

No. X-20-24/2019-SPN-II
Government of India
Ministry of Communications
Department of Posts
(SPN-II Section)

DakBhawan, Sansad Marg,
NewDelhi -110001,
Dated 23 May, 2019

To

1. All Chief Postmasters General / Postmasters General
2. Chief General Manager, BD Directorate / Parcel Directorate / PLI Directorate
3. Director, RAKNPA / GM, CEPT / Directors of all PTCs
4. Addl. Director General, Army Postal Service, New Delhi
5. All General Managers (Finance) / Directors Postal Accounts / DDAP

Subject:-Procedure to be followed for promotion by Departmental Promotion Committee to implement Cadre Restructuring of General Line Cadre Posts.

Sir/Madam,

Orders relating to Cadre Restructuring of General Line Cadre Posts of Post Offices were issued vide letter No. 25-04/2012-P.E. -I dated 27.05.2016 . Cadre Restructuring resulted in substantial increase in the number of posts in Lower Selection Grade (LSG), Higher Selection Grade-II (HSG-II) and Higher Selection Grade-I (HSG-I), and creation of a new grade, namely HSG-I (NFG). Additional posts in the said grades are to be filled up as per the relevant Recruitment Rules. In other words, an official in a lower grade will not be placed in higher grade automatically. Therefore, as provided in RRs of said posts, additional posts would be filled up only after recommendation of Departmental Promotion Committee (DPC).

2. Aforesaid letter dated 27.05.2016, para 2 *ibid*, stipulated that instructions issued therein would be effective from the date of issue of the orders, i.e. 27.05.2016. The actual benefit would, however, be admissible to the eligible officials from the date of actual promotion.

3. Subsequently, on representation of various Staff Union/ Association, a Committee was constituted to look into issues arising out of cadre restructuring. Recommendations of the Committee accepted by the competent authority was conveyed to all concerned vide letter no. 25-04/2012-PE-I (Vol. II) dated 10.11.2017. Para 4.5 of the said letter 10.11.2017 provides as under:-

"4.5 Date of Effect of the Orders and completion of restructuring: - For the sake of uniformity, the promotion will be effective from the date of issue of the original order dated 27.05.2016 as per existing instructions on the subject. It will be applicable to all eligible officials including those who were in service but now retired."

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4. Subsequently, vide letter No. 25-04/2012-P.E.-I (Vol-III) dated 05.12.2018, following clarification was issued:-

“3. these LSG, HSG-II, HSG-I and HSG-I (NFG) posts will be deemed to have been upgraded to these grades only w.e.f the dates they are filled up, i.e. from the date the promoted official assumes the charge. Otherwise, the post will remain in the lower grade.”

5. It is pertinent to mention that at present the posts of LSG, HSG-II and HSG-I are being filled up by 100% promotion from respective feeder grade. The instructions/guidelines issued by Department of Personnel & Training (DOP&T) on the subject of DPCs are followed by Department of Posts. As per DOP&T's OM No. 22011/3/91-Estt (D) dated 13.05.1991, the number of vacancies in respect of which a panel is to be prepared by DPC should be estimated as accurately as possible. For this purpose, the vacancies to be taken into account should be the clear vacancies arising in a post/grade/service due to death, retirement, resignation, regular promotion, deputation and creation of additional posts.

6. As per consolidated instructions on DPC, issued by DOPT vide OM No. 22011/5/86-Estt(D) dated 10.04.1989 as amended vide OM No. 22011/5/91-Estt(D) 27.03.1997, date of commencement of validity of a panel recommended for promotion shall be the date on which DPC meets and in case the DPC meets on more than one day then the last day of the meeting. Subsequently, it has also been stipulated that date of regular promotion of an officer included in a panel would be the date of validity of the panel or the date of actual promotion whichever is later.

7. In view of the above provisions, any order issued by Circles giving retrospective promotion w.e.f. 27.05.2016, in accordance with Directorate letter of 10.11.2017, need to be modified. The effective date of promotion in all cases shall be from the date of actual promotion and seniority of an official shall be counted from the date of actual promotion on regular basis subject to stipulation of *inter se* seniority as per the mode of recruitment.

