

(3.3) General Principles for Determination of Seniority of Staff.

(3.3.1) Government of India, Ministry of Home Affairs, O.M. No.9/11/55-RPS, dated 22nd December 1959 wherein the Govt. of India in suppression of all previous orders on the subject have laid down principle for determination of the seniority of staff. These principles will not apply with retrospective effect. The Vice-President, C.S.I.R. has been pleased to approve that these principles may be made applicable to the Council staff in toto except clauses 7 and 8 which may be made applicable in Council after necessary modifications made therein.

These principles generally provide that: -

- 1. These principles shall apply to the determination of seniority in all the civil posts except such services and posts for which separate principles have already been issued or may be issued hereafter by Government.**
- 2. Subject to the provision of the para 3 below, persons appointed in a substantive or officiating capacity to a grade prior to the issue of these general principles shall retain the relative seniority already assigned to them or such seniority as may hereafter be assigned to them under the existing orders applicable to their cases and shall enable be senior to all others in that grade.**

For the purpose of these principles (a) persons who are the confirmed retrospectively with effect from a date earlier than the issue of these general principles; and (b) persons appointed on probation to a permanent post substantively vacant in a grade prior to the issue of these general principles, shall be considered to be permanent officers of the grade.

- 3. Permanent officers of each grade shall be ranked senior to persons who are officiating in that grade.**
- 4. Notwithstanding the provisions of para 3 above, the relative seniority of all direct recruit shall be determined by the order of merit in which they are selected for such appointment on the recommendations of the Selection Committee, persons appointed as a result of an earlier selection being senior to those appointed as a result of a subsequent selection provided that where persons recruited initially on a temporary basis are confirmed**

subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit.

5.The relative seniority of persons promoted to the various grades shall be determined in the order of their selection for such promotion - provided that where persons promoted initially on a temporary basis are confirmed subsequently in an order different from the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit.

Where promotion are made on the basis of selection by a D.P.C., the seniority of such promotes shall be in the order in which they are recommended for such promotion by the Committee. Where promotions are made on the basis of seniority subject to the rejections of the unfit, the seniority of persons considered fit the relative seniority in the lower grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by a junior, such person shall not, if he is subsequently found suitable and promoted, take a seniority in the higher grade over the junior person who had superseded him.

Where promotions to a grade are made from more than one grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. Thereafter, the D.P.C shall select persons for promotion from each list upto the prescribed quota and arrange all the candidates selected from different lists in a consolidated order of merit which will determine the seniority of the persons on promotion to the higher grade.

6.The relative seniority of direct recruits and of promotes shall be determined according to the rotation of vacancies between direct recruits and promotes which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively in the Recruitment Rules.

(CSIR letter No.7/9/60-O&M, dated. the 9th February. 1960)

(3.3.2) Determining seniority of Scientific/Technical staff in C.S.I.R.

Scientist assessed and promoted earlier under Bye-law 71(b) are senior to those assessed and promoted later irrespective of the fact that the latter were senior in lower posts to the former.

The general principles laid down in para 2 of the Ministry of Home Affairs O.M. No.9/45/60-Estt.(D), dated

20.4.1961 are not relevant to the above issue.

(CSIR letter No.6(11)/71-74-E.II, dated 18th May, 1977)

(3.3.3) General Principles for determination of seniority and maintenance Of establishment list for Scientific & Technical staff.

The CSIR has been receiving various references from time to time from Laboratories/Institutes on the matter of determination of seniority and maintenance of establishment list in respect of Scientific & Technical staff.

In this connection reference is invited to marginally noted circulars/communications where in the principle

1. No.7.9.60-0&M, dated 9th February, 1960.

1. No.16(10)165-E.1, dated 10th August, 1965

For determination of seniority and maintenance of establishment list for Scientific & Technical Staff has been laid down. It is requested that these instructions may be given wide circulation among the staff for their information and action as indicated therein.

Further, in one of the Laboratory, a doubt had arisen that seniority of an officer of the level of Scientist 'E' post which carries two pay scales of Scientist - 'EI', Scientist - 'EII' has to be governed from the date of the placement in the higher scale of pay i.e. 1800-2250 and not by the date of his entrance in the basic cadre of Scientist-E.

It is clarified that once Scientist-E has been confirmed as Scientist-E.1, there was no need to confirm him in the other scale and that he becomes automatically a substantive holder of the second post of Scientist-E.II.

(CSIR letter No3(35)/74-E.II, dated 24th Sept., 1982)

(3.3.4) Sub: Seniority of Drug Research Laboratory Surplus Staff transferred to various Labs./Instts. for absorption.

The surplus staff of erstwhile DRL, Jammu functioning under the administrative control of CIMAP, Lucknow were absorbed in various National Labs./Instts. depending upon the availability of suitable posts/creation of supernumerary posts. as the case may be. A few references have been received from certain Labs./Instts. seeking clarification with regard to (1) *fixation of seniority* of such staff, and (2) the method of counting their previous service for assessment promotion in the respective Lab./Instt. where they have re-joined after absorption. In consultation with FA, CSIR on the above issues, it has been decided that:

1. Fixation of seniority in the respective grade of surplus staff will be determined from the date of rejoining in the recipient organisation; and
2. The service rendered in the former DRL, Jammu will be counted for leave/increments and assessment promotion etc. Monetary benefit of assessment promotion will be given to them from the date otherwise due to them. The staff of DRL, Jammu will continue to be governed by Assessment promotion schemes by which they were governed in the DRL before rejoining CSIR Labs./Instts.

(CSIR Letter No 17(1)/83-E.II, dated 28th Jan., 1985.)

(3.3.5) Sub: Seniority assessed of Scientists assessed for promotion under the New Recruitment & Assessment Scheme.

References have been received from some of the Laboratories/Institutes seeking confirmation whether the order of merit/inter-se merit rating, as determined by the Assessment/Core Committee, on assessment promotion of the Scientific/technical personnel under the "New Recruitment & Assessment

Scheme" will be the order of their merit for placement in the establishment list for the purpose of confirmation etc.

It is clarified that since under the "New Assessment Promotion Scheme", the promotion is based on the inter-se merit rating restricted. by percentage limits wherever applicable, the inter-se merit rating as determined by the Assessment/Core Committee, will form the basis of fixing the seniority of the Scientists concerned for placement in the Establishment List for the respective grade.

(CSIR Letter No 17(65)/85-PPS, dated 11th Feb., 85.)