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CSIR/GOI ORDERS

DISCLOSURE OF INFORMATION REGARDING DISCIPLINARY CASES

CSIR while inviting the attention of the Vigilance Officers of CSIR Labs./Instts. to certain important paragraphs of the Judgement/Order passed by the Hon'ble High Court of Delhi dated 6-11-2012 in LP No. 618/2012 in case of UPSC Vs R.K. Jain, in which the issue of disclosure of information/ documents under the provisions of RTI Act, pertaining to vigilance/disciplinary proceedings has been considered by the Hon'ble Court, requested that the contents of the above judgement may be brought to the notice of the CPIOs/Appellate Authorities of respective Labs./Instts. who may take due cognizance of the same, while deciding the RTI Applications and Appeals relating to disclosure of documents/information pertaining to vigilance/disciplinary proceedings (including Orders of the Disciplinary Authority).

[CSIR Lr. No.15-6(83)/98-O&M(Vol.IV) dt. 8-5-2013; CVC Lr. No.CVC/RTI/Misc/10/002 dt. 4-4-2004]

For the convenience of our esteemed readers, the full text of the above Judgement/Order passed by the Hon'ble High Court of Delhi dated 6-11-2012 in LP No. 618/2012 in case of UPSC Vs R.K. Jain is reproduced *verbatim*.
Ed.

***IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 6th November, 2012

LPA No.618/2012

UNION PUBLIC SERVICE COMMISSION Appellant

Through: Mr. Naresh Kaushik with Ms. Vivya
Nagpal & Mr. Manoj Joshi, Advs.
Versus

R.K. JAIN Respondent

Through: Mr. Ramesh K. Mishra, Adv.

CORAM :-

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

RAJIV SAHAI ENDLAW, J

1. This intra-court appeal impugns the judgment dated 13th July, 2012 of the learned Single Judge of dismissal of W.P.(C) No.1243/2011 preferred by the appellant UPSC. The writ petition was preferred challenging the decision dated 12th January, 2011 of the Central Information Commission (CIC) established under the Right to Information Act, 2005. This appeal came up first on 7th September, 2012 and was adjourned to 9th October, 2012 and thereafter to 16th October, 2012. The respondent appeared on caveat and with consent we have heard the counsels finally.

2. The respondent, invoking the provisions of the Act had sought following information from the Public Information Officer (PIO) of the appellant UPSC:-

“(A) Please provide inspection of all records, documents, note sheets, manuscripts, records, reports, office memorandum, part files and files relating to the proposed disciplinary action and/or

imposition of penalty against Shri G.S. Narang, IRS, Central Excise and Customs Service Officer of 1974 Batch and also inspection of the records, files, etc., relating to the decision of the UPSC thereof Shri G.S. Narang is presently posted as Director General of Inspection Customs and Central Excise.

“(B) Please provide copies of all the note sheets and the final decision taken regarding imposition of penalty/disciplinary action and decision of UPSC thereof.”

The period for which aforesaid information was sought was in the application dated 9th June, 2009 stated as “from 16-10-1991 to 8-06-2009”.

3. The PIO of the appellant UPSC vide reply dated 26th June, 2009 declined to furnish the information sought, stating that it was of personal nature and disclosure thereof had no relationship to any public activity or interest and may also infringe upon the privacy of the individual concerned. Exemption provided under Section 8(1)(j) of the Act was invoked.

4. The respondent preferred an appeal against the aforesaid denial of information. In the Memorandum of Appeal dated 29th August, 2009 it was *inter alia* pleaded that the appellant UPSC does not carry any disciplinary proceedings itself but only provides opinion and forming of such opinion by the appellant UPSC is a public activity and the steps taken in forming that opinion were in public domain. The appellant UPSC before the first Appellate Authority contended that Shri G.S. Narang, to whom the information sought pertained, was a third party and for this reason also the information could not be disclosed. It was further contended that the advice of the appellant UPSC is tendered in terms of Article 320(3)(c) of the Constitution of India and is not binding on the President of India.

5. The first Appellate Authority dismissed the appeal vide order dated 22nd September, 2009 reiterating that the information sought was of personal nature and disclosure thereof had no relationship to any public activity or interest and may infringe upon the privacy of the individual concerned. It was further held that the disclosure of such information was exempt under Section 8(1)(j) of the Act.

6. Aggrieved therefrom, the respondent preferred a second appeal to the CIC. The CIC allowed the appeal of the respondent vide order dated 12th January, 2011 supra holding that as far as the appellant UPSC is concerned, it receives references from the Ministries and Departments in disciplinary matters to give its comments and recommendations and had been consulted in the matter relating to Shri G.S. Narang also and offered its comments and views to the Government; whatever records are held by the appellant UPSC in this regard have to be disclosed because the same cannot be classified as personal information merely on the ground that it concerns some particular officer. Reference was made to the judgment of the Division Bench of the Kerala High Court in ***Centre of Earth Science Studies Vs. Anson Sebastian*** reported as AIR 2010 Ker 150 holding that information sought by an employee from his employer in respect of domestic enquiry and confidential reports of his colleagues would not amount to personal information within the meaning of Section 8(1)(j) of the Act. Accordingly the PIO of the appellant UPSC was directed to give inspection of the records sought to the respondent and to also give photocopies of such record as may be required by the respondent.

7. The learned Single Judge dismissed the writ petition preferred by the appellant UPSC impugning the order of the CIC finding/observing/holding:-

- a) that personal information, to be exempt from disclosure under the Act should not have relation to any public activity, or to public interest and even if having relation to any public activity or public interest is not exempt where larger public interest justifies disclosure thereof;
- b) that a public authority as the appellant UPSC cannot have any personal information and cannot claim that any information held by it is personal to it;
- c) it is only the information submitted by an individual to a public authority and held by the public authority which is exempt from disclosure under Section 8(1)(j) of the Act;

- d) there is an inherent public interest involved in the discharge of its activities by the public authority; such information is thus not exempt from disclosure;
- e) that the function of the appellant UPSC of tendering advice to the concerned Ministries on matters relating to disciplinary proceedings against a charged officer is in discharge of a public duty entrusted to it by law and therefore a public activity;
- f) that the information sought in the present case does not relate to the privacy of the charged officer;
- g) that even otherwise the disclosure of such information would be in larger public interest, keeping in view the object of the Act;
- h) that the appellant UPSC in the matter of tendering such opinion/advice was not occupying the position of a trustee;
- i) that opinion/advice tendered by the public officials can be sought for under the Act provided the same have not been tendered in confidence/secrecy and in trust to the authority concerned;
- j) that the opinion/advice given by the appellant UPSC in the present case was not in confidence; and,
- k) that there is no merit in the plea of the appellant UPSC that disclosure of such opinion/advice would endanger the life and safety of the officers of the appellant UPSC who have tendered the same.

The appellant UPSC was however directed to examine the case with regard to the applicability of Section 10 of the Act, in relation to the names of the officers who may have acted in the process of opinion formation while dealing with the case of the charged officer Shri G.S. Narang.