8. OM No. 22011/4/1998-Estt.(D) dated 12.10.1998 of DOPT may be perused, which provides as under:-

“.....it would not be in order, if eligible employees, who were within the zone of consideration for the relevant years but are not actually in service when the DPC is being held, are not considered while preparing year-wise zone of consideration/panel and consequently, their juniors are considered (in their places) who would not have been in the zone of consideration, if the DPC(s) had been held in time. This is considered imperative to identify the current zone of consideration for relevant year(s). Names of the retired officials may also be included in the panel(s). Such retired official would however, have no right for actual promotion.”

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9. As has been clarified in aforesaid letter dated 27.05.2016 of Establishment Division, Point 1 (e) *ibid*, if the revised number of posts in a particular grade is in excess of the strength existing prior to cadre restructuring, difference in number of posts would be deemed as newly created posts. Subsequently, vide aforesaid communication of 05.12.2018, it has been clarified that a post will be deemed to be in the higher grade from the date the promoted officials actually assume charge of that post.

10. Accordingly, if a Circle had held DPC meeting during 2016-17 recruitment year for promotion to the additional posts due to cadre restructuring, the vacancies would be deemed to be created in the recruitment year 2016-17 (01.04.2016-31.03.2017). Similarly, if the DPC was held in subsequent recruitment years [2017(01.04.2017-31.03.2018), 2018 (01.04.2018-31.12.2018) and 2019 (01.01.2019-31.12.2019)] vacancies would be deemed to be created in that recruitment year.

11. As per prevailing instructions, DPC should be held well in advance so that a panel is approved by the time vacancy actually arises. Therefore, following this spirit of convening DPC, while considering vacancy of recruitment year 2016-17, all those officials who were in service on the commencement of the recruitment year 2016-17 (i.e.01.04.2016) should be considered by the DPC, even if the DPC is held at a later date, as explained at para 8 above. However, since actual promotion will be given only to those who are in service to assume the charge of promotional post, the DPC would also recommend an extended panel to cover the persons already retired before the date of DPC as well as the subsequent vacancies to occur in that recruitment year due to some more retirement, in accordance with DOP&T's OM No. 22011/18/97-Estt(D) dated 9.04.1996. A copy of model DPC meeting minutes is enclosed for ease of reference which may be appropriately modified as and when required.

12. The Circles are hereby directed to take note of the above provision/instructions for appropriate action including revision of orders issued for giving promotion to additional posts due to implementation of cadre restructuring.

Encl. As stated.

Yours faithfully,


27/05/2019
(Muthuraman C)

Assistant Director General (SPN)

Copy to information:

1. PS to Minister of State for Communications (I/C)
2. Sr.PPS to Secretary (Posts) / Sr.PPS to Director General Postal Services
3. PPS/ PS to Addl. DG (Co-ordination/ Member (Banking)/ Member (O)/ Member (P)/ Member (Planning & HRD)/ Member (PLI)/ Member (Tech)
4. Additional Secretary & Financial Adviser
5. Sr. Deputy Director General (Vigilance) & CVO / Sr. Deputy Director General (PAF)

6. Director General, P&T (Audit), Civil Lines, New Delhi
7. Secretary, Postal Services Board/All Deputy Directors General
8. Chief Engineer (Civil), Postal Directorate
9. All Sections of Postal Directorate
10. All recognized Federations / Unions / Associations
11. GM, CEPT for uploading the order on the India Post website.
12. Guard File



(Alok Kumar Tiwari)
Section Officer (SPN-II)

MINUTES OF THE MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE HELD ON (DATE) AT(TIME) IN THE OFFICE OF

PRESENT :

- | | | |
|-----|---|----------------------------|
| 1 - | A | Chairman |
| 2. | B | Member |
| 3 | C | Member |
| 4 | D | Member (Co-opted) (if any) |

ITEM: DPC- Promotion to(name of cadre to which promotion proposed) in the Pay Matrix Level,Division/.....Circle.

The Departmental Promotion Committee considered the question of selection of officials for promotion to the(name of cadre to which promotion proposed),.....Division/.....Circle.

2. Vacancy position as reported:

Year	Gen.	SC	ST	Total

3. The Departmental Promotion Committee were informed of the following provisions contained in the DPC guidelines, circulated by the Department of Personnel & Training (DOP&T), vide their O.M. No.22011/5/86-Estt (D) dated 10.04.1989 as amended from time to time :-

- (i) "6.1.2 - The DPCs enjoy full discretion to devise their own methods and procedures for objective assessment of the suitability of candidates who are to be considered by them".
- (ii) "6.1.3 - While merit has to be recognised and rewarded, advancement in an office career should not be regarded as a matter of course, but should be earned by dint of hard work, good conduct and result oriented performance as reflected in the ACRs/APARs and based on strict and rigorous selection process."
- (iii) "6.2.1(b) - The DPC should assess the suitability of the officers/officials for promotion on the basis of their service record and with particular reference to the CRs/APARs for preceding five years, which become available during the year immediately preceding the vacancy/panel year".

