. As per the CCS (LTC) Rules, he will become eligible for LTC with effect from 1st September, 2009 (i.e. after the completion of one year of regular service). His entitlement for Home Town/ All India would be as under:

| Year of LTC | Type of LTC | LTC Occasion |
|-------------------------|--------------------|-----------------|
| 01.09.2008 – 31.08.2009 | Nil | -- |
| 01.09.2009 – 31.12.2009 | Home Town | 1 st |
| 01.01.2010 – 31.12.2010 | Home Town | 2 nd |
| 01.01.2011 – 31.12.2011 | Home Town | 3 rd |
| 01.01.2012 – 31.12.2012 | Any Place in India | 4 th |
| 01.01.2013 – 31.12.2013 | Home Town | 5 th |
| 01.01.2014 – 31.12.2014 | Home Town | 6 th |
| 01.01.2015 – 31.12.2015 | Home Town | 7 th |
| 01.01.2016 – 31.12.2016 | Any Place in India | 8 th |
| 01.01.2017 – 31.12.2017 | Nil | -- |
| 01.01.2018 – 31.12.2021 | New LTC Block | |

Explanations:

- (i) After the completion of the first eight years, when the fresh recruit gets into the middle of the running regular block of four calendar years (ex. 2014-2017) where the new LTC cycle of fresh recruit



coincides with the second year of the running two year block (ex. 2017 of 2016-2017), he will not be eligible for LTC in that year (i.e. 2017).

- (ii) It can be seen from above that LTC entitlement for a fresh recruit is calculated calendar year wise with effect from the date of completion of one year of regular service.

Illustration 2:

An employee joins the Government service on 1st January, 2009. As per the CCS (LTC)

Rules, he will become eligible for LTC with effect from 1st January, 2010 (i.e. after the completion of one year of regular service). His entitlement for Home Town / All India LTC would be as under:

| Year of LTC | Type of LTC | LTC Occasion |
|-------------------------|--------------------|-----------------|
| 01.01.2009 – 31.12.2009 | Nil | -- |
| 01.01.2010 – 31.12.2010 | Home Town | 1 st |
| 01.01.2011 – 31.12.2011 | Home Town | 2 nd |
| 01.01.2012 – 31.12.2012 | Home Town | 3 rd |
| 01.01.2013 – 31.12.2013 | Any Place in India | 4 th |
| 01.01.2014 – 31.12.2014 | Home Town | 5 th |
| 01.01.2015 – 31.12.2015 | Home Town | 6 th |
| 01.01.2016 – 31.12.2016 | Home Town | 7 th |
| 01.01.2017 – 31.12.2017 | Any Place in India | 8 th |



| | | |
|-------------------------|---------------|----|
| 01.01.2018 – 31.12.2021 | New LTC Block | -- |
|-------------------------|---------------|----|

Explanations:

(i) At the end of the eighth year of LTC, when the new LTC cycle of a fresh recruit coincides with the beginning of a regular four year block, his entitlement in the regular block will be exercised as per the usual LTC Rules.

Illustration 3:

An employee joins the Government service on 31st December, 2011. As per the CCS (LTC) Rules, he will become eligible for LTC with effect from 31st December, 2012 (i.e. after completion of one year of regular service). His entitlement for Home Town/ All India LTC would be as under:

| Year of LTC | Type of LTC | LTC Occasion |
|-------------------------|--------------------|-----------------|
| 31.01.2011 – 30.12.2012 | Nil | -- |
| 31.12.2012 | Home Town | 1 st |
| 01.01.2013 – 31.12.2013 | Home Town | 2 nd |
| 01.01.2014 – 31.12.2014 | Home Town | 3 rd |
| 01.01.2015 – 31.12.2015 | Any Place in India | 4 th |
| 01.01.2016 – 31.12.2016 | Home Town | 5 th |
| 01.01.2017 – 31.12.2017 | Home Town | 6 th |
| 01.01.2018 – 31.12.2018 | Home Town | 7 th |
| 01.01.2019 – 31.12.2019 | Any Place in India | 8 th |



| | | |
|-------------------------|---------------|----|
| 01.01.2020 – 31.12.2021 | Home Town | -- |
| 01.01.2022 – 31.12.2025 | New LTC Block | -- |

Explanations:

(i) A fresh recruit who joins on 31st December of any year, will be eligible for LTC w.e.f. 31st December of next year. Since, 31st December is the last date of that calendar year, his first occasion of LTC ends with that year. Hence, he may avail his first home town LTC on that day only (eg. 31st December, 2012). From next year onwards he will be eligible for the remaining seven LTCs.

(ii) After the completion of eight years of service, when the next LTC cycle of fresh recruit coincides with the beginning of the second two year block (eg. 2020-21) of the running four year block (2018-21), he will be eligible only for the 'Home Town' LTC in that block if he has availed of 'Any Place in India' LTC in the eighth year. In case, the fresh recruit forgoes his eighth year LTC, then he has a choice to avail either 'Any Place in India' or 'Home Town' LTC in the following two year block (i.e. in 2020-21).

Illustration 4:

An employee joins the Government service on 10th May, 2006. As per the CCS (LTC) Rules, he will become eligible for LTC with effect from 10th May, 2007 (i.e. after the completion of one year of regular service). His entitlement for Home Town/ All India LTC would be as under:

| Year of LTC | Type of LTC | LTC Occasion |
|-------------|-------------|--------------|
|-------------|-------------|--------------|



| | | |
|-------------------------|------------------------------|-----------------|
| 10.05.2006 – 09.05.2007 | Nil | -- |
| 10.05.2007 – 31.12.2007 | Home Town/Any Place in India | 1 st |
| 01.01.2008 – 31.12.2008 | Home Town | 2 nd |
| 01.01.2009 – 31.12.2009 | Home Town | 3 rd |
| 01.01.2010 – 31.12.2010 | Any Place in India | 4 th |
| 01.01.2011 – 31.12.2011 | Home Town | 5 th |
| 01.01.2012 – 31.12.2012 | Home Town | 6 th |
| 01.01.2013 – 31.12.2013 | Home Town | 7 th |
| 01.01.2014 – 31.12.2014 | Any Place in India | 8 th |
| 01.01.2015 – 31.12.2015 | Nil | -- |
| 01.01.2016 – 31.12.2017 | Home Town | -- |

Explanation

A fresh recruit who has joined the Government service before 01.09.2008 (i.e before the introduction of this scheme) and has not completed his first eight years of service as on 01.09.2008 will be eligible for this concession for the remaining time-period till the completion of first eight years of his/her service.



7TH PAY COMMISSION PENSION ARREARS CALCULATOR 2016



SENIORITY

Department of Personnel & Training Establishment (D)

| S.No | QUESTION | ANSWER |
|------|--------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | From which date the various provisions of consolidated instructions on seniority applicable? | Unless specifically, otherwise provided against each instruction, the said instructions are effective from the date of the relevant O.M. by which they were issued, prospectively. |
| 2. | To whom the instructions on seniority issued vide DOP&T's O.M. No.20011/1/2008-Estt.(D) dated 10.11.2010 are applicable? | The instructions on seniority issued vide DOP&T's O.M.No.20011/1/2008-Estt.(D) dated 11.11.2010 are applicable in determination of seniority of the Government servants in Central Civil Services and Civil Posts except such Services and Posts for which separate principles have already been issued or may be issued by the Government. |
| 3. | Whether the instructions on seniority issued by DOP&T are applicable to PSUs/Autonomous Bodies/Banks etc.? | No. The seniority of the officers working in PSUs/autonomous bodies/organisations/banks are governed by regulations/instructions issued by concerned Administrative Department/ PSUs/ banks etc. |



| | | |
|----|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4. | How the seniority of all direct recruits is determined? | The seniority of direct recruit is in the order of merit in which they are selected for appointment on the recommendations of UPSC or other selecting authority. The persons appointed as a result of earlier selection being senior to those appointed on subsequent selection. <u>O.M.No. 20011/1/2008-Estt.(D) dated 11.11.2010</u> |
| 5. | Whether the seniority of direct recruits is determined by the date of confirmation? | No. The relative seniority of direct recruits that used to be determined earlier according to date of confirmation and not original order of merit (in cases where confirmation was in an order different from order of merit indicated at the time of their appointment) has been discontinued with effect from 4.11.1992. <u>O.M. No. 20011/5/90-Estt. (D) dated 04.11.1992</u> |
| 6. | How will the inter-se seniority be fixed if a direct recruit officer joins late? | Seniority in such cases will be determined according to <u>O.M. No. 9/23/71-Estt.(D) dated 06.06.1978 and O.M. No. 35015/2/93-Estt.(D) dated 09.08.1995</u> |



| | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. | How seniority of candidates of two different panels is determined, in case both the panels are received on the same date? | <p>The seniority of candidates of two different panels received on the same date is determined by the following procedure:</p> <p>(i) Chronology of recommendation letter;</p> <p>(ii) Where the date of recommendation letter is same, chronology of Interview Board reports and</p> <p>(iii) Where both (i) and (ii) are also same, then the chronology of requisition made by the respective Ministries/Departments.</p> <p><u>O.M. No. 20011/1/2008-Estt. (D) dated 11.11.2010</u></p> |
| 8. | How seniority of candidates is determined in case two results of recruitment through examination are announced for selection to same grade or post within the same year. | <p>The seniority of the candidates will be determined as per date of publication/ announcement of result. The candidate of the result announced earlier shall be senior to the candidate of the result announced later.</p> |



| | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9. | How the seniority of the promote officer is determined? | The inter-se seniority of a officer promoted on the basis of the recommendation of a DPC either by selection or non-selection method as per due procedure, shall be determined as in the feeder grade from which they are promoted. O.M. No.20011/1/2008-Estt.(D) dated 11.11.2010 |
| 10. | How seniority of a promote officer is determined in cases where more than one feeder grade is prescribed for promotion to the higher grade and specific quotas are given? | In such cases, the officer in each grade assess a fit by the Departmental Promotion Committee shall be interpolated in the ratio prescribed in each grade in the Recruitment Rules for the post, for the purpose of determination of seniority (principle of rota quota). |
| 11. | Is a SC/ST Government servant promoted by virtue of rule of reservation entitled to consequential seniority? | Yes. A SC/ST Government servant on promotion by virtue of rule of reservation roster will be entitled for consequential seniority. <u>O.M. No. 22011/1/2001-Estt.(D)</u> <u>21.01.2002</u> |
| 12 | Can a General /OBC category Government servant promoted through a later DPC regain his | No. A General/OBC category officer promoted through a later DPC will be placed junior to the SC/ST category |



| | | |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | seniority of the feeder grade on promotion to higher grade? | Government servant promoted through earlier DPC even though by virtue of rule of reservation. <u>O.M. No. 22011/1/2001-Estt.(D)</u> <u>21.01.2002</u> |
| 13. | What is co-relation between seniority in a grade and reservation roster for other grade? OR Whether a candidate is placed in the seniority list of a grade, as per his position in the reservation roster or vice-versa? | There is no co-relation between seniority in a grade and the reservation roster for the said grade. Seniority of an officer is determined as per order of merit given by UPSC or selecting authority or panel of promotion given by DPC. A reservation roster/points are meant only for identifying the vacancy that goes to a particular category of officer. |
| 14. | How the relative seniority of direct recruit and promote is determined? | The relative seniority of direct recruit and promote is determined according to rotation of vacancies between available direct recruits and promotees which is based on quota of vacancies reserved for direct recruitment and promotion respectively in the recruitment rules. <u>O.M. No. 35014/2/80-Estt.(D) dated</u> <u>07.02.1986</u> |



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| 15. | How year of availability in regard to determination of relative seniority of direct recruits and promotee is determined? | <p>The year of availability, both in case of direct recruit as well as promotee, for the purpose of rotation and fixation of seniority is actual date of appointment after declaration of result/ selection and completion of pre-recruitment formalities, as prescribed. The year of availability is a vacancy year in which a candidate of a particular batch of selected direct recruitment or an officer of a particular batch of promotee joins the post/service.</p> <p><u>O.M. No. 22011/1/2006-Estt.(D) dated 03.03.2008</u></p> |
| 16. | Is a candidate appointed against the carry forward vacancy of earlier recruitment year, allow the seniority of the year in which the vacancy arose? | <p>No. The seniority of direct recruits and promotees is delinked from the vacancy and year of vacancy.</p> <p><u>O.M. No. 35014/2/80-Estt.(D) dated 07.02.1986</u></p> |
| 17. | What is the starting point in the recruitment roster for the purpose of inter-se seniority of officers through direct | <p>The starting point in the recruitment roster for the purpose of inter-se seniority of officers through direct recruitment, promotion, absorption etc. will be as per provisions</p> |



| | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | recruitment, promotion, absorption etc. | contained <u>DOP&T's O.M.No 28011/6/79-Estt.(D) dated 24th June, 1978.</u> |
| 18. | How the seniority of an Officer absorbed after being on deputation or absorbed directly without being on deputation determined? | <p>The seniority of an Officer absorbed after being on deputation or absorbed directly without being on deputation, if he has been holding already (on the date of absorption) the same or equivalent grade on regular basis in his parent department, is determined 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 earlier. The fixation of seniority in aforesaid manner, however, will not effect any regular promotion to the next higher grade made prior to the date of such absorption.</p> <p>O.M. No. 22011/1/2000-Estt.(D) dated 27.03.2001</p> |
| 19. | How seniority of two or more surplus employees of a particular grade in an office | In this case, inter-se seniority in particular grade, on re-deployment in |



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| | determined in the event of their simultaneous selection for re-deployment in another office? | the latter office, would be the same as it was in the previous office. <u>O.M. No. 9/22/68-Estt.(D) dated 06.02.1969</u> |
| 20. | How seniority of a re-employed officer determined? | <p>For determination of seniority of re-employed officer is treated as direct recruit. Where Recruitment Rules of the post against which appointment is being made prescribed re-employment as a distinct mode of recruitment then the inter-se seniority of persons so re-employed shall be determined in accordance with order of selection.</p> <p>The relative seniority of person so re-employed in relation to direct recruits and promotees shall be determined:</p> <p>Where the Recruitment Rules prescribes specific quota for each of the categories (direct recruitment, promotion and re-employment) then seniority is determined on the basis of rotation of vacancies based on the said quota.</p> |



| | | |
|-----|-----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | <p>In other cases, on the basis of chronology of selection.</p> <p><u>O.M. No. 20011/3/80-Estt (D) Dated 16.06.1980</u></p> |
| 21. | How the seniority of a meritorious sports person appointed in relaxation of Recruitment Rules determined? | <p>Where sportsmen are recruited through the Employment Exchange or by direct advertisement and are considered along with other general category candidates, they may be assigned seniority in the order in which they are placed in the panel for selection. Where recruitment to a post is through a selection made by the Staff Selection Commission, whether by the competitive examination or otherwise, the sportsmen recruited in the department themselves should be placed en bloc junior to those who have already been recommended by the Staff Selection Commission. The inter se-seniority of sportsmen will be in the order of selection.</p> <p><u>O.M. No. 14015/1/76-Estt.(D) dated 4.8.1980</u></p> |

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| 22. | How the seniority of a person appointed on compassionate grounds is determined? | <p>A person appointed on compassionate ground in a particular year is placed at the bottom of all the candidates recruited/appointed through direct recruitment, promotion etc. in that year, irrespective of date of joining of candidate on compassionate appointment.</p> <p><u>O.M. No. 20011/1/2008-Estt.(D)</u> <u>dated 11.11.2010</u></p> |
| 23. | How seniority of persons selected for appointment to different posts in the same grade requiring different qualification determined? | <p>The seniority of persons selected for appointment to different posts in the same grade requiring different qualifications is determined as per provisions of para 4.9 of <u>O.M. No. 20011/1/2008-Estt.(D)</u> dated <u>11.11.2010</u></p> |

(Smita Kumar)
Director (E.I)





JOINT CONSULTATIVE AND ARBITRATION

1. What is Joint Consultative Machinery?

The scheme of Joint Consultative Machinery is a platform for constructive dialogue between the representatives of the staff side and the official side for peaceful resolution of all disputes between the Government as employer and the employees. The scheme was introduced in 1966 with the objectives of promoting harmonious relations and securing the greatest measure of cooperation between the Central Government as the employer and the employees in matters of common concern and with the object of further increasing the efficiency of the public service combined with the well being of those employed. The scheme is a non statutory one mutually agreed upon between the staff side and the official side.

2. What is the applicability of the JCM Scheme?

The scheme covers all regular civil employees of the Central Government, except:

- (a) The Class-I services;
- (b) The Class-II services, other than the Central Secretariat services and the other comparable services in the headquarters organisation of the Government;
- (c) Persons in industrial establishments employed mainly in managerial or administrative capacity, and those who being employed in supervisory capacity drawing salary going beyond grade pay of Rs. 4200/- per month;
- (d) Employees of the Union Territories; and



(e) Police personnel.

3. What is the structure of the Joint Councils under the JCM Scheme?

The scheme provides for setting up of Joint Councils at the National, Departmental and Regional / Office levels. The National Council, chaired by the Cabinet Secretary, is the apex body.