It may also be noticed that the appellant UPSC, after the judgment had been reserved by the learned Single Judge, filed certain decisions of the CIC where information sought with regard to disciplinary proceedings of charged officers was held to be exempt from disclosure under Section 8(1)(h) of the Act on the ground that the disciplinary proceedings/investigations were ongoing, and such disclosure would impede the process of investigation. The same however were not taken into consideration.

8. When this appeal came up first before us on 9th October, 2012 we invited attention of the counsels to the judgment dated 3rd October, 2012 of the Supreme Court in ***Girish Ramchandra Deshpande Vs. Central Information Commissioner*** reported as MANU/SC/0816/2012. The counsels had then sought time to study the judgment.

9. The Supreme Court in ***Girish Ramchandra Deshpande*** was concerned with disclosure by an employer of information pertaining to the service career of an employee and of details of his assets and liabilities. The information sought comprised of copies of all memos, show cause notices and censure/punishment awarded to the employee from his employer. The Supreme Court held:-

“13. We are in agreement with the CIC and the courts below that the details called for by the Petitioner i.e. copies of all memos issued to the third Respondent, show cause notices and orders of censure/punishment etc. are qualified to be personal information as defined in Clause (j) of Section 8(1) of the RTI Act. The performance of an employee/officer in an organization is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression "personal information", the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that

the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the Petitioner cannot claim those details as a matter of right.

14. The details disclosed by a person in his income tax returns are "personal information" which stand exempted from disclosure under clause (j) of Section 8(1) of the RTI Act, unless involves a larger public interest and the Central Public Information Officer or the State Public Information Officer or the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information.

15. The Petitioner in the instant case has not made a *bona fide* public interest in seeking information, the disclosure of such information would cause unwarranted invasion of privacy of the individual under Section 8(1)(j) of the RTI Act.

16. We are, therefore, of the view that the Petitioner has not succeeded in establishing that the information sought for is for the larger public interest. That being the fact, we are not inclined to entertain this special leave petition. Hence, the same is dismissed."

10. We had therefore asked the counsel for the respondent as to whether the present controversy was not squarely covered by the said recent dicta of the Supreme Court.

11. The counsel for the respondent has argued that in the case before the Supreme Court the CIC itself had denied the information while in the present case CIC itself has allowed the information. To our mind the same is irrelevant. The counsel for the respondent has next sought to take us through the reasoning given by the learned Single Judge. However in the light of the dicta aforesaid of the Supreme Court and which if applicable to the facts of the present case is binding on this Bench, we are not required to go into the correctness or otherwise of the reasoning given by the learned Single Judge. Faced therewith the counsel for the respondent has lastly contended that the appellant UPSC in the present case is not the employer of the officer Shri G.S. Narang, information pertaining to whom was sought and the principle laid down by the Supreme Court is applicable to the employer only. We however fail to see the difference. The ratio of the dicta aforesaid of the Supreme Court is that the disciplinary orders and the documents in the course of disciplinary proceedings are personal information within the meaning of Section 8(1)(j) and the disclosure of which normally has no relationship to any public activities or public interest and disclosure of which would cause unwarranted invasion of the privacy of an individual. Though the appellant UPSC is not the employer of Shri G.S. Narang, information pertaining to whom is sought by the respondent, but his employer had sought the advice/opinion/ recommendation of the appellant UPSC in the matter of disciplinary proceedings against the said Shri G.S. Narang and we fail to see as to how it makes a difference whether the information relating to disciplinary proceedings is sought from the employer or from the consultant of the employer. What is exempt in the hands of the employer would certainly be exempt in the hands of consultant of the employer also. The advice given by the appellant UPSC would necessarily pertain to the disciplinary action against Shri G.S. Narang. Section 8(1)(j) exempts from disclosure personal information, irrespective of with whom it is possessed and from whom disclosure thereof is sought.

12. The respondent at no stage set-up a case of the said personal information being required in public interest. In fact when we asked the counsel for the respondent as to what was the public interest in which the said personal information was sought, he replied by stating that an information seeker under the Act is not required to state the reasons for seeking the information. That being the position, the need for any discussion further on the said aspect does not arise.

13. We therefore, following the dicta in *Girish Ramchandra Deshpande*, set aside the judgment dated 13th July, 2012 of the learned Single Judge and allow the writ petition preferred by the appellant UPSC, consequently setting aside the order dated 12th January, 2011 of the CIC.

No costs.

NOVEMBER 6, 2012

RAJIV SAHAI ENDLAW, J
CHIEF JUSTICE

ADHERING TO GOI/CSIR INSTRUCTIONS WHILE INCURRING EXPENDITURE

The 12th Five Year Plan Projects are in the 2nd year of the plan period and are at the various stages of implementation. The Finance wing of CSIR Labs./Instts. plays pivotal role in facilitating achievement of the deliverables of the project.

It will not be out of place to mention that guidelines/instructions issued by the Gol and CSIR are already in place (like GFR, DFPR, CSIR Purchase Procedure, Foreign Deputation Guidelines, etc.) to govern and regulate the judicious deployment of funds for activities having financial implications. In addition, the Gol also issues guidelines from time to time on austerity measures, which are to be followed while tendering finance concurrence and incurring expenditure to carry out various activities.

It is, therefore, reiterated that while providing full support to the scientific efforts of the Lab./Instt., in achieving their R&D targets, all the instructions/rules issued from time to time by the Gol/CSIR must be adhered to while incurring expenditure/committing funds.

[CSIR Lr. No.30-2(67)/ 2012-IFD dt. 29-4-2013]

QUERIES REGARDING TO LAND AND RELATED ISSUES

References are being made by the CSIR Labs./Instts. regarding land (Estate) and its related issues to the Policy Division of CSIR HQs. It may be stated that matters relating to land including rendering opinions on legal matters/policy decision associated with land (Estate) come under the purview of the Director, Engineering Services Division (ESD), CSIR. Therefore, all such cases may be referred to the ESD and the Legal Cell by the concerned Lab/Instt.

[CSIR Lr. No. 5-1(184)/08-PD dt. 6-5-2013]

REMITTANCE OF TUITION FEE COLLECTED ON ACCOUNT OF ACSIR

It was observed that the remittance of tuition fee collected from the students enrolled in AcSIR is not being made by all the concerned Labs./Instts. to SBI (Parliament Street Branch, New Delhi) regularly. As such all the monies collected as per instructions contained in CSIR O.M. No. AcSIR/9/1(1)-2013 dated 01.05.2013 have to be invariably remitted and confirmed to CSIR.

[CSIR Lr. No.42-9(1)/Misc./Accounts 2013 dt. 20-5-2013]

SWAMY'S HANDBOOK: 2013 -- UPDATE

Section	Page	Subject
5	43-44	Concessions when posted to North-Eastern Region, etc. 1. T.A. and Joining Time Add a new para as (e) "Central Government employees posted in Ladakh region of the State of Jammu and Kashmir --

		<p>The concessions related to Travelling Allowance on First Appointment Travelling Allowance for Journey on Transfer, Road Mileage for Transportation of Personal Effects on Transfer as per Department's O.M. No.11(2)/97-E.II (B) dated 22-7-1998, as amended from time to time is extended to the Civilian Central Government employees posted in Ladakh region of the State of Jammu and Kashmir also."</p> <p>"Takes effect from 1-9-2008."</p> <p style="text-align: right;">- O.M. dt. 2-4-2013</p>
20	244	<p>Provident Funds</p> <p>1. General Provident Fund</p> <p>Substitute the heading for para 9 as Interest for 2011-12, 2012-13 and 2013-14 -</p> <p>Add the following under para 9 after (iii):</p> <p>(iv) For the year 2013-14 at 8.7%</p> <p style="text-align: right;">- Resolution dt. 8-4-2013</p>

[Swamysnews, May 2013, 2-3]

RECRUITMENT ON ALL INDIA BASIS BY OPEN COMPETITION....