- (iv) "6.2.1(e) - The DPC should not be guided merely by the overall grading, if any, that may be recorded in the CRs/APARs but should make its own assessment on the basis of entries in the CRs/APARs, because it has been noticed that sometimes the overall grading in a CRs/APARs may be inconsistent with the grading under various parameters or attributes."
- (v) "6.2.1(f) - If the Reviewing authority or the Accepting authority as the case may be has overruled the Reporting Officer or the Reviewing authority as the case may be, the remarks of the latter authority should be taken as the final remarks for the purposes of assessment provided it is apparent from the relevant entries that the higher authority has come to a different assessment conclusively after due application of mind. If the remarks of the Reporting Officer, Reviewing authority and Accepting authority are complementary to each other and one does not have the effect of overruling the other, then the remarks should be read together and the final assessment made for the DPC."

4. The Committee were further informed of the following subsequent additional guidelines issued by DOP&T:-

- (i) In cases where adverse remarks of reporting/reviewing/accepting authorities have been expunged or modified by the competent authority, the overall grading in the ACR/APARs has to be decided by the DPC in terms of DOP&T OM dt. 06.01.2010.
- (ii) That the DOP&T vide O.M. No. 21011/1/2015-Estt (A) (Pt. II) dated 14.05.2009 has stipulated that the Section entrusted with the maintenance of APARs after their receipt shall disclose the same to the officers/officials reported upon. The concerned officers/officials shall be given the opportunity to make any representation against the entries and the final gradings given in the Reports within a period of fifteen days from the date of receipt of the entries in the APARS. The representation shall be restricted to the specific factual observations contained in the report leading to assessment of the officer/officials in terms of attributes, work output etc. While communicating the entries, it shall be made clear that in case no representation is received within fifteen days, it shall be deemed that the officer concerned has no representation to make. If the concerned APAR Section does not receive any information from the concerned officer/officials on or before fifteen days from the date of disclosure, the APAR will be treated as final.
- (iii) The DOP&T vide O.M. No. 21011/1/2010-Estt-A dated 13.04.2010 have stipulated that "if an employee is to be considered for promotion in a future DPC and his ACRs/APARs prior to the period 2008-09 which would be reckonable for assessment of his fitness in such future DPCs, contain final gradings which are below the benchmark for his next promotion, before such ACRs/APARs are placed before the DPC, the concerned employee will be given a copy of the relevant ACRs/APARs for his representation, if any, within 15 days of such communication."

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- (iv) In terms of DoP&T O.M. No. 22011/5/2013-Estt (D) dated 09.05.2014 in the event of the DPC deciding not to take cognizance of an order of the competent authority on the representation of the Government Servant on the entries/gradings in APARs on the ground that the same is not a speaking order, the DPC shall make its assessment based on the entries in APARs and other relevant material facts including the representation of the Government Servant.
- (v) While assessing the suitability of the officers on whom statutory penalty/penalties is/are imposed, the DPC may take into account the Guidelines of DoP&T issued vide O.M. No.22011/4/2007-Estt(D) dated 28.04.2014.

5. The Committee were also informed that in accordance with the instructions contained in para 6.3.1 of the DOP&T O.M. No.22011/5/86-Estt (D), dated 10.04.1989, read with subsequent O.M. No.22011/5/191-Estt(D) dated 27.03.1997 and O.M. No. 35034/7/97-Estt(D) dated 08.02.2002, the bench mark for promotion in the present case is "Good" (change as applicable).

6. Attention of the Committee was also invited to the instructions contained in DOP&T O.M. No. 35034/7/97-Estt (D) dated 08.02.2002, which inter-alia provide that "the DPC shall determine the merit of those being assessed for promotion with reference to the prescribed bench mark and accordingly grade the officers/officials as "fit" or "unfit". Only those who are graded 'fit' (i.e. who meet the prescribed bench mark) by the DPC shall be included and arranged in the select panel in order of their inter-se seniority in the feeder grade. Those officers/officials who are graded "unfit" (in terms of the prescribed bench mark) by the DPC shall not be included in the select panel. Thus, there shall be no supersession in promotion among those who are graded 'fit' (in terms of the prescribed bench mark) by the DPC".