4. How are staff side members selected for various Joint Councils?

The representatives of the staff side for various Joint Councils are chosen/ selected from members of the recognized service associations/ unions.

5. What is the time schedule for holding meetings of the National/ Departmental Councils?

As per the JCM Scheme, ordinary meeting of the National Council / Departmental Council may be held as often as necessary as but not less than once in four months.

6. How recognition is granted to the staff associations?

The Department of Personnel & Training being the nodal department for matters relating to Joint Consultative Machinery and Compulsory Arbitration, has notified Central Civil Services (Recognition of Associations) Rules, 1993 for the purpose of granting recognition to various service associations. Recognition is actually granted by the concerned Ministry/Department in accordance with the CCS (RSA) Rules, 1993.



In case of any doubt or confusion, the matter is referred to the JCA Section of the Department of Personnel & Training for clarification / advice.

7. What are the facilities available to recognised associations?

The recognized associations/ unions enjoy certain facilities like:

- (a) Negotiations with the employer;
- (b) Correspondence and meetings with the head of the administrative departments;
- (c) Provision of accommodation for the associations subject to availability;
- (d) Facility of special casual leave up to 20 days in a year to the office bearers of the associations.
- (e) Payment of T.A/ D.A for attending officially sponsored meetings; and
- (f) Facility of seeking transfer of Chief Executive of the Union/ association to the Headquarters of the appropriate head of administration.

8. What will happen if there is no agreement between the staff and the official side?

If there is no agreement between the staff and the official side on an arbitrable issue, then the matter is to be referred to the Board of Arbitration if so desired by the staff side.

9. What are the issues on which arbitration is possible?

The arbitration is limited to the following issues:

- (a) Pay and allowances;
- (b) Weekly hours of work; and
- (c) Leave

10. Is the award given by the Board of Arbitration binding on the parties?

The award given by the Board of Arbitration is binding on the Government as well as the staff side subject to the overriding authority of the Parliament. The award can be modified/ rejected only with the approval of the Parliament through a formal resolution on grounds affecting national economy or social justice.



Related to UPSC, APAR and Commercial Employment after Retirement

UPSC

(i) What are the documents to be sent to the UPSC to obtain its advice on disciplinary cases?

The instructions prescribing checklist/proforma including documents required to be sent to UPSC to obtain its views on disciplinary cases have been issued vide O.M. No. 39011/12/2009-Estt.(B) dated 10.05.2010. Reference is also to be made to O.M. No. 39035/1/2011-Estt.(B) dated 10.5.2011, a copy each of which is also available in this Department's website (<http://persmin.nic.in>)

(ii) Is there any provision to get UPSC's advice in disciplinary matters where the Courts have given a time limit for completion of the proceedings?

Yes, the instructions issued in this matter by this Department are contained in O.M. No. 39035/01/2011-Estt.(B) dated 10.05.2011 which is also available in this Department's website.

(iii) Can the penalty proposed to be imposed by the Disciplinary Authority be intimated to UPSC while seeking its advice?

No. This Department's O.M. No. 39034/1/2009-Estt.(B) dated 12.01.2010 refers, which is also available in this Department's website.



(iv) What is the procedure if the Disciplinary Authority does not want to accept the UPSC's advice in a disciplinary proceeding?

The procedure to be followed while disagreeing with the advice of UPSC in a disciplinary proceedings is contained in O.M. No. 39023/02/2006-Estt.(B) dated 05.12.2006 which is also available in this Department's website.

(v) In case a Ministry wants to exclude any post which is under the purview of the UPSC as per Constitutional mandate, is it necessary that the comments of the UPSC in the matter be taken before referring the matter to the DOP&T?

Yes.

(vi) Which are the posts exempted presently from the purview of the UPSC?

Details of post/services exempted from consultation with UPSC have been listed in the UPSC (Exemption from Consultation Regulations, 1958 issued by this Department amended from time to time. A copy of updated UPSC (Exemption from Consultation) Regulations, 1958 is also available in this Department's website (<http://persmin.nic.in>).

(vii) what is the composition of the UPSC?

The Union Public Service Commission consists of Chairman and ten Members.



(viii) What are the conditions of service applicable for Chairman and Members of UPSC?

The conditions of service for Chairman and Members of the Commission are governed by the Union Public Service Commission (Members) Regulations, 1969, which generally follow those applicable to the Chief Election Commissioner/ Election Commissioners.

(ix) In which of the examinations conducted by the UPSC, candidates can write answers in any of the languages included in the Eighth Schedule to the Constitution?

Presently only in Civil Services (Mains) Examinations conducted by the UPSC, the candidates can write answers in any of the languages included in the Eighth Schedule to the Constitution.

SSC

(i) What are the categories of posts for which the SSC makes recruitment?

SSC makes recruitment to Group 'B' (Non-Gazetted) posts and Group 'C' (non-technical) posts in the Ministries/ Departments of the Government of India including its attached and subordinate offices. The SSC also makes recruitment to certain technical posts like JEs.

(ii) What are the Regional Offices/Sub-Regional Offices of SSC?

There are 7 Regional Offices at Delhi, Mumbai, Kolkata, Chennai, Bengluru, Guwahati & Allahabad and 2 Sub-Regional Offices at Raipur and Chandigarh. For details, the website of SSC (<http://ssc.nic.in>) may be referred to.



APAR

(i) Since when the entire remarks in the APAR is being conveyed to the officer reported upon for representation, if any?

From the report for 2008-09 onwards.

(ii) On the basis of representation submitted for upgrading the grading in the ACR/APAR under OM dated 13.4.2010, can a review DPC be convened if the Competent Authority upgrades the grading to the benchmark level?

The O.M. No. 21011/1/2010-Estt.A dated 13.4.2010 does not envisage any review DPC and it is concerned with future DPCs only to be held after the date of issue of the O.M.

(iii) What are the time schedule for completion of various processes in the APAR?

Annexure-III to O.M. No. 21011/1/2005-Estt.(A) (Pt-II) dated 23rd July, 2009 refers. This O.M. is available in this Department's website.

Commercial Employment after retirement for Group 'A' Officer

(i) What are the provisions in this regard?

Rule 10 of the CCS (Pension) Rules, 1972 has the provisions in this regard. The latest amendment to the above rule in the CCS (Pension) Rules was notified on 23.11.2006. The procedure for grant of permission to the pensioners for commercial employment after retirement has been indicated in



O.M. No. 27012/5/2010-Estt.(A) dated 5.12.2006, a copy of which is available in this Department's website.

(ii) What is the procedure to grant permission to take up commercial employment after retirement in respect of officers retired at the level of JS/equivalent and above?

The cadre authority/Ministry/Department from which the officer retired has to examine the proposal with reference to guidelines in this regard given in sub-rule (3) of Rule 10 of the CCS (Pension) Rules. After approval to the proposal by the Minister-in-charge of the cadre controlling Department of the Service to which such persons belongs to, and the Minister-in-charge of the Department where such a person worked during last one year, the proposal has to be forwarded to DOP&T for further processing.

(iii) What are the documents to be furnished to DOP&T when a proposal to grant permission to take up commercial employment after retirement in respect of officers retired at the level of JS/equivalent and above is to be considered by DOP&T?

The formal written request of the retired officer, notes examining the fulfilment of guidelines given in sub-rule(3) of Rule 10 of CCS (Pension) Rules, 1972, approval of the concerned Ministers to the proposal as explained in the previous question, the offer for commercial employment received by the retired officer, Form 25 appended to the CCS (Pension) Rules duly filled in and signed by the retired officer, an affidavit from retired officer as stated in the aforesaid O.M. dated 5.12.2006, integrity certificate for the retired officer and a check list appending the clauses (a) to (f) of sub-rule(3) of Rule



10 of CCS (Pension) Rules and the answer to such issues. The ACR/APAR dossier of the retired officer should also be linked.



ALLOWANCE

No. 21011/08/2013-Estt.(AL)

Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel & Training

| Establishment (Allowances) Section | | |
|-------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Children Education Allowance Scheme (CEA) | | |
| Sl.No | Frequently asked Questions | Answer |
| 1. | Whether Reimbursement of Children Education Allowance (CEA) for 3 rd child is permissible if CEA has not been claimed for 1 st and or 2 nd child? As per OM dated 2.9.2008 CEA is admissible for two school going children does it mean any two school going children? | No. Reimbursement of CEA is not permissible for third child even if reimbursement has not been claimed in respect of first and/or second child. However, as per OM No. 12011/03/2008-Estt.(AL) dated 11.11.2008, the Children Education Allowance would be admissible for more than two children where as a result of the second child birth results in birth of twins or multiple children. Further, reimbursement of CEA for the 3 rd child is also admissible in case of failure of sterilization operation. Such |



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| | | reimbursement is admissible only for the first child birth after failure of sterilization operation. This point was further clarified vide O.M. No. 12011/16/2009-Allowance) dated 13.11.2009. |
| 2. | <p>What types of fee are reimbursable?</p> <p>Whether Annual Charges and Transportation fees are reimbursable?</p> <p>Whether reimbursement towards purchase of school bag, water bottle, uniform, shoes and stationery is admissible?</p> | <p>As per OM No. 12011/03/2008-Estt.(AL) dated 2.9.2008, tuition fee, admission fee, laboratory fee, special fee charged for agriculture, electronics, music or any other subject, fee charged for practical work under the programme of work experience, fee paid for the use of any aid or appliances by the child, library fee, games/sports fee and fee for extra-curricular activities are reimbursable subject to the condition that the aforementioned fee are charged by the school directly from the student. No reimbursement is permissible for Annual Charges and Transportation fees. Besides, reimbursement for purchase of one set of text books and notebooks, two sets of uniforms prescribed by the school in which the child is studying, one pair of shoes, in</p> |



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| | | <p>an academic year are reimbursable. Uniform include all items of clothing prescribed for a day, as uniform by the school, irrespective of colours/winter/summer/PT uniforms. Reimbursement of school bags, pens/pencils, water bottle, stationery etc., may not be allowed. O.M. No. 12011/08/2010-Estt.(AL) dated 30.12.2010 and O.M. No. 12011/07/(i)/2011-Estt.(AL) dated 21.02.2012 refers</p> |
| 3. | Whether CEA has been increased by 25% as a result of enhancement of Dearness Allowances beyond 50% ? | <p>This Department's OM No. 12011/03/2008-Estt.(AL) dated 2.9.2008 clearly indicates that the limits "would be automatically raised by 25% every time the Dearness Allowance on the revised pay structure goes up by 50%". There is no need for any separate order from this Department to effect enhancement of CEA as a result of increase in DA by 50%. However, O.M. No. 12011/01/2011-Estt. (Allowance) dated 4th May, 2011, has been issued to clarify this further.</p> |



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| 4. | Whether CEA can be claimed for the child for the same class twice? | The reimbursement of CEA is not linked to the performance of the child in his class. Even if a child fails in a particular class, the reimbursement is permissible. However, if the child is admitted in the same class in another school, although the child has passed out of the same class in previous school or in the mid-session, CEA shall not be reimbursable. |
| 5. | Whether CEA/Hostel Subsidy is allowed for initial two years of Diploma Courses? | Children Education Allowance/Hostel Subsidy is allowed for the initial two years of a diploma/certificate course from Polytechnic/ITI/Engineering College, if the child pursues the course after passing 10 th standard and the Government servant has not been granted CEA/Hostel Subsidy in respect of the child for studies in 11 th and 12 th standards. This is further subject to fulfilment of other conditions laid down in the O.M. No. 12011/03/2008-Estt.(AL) dated 2.9.2008 and subsequent instructions issued from time to time. |



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| 6. | What is hostel subsidy? | The term Hostel Subsidy would mean expenses incurred by the Government servant is he/she keeps his/her children in a hostel of a residential school/institution located beyond a distance of 50 kilometers from his/her residence. |
| 7. | Whether Hostel subsidy is reimbursable irrespective of transfer liability? | Hostel Subsidy is reimbursable to all Central Government Employees covered by the scheme, for keeping their ward in the Hostel of a residential school away from the station in which the employee is posted or residing irrespective of any transfer liability. |
| 8. | Whether Hostel subsidy can be reimbursed if the child is staying in a Hostel which is not part of residential school where he is studying? | No. Hostel subsidy is reimbursable only in case of child studying in a residential school and staying in hostel of the said residential school. |
| 9. | What are the components of hostel subsidy? | Hostel subsidy includes fee charged for boarding, lodging in addition to fee as mentioned in para 1(e) of OM No. 12011/03/2008-Estt.(AL) dated 2.9.2008. |

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| 10. | Whether a Government servant is allowed to get 50% of the total amount subject to the overall annual ceiling in the first quarter and the remaining amount in third and/or fourth quarter? | Reimbursement of 50% of the entitled amount for the academic year can be allowed in the first and/or second quarter and the remaining amount can be reimbursed in the third and/or fourth quarter. The entire entitled amount can also be reimbursed in the last quarter. However, frontloading of the entire admissible amount is not permissible. O.M. No. 12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers. |
| 11. | Whether any age limit has been prescribed for reimbursement of CEA in respect of children studying in nursery classes? | There is no minimum age prescribed for reimbursement of CEA in respect of children admitted in nursery classes. However, with regard to physically challenged children the minimum age of 5 (five) years was prescribed for disabled children undergoing non-formal/vocational education. With effect from 21 st February, 2012, the minimum age stipulated as 5 years for disabled children stand removed. Hence, there is no minimum age of child for whom reimbursement is |



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| | | <p>claimed irrespective of the fact whether the child is disabled or not.</p> <p>The maximum age for normal child is 20 years and for physically challenged children the maximum age is 22 years. O.M. No. 12011/07/(ii)/2011-Estt.(AL) dated 21.02.2012 refers.</p> |
| 12. | Whether the school/institution should be recognized? | <p>The school/institution has to be recognized by the Central or State Government or UT administration or by University or a recognized educational authority having jurisdiction over the area where the institution is situated. This also applies in respect of children studying in two classes prior to Class-I, i.e., nursery/LKG/UKG, etc. OM No. 12011/03/2008-Estt.(AL) dated 23.11.2009.</p> |
| 13. | Whether CEA is payable for the children of Central Government employees and studying abroad, including children of citizens of Nepal/Bhutan but working in Government of India, and | <p>The CEA is payable for the children of all Central Government employees including citizens of Nepal and Bhutan, who are employees of Government of India, and whose children are studying in the native place. However, a certificate may be obtained from the</p> |



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| | their children are studying in the schools in their native place? | concerned Indian Mission that the school is recognized by the educational authority having jurisdiction over the area where the institution is situated. |
| 14. | What constitutes “Fee” as per para 1(e) of the O.M. dated 2/9/2008 and whether fee paid for extra-curricular activities to some other institute and reimbursement of, school bags, pens/pencils, etc., can be allowed? Is there any item-wise ceiling? | “Fee” shall mean fee paid to the school in which the child is studying, directly by the parents/guardian for the items mentioned in para 1(e) of the O.M. dated 2/9/2008. Reimbursement of school bags, pens/pencils, etc., may not be allowed. There is no item-wise ceiling. O.M. No. 12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers. |
| 15. | Whether reimbursement can be allowed in case the original receipts are misplaced and duplicate receipts are produced by the Government servant? Are the original receipts required to be attested/countersigned/ rubber stamped by the school authorities? | In case of misplacement of receipts given by the school/institution towards charges received from the parents/guardian, reimbursement may be allowed if the Government servant produces a duplicate receipt, duly authenticated by the school authorities. Receipts from private parties, other than the school, if misplaced shall not be entertained, even if a duplicate receipt is produced. Original receipts from school authorities need not be attested/countersigned/ rubber stamped |



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| | | by the school authorities. O.M. No. 12011/07(i)/2011-Estt.(AL) dated 21.02.2012 refers. |
| 16. | Whether Development Fee/Parents' Contribution charged by the school/institution is reimbursable? | Reimbursement of Development Fee/Parents' Contribution is allowed w.e.f. 21 st February, 2012, vide O.M. No.12011/07(ii)/2011-Estt.(AL) dated 21.02.2012, on pro-rata basis, subject to the condition that the Government servant will have to certify that the school does not charge tuition fee. However, in respect of children studying in Kendriya Vidyalaya, the Vidyalaya Vikas Nidhi is reimburseable as it forms part of para 1(e) of O.M. No.12011/3/2008-Estt.(Allowance) dated 2.9.2008. O.M. No. 12011/16/2009-Estt.(Allowances) dated 13.11.2009 refers. |
| 17. | Whether reimbursement of fee charged directly by the school for catering to the special needs of the child with disabilities duly certified by the concerned school authorities, in addition to | Reimbursement of fee charged directly by the school for catering to the special needs of the child with disabilities duly certified by the concerned school authorities, in addition to items mentioned in para 1(e) of O.M. dated |