It has been clarified that the expression "Direct Recruitment on the results of an All India Competitive Examination" means (i) all recruitment by UPSC whether through written examination or by interview or both and; (ii) recruitment made by other authorities including Staff Selection Commission or any other Appointing Authority through written competitive examination or tests (but not by Interview only).

The expression "direct recruitment otherwise than by open competition means", (i) any recruitment not made by the UPSC; or (ii) recruitment not made through written competitive tests held by any other authority.

[GOI DOPT O.M. No.36034/2/2013-Estt.(Res.) dt. 8-4-2013; Swamysnews, May 2013, 4-5]

RATE OF INTEREST FOR GPF 2013-2014

During the year 2013-2014, accumulations at the credit of subscribers to the General Provident Fund and other similar funds shall carry interest at the rate of 8.7% per annum. This rate will be in force during the financial year beginning on 1-4-2013.

[GOI MOF Resln.No.F.No.5(1)-B(PD)/2013 dt. 8-4-2013; Swamysnews, May 2013, 5]

ACTION WARRANTED AGAINST GOVT. SERVANTS REMAINING AWAY FROM DUTY

It has been observed that due seriousness is not being accorded by the administrative authorities to the various rule provisions, *inter alia* under the CCS (Leave) Rules, 1972 for taking appropriate and immediate action against Govt. servants staying away from duty without prior sanction of leave or overstaying the periods of sanctioned leave.

It is reiterated that such absence is unauthorized and warrants prompt and stringent action as per the following rules:

- a) **Proviso to FR 17 (1)** -- stipulates that an Officer who is absent from duty without any authority shall not be entitled to any pay and allowances during the period of absence.
- b) **FR 17-A** -- stipulates that the period of unauthorized absence shall be deemed to cause an interruption or break in service.
- c) **FR 25 of the CCS (Leave) Rules, 1972** -- lists out the consequences that flow from refusal of extension of leave include that:
 - i) The Govt. servant shall not be entitled to any leave salary for such absence;
 - ii) The period shall be debited against his leave account as though it were half pay leave to the extent such leave is due, the period in excess of such leave due being treated as Extraordinary Leave (EOL).
 - iii) Willful absence from duty after the expiry of leave renders a Govt. servant liable for disciplinary action.

In all cases of unauthorized absence by a Govt. servant, he should be informed of the consequences of such absence and be directed to rejoin duty immediately/ within a specified period failing which he would be liable for disciplinary action.

- d) **Rule 32 (6) of the CCS (Leave) Rules, 1972** -- allows the competent authority to commute retrospectively periods of absence without leave into EOL. A similar provision also exists under Rule 27 (2) as well. These provisions may be exercised judiciously. The period of such absence so regularized by grant of EOL shall normally not count for the purpose of increments which may be regulated by provisions of FR 26 (b) (ii).

[GOI DOPT O.M. No.13026/3/2012-Estt.(Leave) dt. 28-3-2013; Swamysnews, May 2013, 5-7]

CORONARY ANGIOGRAPHY/ANGIOPLASTY -- COST OF C.D.

It is clarified that the CGHS package rates for Coronary Angiography/Angioplasty include the cost of CD record and the medical report.

[GOI MOH O.M. No. F.No. S.11045/13/2013/HEC/CGHS(P) dt. 4-3-2013; Swamysnews, May 2013, 7-8]

ANNUAL MEDICAL EXAMINATION OF GROUP A OFFICERS

A list of empanelled hospitals for undergoing Annual Medical Examination in the various cities/towns under each State has been provided.

[GOI DOPT O.M.No.21011/1/2009-estt.(A)-Part dt. 20-3-2013; Swamysnews, May 2013, 8-13]

ALLOWANCES AND SPECIAL FACILITIES TO CIVILIAN EMPLOYEES OF THE CG SERVING IN THE LADAKH REGION OF THE JAMMU & KASHMIR

The President is now pleased to decide that concessions related to Travelling Allowance on First Appointment, Travelling Allowance for Journey on Transfer, Road Mileage for Transportation of Personal Effects on Transfer as per para 2 (v) and (vi) of DOPT O.M. No.11(2)/97-E.II(B) dated 22-7-1998 as amended from time to time shall extend to the civilian CG employees posted in Ladakh region of the State of Jammu & Kashmir also w.e.f. 1-9-2008.

[GOI MOF O.M. No.11(6)/2008-E.II(B) dt. 2-4-2013; Swamysnews, May 2013, 15]

HONORARIUM FOR WORKING AS DESPATCH RIDER

The rates of honorarium have been revised with immediate effect as under:

S.No.	Description	Rate
1.	MTS/Group D Officials when appointed to work as Despatch Rider/Scooter Driver	Rs.10/- per day
2.	-do- when appointed to work as Staff Car Drivers	Rs.20/- per day

The amount of honorarium shall be subject to the ceiling as envisaged in FR 46 (b) and instructions on the subject.

[GOI DOPT O.M. No.17011/01/2011-Estt.(AL) dt. 17-4-2013; Swamysnews, May 2013, 16]

REVISION OF ONE-THIRD COMMUTED PORTION OF PENSION IN R/O GOVT. SERVANTS ON ABSORPTION IN CPSU/CAB

Orders for revision of one-third restored pension of absorbees who had drawn lump sum payment on absorption in Central Public Sector Undertakings/Central Autonomous Bodies were issued vide DOP&PW O.M. No.4/38/2008-P&PW(D) dated 15-9-2008. The payment of Dearness Relief (DR) and additional pension to old pensioners is regulated on the basis of the notional full pension.

Instructions have been issued vide DOP&PW O.M.No.38/37/08-P&PW(A) dated 28-1-2013 for stepping up of the pension of pre-2006 pensioners w.e.f. 24-9-2012. Accordingly, the notional full pension of the absorbee pensioners would also be stepped up w.e.f. 24-9-2012 in accordance with the instructions contained in O.M. dated 28-1-2013.

No arrears of DR and additional pension on notional full pension would be payable for the period prior to 24-9-2012.

These instructions will also be applicable for issuance of revised authority in respect of absorbee pensioners.

[GOI DOP&PW O.M. No.4/38/2008-P&PW(D) dt. 3-4-2013; Swamysnews, May 2013, 16-17]

RECOMMENDATION OF PARLIAMENTARY STANDING COMMITTEE ON COMPASSIONATE APPOINTMENT

Reference is drawn to para 9.3 of the 23rd Report on Govt. Policy on Compassionate Ground given by the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice, Rajya Sabha. The Committee *inter alia* recommended as under:

- i) The guidelines, circulars issued by the Govt. must be complied with and a feedback must be obtained from each of the administrative Ministries for cross-checking.
- ii) The role of the administrative Ministries become all the more important and it should pass on each and every instruction issued by the Gol to the PSUs and receive confirmation and feedback.
- iii) A yearly report must be sent to the MOPG&P (DOPT) by the administrative Ministries and should also call for Annual Report in prescribed *pro forma*.

