

**COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
ANUSANDHAN BHAWAN, 2, RAFI MARG, NEW DELHI - 110 001.**

Establishment – I Section

No. 3-3(b)/2017-EI

Dated : 08/12/2017

Sub Disposal of Representations in r/o Group 'A' DPC for the Vacancy Year 2017-18 - reg.

Ref CSIR Web Notification of even no. dated 14/11/2017

Tentative Details of Vacancies and Eligibility Lists etc. for Promotion to Group 'A' Common Cadre Posts for the Vacancy Year 2017-18, were notified on CSIR Website on 14/11/2017, with the direction that if there is any submission/representation against the proposed vacancy position and eligibility lists etc., the same may be submitted latest by 23/11/2017.

Representations received were considered by the Competent Authority in the light of extant rules and decisions taken thereon, are detailed below:-

(1) Sh. S.R. Hembram, COA, NML has stated that the eligibility list for promotion to the post of Sr. DS/Sr. COA contains names of two officers who have already retired. He is at S.No. 7 of the Seniority List of DS/COA. After retirement of two officers, he is actually at S.No. 5. Further sanctioned strength of Sr. DS/Sr. COA has been reduced from 05 to 04 and should be restored to 05. Therefore, in any case his name should be included in the eligibility list for promotion to the post of Sr. DS/Sr. COA.

Decision of the Competent Authority

(i) Consideration of retired officers is a must as per DOPT OM No. 22011/4/98-Estt.(D) dated 12/10/1998 and DOPT OM No. 22011/1/2014-Estt.(D) dated 14/11/2014.

(ii) Regarding, issue of sanctioned strength of Sr. DS/Sr. COA, CSIR OM No. 33(113)/2001-E.I dated 10/04/2001 (Annexure-IX of ASRP Rules, 1982) is self-explanatory.

Therefore, his request cannot be acceded to as per rules.

(2) Sh. Parag Saxena, AO, CSIO has stated that name of his junior Sh. Vinod Kumar has been included in the eligibility list for promotion to the post of DS/COA. Therefore, his name should also be included in the eligibility list as per DOPT OM No. 14017/12/88-Estt(RR) dated 25/03/1996.

Decision of the Competent Authority

(i) DOPT vide OM No. AB-14017/12/88-Estt(RR) dated 25/03/1996 had notified that a note may be inserted in recruitment rules that where juniors who have completed their qualifying/eligibility service, their seniors should also be considered provided they

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are not short of the requisite qualifying/eligibility service by more than half of such qualifying/eligibility service or two years, whichever is less.

(ii) However, DOPT vide subsequent OM No. AB-14017/12/97-Estt(RR) dated 24/09/1997 clarified that seniority in a particular cadre does not entitle a person for promotion unless he fulfills the eligibility condition prescribed by the relevant rules.

(iii) A note as envisaged in DOPT OM dated 25/03/1996 was inserted in CSIR ASRP Rules, with the approval of GB, CSIR, vide letter No. 33(113)/87-E.I dated 18/12/1996. However, subsequently with the approval of GB, CSIR, the note inserted vide aforesaid CSIR letter dated 18/12/1996 was deleted vide CSIR letter No. 33(113)/87-E.I dated 27/11/1998.

(iv) Thus as on date the provision cited in aforesaid DOPT OM dated 24/09/1997 is prevalent. For brevity, the relevant provision is reproduced as under:-

"Seniority in a particular cadre does not entitle a public servant for promotion to a higher post unless he fulfills the eligibility condition prescribed by the relevant rules. A person must be eligible for promotion having regard to the qualifications prescribed for the post before he can be considered for promotion. Seniority will be relevant only when amongst persons eligible. Seniority cannot be substituted for eligibility nor it can over-ride it in the matter of promotion to the next higher point."

(v) In the instant case, as per recruitment rules, the eligibility condition for consideration for promotion to the post of DS/COA is 05 years' regular service as US/AO, relaxable upto 04 years.

(vi) Sh. Parag Saxena joined the post of AO on 03/06/2013. Thus he has completed only 03 years 10 months (approx.) and has not completed 04 years as AO as on 01/04/2017.

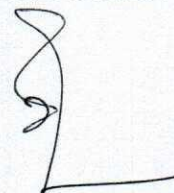
Therefore, his request cannot be acceded to as per rules.

(3) Sh. Vikram Singh, AO, IMT has stated that all the officers upto S.No. 12 of the Seniority List of US/AO should be called and DPC for the Vacancy Year 2018-19 should be held simultaneously with the DPC for the Vacancy Year 2017-18 and that he has served US/AO on deputation in NABI for 02 years and he has also served in NE region i.e. at CSIR-NEIST, Jorhat.