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| | items mentioned in para 1(e) of O.M dated 2.9.2008, is permissible? | 2.9.2008, is allowed w.e.f. 21 st February, 2012. |
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| Joining Time Rules | | |
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| Sl.No | Frequently asked Questions | Answer |
| 1. | Whether Joining time/ Joining Time pay is admissible in case of technical resignation of a Government servant to join another Government organization. | <p>For appointment to posts under the Central Government on the results of a competitive examination and or interview open to Government servants and others, Central Government employees and permanent/provisionally permanent State Government employees will be entitled to joining time.</p> <p>A Government servant shall be treated on duty during the period of joining time and shall be entitled to joining time pay equal to the pay and allowances like DA, HRA, CCA, drawn before relinquishment of charge at the old post. But temporary Central Government employees with less than 3 years of regular continuous service, though entitled to joining time would not be</p> |



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| | | entitled to joining time pay. {Rule 4 (4) of CCS (JT) Rules} |
| 2. | When can the unutilized joining time be credited as Earned Leave? | <p>Rule 6 (1) of the CCS (Joining Time) Rules provides that when a Government servant joins a new post without availing full joining time by reasons that-</p> <p>(a) He is ordered to join the new post at a new place of posting without availing of full joining time to which he is entitled; or</p> <p>(b) He proceeds alone to the new place of posting and joins the post without availing full joining time and takes his family later within the permissible period of time for claiming Travelling Allowance for the family, then the number of days of joining time admissible under sub-rule (4) of Rule 5 of the Central Civil Services (JT) Rules, 1979, subject to a maximum of 15 days reduced by the number of days of joining time actually availed of shall be credited to his leave account as earned leave.</p> |



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| 3. | Whether joining time can be combined with leave? | Rule 6(2) of the CCS (Joining Time) Rules provides that Joining time may be combined with vacation and/or regular leave of any kind or duration except casual leave. |
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| Honorarium | | |
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| Sl. No | Frequently asked Questions | Answer |
| 1. | Upto what amount the Head of Department can grant honorarium? | The Ministries/Departments can grant honorarium upto 5000/- per annum per employee and the Head of Department can grant honorarium upto 2500/- per annum per employee. O.M. No. 1711/9/85-Estt. (Allowance) dated 23.12.1985 refers. |
| 2. | What are the rates of honorarium for translation work from regional language to English/Hindi and vice versa? | The rates for translation from regional languages to English/Hindi and vice-versa is 120/- per thousand words of Ordinary Material and 130/- per thousand words of Technical Material (including Codes/Manuals, etc.) This is subject to a maximum of 5000/- per annum in each case, whether recurring or non-recurring. O.M. No. |



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| | 17011/04/2011-Estt.(AL) dated 1.4.2011 refers. |
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| Special Allowance for child care for women with disability | | |
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| Sl. No | Frequently asked Questions | Answer |
| 1. | Whether the women employees with disabilities are entitled for special allowance for child care at double the rates for multiple births at the time of first child birth? | No. In case of multiple births at the time of first child birth, the woman employee shall not be entitled to this allowance at double the rates for multiple births. |
| 2. | Whether the allowance would be admissible for the 3 rd child in case either of the first two children i.e. first child or the 2 nd child expires before the attaining the age of two years? | It is clarified that the grant of Special Allowance for the child care for women with disabilities is admissible for two years from the birth of the child so long as the woman employee does not have more than two surviving children. |

(S.G. Mulchandaney)
Under Secretary
Tel: 26164316



ALLOWANCE (Supplement)

No.I-11020/1/2014-Estt.(AL)

Government of India/Bharat Sarkar

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel & Training

The following FAQs supplement the FAQs in respect of Estt. (Allowances) Section already placed in public domain vide F.No. 21011/08/2013-Estt.(AL)

| Establishment (Allowances) Section | | |
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| Children Education Allowance Scheme (CEA) | | |
| Sl. No | Frequently asked Questions | Answer |
| 1. | Whether the examination fees as charged by the school is reimbursable? | “Examination fee” has been included as part of reimbursable items as indicated in para 1(e) of O.M. dated 2 nd September, 2008, subject to the fulfilment of other existing conditions vide O.M. No.12011/01/2012-Estt.(AL) dated 31.07.2013. The said orders do not have a retrospective effect. |
| 2. | Whether reimbursement of amount of fee paid during 1 st and 2 nd quarter could be claimed in 3 rd or 4 th quarter, | No. As it is reimbursement for the whole year, original receipts for the fee paid for the 3 rd /4 th quarter has to be submitted to ensure that the child has not dropped out of the school in the mid-session. O.M. |



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| | without the fee receipts of the 3 rd and 4 th quarter? | No.12011/01/2013-Estt.(Allowances) dated 23.04.2013 refers. |
| 3. | Whether a Government servant is required to give a certificate that the spouse, if earning, has not claimed CEA? | Yes. In terms of O.M. No.12011/01/2013-Estt. (Allowances) dated 23.04.2013, the claimant Government servant is required to furnish an undertaking that reimbursement of CEA has not been claimed in respect of the child by the spouse of the claimant. |

| Honorarium | | |
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| Sl. No | Frequently asked Questions | Answer |
| 1. | What are the rates of honorarium admissible to MTS/Group 'D' officials when they are appointed to work as Dispatch Rider/Scooter Driver? | The rate of such honorarium is pegged at Rs. 10/- per day in terms of this Department's OM No. 17011/01/2011-Estt.(AL) dated 17-04-2013 |
| 2. | What are the rates of honorarium admissible to MTS/Group 'D' officials/Dispatch Riders/Scooter Drivers when | The rate of such honorarium is pegged at Rs.20/- per day in terms of this Department's OM No. 17011/01/2011-Estt. (AL) dated 17-04-2013. |



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| | they are appointed to work as Staff Car Drivers? | |
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(S.G. Mulchandaney)

Under Secretary

Tel: 26164316

ALLOWANCE (CEA,OTA/NDA,Honorarium/Fee,Leave)

No.I-11020/1/2014-Estt. (AL)

Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel & Training

| Establishment (Allowance) Section | | |
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| Sl. No | Questions | Answer |
| Children Education Allowance | | |
| 1. | Whether reimbursement of Children Education Allowance is admissible for the: | |
| (a) | Nursery/LKG/UKG as there is no provision of | Reimbursement is permissible only if the child is studying in a recognised educational institution. |



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| | recognition of these classes in most of the States/UTs; | |
| (b) | Third child if either of the first two children is disabled to the extent that he/she cannot go to school; | Reimbursement is allowed to only the two eldest surviving children of the Government servant except when the 2 nd child birth results in multiple births or the 3 rd child is born due to failure of sterilization operation. |
| (c) | The children borne out of second marriage or the children of second wife/husband in additions to children from first marriage; | Reimbursement is allowed to only the two eldest surviving children of the Government servant. |
| (d) | Entitlement of number of Note Books. | Reimbursement is permissible for any number of note books as may be prescribed by the recognised educational institution. |
| OTA/NDA | | |
| 2. | The reasons for not enhancing rates of OTA/NDA | The 5 th and the 6 th Central pay Commission did not recommend enhancement of rates of OTA/NDA. |
| Honorarium/ Fee | | |
| 3. | Whether honorarium is payable to the Chairperson/Members of the | In terms of the provisions of FR 46 (b), the Central Government may grant or permit a Government servant to receive |

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| | <p>DPC and also such other Departmental Committees, viz., Committee on Sexual Harassments at work place, etc.?</p> | <p>an honorarium as remuneration for work performed which is occasional or intermittent in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from this provision, sanction to the grant or acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the Central Government and its account has been settled in advance.</p> <p>Guidelines for payment of Honorarium under FR 46 (b) have already been laid down inter alia vide this Department's O.M. No. 17011/9/85-Estt. (AL), dated 23.12.1985 and OM. No. 17020/1/91-Estt. (AL) dated 18.11.1991. It has also been clarified that no honorarium should be granted for temporary increases in work.</p> |
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| 4. | Whether retention of “Fee” for delivering lectures in Government/private bodies is permissible? | As per para 6 of DoP&T’s O.M. No. 16013/1/79-Estt.(AL) dated 11 th February, 1980, payments received by Government servants as income from books, articles, papers and lectures on literary, cultural, artistic, technological and scientific subjects including management sciences; will not be subject to crediting one-third of the amount to the general revenues. |
| <u>Establishment (Leave) Section:</u> | | |
| 5. | Whether male Government servant, who is single parent, can be allowed Child Care Leave? | No. CCL can be granted to female employees only. |
| 6. | Whether Bond on Study Leave can be transferred from Central Government to State Government? | No. Bond executed by the Government servant while proceeding on study leave cannot be transferred on his/her appointment in State Government/PSU/Autonomous bodies. |
| 7. | What is the limit of leave encashment while availing LTC by dependents for spouse within the same block year? | The Government Servants governed by the CSS (Leave) Rules, 1972 and entitled to avail LTC may en-cash earned leave up to 10 days at the time of availing both types of LTCs., i.e., |

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| | | <p>‘Hometown’ and ‘Anywhere in India’. However, when the one and the same LTC is being availed of by the Government Servant and his family members separately in a block year, encashment of leave would be restricted to one occasion only.</p> |
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(Narendra Gautam)

Under Secretary to the Government of India



LEAVE

No.21011/08/2013-Estt (AL)

Government of India/Bharat Sarkar

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel & Training

| Establishment (Leave) Section | | |
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| General entitlement of leave | | |
| Sl. No | Frequently asked Questions | Answer |
| 1. | What is the maximum period of leave of any kind which can be allowed to a Government servant? What is the impact if such limit is exceeded? | No. Government servant shall be granted leave of any kind for a continuous period of 5 years {Rule 12(1)} Normally, absence from duty, with or without leave, for a continuous period exceeding 5 years other than on foreign service, implies that such Government servant has deemed to have resigned from Government service. {Rule 12(2)} |
| 2. | What are the leave entitlements of Govt. servants serving in a vacation Department? | The rule 28 of the CCS (Leave) Rules, 1972 which came into effect from 1.9.2008 regulates the grant of Earned Leave for persons serving in the |



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| | | <p>Vacation Department. The said rule provides for as follows:-</p> <p>(1) (a) A Government servant (other than a military officer) serving in a Vacation Department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation.</p> <p>(b) In respect of any year in which a Government servant avails himself of a portion of the vacation, he shall be entitled to earned leave in such proportion of 30 days, as the number of days of vacation not taken bears to the full vacation:</p> <p>Provided that no such leave shall be admissible to a Government servant not in permanent employ or quasi-permanent employ in respect of the first year of his service.</p> <p>(c) If, in any year, the Government servant does not avail himself of any vacation, earned leave shall be admissible to him in respect of that year under rule 26.</p> |
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| | | <ul style="list-style-type: none"> • For the purpose of this rule, the term ‘year’ shall be construed not as meaning a calendar year in which duty is performed but as meaning twelve months of actual duty in a Vacation Department. • A Government servant entitled to vacation shall be considered to have availed himself of a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forgo such vacation or portion of a vacation: Provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation. • When a Government servant serving in a Vacation |
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| | | <p>Department proceeds on leave before completing a full year of duty, the earned leave admissible to him shall be calculated not with reference to the vacations which fall during the period of actual duty rendered before proceeding on leave but with reference to the vacation that falls during the year commencing from the date on which he completed the previous year of duty.</p> <ul style="list-style-type: none"> • As per Rule 29(1) the half pay leave account of every Government servant (other than a military officer shall be credited with half pay leave in advance, in two instalments of ten days each on the first day of January and July of every calendar year. This is subject to conditions laid down in OM No. 13013/2/2008-Estt.(L) dated 11.11.2008. |
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| Leave Encashment with LTC | | |
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| Sl. No | Frequently asked Questions | Answer |
| 1. | Whether encashment of leave is allowed after LTC is availed? | Sanction of leave encashment should, as a practice, be done in advance, at the time of sanctioning the LTC. However, ex-post-facto sanction of leave encashment on LTC may be considered by the sanctioning authority as an exception in deserving cases within the time limit prescribed for submission of claims for LTC. |
| 2. | Whether encashment of leave with LTC can be availed at the time when the LTC is availed by the Government servant only or can leave be encashed at the time when LTC is availed by family members? | Yes. A Govt. servant can be permitted to encash earned leave upto 10 days either at the time of availing LTC for himself or when his family avails it provided other conditions are satisfied. |
| 3. | Whether leave encashment should be revised on retrospective revision of pay/D.A? | In terms of 38-A of CCS(Leave) Rules, encashment of EL alongwith LTC is to be calculated on pay admissible on the date of availing LTC and DA admissible |



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| | | on that date. If pay or DA admissible has been revised with retrospective effect, going by the rule the Govt. servant would be entitled to encashment of Leave on the revised rates. |
| 4. | Whether encashment of Earned Leave and Half Pay Leave is admissible to industrial employees? | The industrial employees, other than those under the cadre control of the Ministry of Railways, are entitled to encash both Earned Leave and Half Pay Leave, subject to overall limit of 300. The cash equivalent of Half Pay Leave shall be equal to leave salary admissible for Half Pay Leave plus Dearness Allowance admissible on the leave salary without any reduction being made on account of pension and pension equivalent of other retirement benefits payable. But no commutation of Half Pay Leave shall be allowed to make up for the shortfall in Earned Leave and these orders are effective from 07.11.2006. {OM No. 12012/3/2009-Estt.(L) dated 28.12.2012} |

Encashment of Earned Leave on joining Central Government from PSUs & vice versa



| Sl. No | Frequently asked Questions | Answer |
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| 1. | Whether earned leave encashment allowed by the State Governments, PSUs, Autonomous Bodies to Govt. servant prior to his joining the Central Govt. is to be taken into account while calculating ceiling of leave encashment on his superannuation and retirement from Central Govt.? | Encashment of EL allowed by the State Governments, Public Sector Undertakings/Autonomous Bodies for services rendered therein need not be taken into account for calculating the ceiling of 300 days of Earned leave to be encashed as per CCS (Leave) Rules. |
| 2. | Whether Leave encashment allowed by Govt. under CCS (Leave) Rules, 1972 on absorption in a Central autonomous body/PSU is to be taken into account? | Encashment of EL allowed by the Govt. under the CCS (Leave) Rules, 1972 for service rendered in the Central Govt. prior to absorption in Central autonomous body shall not be taken into account while calculating the number of days of E.L encashable in an autonomous body/PSU for the post absorption period. |
| 3. | Whether cash equivalent of leave salary in case of permanent absorption in | A Government servant who has been permitted to be absorbed in a Corporation/Company wholly or |



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| PSU/Autonomous Body is permissible? | <p>substantially owned or controlled by Central/State Government shall be suo motu granted cash equivalent of leave salary of earned leave at his credit on the date of absorption subject to a maximum of 300 days (being calculated as per provisions of rule 39) {Rule 39-D}</p> <p>Permanent absorption under the rule shall mean such appointment for which the Government servant applied through proper channel and resigned from Government service for taking up of such appointment – {Note below rule 39-D – Notification No. 13026/3/2011-Estt.(L) dated 28.03.2012}</p> |
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| Leave Encashment on Suspension/Dismissal/Removal | | |
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| Sl. No | Frequently asked Questions | Answer |
| 1. | Whether leave encashment can be sanctioned to a Govt. servant on his superannuation while under suspension? | Leave encashment may be allowed in such cases. However, Rule 39(3) of CCS (Leave) Rules, 1972 allows withholding of leave encashment in the case of a Govt. servant who retires from service on attaining the age of superannuation |



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| | | while under suspension or while disciplinary or criminal proceedings are pending against him, if in view of the authority there is a possibility of some money becoming recoverable from him on conclusion of the proceedings against him. On conclusion of the proceedings he/she will become eligible to the amount so withheld after adjustment of Government dues, if any. |
| 2. | Whether leave encashment can be sanctioned to a Govt. servant on his dismissal/removal, from service? | A government servant, who is dismissed/removed from service, ceases to have any claim to leave at his credit from the date of such dismissal, as per rule 9(1). Hence he is not entitled to any leave encashment. |

Interest on Leave Encashment

| Sl. No | Frequently asked Questions | Answer |
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| 1. | Whether interest is payable on delayed payment of leave encashment dues? | No. There is no provision in the CCS (Leave) Rules 1972 for payment of interest on leave encashment. |

Study Leave



| Sl. No | Frequently asked Questions | Answer |
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| 1. | What is the maximum amount of study leave which can be availed? | The maximum amount of study leave for other than CHS officers is restricted to twenty four months during the entire service period and ordinarily it can be allowed for upto twelve months at a time. {Rule 51(1)}. For CHS officers the ceiling is for 36 months for acquiring PG qualifications. {Rule 51(2)} |
| 2. | Whether study leave can be clubbed with other leave? | Yes. Study leave may be combined with other kinds of leave, but in no case shall be grant of this leave in combination with leave, other than extraordinary leave involve a total absence of more than twenty eight months generally and thirty-six months for the courses leading to PhD. Degree from the regular duties of the Government servant. (Rule 54). |
| 3. | What is the validity period of bond to be executed by the Government servant while proceeding on study leave? | Government servant is required to execute a bond to serve the Government for a period of three years after expiry of study leave. For CHS officers the period is five years. (Rule 55). |