[GOI MOP&T O.M.No.41013/1/2013-Estt.(D) dt. 25-3-2013; Swamysnews, May 2013, 17-19]

SUO MOTU DISCLOSURE ON OFFICIAL TOURS

All public authorities may strictly comply with the advisory contained in the DOPT O.M. No.F.No.1/8/2012-IR dated 3-4-2013 regarding proactive disclosure of the details of all foreign and domestic official tours of Ministers and Officials of the rank of Jt. Secretary to the Gol and above and Heads of departments since 1-1-2012 and to update the same once every quarter starting from 1-7-2012.

[GOI DOPT O.M. No.F.No.1/8/2012-IR dt. 3-4-2013; Swamysnews, May 2013, 23]

GUIDELINES ON SUO MOTU DISCLOSURE OF INFORMATION UNDER SECTION 4 OF RTI ACT, 2005

The purpose of *suo motu* disclosures under Section 4 is to place large amount of information in public domain on a proactive basis to make the functioning of the Public Authorities more transparent and also to reduce the need for filing individual RTI applications.

In order to address the above, Gol constituted a Task Force on *suo motu* disclosure under the RTI Act, 2005 for strengthening compliance with provisions for *suo motu* or proactive disclosure as given under Section 4 of RTI Act, 2005. The guidelines issued for Central Govt. Ministries/Departments are on:

- i) *Suo motu* disclosure of more items under Section 4
- ii) Guidelines for digital publication of proactive disclosure
- iii) Detailing of Section 4 (1) (b) (iii), (iv), (xi) and (xiv)
- iv) Compliance mechanism for *suo motu* (proactive) disclosure

Guidelines

- 1.0 *Suo motu* disclosure of more items under Section 4 -- The public authorities may proactively disclose the following items also under the *suo motu* disclosure provisions of Section 4:
 - 1.1 Information related to procurement
 - 1.2 Public Private Partnerships
 - 1.3 Transfer Policy and Transfer Orders
 - 1.4 RTI Applications
 - 1.5 CAG & PAC paras
 - 1.6 Citizens Charter (including six-monthly report on the performance against the bench marks set in the Charter)
 - 1.7 Discretionary and Non-discretionary grants
 - 1.8 Foreign Tours of PM/Ministers (and of Officials of the rank of Joint Secretary to the GoI and above and Heads of Departments. Ed.)
- 2.0 Guidelines for digital publication of proactive disclosure under Section 4
- 3.0 Guidelines for certain clauses of Section 4 (1) (b) to make disclosure more effective (including guidelines on the procedure followed in the decision-making processes, including channels of supervision and accountability; the norms set by it for the discharge of its functions; the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made; details in respect of information, available to or held by it, reduced in an electronic form)
- 4.0 Compliance with Provisions of *suo motu* disclosure under the RTI Act.
- 5.0 Nodal Officer
- 6.0 Annual Reports to Parliament/Legislatures

[GOI DOPT O.M. No.1/6/2011-IR dt. 15-4-2013; Swamysnews, May 2013, 23-34]

ENTITLEMENT OF SPECIAL PACKAGE CONCESSION TO EMPLOYEES WORKING IN KASHMIR VALLEY

In Para 2 of the DOPT O.M. dated 14-12-2012, it is stated that Central Govt. employees working in Kashmir Valley are entitled to get the special package concession without making any distinction as regards their mode of appointment, subject to fulfilment of all other conditions.

[Swamysnews, May 2013, 83]

RECRUITMENT OF SCIENTISTS AND THEIR CAREER PROGRESSION IN CSIR -- AN UPDATE

Ch. Srinivasa Rao
**Founder-Editor, “HARMONY” and
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In order to attract young talent and also to provide better career opportunities to the existing Scientists, CSIR has been continuously monitoring and reviewing the recruitment and assessment processes of Scientists from time to time. Thus, the existing “CSIR Scientists Recruitment & Assessment Promotion Rules, 2001” have undergone considerable change in the recent past. The role of the Recruitment & Assessment in the required “change” can never be over emphasized.

Introduction

The term “Scientist”, other than where used as designation, has been defined as R&D scientific staff who are expected to generate, develop, advance, disseminate, diffuse, manage and protect new knowledge/methods/techniques by research/design/development/extension.

Persons with Engineering background and possessing B.E./B.Tech. qualification will be recruited as Trainee Scientist and admitted to the Academy of Scientific & Innovation Research (AcSIR - CSIR) which has been established in 2010 by an Act of Parliament with a main objective to disseminate advanced knowledge in Science & Technology by providing teaching and research facilities in emerging and futuristic areas of inter- and multi-disciplinary areas.

The Trainee Scientist (TS) will be paid a stipend equivalent to the minimum of Pay Band-3 (PB) with Grade Pay (GP) of Rs.5400 plus admissible allowances. The TS will undergo a programme of training consisting of theory and practice in the areas of relevance to CSIR under the auspices of AcSIR. On successful completion of two years of training leading to Advanced Diploma with Distinction, the TS shall be eligible for consideration for appointment to the level of “Scientist” in CSIR.

As such, all advertisements for the position of Scientist in CSIR shall be in PB-3 or PB-4. The Selection Committee depending upon the performance of the candidate may choose to place the candidate in one of the Grade Pays within the Pay Band, subject to meeting the minimum eligibility criterion specified, without disturbing the existing Roster position.

In disciplines, including specialized areas or fields, other than those mentioned under these Rules like Science, Engineering, Technology and Management, such professional or technical qualifications as otherwise required in CSIR and/or as are approved by the Govt. of India for appointment to specialized positions, shall be made applicable with the approval of the DG, CSIR. In cases, where a formal Degree or Diploma

is not being awarded or has not been approved, the educational qualifications and experience shall be such as may be prescribed by the DG, CSIR.

Appointing Authority

The Director/Head of the Lab./Instt. (DG for CSIR HQs.) shall be the Appointing Authority for the posts of Scientist Group IV (1) to (5). The Vice-President, CSIR shall be the Appointing Authority for the posts of Scientist Group IV (6). For posts in Director's Grade, i.e., Rs.22,400-24,500 (pre-revised) and above and posts in equivalent grades, the President, CSIR shall be the appointing authority.

Recruitment & Assessment RAB

The Recruitment & Assessment RAB (RAB) has been established with a Chairperson duly appointed by the President, CSIR. The Chairperson shall prepare a Panel of Co-Chairpersons with the approval of the Vice-President. Such Panel will be valid for a period of 3 years. During the currency of the panel, any name can be added/deleted with the approval of CSIR.

Constitution of the RAB

≈ Chairperson, RAB - to be appointed by the President, CSIR	...	Chairperson
≈ An Eminent Scientist - a sitting Member of CSIR Governing Body	...	Member*
≈ One Co-Chairperson - from the Panel of Co-Chairpersons	...	Member*
≈ Sr. Director of a CSIR Lab./Instt.	...	Member*
≈ Chairman, DRDO Recruitment & Assessment Centre/Chairman, Agricultural Scientists Recruitment Board	...	Member*
≈ Head, RAB	...	Convener

* Members of the RAB are to be appointed/nominated by the Vice-President, CSIR

The term of the RAB shall be three years from the date of its constitution.