Decision of the Competent Authority

(i) As per recruitment rules, the eligibility condition for consideration for promotion to the post of DS/COA is 05 years' regular service as US/AO, relaxable upto 04 years. Names of all the US/AO who have completed the required eligibility residency period of 05 years or relaxed eligibility residency period of 04 years, as on 01/04/2017 have been included in the eligibility list for consideration by the DPC, as per the provisions of recruitment rules. Sh. Vikram Singh has not completed the minimum required eligibility residency period of 04 years as AO as on 01/04/2017.

(ii) Sh. Vikram Singh, while holding the substantive post of SO (Gen), on his own volition proceeded on deputation to NABI, Chandigarh w.e.f. 31/03/2011 for a period of



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02 years. During this period of 02 years, he was holding the substantive post of SO (Gen) at CSIR. As per rules, the period spent on deputation is not counted towards the requisite residency period for promotion to the post of DS/COA.

(iii) There is no provision for relaxation in eligibility condition for those officers who have served in NE region i.e. at CSIR-NEIST, Jorhat. Further, his posting at CSIR-NEIST, Jorhat was as per his option/choice submitted at the time of his promotion as US/AO. After serving at CSIR-NEIST, Jorhat, Sh. Vikram Singh was given his choice posting at Chandigarh.

Therefore, his request cannot be acceded to as per rules.

(4) Sh. R. Subramanian, SO (Gen), CSIR Cx.; Sh. Naresh Kumar, SO (Gen), CSIR Cx., Sh. Ashish Bahuguna, SO (Gen), CSIR Cx. and Ms. Bhawna Guglani, SO (Gen), NPL have stated that sanctioned strength of Sr. DS/Sr. COA has been reduced from 05 to 04 and should be restored to 05. A vacancy should be filled up in accordance with the recruitment rules in force on the date of vacancy. Further, 02 SC posts shown as carried forward vacancies for PS should be filled from both SO (Gen) and PS. These applicants have raised almost similar issues.

Decision of the Competent Authority

(i) It is reiterated that regarding issue of sanctioned strength of Sr. DS/Sr. COA, CSIR OM No. 33(113)/2001-E.I dated 10/04/2001 (Annexure-IX of ASRP Rules, 1982) is self-explanatory.

(ii) Regarding carry forward of vacancies of SO (Gen) and PS, as per ASRP Rules, recruitment to the posts of US/AO shall be made from amongst SOs (Gen) and Private Secretaries (PSs) in the ratio 2:1 who have rendered not less than 08 years of approved service in that grade. Only those PSs who have completed 08 years of approved service in that grade and have also worked as SO (Gen) for 01 year are eligible for consideration for promotion to the post of US/AO. In the event of non-availability of suitable officers for filling up the vacancies earmarked for a cadre, such unfilled vacancies shall not be filled up from officers of another cadre. The then DG, CSIR took a decision on 29/06/2010 that such unfilled vacancies would be carried forward to the next year and be earmarked for that respective cadre only. All the subsequent DPCs have been conducted in accordance with the aforesaid decision of DG, CSIR.

Therefore, their requests cannot be acceded to as per rules.

(5) Sh. Venkateswarlu Gadde, SO (G), IICT has stated that Stenographic cadre has not been reorganized despite GB's approval in 2005 because of which General cadre is stagnating. My junior SOs in other cadres have been promoted to the posts of F&AO/SPO. Even many junior PSs are being considered. Stenographic cadre may be reorganized and Cadre Review done DPCs may be conducted thereafter only. He has also raised the issues mentioned at Para (4) above.

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Decision of the Competent Authority

- (i) DPC is being conducted as per the CSIR ASRP Rules, 1982 as existing on date. Further, as per Para 3.1 of DOPT OM No. 22011/5/86-Estt. (D) dated 10/04/1989 holding of DPC need not be delayed/postponed on the ground that recruitment rules are being amended. Further, Cadre Review is already under progress.
- (ii) Regarding the issues mentioned at Para (4), reply at Para (4) may be referred to.

Therefore, his request cannot be acceded to as per rules.

(6) Sh. R.S. Puri, SO (S&P), IMT has stated that prior to his promotion as SO (S&P) he was promoted on ad-hoc basis and also he worked as SO (S&P) for 01 year without financial benefit. He has requested to consider him also for DPC for the post of SPO.


Decision of the Competent Authority

- (i) Only 08 years regular/approved service as SO (S&P) is counted towards residency period for promotion to the post of SPO.
- (ii) Sh. R.S. Puri has not completed 08 years as SO (S&P) as on 01/04/2017.

Therefore, his request cannot be acceded to as per rules.

All the representations stand disposed of accordingly.

All concerned may kindly note.


(Rajeev Sharma)
Under Secretary

To
All Concerned
(Through CSIR Website)

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