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| 4. | Whether a Govt. servant who has been granted study leave may be allowed to resign to take up a post in other Ministries/Department of the Central Govt. within the bond period? | As per rule 50(5) (iii), a Govt. servant has to submit a bond to serve the Govt. for a period of 3 years. As the Govt. servant would still be serving Government in a Department other than parent Department, he may be allowed to submit his resignation to take up another post within the Central Govt. if he had applied for the post through proper channel. |
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Paternity Leave for Child Adoption/Child Adoption Leave

| Sl. No | Frequently asked Questions | Answer |
|---------------|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | How is a child defined for the purpose of grant of Paternity Leave for Child Adoption/Child Adoption Leave | As per notes below rules 43AA and 43B “Child” for the purpose will include a child taken as ward by the Government servant, under the Guardians and Wards Act, 1890 or the personal law applicable to that Government servant, provided such a ward lives with the Government servant and is treated as a member of the family and provided such Government servant has, through a special will, |



| | | |
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| | | conferred upon that ward the same status as that of a natural born child’. |
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| Child Care Leave | | |
|-------------------------|----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sl. No | Frequently asked Questions | Answer |
| 1. | Whether women employees of Public Sector undertakings/Bodies etc. are entitled to CCL? | Orders issued by DOPT are not automatically applicable to the employees of Central Public Sector Undertakings/Autonomous Bodies, Banks, etc. It is for the PSUs/Autonomous Bodies to decide the applicability of the rules/instructions issued for the central Government employees to their employees in consultation with their Administrative Ministries. |
| 2. | Whether Govt. servant can be permitted to leave station/go abroad while on CCL? | Child care leave is granted to a woman employee to take care of the needs of the minor children. If the child is studying abroad or the Government servant has to go abroad for taking care of the child she may do so subject to other conditions laid down for this purpose. |



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| 3. | What is the intention behind the instruction that CCL is to be treated like EL and sanctioned as such? | <p>The intention is that CCL should be availed with prior approval of leave sanctioning authority and that the combination of CCL with other leave, if any, should be as per the restriction on EL.</p> <p>The restriction of the limit of 180 days at a stretch as applicable in the case of EL will not apply in case of CCL.</p> <p>The other conditions like CCL may not be granted for less than 15 days or in more than 3 spells etc., will apply. {Rule 43-C}</p> |
| 4. | Whether child care leave has been extended to female industrial employees? | <p>Child Care leave has been extended to all civilian female industrial employees covered by the CCS(Leave) Rules, 1972 subject to the conditions provided in rule 43-C of the CCS(Leave) Rules, 1972, as amended from time to time {OM No. 12012/2/2009-Estt.(L) dated 01.08.2012}</p> |

| Commuted Leave | | |
|----------------|----------------------------|--------|
| Sl. No | Frequently asked Questions | Answer |



| | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Whether commuted leave is admissible based on medical certificates of Hospitals/Medical Practitioner approved by the employer of the spouse in cases where the concerned employee has been allowed to avail such facilities from the employer of the spouse? | Leave on medical grounds may be allowed on the basis of certificates issued by Hospitals/Medical Practitioners approved by the employer of the spouse in such cases. |
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(S.G. Mulchandaney)

Under Secretary

Tel: 26164316



Policy of Reservation to SCs, STs and OBCs

Q.1. What is the policy of the Government on reservation for SCs, STs and OBCs?

Reservation to the SCs, STs and OBCs in case of direct recruitment on all India basis by open competition is given at the rate of 15%, 7.5% and 27% respectively. In case of direct recruitment on all India basis otherwise than by open competition, reservation for SCs, STs and OBCs is 16.66%, 7.5% and 25.84% respectively. In case of direct recruitment to Group C and D posts which normally attract candidates from a locality or a region, percentage of reservation for SCs/STs is generally fixed in proportion to the population of SCs and STs in the respective States/UTs. For OBCs it is fixed keeping in view the proportion of their population in the concerned State/UT and the fact that total reservation for SCs/STs/OBCs remains within the limit of 50% and reservation for OBCs remains within the limit of 27%.

Reservation in promotion by non-selection method is available to SCs and the STs in all groups of services viz. A, B, C and D at the rate of 15% and 7.5% respectively. In case of promotion by selection method reservation is available upto the lowest rung of Group 'A' at the same rates. In promotion by selection to posts within Group 'A' which carry an ultimate salary of Rs. 18,300/- or less (in pre-revised scale) there is no reservation, but the Scheduled Caste/Scheduled Tribe 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 is to be drawn up, would be included in that list provided they are not considered unfit for promotion.

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Q.2. What are the key provisions of Reservation Policy?

Following are the key provisions of Policy of Reservation for SCs, STs and OBCs:

- (i) SCs/ STs get reservation in all groups of posts under the Government in case of direct recruitment and in case of promotions made by non-selection method. In case of promotions made by selection, reservation is available to them when promotions are made in Group B, C, D posts and from Group B to the lowest rung in Group 'A' posts.
- (ii) SC/ST/OBC candidates appointed by direct recruitment and SC/ST candidates also promoted on their own merit are adjusted against unreserved posts.
- (iii) In promotion by selection to posts within Group 'A' which carry an ultimate salary of Rs.18,300/- or less (pre-revised), there is no reservation, but the Scheduled Caste/Scheduled Tribe 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 is to be drawn up, would be included in that list provided they are not considered unfit for promotion.
- (iv) There is a general ban on dereservation of posts in case of direct recruitment.
- (v) In case of direct recruitment various relaxations, like relaxations in age limit by 5 years: exemption from payment of examination/application fees: relaxation in qualification of experience at the discretion of UPSC/competent authority; relaxation in standard of suitability, etc. are available to members of SCs and STs.



- (vi) In case of direct recruitment. OBCs get relaxation of 3 years in upper age limit, relaxation in standards of suitability, etc.
- (ii) In case of promotion, zone of consideration is extended upto five times the number of vacancies in case suitable candidates are not available within normal zone of consideration: minimum qualifying marks/standards of evaluation are relaxable; upper age limit is relaxable by five years where upper age limit for promotion is prescribed not more than 50 years.
- (iii) There is a provision of appointment of liaison officers in all Ministries/ Departments to ensure proper implementation of reservation policy.

Q.3. What are the relaxations available to SCs/ STs?

The relaxations that are available for the SCs and STs in direct recruitment are as follows:-

- a) Relaxation in the upper age limit by five years;
- b) Exemption from payment of examination/ application fees;
- c) Where interview is a part of the recruitment process, SC/ ST candidates should be interviewed separately;
- d) Qualification regarding experience can be relaxed in respect of SC/ ST candidates at the discretion of UPSC/ Competent Authority;
- e) Standards of suitability can be relaxed etc.

The relaxations that are available for the SCs/ STs in promotions are as follows:-

- a) The zone of consideration is extended to five times the number of vacancies in case suitable SC/ ST candidates are not available within the normal zone of consideration;
- b) Minimum qualifying marks / standards of evaluation are relaxable;



- c) Upper age limit relaxable by five years where upper age limit for promotion is prescribed not exceeding fifty years. Etc.

Q.4. What are the relaxations available to OBCs?

Relaxations available to OBCs in direct recruitment are as follows:

- (i) Relaxation in the upper age limit by 3 years.
- (ii) Qualification regarding experience can be relaxed at the discretion of Competent Authority.
- (iii) Standards of suitability can be relaxed, etc.

Q.5. Who is an own merit candidate?

A candidate belonging to SC/ST/OBC who is selected on the same standard as applied to general category candidates and who appears in the general merit list is treated as own merit candidate. Such candidate is adjusted against unreserved point of the reservation roster. Department of Personnel and Training O.M. No.36011/1/98-Estt.(Res) dated 1-7-1998 clarifies that only such SC/ST/OBC candidates who are selected on the same standard as applied to general candidates shall not be adjusted against reserved vacancies. In other words, when a relaxed standard is applied in selecting an SC/ST/OBC candidate, for example in the age limit, experience qualification, permitted number of chances in written examination, extended zone of consideration larger than what is provided for general category candidates, etc., the SC/ST/OBC candidates are to be counted against reserved vacancies. Such candidates would be deemed to be unavailable for consideration against unreserved vacancies.



Q.6. What is the difference between post based reservation and vacancy based reservation?

Reservation to SCs, STs and OBCs prior to 2.07.1997 was implemented through vacancy based rosters in which case calculation of reserved vacancies depended on the total number of vacancies to be filled. The Supreme Court in the case of R.K. Sabharwal held that reservation in a cadre should be calculated on the basis of total number of posts in the cadre and not the vacancies. In means that if reservation for SCs is 15% and cadre strength in a grade is 100, 15 posts will be reserved for SCs i.e. at any point of time 15 posts in this cadre should be held by SCs appointed by reservation. Whenever their representation comes down, it would be completed.

Q.7. What is a Backlog vacancy and why are so many backlog vacancies in services?

Backlog Reserved Vacancies of a category are those vacancies which were earmarked reserved for that category in an earlier recruitment year but remained unfilled in the previous recruitment attempt on account of non-availability of suitable candidates belonging to that category and are still lying unfilled.

As per instructions issued by the DoP&T, if sufficient number of suitable SCs, STs and OBC candidates do not become available to fill up the vacancies reserved for them in the first attempt of recruitment, a second attempt is made for recruiting suitable candidates belonging to the concerned category in the same recruitment year or as early as possible before the next recruitment year so that backlog reserved vacancies are not created. However, even after making such efforts the reserved vacancies are not filled up and backlog vacancies are created



which are carried forward to the subsequent recruitment year, in which concerted efforts are made to fill up the backlog reserved vacancies as soon as possible.

It may be observed that reason of creation of backlog reserved vacancy is non-availability of reserved category candidates for some posts.

Q.8. Whether the ceiling of 50% reservation would apply to backlog reserved vacancies of SCs, STs and OBCs.

Backlog reserved vacancies are treated as special and distinct group and ceiling of 50% reservation in a recruitment year does not apply to backlog reserved vacancies.

Q.9. What is the policy of Government about appointment of less qualified SCs, STs and OBCs candidates?

Instructions provide that in direct recruitment whether by examination or otherwise, if sufficient number of Scheduled Caste candidates are not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to this community should be selected to fill up the remaining vacancies reserved for them provided they are not found unfit for such post or posts. Thus, to the extent the number of vacancies reserved for Scheduled Castes cannot be filled on the basis of general standard, candidate belonging to SC community are taken by relaxed standard to make up the deficiency in the reserved quota. Subject to the fitness of these candidates for appointment to the post/posts in question.

In addition to the concession referred to above, instructions further provide that in cases where the requisite number of SC candidates fulfilling even the relaxed standards admissible in their cases are not available to fill the vacancies



reserved for them in non-technical and quasi-technical Group C and D services/post required to be filled by direct recruitment otherwise than by written examination, the selecting authorities should, to the extent of the vacancies reserved for SC. Select for appointment the best among the SC candidates who fulfil the minimum educational qualification laid down in the notice for recruitment of advertisement. In order to bring such candidates to the minimum standard necessary for the posts and for the maintenance of efficiency of administration, they should be given in-service training.

Where some period of experience is prescribed as an essential qualification for direct recruitment to a post, and where, in the opinion of the Ministry/Department concerned, the relaxation of the experience qualification is not inconsistent with efficiency, a provision is inserted under the “essential qualification” in the relevant recruitment rules to the effect that UPSC/Competent Authority may relax the experience/qualification in the case of SC/ST/OBC candidates.

Q.10. Why there is no reservation in case of promotion within Group A?

Reservation to SCs and STs is available at all levels in the matter of promotion by non-selection method. In case of promotion by selection, they get reservation up to the lowest rung of Group ‘A’. Though there is no reservation in promotion by selection within Group A. in case of promotion by selection from a Group ‘A’ post to another Group ‘A’ post having a maximum salary of Rs.18,300/- or less (in pre-revised scale), the Scheduled Caste/ Scheduled Tribe 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 to be drawn up, are included in that list provided they are not considered unfit for promotion. Thus



sufficient care is taken to ensure that the SC/ST officers get promotion to such higher posts even if they do not meet the criterion laid down for general category candidates.

The Supreme Court in Indra Sawhney's case had declared reservation in promotion ultra virus. However, in order to continue reservation in promotion, the 77th Amendment was made to the Constitution incorporating clause (4A) in Article 16 of the Constitution which enabled the State to continue reservation in promotion. The statement of Objects and Reasons of the constitution (Eight-Sixth Amendment) Bill which became the Constitution (77th Amendment) Act, stated that the object was to continue the then existing dispensation. Since reservation in promotion was not available when promotions were made by selection within Group 'A' posts even before the judgment of the Supreme Court in Indra Sawhney case, the Department's O.M. dated August 13, 1997 issued in pursuance of Article 16 (4A) has restored the previously existing dispensation. Which did not provide for reservation in promotion by selection within Group 'A' posts.

Q. 11. What is the objective behind the issuance of caste certificates to Scheduled Castes and Scheduled Tribes?

The main objective of issuance of caste certificate is to facilitate access of bonafide candidates belonging to the Scheduled Castes Scheduled Tribe and Other Backward Class to the reserved posts and services under the State and other facilities provided by the State to them.

Q. 12. Whether the Government have achieved the objective behind the issue of caste certificate?



On the basis of caste certificates, large number of reserved category candidates have been able to secure employment in Government establishments, PSUs, Banks, autonomous bodies etc.; secure admissions to educational institutions; and get other facilities provided by the Government to the members of Scheduled Castes, Scheduled Tribes and Other Backward Classes.

Q. 13. What is the procedure for issuing of Scheduled Caste/Scheduled Tribe/ Other Backward Class certificates? Who is the competent authority to issue the same? Is any other authority other than specified, in any circumstances allowed to issue such certificates. If so, elaborate.

The instructions contained in this Department's OM No. 36012/6/88-Estt.(Res) dated 24.4.90 and OM No. 36012/22/93-Estt.(Res) dated 15.11.1993 provide the Authorities who are competent to issue of caste certificates and also the proforma However, the Central Government accepts the certificates issued only by the following authorities in the prescribed proforma:

- (1) District Magistrate / Additional District Magistrate/ Collector/ Deputy Commissioner/ Additional Deputy Commissioner/ Deputy Collector/ Ist Class stipendiary Magistrate/ Sub Divisional Magistrate/ Taluka Magistrate/ Executive Magistrate/ Extra Assistant Commissioner.
- (2) Chief Presidency Magistrate/ Additional Chief Presidency Magistrate/ Presidency Magistrate.
- (3) Revenue Officer not below the rank of Tehsildar and
- (4) Sub-Divisional Officer of the area where the candidate and/ or his family normally resides.



Q. 14. What are the guidelines that have been issued to the appointing authorities in regard to scrutiny and verification of caste certificates of candidates at the time of their entry into Government service? Whether the present guidelines on the subject are fool proof so that genuine SC/ST are not deprived of their Constitutional rights.

The Government of India has issued instructions regarding scrutiny and verification of the caste certificates of the candidates at the time of initial appointment and at every important upturn of employee's career. This Department re-iterated the instructions vide O.M. No. 36011/3/2005-Estt. (Res) dated 9th September 2005.

Q. 15. What are the guidelines in case of migration of a reserved category person from one state to another State?

When a person migrates from the portion of the State in respect of which his community is Schedules to another part of the same State in respect of which his community is not schedules, he will continue to be deemed to be a member of the Scheduled Caste or the Scheduled Tribe or the Other Backward Class, as the case may be in relation to that State;

When a person who is a member from one State to another, he can claim to belong to a Scheduled Caste or a Scheduled Tribe only in relation to the State to which he originally belonged and not in respect of the State to which he has migrated.

Q. 16. What action is taken when complaints are received about the genuineness of caste certificate once the appointments have been given or on detection of a prima facie case of a false SC/ST certificate at any stage of



employment? Is there a set procedure to be followed for punishing such an employee?

The instructions contained in The Department of Personnel & Training's O.M. No. 11012/7/91-Estt.(A) dated 19-5-93 provide that wherever it is found that a Government servant, who was not qualified or eligible in terms of the recruitment rules etc. for initial recruitment in service or had furnished false information or produced a false certificate in order to secure appointment, he should not be retained in service. If he is a probationer or a temporary Government servant, he should be discharged or his services should be terminated. If he has become a permanent Govt. Servant, an inquiry as prescribed in Rule 14 of CCS (CCA) Rules, 1965 may be held and if the charges are proved, the Government servant should be removed or dismissed from service. In no circumstances should any other penalty be imposed. Necessary action may also be taken under the provisions of the IPC for production of false certificates.

Q. 17. What is 'Creamy Layer' amongst OBCs?

The Supreme Court in Indra Sawhney case has upheld 27% reservation for OBCs in civil posts and services under the State subject to exclusion of socially advanced persons/ sections (creamy layer) from OBCs within 4 months from the date of judgment.

2. Following the above judgment of the Supreme Court, the Government had constituted an Expert Committee to make recommendations on the socio-economic criteria to be adopted for excluding the creamy layer amongst OBCs. The report of the Expert Committee was considered and accepted by the Government and the categories of the persons/ selections to be excluded from the purview of reservation orders for OBCs were notified in the Schedule to the OM



dated 8.9.1993 issued by this Department. Initially, the Income limit of ‘creamy layer’ vide the aforesaid O.M. for exclusion of reservation was fixed Rs.1 Lakh.