Powers & Functions

- The RAB may from time to time review and devise its own procedures for recruitment and assessment and may vary the procedure but such procedure shall not come in conflict with the provisions of "CSIR Scientists Recruitment & Assessment Promotion Rules, 2001".
- The RAB may recommend modifications in the Recruitment & Assessment Promotion Rules. On the basis of such recommendations, an agenda item/note may be moved to the Governing Body, CSIR for considering the proposed amendments.

- The RAB may constitute Assessment Committees from time to time and may suggest ways and means to overcome operational difficulties to DG, CSIR whereupon the relevant provisions of the rules may be amended/modified with the approval of the Governing Body.
- The RAB may discuss and suggest its budgetary and logistic requirements with the DG, CSIR for consideration.
- On exigencies of work, the Chairman, RAB may take decisions with regard to recruitment and assessment of Scientists which should not be at variance with the substantive provisions of CSIR Scientists Recruitment & Assessment Promotion Rules, 2001. Subsequently, such decisions have to be got ratified either by circulation amongst the Members of the RAB or by convening a special meeting of the RAB within two weeks of taking such decision.

Qualifications, Experience & Age

The minimum qualifications, experience and age limits prescribed for direct recruitment of Scientists in Group IV at various levels, Pay Bands and Grade Pay are mentioned hereunder. While the basic qualifications for any level/grade in Group IV may remain the same, depending upon the relevance and requirement of Labs./Instts. the experience and age in terms of number of years may vary.

S.No.	Designation, Pay Band and Grade Pay	Qualifications	Experience in required areas	Age limit not exceeding
1.	Trainee Scientist PB-3: Rs.15600- 39100 plus GP Rs.5400	B.E./B.Tech. with minimum 70% marks or 7.0 CGPA	---	28 years
2.	Scientist PB-3: Rs.15600- 39100 plus GP Rs.6600	M.E./M.Tech./M.Vet.Sc./M.D. OR B.Tech./M.Sc. with Post Graduate degree in Intellectual Property Law (1 st Class or 60% on an aggregate or equivalent GPA) OR B.E./B.Tech. with Advanced Diploma from AcSIR with Distinction OR Ph.D.(Sc./Engg.) submitted	---	32 years
3.	Senior Scientist PB-3: Rs.15600- 39100 plus GP Rs.7600	Ph.D.(Engg./Management#) or M.B.,B.S. + Ph.D. OR Ph.D.(Sc.)/ ... M.E./M.Tech./M.D./M.Vet.(Sc.) OR B.Tech./M.Sc. with MBA* or Post Graduate degree in Intellectual Property Law	--- 2 years 3 years	37 years
4.	Principal Scientist PB-4: Rs.37400- 67000 plus GP Rs.8700	Ph.D.(Engg.) OR Ph.D.(Sc.) OR Ph.D (Management) OR M.B.B.S. + Ph.D. OR M.D./M.V.Sc. ...	3 years 5 years	45 years

5.	Senior Principal Scientist PB-4: Rs.37400-67000 plus GP Rs.8900	Ph.D.(Engg.) Ph.D.(Sc.) Ph.D (Management) M.B.B.S. + Ph.D. M.D./M.V.Sc.	OR OR OR OR	6 years	50 years
6.	Chief Scientist PB-4: Rs.37400-67000 plus GP Rs.10000	Ph.D.(Engg.) Ph.D.(Sc.) Ph.D (Management) M.B.B.S. + Ph.D. M.D./M.V.Sc.	OR OR OR OR	10 years	50 years
7.	Director/ Scientist H PB-4: Rs.37400-67000 plus GP Rs.12000	The procedure for promotion and/or appointment to the post of Scientist Group IV (7) in the scale of Rs.22400-24500 (pre-revised) is yet to be notified,			

* This qualification shall be applicable for recruitment of Scientists for Business Development/Project Management/Human Resource Development Group.

Ph.D. (Management) will include Ph.D. in Economics, Information Science, IPR Law or equivalent for specific functions

Advertisement shall be issued asking for applications in terms of Pay Bands. Positioning of a candidate in terms of a particular Grade in the Pay Band shall be appropriately done by the Selection Committee.

The persons holding the posts of Scientist, Sr. Scientist, Principal Scientist, Senior Principal Scientist in Pay Band-3 with Grade Pay of Rs.6600, Rs.7600 and PB-4 with GP of Rs.8700, Rs.8900 shall be given two additional increments without Dearness Allowance after their normal pay fixation which shall not be treated as part of pay for any purpose and shall be computed on the Pay plus GP at the time of entry in the grade. It will remain constant during the entire period of residency in the grade and will be recomputed on promotion to the next grade.

Fixation of pay may be regulated as per CCS (Revised Pay) Rules, 2008. In addition, an annual increment @ 3% will be granted. Each increment shall be calculated @ 3% of the total Basic Pay in the respective PB plus corresponding GP

Chief Scientists in PB-4 in the pay scale of Rs.37400-67000 with GP of Rs.10,000/- will get Special Pay of Rs.4000/- per month.

Recruitment at lateral levels

Recruitment of Scientists at higher levels can be made by the CSIR Lab./Instt. with the approval of the Research Councils (RC) of respective Labs./Instts./Instts., subject to the condition that the existing Roster position may not be disturbed. In exceptional circumstances, if there is a need to recruit at lateral level over and above the strength fixed at various levels, post in the Roster meant for Group IV (1) may be upgraded with the approval of the RC and filled by a candidate of the same category as per the Roster point.

Constitution of Committees

Screening Committee: The Screening Committee for recruitment of Scientists up to Scientist Group IV (5) will be constituted by the Directors of respective Labs./Instts. and in respect of CSIR HQs., the DG shall constitute such Committee. The Screening Committee In respect of Scientist Group IV (6) for Labs./Instts. and CSIR HQs. shall be constituted by the DG.

The composition of the Screening Committee shall be:

- One Scientist from sister Lab./Instt.
- One Scientist from the Lab./Instt.
(HQs. in r/o CSIR)
- Director of the Lab./Instt. concerned or his nominee
(DG, or his nominee in r/o CSIR)

The Screening Committee shall screen the applications received for shortlisting the candidates to be called for interview and organize a written test or seminar, if considered necessary. The Directors can seek the help of the RAB in screening the applications, if considered useful.

- The date for determining the age limit/experience/qualifications shall be the closing date prescribed for receipt of applications in the respective advertisement.
- The period of experience wherever prescribed in the requisite discipline/area of work shall be counted with effect from the date of acquiring the prescribed minimum educational qualifications required for that grade.
- Apart from qualifications indicated in the Rules, any other recognized qualification which is equivalent to the prescribed qualification shall be treated at par with that qualification.
- In disciplines including specialized areas/fields other than those mentioned in these rules, qualifications, professional as well as technical, as approved by the Gol for appointment to superior posts and services shall be applicable.
- In cases where a formal degree or diploma is not being awarded or has not been approved in the relevant field, the educational qualifications and experience shall be as may be prescribed by the DG, CSIR.