7. The Departmental Promotion Committee, accordingly, examined and assessed the APARs of the eligible officials/officials in the feeder grade and the outcome is as mentioned at Annexure-I.

8. On the basis of the assessment as indicated in Annexure-I, the Committee recommend that the panel for promotion to (name of grade to which promotion is proposed) in the Department of Posts under the Ministry of Communications should consist of the officials as indicated in Annexure-II in the order stated therein.

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9. The recommendations of the DPC would be subject to the judgment dated 26.09.2018 of the Hon'ble Supreme Court in SLP (C) No.30621/2011.

(Signature of Chairman)

(Signature of Member)

(Signature of Member)

(Signature of Member)

ASSESSMENT FOR THE YEAR 2016-17 (Assumed)

No. of vacancies: 23 (UR-22, SC -Nil , ST -01) (Assumed)

S.No.	Name of Officials (S/Shri/Smt/Ms.)	Assessment
1	A	FIT
2	B(SC)	FIT
3	C (ST)	Unfit due to penalty
4	D	As in Sealed Cover
5	E	UNFIT
6	F	As in Sealed Cover
7	G	As in Sealed Cover
8	H	As in Sealed Cover
9	I	As in Sealed Cover
10	G(SC)	FIT
11	K (SC)	Unfit due to penalty
12	L(SC)	FIT
13	M(SC)	As in Sealed Cover
14	N(SC)	FIT
15	O(SC)	As in Sealed Cover
16	P	FIT
17	Q	FIT
18	R	FIT
19	S	FIT
20	T	FIT
21	U	FIT
22	V	FIT
23	W	FIT
24	X	FIT
25	Y	FIT
26	Z	FIT
27	AA	FIT
28	BB	FIT
29	CC	FIT
30	DD	FIT
31	EE	FIT
32	FF	FIT
33	GG	FIT
34	HH (SC)	FIT
35	II(SC)	FIT
36	JJ	Assessment considered not necessary as sufficient number of officers with prescribed Bench Mark have already become available.
37	KK	
38	LL (SC)	

EXTENDED ZONE:

S.No.	Name of Officials (S/Shri/Smt/Ms.)	Assessment
39	MM(ST)	FIT
40	NN(SC)	Assessment considered not necessary as sufficient number of officers with prescribed Bench Mark have already become available.
41	OO(SC)	
42	PP(SC)	
43	QQ(SC)	
44	RR(ST)	
45	SS(ST)	Assessment considered not necessary as sufficient number of officers with prescribed Bench Mark have already become available.
46	TT(ST)	
47	UU(SC)	
48	VV(SC)	
49	WW(ST)	
50	XX(SC)	
51	YY(SC)	
52	ZZ(ST)	
53	AAA(SC)	

(Signature of Chairman)

(Signature of Member)

(Signature of Member)

(Signature of Member)

PANEL FOR THE YEAR 2016-17

S.No.	Name of Officials (S/Shri/Smt/Ms.)	Remarks
1	A	Recommended against UR vacancies.
2	B(SC)	
3	G(SC)	
4	L(SC)	Recommended against UR vacancy. Retired on 28.02.2017
5	N(SC)	Recommended against UR vacancy.
6	P	
7	Q	
8	R	
9	S	
10	T	
11	U	
12	V	
13	W	
14	X	
15	Y	
16	Z	Retired on 31.5.2016.
17	AA	
18	BB	Recommended against UR vacancy
19	CC	
20	DD	Retired on 30.4.2016
21	EE	Recommended against UR vacancy
22	FF	
23	MM (ST)	Recommended against ST vacancy. Retired on 31.07.2016

PANEL FOR THE YEAR 2016-17

EXTENDED PANEL*

S.No.	Name of Officials (S/Shri/Smt/Ms.)	Remarks
24	GG	Recommended against UR vacancies.
25	HH(SC)	
26	II(SC)	
27	RR(ST)	Recommended against ST vacancy.

*Note: Extended Panel to be operated in this order in case officials in the panel are not available for promotion during the vacancy year due to retirement.

(Signature of Chairman)

(Signature of Member)

(Signature of Member)

(Signature of Member)