3. Last time, this income ceiling was revised from Rs. 206 lakh to 4.5 lakh vide OM No. 36033/3/2004-Estt. (Res) on 14.10.2008.

Q. 18. What is the criteria to determine the ‘creamy layer’ amongst OBCs Employees working in PSUs?

The criteria prescribed for determining creamy layer status of sons and daughters of persons in Government service mutatis mutandis applies to the sons and daughters of persons holding equivalent or comparable posts in PSUs, Banks, Insurance Organisations, Universities etc. and also holding equivalent or comparable posts and positions under private employment. The creamy layer status of the sons and daughters of employees of organizations where evaluation of the posts on equivalent or comparable basis has not been made is determined on the basis of ‘Income/ Wealth Test’ given in the Schedule. The income/ wealth Test prescribes that the gross annual income of Rs. 4.5 lakh or above or possessing wealth above the exemption limit as prescribed in Wealth Tax Act for a period of three consecutive years would be treated to fall in creamy layer.



Policy of Reservation to Ex-Serviceman

Q.1 What is the policy of reservation for ex-servicemen?

The policy of reservation for ex-servicemen is governed by the Ex-servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979. These rules apply to all the Central Civil Services and Posts, Group 'C' and Group 'D' and the posts of the level of Assistant Commandant in all para-military forces.

Q.2 What is the percentage of reservation provided to the ex-servicemen?

Ten percent of the vacancies in the posts of the level of Assistant Commandant in all para-military forces, ten per cent of the vacancies in each of the categories of Group 'C' and of such posts in Group 'C' services, including permanent vacancies filled initially on a temporary basis and temporary vacancies which are likely to be made permanent or are likely to continue for three months and more, to be filled by direct recruitment in any year are reserved for ex-servicemen;

Provided the percentage of reservation so specified for ex-servicemen in a category of post shall be increased or decreased in any one recruitment year to the extent to which the total number of vacancies reserved for ex-servicemen, Scheduled Castes and Scheduled Tribes (including the carried forward reservation for Scheduled Castes and Scheduled Tribes) and for any other categories taken together, falls short or is in excess, as the case may be, of fifty per cent of the vacancies in that category of posts filled in that year;

Provided further that in case of an increase in the reservation for the ex-servicemen under the preceding proviso, the additional vacancies so made



available for them shall be utilised first for the appointment of disabled ex-servicemen and if any such vacancies still remain unfilled thereafter the same shall then be made available to other ex-servicemen.

Q. 3 What is vertical reservation and what is horizontal reservation?

Reservation for backward classes of citizens (SCs, STs and OBCs) is called vertical reservation and the reservation for ex-servicemen is called horizontal reservation. Horizontal reservation cuts across vertical reservation (in what is called inter-locking reservation) and persons selected against the quota for persons with disabilities have to be placed in the appropriate category viz. SC/ST/OBC/General candidates depending upon the category to which they belong in the roster meant for reservation of SCs/STs/OBCs. To illustrate, if in a given year there are two vacancies reserved for the ex-servicemen and out of two ex-servicemen appointed, one belongs to a Scheduled Caste and the other to general category then the disabled SC candidate shall be adjusted against the SC point in the reservation roster and the general candidate against unreserved point in the relevant reservation roster. In case none of the vacancies falls on point reserved for the SCs, the ex-serviceman belonging to SC shall be adjusted in future against the next available vacancy reserved for SCs.

Since the ex-servicemen have to be placed in the appropriate category viz. SC/ST/OBC/General in the roster meant for reservation of SCs/STs/OBCs, the application form for the post should require the candidates applying under the quota reserved for ex-servicemen to indicate whether they belong to SC/ST/OBC or General category.

Q. 4 What is the definition of Ex-serviceman?



The Ex-serviceman (Re-employment in Central Civil Services and Posts) Rules, 1979 as modified by the Gazette Notification dated 27th October, 1986, defines ex-serviceman as a person who has served in any rank whether as combatant or non-combatant in a Regular Army, Navy and Air Force of the Indian Union and

- (i) Who retired from such service after earning his/her pension; or
- (ii) Who has been released from such service on medical grounds attributable to military service or circumstances beyond his control and awarded medical or other disability pension; or
- (iii) Who has been released, otherwise than on his own request, from such service as a result of reduction in establishment; or
- (iv) Who has been released from such service after completing the specific period of engagements, otherwise than at his own request or by way of dismissal or discharge on account of misconduct or inefficiency, and has been given a gratuity; and includes personnel of the Territorial Army of the following categories, namely:
 - (i) Pension holders for continuous embodied service
 - (ii) Persons with disability attributable to military service; and
 - (iii) Gallantry award winners.

As per the clarification issued in the Notification No. 36034/5/85-Estt. (SCT) dated 27.3.1987 any person who has been released upto 30th June, 1987 –

- (a) At his own request after completing 5 years' service in the Armed Forces of the Union; or



(b) After serving for a continuous period of six months after attestation, otherwise than at his own request or by way of dismissal or discharge on account of mis-conduct or inefficiency or has been transferred to the reserve pending such release;

Shall also deemed to be an ex-serviceman.

Q. 5 What are the relaxations/concessions available to the ex-servicemen?

For appointment to vacancies in any Group C or Group D posts in Central Government, an ex-serviceman shall be allowed to deduct the period of actual military service from his actual age and if the resultant age does not exceed the maximum age limit prescribed for the post for which he is seeking appointment by more than three years he shall be deemed to satisfy the condition regarding age limit.

The upper age limit shall be relaxed by the length of military service increased by three years in the case of ex-servicemen and commissioner officers including ECOs/SSCOs for appointment to any vacancy in Group A and Group B services/posts filled by direct recruitment otherwise than on the results of an open All India Competitive Examination held by the UPSC.

For appointment to any vacancy in Group A and Group B services/ posts filled by direct recruitment on the results of an All India Competitive Examination held by UPSC the ex-servicemen and Commissioned Officers including ECOs/SSCOs who have rendered at least 5 years military service and have been released, (1) on completion of assignment (including those whose assignment is due to be completed within 1 year) otherwise than by way of dismissal or discharge on account of misconduct or inefficiency, or (2) on account



of physical disability attributable to military service or on invalidment, shall be allowed maximum relaxation of five years in the upper age limit.

Relaxation in Educational Qualification – For appointment to any reserved vacancy in Group ‘C’ posts, the appointing authority may, at its discretion, relax the minimum educational qualification, where such qualification prescribed is a pass in the Middle School Education or nay lower examination, in favour of ex-servicemen who have put in atleast three years and suitable for appointment to such posts, in view of their experience and other qualifications.

For appointment to any reserved vacancy in Group ‘C’ posts, to be filled partly by direct recruitment and partly by promotion or transfer where the minimum qualification or technical qualification prescribed for appointment by direct recruitment is higher than that prescribed for promotes or transferees, an ex-servicemen shall be deemed to satisfy the prescribed education or technical qualification if he;

- (i) satisfied the educational or technical qualification prescribed for direct recruitment to the post from which promotion or transfer to the post in question is allowed, and
- (ii) has identical experience of work in a similar discipline and for the same number of years in the Armed Forces of the Union, as prescribed for promotes or transferees.

Q. 6 Is the benefit of reservation available to the ex-serviceman, who has already joined a civil appointment?

An ex-serviceman who has already secured employment under the Central Government in Groups C and D will be permitted the benefit of age relaxation as



prescribed for ex-servicemen for securing another employment in a higher grade or cadre in Group C and D under the Central Government. However, such candidate will not be eligible for the benefit of reservation for ex-servicemen in Central Government jobs.

Q. 7 Can a vacancy reserved for ex-serviceman be filled by general candidate?

No vacancy reserved for ex-servicemen in a post to be filled otherwise than on the results of an open competitive examination shall be filled by the appointing authority by any general candidate, until and unless the said authority;

- (i) has obtained a “Non-availability Certificate” from the employment exchange (where a requisition is placed on an employment exchange) ;
- (ii) has verified the non-availability of a suitable candidate by reference to the Director General Resettlement and recorded a certificate to that effect ; and
- (iii) has obtained approval of the Central Government.

In case of number of posts reserved for ex-servicemen is not filled by candidates who are ex-servicemen the number of posts not so filled can be added to the number of post falling to the share of ex-servicemen in the next year. However, addition will be subject to adjustments with the reservation available for the other categories in accordance with the general policy of the Government and also subject to the upper ceiling and 50% of the total vacancies being reserved.



Policy of Reservation to Persons with Disabilities

Q.1 What is the policy of the Government on reservation for Persons with Disabilities?

Reservation to Persons with Disabilities is provided in line with the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, in posts and services under the Government of India.

Three per cent of the vacancies in case of direct recruitment to Group A,B,C and D posts shall be reserved for persons with disabilities of which one per cent each shall be reserved for persons suffering from (i) blindness or low vision, (ii) hearing impairment and (iii) locomotor disability or cerebral palsy in the posts identified for each disability;

Three per cent of the vacancies in case of promotion to Group D and Group C posts in which the element of direct recruitment, if any, does not exceed 75%, shall be reserved for persons with disabilities of which one per cent each shall be reserved for persons suffering from (i) blindness or low vision, (ii) hearing impairment and (iii) locomotor disability or cerebral palsy in the posts identified for each disability.

Q. 2 What is the provision for exemption from reservation to Ministries/ Departments?

If any Department/ Ministry considers it necessary to exempt any establishment partly or fully from the provision of reservation for persons with disabilities, it may make a reference to the Ministry of Social Justice and



Empowerment giving full justification for the proposal. The grant of exemption shall be considered by an Inter-Departmental Committee set up by the Ministry of Social Justice and Empowerment.

Q. 3 What are the definitions of Disabilities?

Definitions of categories of disabilities for the purpose of this Office Memorandum are given below:

(i) (a) Blindness: “Blindness” refers to a condition where a person suffers from any of the following conditions, namely :-

- (i) total absence of sight; or
- (ii) visual acuity not exceeding 6/60 or 20/200 (Snellen) in the better eye with correcting lenses; or
- (iii) limitation of the field of vision subtending an angle of 20 degree or worse;

(b) Low vision: “Person with low vision” means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device.

(ii) Hearing Impairment:- “Hearing Impairment” means loss of sixty decibels or more in the better ear in the conversational range of frequencies.

(iii) (a) Locomotor disability : “Locomotor disability” means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy.



- (b) Cerebral Palsy :- “Cerebral Palsy” means a group of non-progressive conditions of a person characterised by abnormal motor control posture resulting from brain insult or injuries occurring in the pre-natal, peri-natal or infant period of development.
- (c) All the cases of orthopaedically handicapped persons would be covered under the category of “locomotor disability or cerebral palsy”.

Q. 4 What should be the degree of disability for claiming reservation in posts/services under the Central Government?

Only such persons would be eligible for reservation in services/ posts who suffer from not less than 40 per cent of relevant disability. A person who wants to avail of benefit of reservation would have to submit a Disability Certificate issued by a competent authority.

Q. 5 Who is the competent authority to issue Disability Certificate?

The competent authority to issue Disability Certificate shall be a Medical Board duly constituted by the Central or a State Government. The Central/ State Government may constitute Medical Board(s) consisting of at least three members out of which at least one shall be a specialist in the particular field for assessing locomotor/ cerebral/ visual/ hearing disability, as the case may be.

The Medical Board shall, after due examination, give a permanent disability certificate in cases of such permanent disabilities where there are no chances of variation in the degree of disability. The Medical Board shall indicate



the period of validity of the certificate, in cases where there are chances of variation in the degree of disability. No refusal of disability certificate shall be made unless an opportunity is given to the applicant of being heard. On representation by the applicant, the Medical Board may review its decision having regard to all the facts and circumstances of the case and pass such orders in the matter as it thinks fit.

At the time of initial appointment and promotion against a vacancy reserved for persons with disability, the appointing authority shall ensure that the candidate is eligible to get the benefit of reservation.

An employee who acquires disability after entering into service will be entitled to get the benefit of reservation as a person with disability from the date he produces a valid certificate of disability.

Q. 6 Which Ministry/ Department identifies the jobs/posts suitable for Persons with Disabilities?

The Ministry of Social Justice and Empowerment have identified the jobs/posts suitable to be held by persons with disabilities and the physical requirement for all such jobs/ posts vide their notification no. 16-25/99. NI.I dated 31.5.2001. The jobs/ posts given in Annexure II of the said notification as amended from time to time shall be used to give effect to 3 per cent reservation to the persons with disabilities. It may, however, be noted that:



- (a) The nomenclature used for any job/ post shall mean and include nomenclature used for other comparable jobs/ posts having identical functions.
- (b) The list of jobs/ posts notified by the Ministry of Social Justice & Empowerment is not exhaustive. The concerned Ministries/ Departments shall have the discretion to identify jobs/ posts in addition to the jobs/ posts already identified by the Ministry of Social Justice & Empowerment. However, no Ministry/ Department/ Establishment shall exclude any identified job/ post from the purview of reservation at its own discretion.
- (c) If a job/ post identified for persons with disabilities is shifted from one group or grade to another group or grade due to change in the pay-scale or otherwise, the job/ post shall remain identified.

If a post is identified suitable only for one category of disability, reservation in that post shall be given to persons with that disability only. Reservation of 3% shall not be reduced in such cases and total reservation in the post will be given to persons suffering from the disability for which it has been identified. Likewise in case the post is identified suitable for two categories of disabilities, reservation shall be distributed between persons with those categories of disabilities equally, as far as possible. It shall, however, be ensured that reservation in different posts in the establishment is distributed in such a way that the persons of three categories of disabilities, as far as possible, get equal representation.

Q. 7 How can a Person with Disability be appointed against an unreserved vacancy?



In the posts which are identified suitable for persons with disabilities, a person with disability cannot be denied the right to compete for appointment against an unreserved vacancy. Thus a person with disability can be appointed against an unreserved vacancy, provided the post is identified suitable for persons with disability of the relevant category.

Q. 8 Who is an own merit candidate?

Persons with disabilities selected on their own merit without relaxed standards alongwith other candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with disabilities which will thus comprise physically handicapped candidates who are lower in merit than the last candidate in merit list but otherwise found suitable for appointment, if necessary, by relaxed standards. It will apply in case of direct recruitment as well as promotion, wherever reservation for persons with disabilities is admissible.

Q. 9 How is the reservation for Persons with Disabilities computed?

Reservation for persons with disabilities in case of Group C and Group D posts shall be computed on the basis of total number of vacancies occurring in all Group C or Group D posts, as the case may be, in the establishment, although the recruitment of the persons with disabilities would only be in the posts identified suitable for them. The number of vacancies to be reserved for the persons with disabilities in case of direct recruitment to Group 'C' posts in an establishment shall be computed by taking into account the total number of vacancies arising in Group 'C' posts for being filled by direct recruitment in a recruitment year both in the identified and non-identified posts under the establishment. The same



procedure shall apply for Group 'D' posts. Similarly, all vacancies in promotion quota shall be taken into account while computing reservation in promotion in Group 'C' and Group 'D' posts. Since reservation is limited to identified posts only and number of vacancies reserved is computed on the basis of total vacancies (in identified posts as well as unidentified posts), it is possible that number of persons appointed by reservation in an identified post may exceed 3 per cent.

Reservation for persons with disabilities in Group 'A' posts shall be computed on the basis of vacancies occurring in direct recruitment quota in all the identified Group 'A' posts in the establishment. The same method of computation applies for Group 'B' posts.

Q. 10 How are the reservation roster registers for Persons with Disabilities maintained?

(a) All establishments shall maintain separate 100 point reservation roster registers in the format given in Annexure II for determining/ effecting reservation for the disabled – one each for Group 'A' posts filled by direct recruitment, Group 'B' posts filled by direct recruitment, Group 'C' posts filled by direct recruitment, Group 'C' posts filled by promotion, Group 'D' posts filled by direct recruitment and Group 'D' posts filled by promotion.

(b) Each register shall have cycles of 100 points and each cycle of 100 points shall be divided into three blocks, comprising the following points:

1st Block – point No. 1 to Point No. 33

2nd Block – point No. 34 to Point No. 66

3rd Block – point No. 67 to point No. 100



(c) Points 1, 34 and 67 of the roster shall be earmarked reserved for persons with disabilities – one point for each of the three categories of disabilities. The head of the establishment shall decide the categories of disabilities for which the points 1, 34 and 67 will be reserved keeping in view all relevant facts.

(d) All the vacancies in Group C posts falling in direct recruitment quota arising in the establishment shall be entered in the relevant roster register. If the post falling at point No. 1 is not identified for the disabled or the head of the establishment considers it desirable not to fill it up by a disabled person or it is not possible to fill up that post by the disabled for any other reason, one of the vacancies falling at any of the points from 2 to 33 shall be treated as reserved for the disabled and filled as such. Likewise a vacancy falling at any of the points from 34 to 66 or from 67 to 100 shall be filled by the disabled. The purpose of keeping points 1, 33, first available suitable vacancy from 34 to 66 and first available suitable vacancy from 67 to 100 by persons with disabilities.