Applications along with the recommendations of the Screening Committee have to be sent to the RAB. Wherever the SC/ST candidates are being considered for the posts exclusively or along with general category candidates, a member of SC/ST community shall invariably be included in the Screening/Selection Committee. Further, Gol/CSIR instructions with regard to nomination of female members and members representing minority community should be followed.

Selection Committee

The date and time for holding the meetings of the Selection Committees to be held either at the respective Labs./Instts. or at CSIR HQs. have to be got fixed in consultation with the Chairperson of the RAB. Communication to those candidates

who are to be called for interview/test will have to be issued by the Labs./Instts. concerned.

The Chairperson of the RAB shall chair the Selection Committee. The Chairperson can nominate one of the Co-Chairpersons of the Panel to act as Chairperson of the Selection Committee.

The composition of the Selection Committee shall be:

- ≈ Chairperson
- ≈ Two external Experts
 - to be nominated by the Chairperson of the RAB
- ≈ One Departmental Member
 - to be nominated by the DG
- ≈ Director of the Lab./Instt. concerned or his nominee
(DG or his nominee in case of CSIR HQs.)

While the existing provisions will be applicable for appointment up to Group IV (5), in the case of Scientist Group IV (6) and above, the DG, CSIR shall be a Member on the Selection Committee.

Quorum: Three members including the Chairperson

The Selection Committee shall recommend a panel of candidates for each post or group of posts in "Order of Merit" as per the advertisement and send all relevant papers to the concerned Appointing Authority.

The panel will be valid for a period of one year and operated for issue of offer of appointment only to the extent of number of vacancies advertised. In other words, vacancies which might have occurred after issue of Advertisement should not be filled up out of the panel. If any candidate who has been issued with offer of appointment up to the extent of the notified vacancies does not accept the offer or fail to join by the stipulated date, the next candidate on the Panel can be issued with offer of appointment.

Relaxations & Concessions

- ▽ As far as "eligibility criteria" is concerned, no relaxation whatsoever is admissible even in case of SC/ST candidates. Applying lower standards can be considered at the time of selection by the RAB keeping in view the Govt instructions on the subject.
- ▽ Relaxation of age limit and other concessions have to be applied for SC, ST and other special categories of persons in accordance with the orders issued by the Govt/CSIR from time to time.
- ▽ Relaxation in age limit up to 5 years will be allowed to employees working under CSIR/ Govt./Autonomous Bodies/PSUs.
- ▽ On the recommendation of the Screening Committee and if the Director of a Lab./Instt. feels that sufficient number of candidates possessing the requisite qualification and/or experience are not likely to be available to fill up certain posts, the DG may consider relaxation in the qualifications and/or experience at any stage of selection. However, for seeking relaxations, the instructions issued

vide CSIR Lr. No.2(Misc.)/Rectt.24-R&A dated 22-11-1994 should be followed scrupulously.

- ▽ Depending upon exigencies, relaxation in qualifications and/or experience in the case of candidates belonging to SC/ST/OBC could be considered by and at the discretion of the DG in specific cases.

Advance increments

The pay of a selected candidate shall normally be fixed at the minimum of the pay scale attached to the post. However, higher start by grant of advance increments can be recommended by the Selection Committee keeping in view the overall merit of the candidate. While doing so, details of the achievements outstanding performance/work of the candidate should be specifically mentioned in the proceedings of the Selection Committee so as to establish the rationale for grant of such advance increments.

On the recommendation of the Selection Committee, up to three advance increments may be granted by the Director of the Lab./Instt. in respect of selections for which he is the Appointing Authority. Beyond three and up to five increments may be granted by the DG, CSIR. Beyond five and up to seven increments may be granted by the Vice-President, CSIR.

Probation & Confirmation

Persons appointed to the post under these Rules shall be placed on probation for a period of one year. The Appointing Authority may at its discretion extend or curtail the period of probation in accordance with the instructions issued by the Govt/CSIR from time to time.

On completion of the period of probation or extension thereof, the Scientist shall be confirmed against the post, if not already done at the time of his first appointment in Council.

Incentives

Special Pay of Rs.2000/- per month without the element of DA is payable to all the Scientists in Group IV, including the Director, in lieu of a separate higher pay scale after Peer Review.

Professional Up-date Allowance at the following rates is payable to all the Scientists in Group IV.

S.No.	Pay Band	Grade Pay	Rate p.a.
1.	PB-3 (Rs.15600-39100)	Rs.5400, 6600 & 7600	Rs.10,000/-
2.	PB-4 (Rs.37400-67000)	Rs.8700 & 8900	Rs.20,000/-
3.	-do- (HAG+/Apex Scales)	Rs.10000 & 12000	Rs.30,000/-

Transport: While Transport Allowance is payable to all the Council servants at specified rates, the Scientists with GP of Rs.10000/- and above who are entitled to the use Official vehicle shall be given an option to avail themselves of the existing facility or to draw TA @ Rs.7000/- plus DA thereon per month. However, Directors designated as Head of Department shall continue to use staff car as per rules.

Scientists who are on Sabbatical leave/EOL on Assignment abroad/EOL on private affairs are not entitled for the incentives during such period of absence since they are not considered to be physically present in the Lab./Instt. They will, however, be entitled for the incentives after resuming duty in their respective posts.

Non-Practising Allowance @ 25% of their Basic Pay to Scientists in Group IV grades having MBBS & MD, MBBS & Ph.D., BVSc. & MVSc. and BVSc. & Ph.D. qualifications, subject to the condition that Basic Pay+ NPA + DP does not exceed Rs.44,250/- p.m.

Qualifying service

Scientists directly appointed to the post of Scientist Group IV (2) and above shall be entitled to the benefit of "Addition to Qualifying Service" up to a period of up to 5 years for the purpose of superannuation pension as admissible under Rule 30 of CCS (Pension) Rules, 1972.

Inter se seniority

In cases where the seniority of Scientists Group IV (5) who have been promoted to the post of Scientist Group IV (6) on the same date, the *inter se* seniority may be decided on the basis of date of their eligibility for promotion to Group IV (6), provided the Assessment Committee has recommended their names for promotion from that date which may be got confirmed by the RAB.

Transferability

The service under CSIR is liable for transfer anywhere in India or abroad. Directors of the Labs./Instts. are empowered to transfer any Scientist from HQs. of the Lab./Instt. to its Field/Extension Centres and *vice versa*. Further, the DG, CSIR is empowered to transfer any Scientist from one Lab./Instt. to another including their Extension/Field Centres in public interest.

Distinguished Scientists

CSIR have set aside 30 posts Distinguished Scientists including for Scientist/Technologist of Indian Origin (STIO) in the pay scale of Rs.75,500-80,000 with an annual increment @ 3% or such consolidated pay as recommended by the Committee by upgrading the Group IV Scientist positions for operation in CSIR for placing in the various CSIR Labs./Instts./Instts./Centres.

These posts are to be filled centrally through RAB from among citizens of India or Scientist/Technologist of Indian origin (STIO). The position will be offered to Scientist/Technologist with (i) proven track record in areas of cutting edge Science & Technology; (ii) international eminence; and (iii) leadership qualities required for building/nurturing new groups of young Scientists in emerging areas of S&T and of interest to the country.