(e) There is a possibility that none of the vacancies from 1 to 33 is suitable for any category of the disabled. In that case two vacancies from 34 to 66 shall be filled as reserved for persons with disabilities. If the vacancies from 34 to 66 are also not suitable for any category, three vacancies shall be filled as reserved from the third block containing points from 67 to 100. This means that if no vacancy can be reserved in a particular block, it shall be carried into the next block.

(f) After all the 100 points of the roster are covered, a fresh cycle of 100 points shall start.



(g) If the number of vacancies in a year is such as to cover only one block or two, discretion as to which category of the disabled should be accommodated first shall vest in the head of the establishment, who shall decide on the basis of the nature of the post, the level of representation of the specific disabled category in the concerned grade/ post etc.

(h) A separate roster shall be maintained for Group C posts filled by promotion and procedure as explained above shall be followed for giving reservation to persons with disabilities. Likewise two separate rosters shall be maintained for Group D posts, one for the posts filled by direct recruitment and another for posts filled by promotion.

(i) Reservation in group A and group B posts is determined on the basis of vacancies in the identified posts only. Separate rosters for Group A posts and Groups B posts in the establishment shall be maintained. In the rosters maintained for Group A and Group B posts, all vacancies of direct recruitment arising in identified posts shall be entered and reservation shall be effected the same way as explained above.

Q. 11 What is meant by inter se exchange and carry forward of reservation in case of direct recruitment quota as well as in promotion quota?

(a) Reservation for each of the three categories of persons with disabilities shall be made separately. But if the nature of vacancies in an establishment is such that a person of a specific category of disability cannot be employed, the vacancies may be interchanged among the three categories



with the approval of the Ministry of Social Justice & Empowerment and reservation may be determined and vacancies filled accordingly.

- (b) If any vacancy reserved for any category of disability cannot be filled due to non-availability of a suitable person with that disability or, for any other sufficient reason, such vacancy shall not be filled and shall be carried forward as a 'backlog reserved vacancy' to the subsequent recruitment year.
- (c) In the subsequent recruitment year the 'backlog reserved vacancy' shall be treated as reserved for the category of disability for which it was kept reserved in the initial year of recruitment. However, if a suitable person with that disability is not available, it may be filled by interchange among the three categories of disabilities. In case no suitable person with disability is available for filling up the post in the subsequent year also, the employer may fill up the vacancy by appointment of a person other than a person with disability. If the vacancy is filled by a person with disability of the category for which it was reserved or by a person of other category of disability by inter se exchange in the subsequent recruitment year, it will be treated to have been filled by reservation. But if the vacancy is filled by a person other than a person with disability in the subsequent recruitment year, reservation shall be carried forward for a further period upto two recruitment years whereafter the reservation shall lapse. In these two subsequent years, if situation so arises, the procedure for filling up the reserved vacancy shall be the same as followed in the first subsequent recruitment year.



In order to ensure that cases of lapse of reservation are kept to the minimum, any recruitment of the disabled candidates shall first be counted against the additional quota brought forward from previous years, if any, in their chronological order. If candidates are not available for all the vacancies, the older carried forward reservation would be filled first and the relatively later carried forward reservation would be further carried forward.

While filling up the reserved vacancies by promotion by selection, the disabled candidates who are within the normal zone of consideration shall be considered for promotion. Where adequate number of disabled candidates of the appropriate category of handicap are not available within the normal zone, the zone of consideration may be extended to five times the number of vacancies and the persons with disabilities falling within the extended zone may be considered. In the event of non availability of candidates even in the extended zone, the reservation can be exchanged so that post can be filled by a person with other category of disability, if possible. If it is not possible to fill up the post by reservation, the post may be filled by a person other than a person with disability and the reservation shall be carried forward for upto three subsequent recruitment years, whereafter it shall lapse.

In posts filled by promotion by non-selection, the eligible candidates with disabilities shall be considered for promotion against the reserved vacancies and in case no eligible candidate of the appropriate category of



disability is available, the vacancy can be exchanged with other categories of disabilities identified for it. If it is not possible to fill up the post by reservation even by exchange, the reservation shall be carried forward for upto three subsequent recruitment years whereafter it shall lapse.

Q. 12 What is vertical reservation and horizontal reservation?

Reservation for backward classes of citizens (SCs, STs and OBCs) is called vertical reservation and the reservation for categories such as persons with disabilities and ex-servicemen is called horizontal reservation. Horizontal reservation cuts across vertical reservation (in what is called inter-locking reservation) and persons selected against the quota for persons with disabilities have to be placed in the appropriate category viz. SC/ST/OBC/General candidates depending upon the category to which they belong in the roster meant for reservation of SCs/STs/OBCs. To illustrate, if in a given year there are two vacancies reserved for the persons with disabilities and out of two persons with disabilities appointed, one belongs to a Scheduled Caste and the other to general category then the disabled SC candidate shall be adjusted against the SC point in the reservation roster and the general candidate against unreserved point in the relevant reservation roster. In case none of the vacancies falls on point reserved for the SCs, the disabled candidate belonging to SC shall be adjusted in future against the next available vacancy reserved for SCs.

Since the persons with disabilities have to be placed in the appropriate category viz. SC/ST/OBC/General in the roster meant for reservation of SCs/STs/OBCs, the application form for the post should require the candidates applying under the



quota reserved for persons with disabilities to indicate whether they belong to SC/ST/OBC or General category.

Q. 13 What are the relaxations/concessions available to Persons with Disabilities?

RELAXATION IN AGE LIMIT:

(i) Upper age limit for persons with disabilities shall be relaxable (a) by ten years (15 years for SCs/STs and 13 years for OBCs) in case of direct recruitment to Group 'C' and Group 'D' posts; (b) by 5 years (10 years for SCs/STs and 8 years for OBCs) in case of direct recruitment to Group 'A' and Group 'B' posts where recruitment is made otherwise than through open competitive examination; and (c) by 10 years (15 years for SCs/STs and 13 years for OBCs) in case of direct recruitment to Group A and Group B posts through open competitive examination.

(ii) Relaxation in age limit shall be applicable irrespective of the fact whether the post is reserved or not, provided the post is identified suitable for persons with disabilities.

RELAXATION OF STANDARD OF SUITABILITY: If sufficient number of persons with disabilities are not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to this category may be selected on relaxed standard to fill up the remaining vacancies reserved for them provided they are not found unfit for such post or posts. Thus, to the extent the number of vacancies reserved for persons with disabilities to this category may be taken by relaxing the standards to make up the deficiency in the reserved



quota subject to the fitness of these candidates for appointment to the post/ posts in question.

EXEMPTION FROM PAYMENT OF EXAMINATION FEE AND

APPLICATION FEE: Persons with disabilities shall be exempt from payment of application fee and examination fee, prescribed in respect of competitive examinations held by the Staff Selection Commission, the Union Public Service Commission etc. for recruitment to various posts. This exemption shall be available only to such persons who would otherwise be eligible for appointment to the post on the basis of standards of medical fitness prescribed for that post (including any concession specifically extended to the disabled persons) and who enclose with the application form, necessary certificate from a competent authority in support of their claim of disability.

MEDICAL EXAMINATION: As per Rule 10 of the Fundamental Rules, every new entrant to Government Service on initial appointment is required to produce a medical certificate of fitness issued by a competent authority. In case of medical examination of a person with disability for appointment to a post identified as suitable to be held by a person suffering from a particular kind of disability, the concerned Medical Officer or Board shall be informed beforehand that the post is identified suitable to be held by persons with disability of the relevant category and the candidate shall then be examined medically keeping this fact in view.

Q. 14 What are the points which the Ministries/ Departments should keep in mind while sending the requisition notice to the Employment Exchange, the SSC, the UPSC etc. while advertising the vacancies?



In order to ensure that persons with disabilities get a fair opportunity in consideration for appointment to an identified post, the following points shall be kept in view while sending the requisition notice to the Employment Exchange, the SSC, the UPSC etc. and while advertising the vacancies:-

- (i) Number of vacancies reserved for SCs/STs/OBCs/Ex-Servicemen/ Persons suffering from Blindness or Low Vision/ Persons suffering from Hearing Impairment/ Persons suffering from Locomotor Disability or Cerebral Palsy should be indicated clearly.
- (ii) In case of vacancies in posts identified suitable to be held by persons with disability, it shall be indicated that the post is identified for persons with disabilities suffering from blindness or low vision; hearing impairment; and/or locomotor disability or cerebral palsy, as the case may be, and that the persons with disabilities belonging to the category/categories for which the post is identified shall be allowed to apply even if no vacancies are reserved for them. Such candidates will be considered for selection for appointment to the post by general standards of merit.
- (iii) In case of vacancies in posts identified suitable for persons with disabilities, irrespective of whether any vacancies are reserved or
- (iv) not, the categories of disabilities viz blindness or low vision, hearing impairment and locomotor disability or cerebral palsy, for which the post is identified suitable alongwith functional classification and physical requirements for performing the duties attached to the post shall be indicated clearly.
- (v) It shall also be indicated that persons suffering from not less than 40% of the relevant disability shall alone be eligible for the benefit of reservation.



In order to ensure proper implementation of the provisions of reservation for persons with disabilities, the requisitioning authority while sending the requisition to the UPSC, SSC etc. for filling up of posts shall furnish the following certificate to the recruiting agency:-

“It is certified that the requirements of the Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995 and the policy relating to reservation for persons with disabilities has been taken care of while sending this requisition. The vacancies reported in this requisition fall at points no Of cycle no Of 100 point reservation roster out of which Number of vacancies are reserved for persons with disabilities”.

Q. 15 What is the procedure to monitor the representation of Persons with Disabilities in posts and services under the Central Government?

(i) Soon after the first of January of every year, each appointing authority shall send to its administrative Ministry/Department:-

- (a) PWD Report-I in the prescribed proforma (Annexure III) showing the total number of employees, total number of employees in the posts which have been identified suitable for persons with disabilities and number of employees suffering from blindness or low vision, hearing impairment, and locomotor disability or cerebral palsy as on the 1st January of the year, and
- (b) PWD Report-II in the prescribed proforma (Annexure IV) showing the number of vacancies reserved for persons suffering from blindness or low vision, hearing impairment, and locomotor disability or cerebral palsy and



number of such persons actually appointed during the preceding calendar year.

(ii) The administrative Ministry/Department shall scrutinize the information received from all appointing authorities under it and send consolidated PWD Report-I and PWD Report-II in prescribed proforma in respect of the Ministry/Department including information in respect of all attached and subordinate offices under its control to the Department of Personnel and Training by the 31st March of each year.

(iii) The following points may be kept in view while sending the reports to the Department of Personnel & Training :-

- (a) The reports sent to the DOPT should not include information in respect of public sector undertakings, statutory, semi-Government and autonomous bodies. Statutory, semi-Government and autonomous bodies shall furnish consolidated information in the prescribed proforma to the administrative Ministry/Department concerned who may scrutinize, monitor and maintain it at their own level. The Department of Public Enterprises may collect similar information in respect of all public sector undertakings.
- (b) The attached/subordinate offices shall send information to their administrative Ministry/Department only and shall not send it direct to this Department.
- (c) The figures in respect of persons with disabilities shall include persons appointed by reservation as well as appointed otherwise.



(d) The PWD Report I relates to persons and not to posts. Therefore, while furnishing this report the posts vacant etc. should not be taken into account. In this report persons on deputation should be included in the establishment of the borrowing Ministry/Department/ Office and not in the parent establishment. Persons permanent in one grade but officiating or holding temporary appointment in the higher grade shall be included in the figures relating to the Class of service to which the higher grade belongs.

Liaison Officers appointed to look after reservation matters for SCs/STs shall also work as Liaison Officers for reservation matters relating to persons with disabilities and shall ensure compliance of these instructions on reservation for Persons with Disabilities.



ACP/MACP Schemes

| Sl.No | Point of doubt | Clarification |
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| 1. | What is Modified Assured Career Progression Scheme (MACPS)? | The MACP Scheme for Central Civilian Government Employees is in supersession of earlier ACP Scheme. Under the MACP Scheme three financial Up-gradations are allowed on completion of 10, 20, 30 years of regular service, counted from the direct entry grade. The MACPS envisages merely placement in the immediate next higher grade pay as given in Section I, Part-A of the first schedule of the CCS (Revised Pay) Rules 2008, in case no promotion has been earned by the employee during this period. |
| 2. | From which date the MACPS is effective? | The MACPS is effective w.e.f. 01.09.2008 or on completion of 10, 20 & 30 years of continuous regular service, whichever is later. Financial upgradation will also be admissible whenever a person has spent 10 years continuously in the same grade pay. (Para 9 of OM dated 19/5/2009) |



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| 3. | Who are entitled for financial upgradation under the MACPS? | The MACPS is applicable to all Central Government Civilian Employees. |
| 4. | What norms are required to be fulfilled while granting the benefits under MACPS? | <p>The financial upgradation would be on non-functional basis subject to fitness in the hierarchy of pay band and grade pay within PB-</p> <ol style="list-style-type: none"> 1. Thereafter, only the benchmark of 'Good' would be applicable till the grade pay of Rs. 6600 in PB-3. The benchmark will be 'Very Good' for financial upgradation to the grade pay of Rs.7600 and above. However, where the financial upgradation under the MACPS also happen to be in the promotional grade and benchmark for promotion is lower than the benchmark for granting the benefits under MACPS as mentioned in para 17 of the Scheme, the benchmark for promotion shall apply to MACP also. <p>OM. NO. 35034/3/2008-Estt (D) dated 01/11/2010</p> |



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| 5. | Whether Pay Band would be changed at the time of grant of financial upgradation under MACPS | Yes. OM. No.35034/3/2008-Estt (D) dated 01/11/2010 |
| 6. | Whether the promotions in same grade would be counted for the purpose of MACPS? | The financial up-gradation under the MACPS is in the immediate next higher grade pay in the hierarchy of recommended revised pay bands and grade pay as given in CCS (Revised Pay) Rules, 2008. However if the promotional hierarchy as per recruitment rules is such that promotions are earned in the same grade pay, then the same shall be counted for the purpose of MACPS. |
| 7. | How will the benefits of ACP be granted if due between 01.01.2006 and 31.08.2008 | The revised pay structure has been changed w.e.f. 01.01.2006 and the benefits of ACPS have been allowed till 31.08.2008. hence, the benefits of revised pay structure would be allowed for the purpose of ACPS. (OM No. 35034/3/2008-Estt. Dated 9.9.2010). |
| 8. | Whether adhoc appointment would be counted towards qualifying service for MACPS | No. only continuous regular service is counted towards qualifying service for the purpose of MACPS. The regular service shall commence from the date of |

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| | | joining of a post in direct entry grade on a regular basis. (Para 9 of the MACPS) |
| 9. | Whether State Government service shall be reckoned for the purpose of MACPS | No. Only regular service rendered in the Central Government's Department/Office is to be counted for the purpose of MACPS, as the Scheme is applicable to the Central Government Civilian Employees only. (MACPS, Para 10) |
| 10. | What are the periods included in the regular service? | All period spent on deputation/foreign service, study leave and all other kind of leave, duly sanctioned by the competent authority shall be included in the regular service. (Para 11, MACPS) |
| 11. | How is the MACPS to be extended to the employees of Autonomous and Statutory Bodies. | Procedure prescribed in OM No. 35034/3/2010-Estt(D), dated 03/08/2010 would be followed by the administrative Ministries/Departments concerned for extension of the MACPS to the employees of Autonomous and Statutory Bodies under their control. |
| 12. | Whether the cases of grant of financial upgradation allowed under the ACPS between 01.09.2008 and | Yes. Since the benefits of ACPS have been discontinued w.e.f. 01.09.2008, the cases settled between 01.09.2008 and |



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| | 19.05.2009, the date of issue of the Scheme are be reviewed? | 19.05.2009, in terms of previous ACP Scheme shall be reviewed. |
| 13. | Whether the past continuous regular service in another Govt. Deptt. in a post carrying same grade pay prior to regular appointment in a new Deptt. Without a break shall be counted towards qualifying regular service for the purpose of MACPS. | Yes. (Para 9, MACPS) |
| 14. | Upto what grade pay the benefits under the MACPS is allowed? | The benefits of MACPS are being up-to HAG scale of Rs. 67000-79000/- (DOPT's O.M. No. 35034/3/2008-Estt.(D) dated 24.12.2010) |
| 15. | How the cases of pre-revised pay scales (Rs. 5000-8000 & Rs. 5500-9000 and Rs. 6500-10500 & Rs. 7450-11500) merged w.e.f. 01.01.2006 are to be decided under MACPS? | The cases would be regulated in accordance with para 5 of Annexure-I of MACPS. The Ministries/ Departments are expected to re-organise cadres and frame common RRs for the post in merged scales. |



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| 16. | Whether 'Non-functional Scale' of Rs. 8000-13500 (revised to grade pay of Rs. 5400 in PB-3) would be viewed as one financial upgradation for the purpose of MACPS. | Yes, in terms of para 8.1 of Annexure-I of MACPS dated 19.05.2009. |
| 17. | Whether 'time bound promotion' scheme including 'in-situ promotion' scheme can run concurrently with MACPS. | No. (Para 13 of MACPS) |
| 18. | Whether Staff Car Driver Scheme can run concurrently with MACPS | DOPT vide O.M. No. 35011/03/2008-Estt.(D), 30/07/2010 has extended the benefits of MACPS to Staff Car Drivers as a fall back option. |
| 19. | Whether the placement of erstwhile Gr. D employees as Staff Car Driver, ordinary grade, would count as a promotion? | No. The model RRs for Staff Car Drivers provide deputation/ absorption as a method of appointment for erstwhile Gr. D employees. The placement as Staff Car Driver is not in the hierarchy hence the same would not be counted as promotion under MACPS. The regular service for the MACPS would be from the date of appointment as Staff Car Driver. |



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| 20. | Whether designation, classification or higher status would change on account of financial upgradation under MACPS | There shall be no change in the designation, classification or higher status on grant of financial upgradation under MACPS, as the upgradation under the Scheme is purely personal and merely placement in the next higher grade pay. (Para 16 of Annexure-I of MACPS refers). |
| 21. | If a financial upgradation under the MACPS is deferred due to the reason of the employees being 'unfit' or due to departmental proceedings, etc, whether this would have consequential effect on the subsequent financial upgradation. | Yes, this would have consequential effect on the subsequent financial upgradation, which would also get deferred to the extent of delay in grant of financial upgradation. (MACPS, Para 15) |
| 22. | Whether the stepping up of pay would be admissible if a junior is getting more pay than the senior on account of grant of financial upgradation under MACPS. | No stepping up of pay in the band or grade pay would be admissible with regard to junior getting more pay than the senior on account of pay fixation under MACPS. (Para 10 of OM dated 19/5/2009) |
| 23. | Whether the regular service rendered by an employee if | Yes. (refer para 23 of Annexure-I of MACPS) |



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| | declared surplus in his/her organisation and appointed in the same grade pay or lower grade pay shall be counted towards the regular service in a new organization for the purpose of MACPS. | |
| 24. | In case of transfer including unilateral transfer own request, whether regular service rendered in previous organisation/office shall be counted alongwith the regular service in the new organization for the purpose of MACPS. | Yes. OM No.35034/3/2008-Estt(D) dated 01/11/2010. |
| 25. | If a regular promotion has been offered but was refused by the employees before becoming entitled to a financial upgradation under the MACPS, whether financial upgradation shall be allowed to such a Government servant. | If a regular promotion has been offered but was refused by the Government employee before becoming entitled to a financial upgradation, no financial upgradation shall be allowed and as such an employee has not been stagnated due to lack of opportunities. If, however, financial upgradation has been allowed due to stagnation and the employees |



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| | | <p>subsequently refuse the promotion, it shall not be a ground to withdraw the financial upgradation. He shall, however, not be eligible to be considered for further financial upgradation till he agrees to be considered for promotion again and the next financial upgradation shall also be deferred to the extent of period of debarment due to the refusal. (Para 25 of MACPS)</p> |
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Department of Personnel & Training
Establishment D Section

Frequently Asked Questions (FAQs) on Modified Assured Career Progression Scheme (MACPS)

| Sl.No | Doubts | Clarification |
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| 26. | Whether the benefits of ACPS would be allowed in respect of isolated cases due between 01.01.2006 and 31.08.2008 where the pre-revised pay scales of Rs.5000-8000 & Rs. 5500-9000 and Rs. 6500-10500 & Rs. 7450-11500 have been merged into single grade pay of Rs. 4200 and Rs. 4600 respectively w.e.f. 01.01.2006? | Yes. Since the pre-revised Rs. 5000-8000 & Rs. 5500-9000 and Rs. 6500-10500 & Rs. 7450-11500 (isolated cases) have been merged into single grade pay of Rs. 4200 and Rs.4600 respectively w.e.f. 01.01.2006, the benefits of 1 st and 2 nd financial upgradations under the ACPS should be considered/allowed in the grade pays of Rs.4600 and Rs.4800 in PB-2, as the case may be, due between 01.01.2006 and 31.08.2008 in respect of isolated cases in terms of para 5 of Annexure-I of MACPS dated 19.05.2009. |
| 27. | In a hypothetical situation cadre hierarchy was as follows: | In terms of clarification given on point of doubt no.3 issued vide DOPT's O.M. No. 35034/3/2008-Estt.(D) dated 9.9.2010, the benefits of ACPS |



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| | <p>Rs. 5000-8000 (revised GP 4200)</p> <p>Rs. 5500-9000 (revised GP 4200)</p> <p>Rs. 6500-10500 (revised GP 4600)</p> <p>Rs. 7450-11500 (revised GP 4600)</p> <p>Rs. 10000-15200 (revised GP 6600)</p> | would be applicable in the new pay structure adopted w.e.f. 1.1.2006 in the promotional hierarchy. |
| (i) | What would be the 1 st financial upgradation under the ACPS for a Government employee recruited in pre-revised pay scale of Rs.5000-8000, who has completed his 12 years of regular service on 12.04.2007 (between 1.1.2006 and 31.8.2008); | (i) Since the pre-revised pay scales Rs. 5000-8000 & Rs. 5500-9000 have been merged and placed in PB-2 with grade pay of Rs.4200, 1 st financial upgradation would be allowed in the grade pays of Rs.4600, subject to fulfilment of promotional norms as stipulated in condition no.6 of Annexure-I ACPS dated 9.8.1999, in terms of clarification given on point of doubt no.1 of ACPS dated 10.02.2000. |
| (ii) | What would be 2 nd financial upgradation for employee recruited in 5000-8000, who has completed 24 years of regular service on 12.04.2007 | Since the pre-revised pay scales Rs. 6500-10500 & Rs. 7450-11500 have been merged and placed in PB-2 with grade pay of Rs.4600, 2 nd financial upgradation would be allowed in the |



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| | (between 1.1.2006 and 31.8.2008) | grade pay of Rs.6600, subject to fulfilment of promotional norms (after framing of RRs post merger) as stipulated in condition no.6 of Annexure-I ACPS dated 9.8.1999, in terms of clarification given on point of doubt no.1 of ACPS dated 10.02.2000. |
| (iii) | If a Government servant recruited in the pre-revised pay scale of Rs. 5000-8000 has been promoted in the promotional hierarchy in the pre-revised pay scale of Rs. 5500-9000 prior to 1.1.2006 (and he has put in 14 years of regular service) then would there be any claim for financial upgradation under ACPS | The pre-revised pay scales Rs. 5000-8000 & Rs. 5500-9000 have been merged and placed in PB-2 with grade pays of Rs.4200 w.e.f. 1.1.2006. Hence, the promotion would be ignored as he has completed his 12 years of regular service and the benefit of 1 st ACP would accordingly be allowed in the promotional hierarchy i.e. in the grade pay of Rs.4600 w.e.f. 01.01.2006. |
| (iv) | If the above Government servant had put in 22 years as on 31.08.2008, then what would be the entitlement in MACP | As given above, the 1 st ACP would be in PB-2 grade pay of Rs. 4600 after ignoring the previous promotion. Thereafter, since employee has completed more than 20 years of regular service on 01.09.2008, he would be entitled for 2 nd financial |



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| | | upgradation under the MACPS in the immediate next higher grade pay of Rs. 4800 in PB-2 subject to fulfilment of condition as stipulated in para 17 of Annexure-I of MACPS dated 19.05.2009. |
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Sexual Harrassment of Women at Working Place

F.No. 43012/5/2012-Estt.A

Department of Personnel and Training

Establishment (A-III)

| Sl.No | Question | Answer |
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| 1. | Whether there is any Rule for prohibition of sexual harassment of working woman? | Yes. Rule 3-C of CCS (Conduct) Rules, 1964 prohibits sexual harassment of any woman at her workplace. |
| 2. | What are the specific provision of the Rule? | <p>(1) No Government servant shall indulge in any act of sexual harassment of any woman at her work place.</p> <p>(2) Every Government servant who is incharge of a workplace shall take appropriate steps to prevent sexual harassment to any woman at such workplace.</p> <p>Explanation:- For the purpose of this Rule, 'Sexual harassment' includes such unwelcomed sexually determined behaviour whether directly or otherwise, as –</p> <p>(a) Physical contact and advances;</p> |



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| | | <p>(b) demand or request for sexual favours;</p> <p>(c) sexually coloured remarks;</p> <p>(d) showing any pornography; or</p> <p>(e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.</p> |
| 3. | What are the guidelines and norms to be maintained to prevent and deal with cases of sexual harassment in working place? | <p>The Hon'ble Supreme Court has laid down guidelines and norms in this matter in the case of Vishakha & Ors. Vs. State of Rajasthan & Ors. (Jt. 1997(7) SC 384). These guidelines and norms to be observed to prevent sexual harassment of working woman have been circulated to all Ministries and Departments vide DOPT's O.M. No. 11013/10/1997-Estt. A dated 13.2.1998. A copy of these guidelines are available on the website on the Ministry at www.persmin.nic.in. As per above guidelines, there should be a Complaints Committee, a special Counsellor or other support service including maintenance of confidentiality. (DOPT's O.M. dated 21.7.2009 and 7.8.2009)</p> |
| 4. | Composition of Complaints Committee | The Complaints Committee should be headed by a woman and not less than half |



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| | | <p>of its Members should be women. Further, to prevent the possibility of any undue pressure or influence from senior levels, such Complaints Committee should involve a third party, either NGO or other body who is familiar with the issue of sexual harassment.</p> <p>(enclosure of DOPT's O.M dated 13th Feb., 1998)</p> |
| 5. | What will be the rank of the Chairperson of the Committee? | <p>Committee should be headed by an officer sufficiently higher in rank so as to lend credibility to the investigations.</p> <p>(DOPT's O.M. 11013/10/97-Estt.A dated 13.7.1999)</p> |
| 6. | What about complaints against senior level officers? | <p>For inquiring into complaints made against officers of the level of Secretary, Addl Secretary and equivalent level of Govt. of India, a separate Complaints Committee has been set up by the Cabinet Secretariat with the approval of the Prime Minister.</p> <p>(DOPT's O.M. No. 11013/3/2009-Estt.A dated 2nd Feb., 2009, Cab. Secretariat's O.M. 501/28/1/2008-CA.V dated 26.9.2008)</p> |



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| 7. | Whether separate Complaints Committee should be set up for each complaint of sexual harassment case? | <p>No. It is necessary to have in place at all times an effective mechanism for dealing with cases of sexual harassment and to create awareness in this regard. There should be Standing Committee in each organisation for inquiring into any such complaints. The Complaints Committee must make an Annual Report to the Government Department concerned of the complaints and action taken by them. It would also be desirable of the Committees to meet once in a quarter even if there is no live case and review preparedness to fulfil all requirements of the Vishakha judgment in the Department/ Ministry/ Organisation concerned.</p> <p>(DOPT's O.M. dated 21.7.2009, 7.8.2009 and 3rd August, 2009)</p> |
| 8. | What is the status of the report of the Complaints Committee? | <p>In its Order dated 26.04.2004 in the Writ Petition No. 173-177/1999 in the case of Medha Kotwal Lele and Ors. Vs. UOI & Ors the Hon'ble Supreme Court has directed that the Reports of the Complaints Committee shall be deemed an Inquiry Report under the CCS Rules.</p> |



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| | | <p>Thereafter, the Disciplinary Authority will act on the report in accordance with the Rules'. Sub-Rule (2) of Rule 14 of CCS (CCA) Rules, 1965 has accordingly been amended to provide that the Complaints Committee shall be deemed to be the Inquiry Authority for the purpose of these Rules by the Notification No. 11012/5/2001-Estt.A dated 01.07.2004 (GSR 225 dated 10th July, 2004). In view of the said amendment made to the CCS (CCA) Rules, the instructions contained in DOPT's O.M. dated 12th Dec., 2002 stands modified and the report of the Complaints Committee should be treated as an inquiry report and not a preliminary report.</p> <p>[DOP&T O.M. No. 11013/3/2009-Estt. (A) dated the 21st July, 2009]</p> <p>[DOPT OM dated 12.12.2002 as amended by O.M. dated 4.8.2005]</p> |
| 9. | Is there any Charge Sheet in such cases? | The Complaint forwarded by the DA to the Complaint Committee is treated as |



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| | | Charge Sheet. Specific Charge Sheet may also be made on the basis of complaints. |
| 10. | Is the procedure prescribed in the CCS(CCA) Rule 14 followed in such enquiries? | The Complaint Committee is the competent authority in such cases to decide the procedure. However, since the report of the committee is to be treated as the enquiry report under the CCS(CCA) rules and the Disciplinary Authority is to take action on that report as per the same rules (as mentioned at point no 8 above the procedure prescribed in rule 14 of the CCS(CCA) Rules are to be followed as far as practicable. [DOP&T O.M. NO. 11013/3/2009-Estt.(A) dated the 3rd August, 2009] |
| 11. | Whether copy of the report should be given to the Charged Officer/ Complainant? | Yes, may be give. |
| 12. | Whether any special leave or transfer is to be granted to the complainant if such request is made by her? | As per the existing Leave Rules, there is no special type of leaves that can be granted to the aggrieved woman. However, she can be granted any kind of regular leave that is admissible to her under the provisions of CCS (Leave) |



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| | | <p>Rules, 1972 (as amended from time to time).</p> <p>The victims of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.</p> <p>(DOPT's O.M. NO 11013/10/97-Estt.A dated 13th Feb., 1998)</p> |
| 13. | Whether any amendment to the existing Rules/ instructions is being made on this issue? | <p>The existing Rules/ Instructions/ guidelines/ norms/ mechanisms have been formulated on the basis of direction of the Supreme Court in the case of Vishakha & Others vs. State of Rajasthan and Medha Kotwal Lele & Ors. Vs. UOI & Ors. As mentioned above. However, Ministry of Women & Child Development have introduced a Comprehensive Bill in the Parliament on the issue of sexual harassment at working place – Government, Semi-Government, Private Sector as well as unorganized sectors. After passing of the Bill in the Parliament detailed Rules vis-à-vis that Act may be formulated by the Government.</p> |

This has the approval of Joint Secretary (Establishment).



(U.S. Chattopadhyay)

Under Secretary to the Government of India

FLEXIBLE COMPLEMENTING SCHEME

DEPARTMENT OF PERSONNEL AND TRAINING

ESTT. (RR) DIVISION

| S.No | Point of doubt | Clarification |
|-------------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | What is Flexible Complimenting Scheme (FCS)? | FCS is an in-situ promotion scheme for scientists for which the criteria shall be proven merit and records of research. FCS as modified after 6 th CPC recommendations is governed by DOPT OM No. AB 14017/37/2008-Estt. (RR) dated 10.09.2010. |
| 2. | What are the guidelines on FCS issued by DOPT | DOPT after 5 th CPC issued comprehensive instructions on FCS in OM No. 2/41/97-PIC dated 9.11.98. These have been further reviewed in the light of 6 th CPC instructions and modified FCS guidelines issued in OM No. AB 14017/37/2008-Estt.(RR) dated 10 th September, 2010. |



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| 3. | To whom the instructions are applicable? | FCS is applicable to scientists and technologists holding Group A scientific posts in scientific and technology departments and who are engaged in scientific activities and services. |
| 4. | What are the qualifications covered under FCS? | Master's degree in Natural/Agricultural Sciences or Bachelor's Degree in Engineering/ Technology/ Medicine. |
| 5. | Whether qualifications MCA, M.Sc. (IT), M.Sc. (Statistics), M.Sc. (Mathematics), M.A. (Operational Research) and M.Sc. (Total Quality Management) are covered under FCS? | No |
| 6. | From when the modified FCS after 6 th CPC shall be applicable? | Assessment of Scientists from 01.01.2011 shall be done as per modified FCS after 6 th CPC. |
| 7. | Whether promotion cases of Scientists becoming due w.e.f. 1.1.2011 may be processed as before or amend the RRs according to the latest guidelines. | The RRs are required to be amended as per the instructions. |



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| 8. | What is the date of effect of MACP scheme for scientists under FCS? | 10.09.2010 when the revised instructions have been issued. |
| 9. | Whether the benefit of MACP shall be admissible if the officers could not be assessed for promotion under FCS due to various reasons viz. non-convening of assessment Boards on time, RRs becoming inoperative, etc. | If Scientists have not got promotion under FCS, for whatever reasons, they shall be eligible for financial upgradation under the MACP scheme. The benefits shall be from 10.09.2010 when the revised FCS instructions have been issued. |
| 10. | Whether the Scientists who are “screened-in” will have to appear for the interview in the second stage of screening /assessment under Modified FCS after 6 th CPC? | The interview of the scientists as per OM dated 9.11.98 in the second level of screening shall continue under the revised assessment procedure for FCS issued in OM dated 10.9.2010. |
| 11. | What would be the role of ACRs/ APARs in promotion of Scientists under Modified FCS? | ACT/APAR grading shall be taken into account for the purpose of screening the Scientists at Level I. |
| 12. | Will there be any weightage of ACRs/APARs in terms of | In Annexure I of guidelines dated 10.9.10, it has been clearly indicated that |