Process of Selection

- ▽ The Search-cum-Selection Committee for recommending the suitable incumbent shall be constituted with the approval of Vice-President, CSIR. In case, there is no Vice-President in position, approval of the President, CSIR shall be obtained.

- ▽ The Committee shall also consider nominations received from eminent Scientists/ Technologists as and when such nominations are received and recommend suitability of the candidate.
- ▽ The Committee shall comprise of five members as follows: (a) Chairman, CSIR RAB as Chairman; (b) Three Eminent Scientists/Technologists in the relevant fields of which at least one shall be external to CSIR; and DG, CSIR & Secretary, DSIR.
- ▽ The recommendation of the Committee shall be submitted to the Appointing Authority, viz. the President, CSIR, for approval.

Tenure of Appointment

- ✓ Appointment of Distinguished Scientist shall be on contract on full time basis for a period up to five years or on a part-time basis for the same period whereunder he/she shall work on a time-sharing basis between his/her parent organisation and CSIR, the pattern of time sharing to be recommended by the Selection Committee in consultation with the candidate.
- ✓ If persons appointed are below the age of superannuation, they will continue until the age of superannuation and thereafter will continue up to five year contract period or 65 years whichever is earlier.
- ✓ Superannuated Scientists/Technologists can be appointed as Distinguished Scientists on contractual basis up to 5 years or till the age of 70 years whichever is earlier.
- ✓ Only in exceptional cases, the appointment or renewal of contract can go beyond 70 years, if the Distinguished Scientist has been recognized by International Honour such as FRS, FNA (US), Field Medal, Nobel prize or equivalent awards.
- ✓ Extension of tenure shall be considered by an Evaluation Committee comprising of DG, CSIR as Chairman, Chairman, CSIR RAB; and three eminent Scientists/ Technologists/Experts in the relevant fields to be constituted by the Vice-President, CSIR. The Committee's recommendations shall be accepted by the Vice-President, CSIR. Any proposal to reject the recommendations of the Committee will require the approval of the President, CSIR.

Extension in Service

Proposals for extension in service beyond superannuation up to the age of 62 years in deserving cases of Scientist-G/H superannuating between a specified periods are invited against notification which are to be submitted along with the following documents:

- 15 Sets of bio-data, details of work done, work proposed to be done during the extension period.
- One-page brief write-up, as per the format enclosed (along with its soft copy in word DOC file which may be sent by e-mail.
- Justification for extension in service with specific recommendations of the Director.
- Vigilance clearance certificate from the respective Lab./Instt.

- Attested copies of up to date ACR/APAR/APR/PMS (ACRs) of the Scientist for the last five years duly completed in all respects and a separate yearwise list of APARs/ARPs/ PMS grading in prescribed format.

PROCEDURE FOR ASSESSMENT PROMOTION

Promotion of Scientists who are governed by these Rules will be promoted from one grade to the next higher grade on the basis of "Flexible Complementing Scheme". On promotion, the post held by the incumbent shall stand upgraded automatically and will remain personal to the Scientist concerned. On vacation or on any other eventuality, the post shall revert to the grade at which it was filled initially.

Promotion up to the level of Scientist Group IV (5) shall be made on the basis of (i) preliminary screening by an Internal Screening Committee (ISC) which takes into account the ACRs recorded for the years covered under the residency period, and (ii) interview by the Assessment Committee.

Promotion to the level of Scientist Group IV (6) shall be made on the basis of: (i) preliminary screening by an ISC which takes into account the Annual Confidential Reports recorded for the years covered under the residency period; and (ii) assessment by a duly constituted Peer Committee which takes into account the ACRs and the Work Reports for the years covered under the residency period without holding any assessment interview.

Merit assessment

Pre-revised MANAS provided for Merit Assessment (i.e. early assessment) for Group IV Scientists. The new Rules cannot be read in isolation. Relaxation of one year in the minimum residency period will be granted to Scientists in Group IV (2), (3) & (4) grades, if 90% marks and above are secured in the ACRs consistently in three successive years in the grade. This shall be applicable for a maximum number of two times in the career of a Scientist.

Those who have got one merit assessment can be considered for one more time for early assessment and those who have not been considered for merit assessment can be considered twice during their entire service in CSIR for early assessment. The Scientists who have already got merit promotion twice shall not be eligible for early assessment.

One year earlier assessment and normal assessment due for having completed minimum residency period will be done in one sitting by the same Committee keeping the threshold for the one-year earlier assessment reasonably higher.

Residency period

The minimum residency period to be completed in a grade for consideration for assessment shall be as under:

S.No.	Designation	Pay Band and Grade Pay	Minimum residency period linked to performance
1.	Trainee Scientist	PB-3: Rs.15600-39100 plus GP Rs.5400	3 years

2.	Scientist	PB-3: Rs.15600-39100 plus GP Rs.6600	4 years
3.	Senior Scientist	PB-3: Rs.15600-39100 plus GP Rs.7600	4 years
4.	Principal Scientist	PB-4: Rs.37400-67000 plus GP Rs.8700	5 years
5.	Senior Principal Scientist	PB-4: Rs.37400-67000 plus GP Rs.8900	5 years

The ACRs starting from due date of eligibility are to be considered by going back 3/4/5 years, as the case may be, so that latest ACRs are taken into account. For example, in the case of a person who is becoming due for assessment on completion of three years as on 1-4-2001, the ACRs for the years 2000-2001, 1999-2000 and 1998-1999 are to be considered. If eligibility period is completed in the middle of a year, ACR for this will be taken into account, if the due date of eligibility is 30th September or later. However, number of ACRs to be considered would remain 3/4/5, as the case may be.

Internal Screening Committees

In respect of Scientist Group IV (1) to (4), the Director in the Lab./Instt. (DG at CSIR HQs.) will constitute an Internal Screening Committee (ISC) to review the Annual Confidential Reports and other relevant records of all Scientists who complete the prescribed residency period for shortlisting and recommending for assessment by the Assessment Committee. The composition of the Committee shall be as follows:

- Director or a Scientist/Technologist ... Chairperson
to be nominated by the Director
- DG in case of CSIR HQs.
- One Scientist from sister Lab./Instt. ... Member
- Two Scientists from the Lab./Instt. concerned ... Members

Quorum: Chairperson and at least two members including the Member from sister Lab./ Instt. The recommendations of the Committee shall be approved by the Director of the Lab./Instt. (DG in case of CSIR HQs.).

In respect of Scientist Group IV (5) and above, the DG, CSIR will constitute an ISC to review the confidential ACRs and any other relevant records of all the Scientists completing the prescribed residency period for shortlisting and recommending the candidates for assessment interview by the Assessment Committee as under:

- An external Scientist/Technologist ... Chairperson
- Two Scientists including Director of Lab./Instt. ... Members
- The Director of the Lab ... Member
(HoD in case of CSIR HQs.)

Only those Scientists who satisfy the minimum residency period linked in their performance threshold scores as indicated hereunder will be considered for assessment:

Grading	Range of Marks
Need improvement	40-49
Satisfactory	50-59
Good	60-69

Very Good	70-84
Excellent	85-89
Outstanding	> 90

The bench marks for being eligible to be considered for assessment is “Satisfactory” for “Junior Scientist” [Group IV (1)]” and “Good” for levels of “Scientist” and above.