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| | marks in promotion of Scientists under MFCS? | the Scientists who meet the benchmark of 'Good' for Scientists C and 'Very Good' for Scientists 'D' and above would be screened in. |
| 13. | What is the procedure to be followed for assessment, considering the specific role of ACRs/APARs, Annual Work Report and interview? | The ACR/APAR grading shall be taken into account for the purpose of screening the Scientists for Level II Screening. The Annual Work Report is to capture the scientific content of work performance. The Assessment Board is required to examine the specific content of the work done justifying the merit for consideration under FCS. The procedure to be followed has been detailed in Annexure I of OM dated 10.09.10. |
| 14. | Whether the Benchmark of "Good"/ "Very Good" is based on relevant period of AWRs for the same period? | For the purpose of screening the benchmarking shall be based on ACRs/APARs of the relevant period |
| 15. | Whether the procedure of assessment by the DPRC shall continue as before? | For promotion of Scientists to the grade of Scientist 'F' and 'G', the procedure of assessment by the DPRC shall continue as before. |
| 16. | The stipulation in Part C of the Annual Work Report | Part C of the Annual Work Report shall consist of the internal Peer assessment |

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| | can be applied among the Scientists working in the same peer group which has a fairly large number of Scientists. How this can be applied when there could be a single or only 2-3 scientists working on a particular project or when scientists are working on different projects? | even if the number of scientists being considered is single or only small number. For this purpose while the grading may not be possible, the entries on innovative content of the work done, highlights of the S&T content of the work done, etc. shall be considered. |
| 17. | Whether the Ministries/ Departments can have a common format for APAR? | In Annexure I to the OM dated 10.9.2010 it is prescribed that the new format on Annual Work Report will not replace the regular system of recording ACR/APAR and would be filled up by the officer. As such the format for the ACR/APAR shall be as prescribed by DOPT from time to time. |
| 18. | Whether is autonomous institutes can modify the ACR format to suit their specific requirements/job profiles. If so whether before doing so, consultation with the | The organizations where FCS is applicable as per scheme of DOPT shall follow the instructions accordingly. For major deviations from the guidelines reference to DOPT with full justification shall be necessary. |



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| | administrative Ministry/DOPT is necessary | |
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AVD – I

| S.No | FAQs | Answers |
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| I – Disciplinary matters | | |
| Q.1 | Who is competent to suspend an IAS officer? | The Government in connection with whose affairs the officer is serving |
| Q.2 | Who is competent to institute departmental proceedings against an IAS officer? | The Government in connection with whose affairs, the officer was serving at the time of alleged misconduct. |
| Q.3 | Whether Central Government/ Ministries/ Departments are competent to suspend/ institute departmental proceedings against an IAS officer? | No. However a determination to institute the proceedings has to be made by the administrative ministry/department concerned on the basis of preliminary explanation of the officer and advice of CVC (if vigilance angle is involved) at the level of their Minister-in-charge, before sending the proposal to Department of Personnel & Training. |
| Q.4 | To whom an appeal against an order of suspension lies? | An appeal against order of suspension issued by the State Government lies with the Central Government. However, no appeal lies against an order of suspension issued by the President/ Central Government. |



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| Q.5 | Whether an appeal, review, revision, memorial lies against a charge sheet? | No. |
| II – Prosecution Sanction | | |
| Q.1 | Who is competent to grant sanction for prosecution against an IAS officer for offences under the IPC? | The Government in connection with whose affairs the officer is serving. |
| Q.2 | Who is competent to grant sanction for prosecution against an IAS officer for offences under the PC Act, 1988? | Central Government alone is competent to take a view. However, if the criminal misconduct pertains to the period when the officer was working in connection with affairs of State, a recommendation has to come from the State Government. |
| Q.3 | What is the time period for grant of sanction for prosecution against IAS officers? | As per Supreme Court's verdict in Vineet Narain's case, sanction for prosecution is to be issued within a period of three months. |
| Q.4 | Whether sanction for prosecution can be granted at a private complaint? | Yes, if a prima facie case is made out for grant of sanction for prosecution. |
| III – Sanction for investigation under section 6A of DSPE Act, 1946 | | |
| Q.1 | Who is competent to grant previous sanction of the | Central Government Ministries/Departments where the |

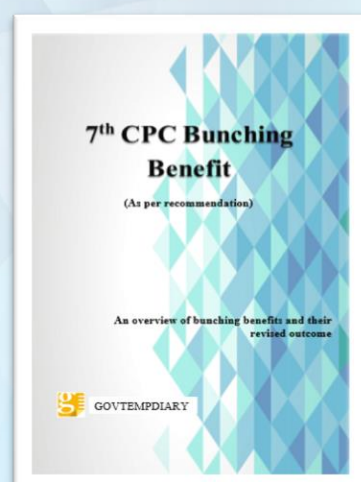
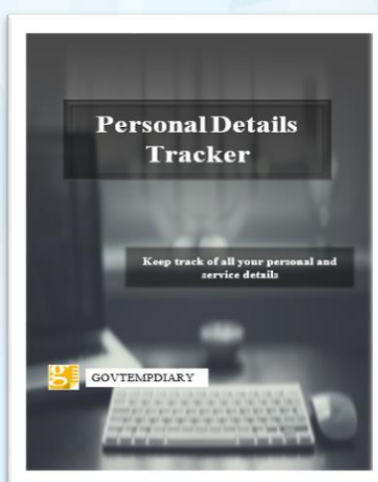
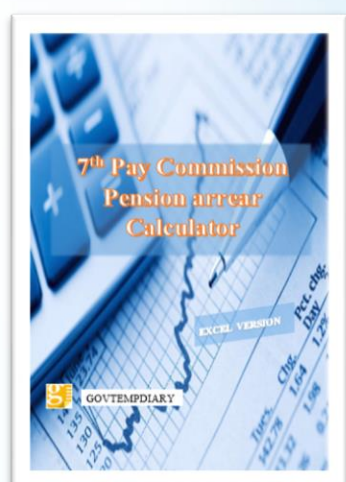
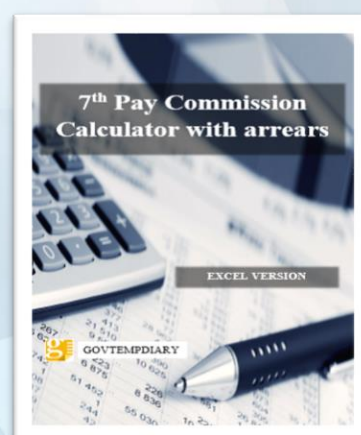
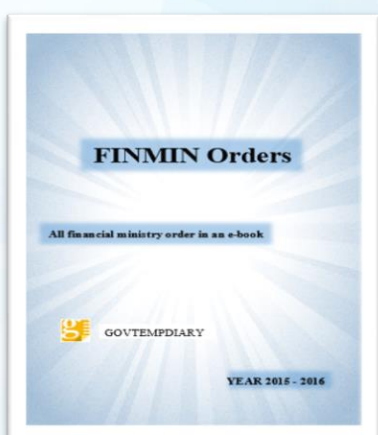
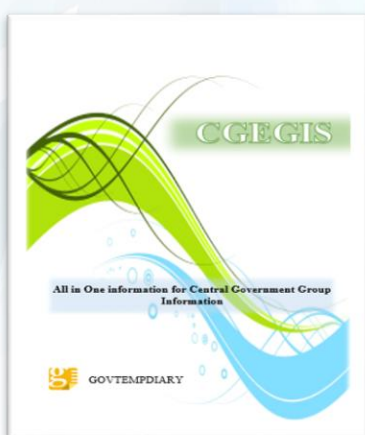
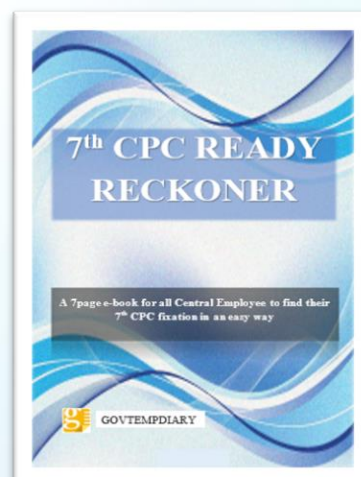
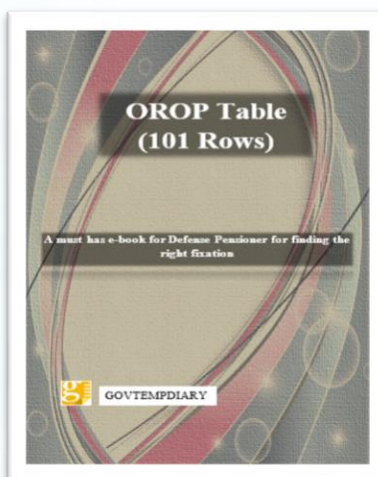
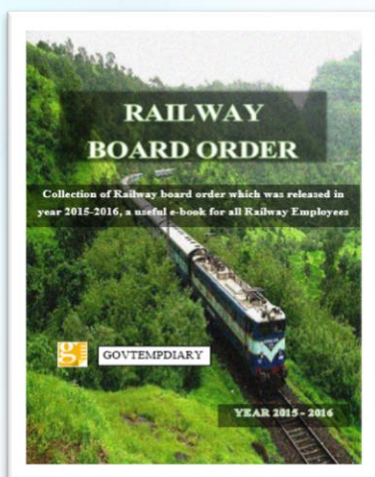
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| | Central Government u/s 6A of the DSPE Act, 1946? | officer is working (unlike section 19(1) of the PC Act, 1988, there is no concept of “who so ever is competent to remove/dismiss” in determining the competent authority) |
| Q.2 | Whether previous sanction of the Central Government u/s 6A of DSPE Act, 1946 is required for arrest of a person on the spot accepting or attempting to accept bribe? | No. |
| IV – Vigilance Clearance | | |
| Q.1 | Whether guidelines contained in DoPT’s OM No. 104/33/2005-AVD-I dated 29/10/2007 are applicable to promotion? | No. The scope of application of OM dated 29/10/2007 is given in para 1 of the said OM. [Sealed Cover Procedure laid down pursuant to Hon’ble Supreme Court’s judgement in K.V. Janakirman’s case is to be followed in case of grant of vigilance clearance for promotion.] |
| Q.2 | Whether vigilance clearance can be denied on a complaint? | No, unless a prima facie case of (i) corruption, (ii) disproportionate assets, (ii) moral turpitude or (iv) violation of conduct rules, is made out. |

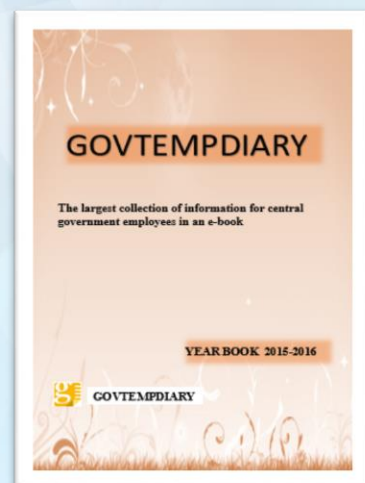
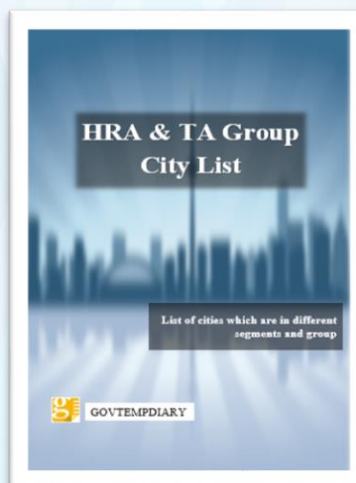
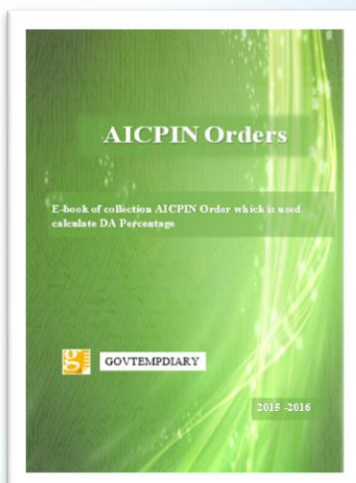
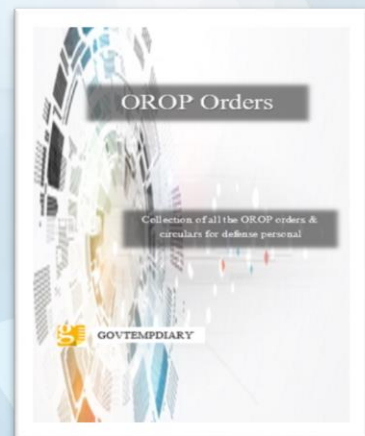
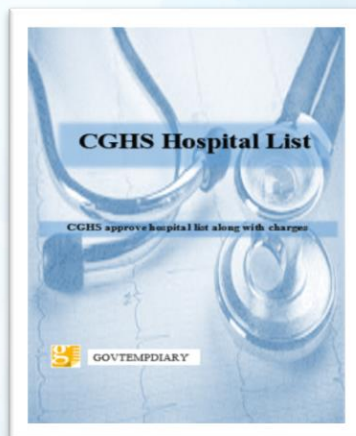
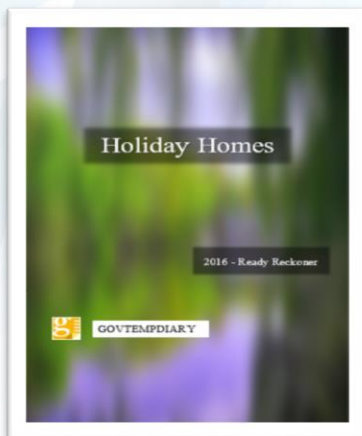
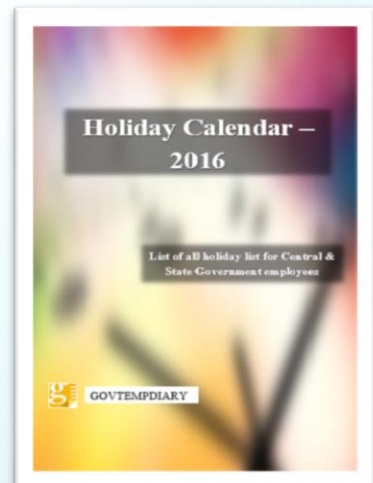
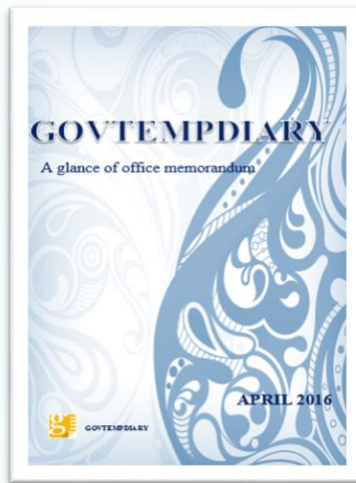
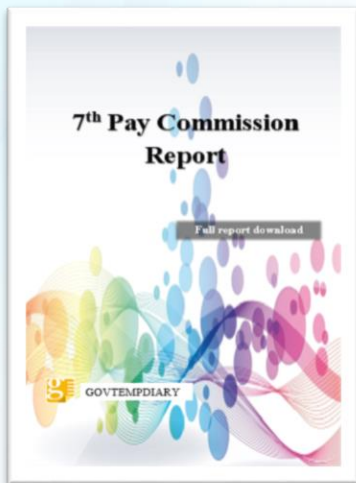
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| Q.3 | Whether vigilance clearance can be denied during preliminary inquiry? | Vigilance clearance on a preliminary inquiry can be denied for a period of three months only. |
| Q.4 | Who is competent to grant vigilance clearance in respect of IAS officer? | DOP&T with the approval of AS(S&V)/ Secretary(P). |
| V – Complaints against IAS officers | | |
| Q.1 | To whom a complaint against an IAS officer can be addressed? | If an IAS officer is serving in connection with the State Government, the complaints should ordinarily be addressed to the Chief Secretary, Principal Secretary (General Administration Department) in the State Government, the State Government being the authority competent to take action against him. In respect of IAS officers serving at the Centre, the complaint can be addressed to Secretary(P)/ Additional Secretary (S&V)/ Joint Secretary (V). |
| Q.2 | Whether any action is to be taken on anonymous/pseudonymous complaints? | As per CVC's instructions, no action is to be taken on anonymous/pseudonymous complaints and such complaints need to be filed. However, if an anonymous/ pseudonymous |

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| | | complaint contains allegations of verifiable nature, the existing instructions issued by Department of Personnel & Training permit action on such complaint with the approval of head of department. |
| Q.3 | To whom a whistleblower complaint should be filed? | The complaint under PIDPIR are to be filed with the designated authority for receiving such complaints i.e. the Central Vigilance Commission. |



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