The ISC may grant grace marks up to “0.5” for rounding off the decimal points to the nearest next (higher) figure while deciding the eligibility for assessment interview.

The Director shall forward the names of the candidates shortlisted by the ISC to the Chairperson, RAB.

Relaxations

Relaxation in respect of SC/ST candidates in terms of applying lower standards will be considered at the time of final assessment by the RAB keeping in view the GoI instructions issued on the subject from time to time.

Assessment Committees

The RAB shall constitute an Assessment Committee to assess the work of the candidates whose names have been forwarded by the Director of the respective Lab./Instt. (DG in case of CSIR HQs.) for promotion to the next higher grade.

The Chairperson may constitute more than one Assessment Committee at any one time and function at various stations concurrently. The composition of the Committee up to the level of Scientist Group IV (5) shall be as given hereunder:

- | | | |
|---|-----|-------------|
| • Chairperson of the RAB | ... | Chairperson |
| - or his nominee (from among Co-Chairpersons) | | |
| • Two Departmental Core Members | ... | Members |
| - to be nominated by the DG at an appropriate level | ... | Members |
| • Two external Experts | ... | Members |
| - to be nominated by the Chairperson of the RAB | | |

A discipline-wise Assessment Committee for Scientist Group IV (5) and above shall be constituted as given hereunder:

- | | | |
|--|-----|-------------|
| • Chairperson of the RAB | ... | Chairperson |
| - Co-Chairperson can be nominated only in exceptional Circumstances in which the Chairperson himself is unable to attend | | |
| • DG or his nominee | ... | Member |
| • Two eminent external Experts | ... | Members |
| - to be nominated by the Chairperson of the RAB | | |
| • A representative from Govt./Industry/NGO/ Consultancy/Financial Organization | ... | Member |
| - to be nominated by the Chairperson, RAB | | |
| • Director of the concerned Lab./Instt. or equivalent/higher | ... | Member |
| (DG, CSIR/Distinguished Scientist/Director/Scientist H in case of CSIR HQs.) | | |

* Common for both the above Committees.

Quorum: Chairperson and three Members including one external Expert for both the above Committees

In case of Scientist Group IV (5) and above, the DG shall constitute an Internal Screening Committee to review the Confidential Performance Appraisal Reports and any other relevant records of all the Scientists completing the prescribed residence period for shortlisting and recommending the candidates for assessment interview by the Assessment Committee.

The Assessment Committee shall submit its recommendations as "Fit for Promotion" or "Not yet Fit for Promotion". Scientists recommended as "Fit for Promotion" shall be promoted from the date of their eligibility for assessment. The pay on promotion will be fixed as per normal rules.

The Assessment Committee shall submit its recommendations as "Fit for Promotion" or "Not Fit for Promotion" on the basis of threshold marks as given below:

Level	Chances				
	1 st	2 nd	3 rd	4 th	5 th
Scientist Group IV (1) to (2)	85%	80%	70%	65%	60%
Scientist Group IV (2) to (3)	85%	80%	75%	70%	60%
Scientist Group IV (3) to (4)	85%	80%	75%	70%	60%
Scientist Group IV (4) to (5)	85%	80%	75%	70%	--
Scientist Group IV (5) to (6)	85%	80%	75%	70%	--

Scientists who are found "Not yet Fit for Promotion" will be considered after a gap of one year from the date of their eligibility, provided they are again recommended by the Internal Screening Committee.

Residency period

- ✓ All kinds of leave including Extraordinary Leave (EOL) to the extent it counts for earning increments.
- ✓ The period spent on deputation/foreign service shall count as qualifying service for eligibility for promotion based on the explicit recommendation of the Director of the Lab./Instt. EOL granted for a full-time assignment within or outside the country shall also count for assessment, subject to a maximum of one year. However, EOL availed on personal grounds shall not count as qualifying service.
- ✓ In case of a Scientist who has been assessed and found "Fit for Promotion" but is unable to assume charge of the higher grade on the effective date for being away on Study Leave (combined with any other kind of leave) duly sanctioned by the competent authority for pursuing higher studies or receiving specialized training in professional and technical subjects, having a direct or close relation with the CSIR programmes, such case, on his/her resumption of duty, will be considered for notional seniority in the higher grade from the date of selection to that grade for the purposes of counting of residency period for promotion to the next higher grade.

This is further subject to the condition that the DG is satisfied about the performance of the Scientist during the course of study/training. Accordingly, all such cases have to be invariably referred to CSIR for concurrence.

- ✓ Besides declaring the result of assessment as “Fit for promotion” or “Not yet fit for promotion”, an additional provision of “Promotion deferred by one year” has been introduced for those who are falling short by up to two marks only for promotion.
- ✓ The number of chances for assessment will not be limited
- ✓ Existing Junior Scientists and “Scientists” who are currently not having the requisite entry level qualifications (as per revised rules dated 1-6-2011 in PB-3 will have to acquire higher qualification prior to their being assessed for the next Pay Band, namely, PB-4.
- ✓ Promotion up to the level of Scientist Group IV (5) i.e. of Scientist Group IV (1), IV (2), IV (3), IV (3) & IV (4) shall be made on the basis of:
 - preliminary screening by an ISC which takes into account the ACRs recorded for the years covered under the residency period; and
 - interview by the Assessment Committee
- ✓ Promotion to the level of Scientist Group IV (6), i.e. of Scientist Group IV (5) shall be made on the basis of:
 - preliminary screening by an ISC which takes into account the ACRs recorded for the years covered under the residency period; and
 - Assessment by a duly constituted Peer Committee which takes into account the ACRs and the Work Reports for the years covered under the residency period without holding any assessment interview

Deputation/Foreign service

- ✓ Any Scientist who joins Council service on deputation from other Scientific Departments where “Flexible Complementing Scheme” is existing, entire service in such grade including the service rendered in the parent department will be counted towards residency period on permanent absorption.
- ✓ If an Officer on deputation joins Council service on a higher grade, and gets permanently absorbed in the same grade subsequently, the period spent on deputation shall only be counted towards residency period.
- ✓ The period spent on deputation/foreign service to a non-scientific post and the period of Extraordinary Leave, etc. on personal grounds shall not count towards the minimum residency period.

On retirement

Scientists who leave the service of CSIR on their own volition including voluntary retirement shall not be entitled for any assessment over and above the assessment(s), already availed, if any, even if they happen to complete the required residency period.

Scientists who superannuate or happen to pass-away while in service will be considered for assessment from their due date of eligibility. The cases of deceased shall be decided by the RAB on the basis of available ACRs.

Interpretation, Repeal & Savings

The DG, CSIR may relax/modify/amend any of the existing rules to overcome the operational difficulties and for speedy assessment of Scientists on the recommendations of the Recruitment & Assessment RAB wherever considered necessary. Such relaxation/ amendment/ modification shall be applicable from the date of notification of the DG's decision unless specified otherwise.

The relaxations/modifications/amendments, if any, shall be got ratified by the Governing Body subsequently.

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