

GOVERNMENT OF INDIA  
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
(DEPARTMENT OF PERSONNEL & TRAINING)

**LOK SABHA**  
**UNSTARRED QUESTION NO. 1369**  
(TO BE ANSWERED ON 25.07.2018)

**VIOLATION OF PROMOTION RULES**

**1369. SHRIMATI RAKSHATAI KHADSE:**

Will the **PRIME MINISTER** be pleased to state:

- (a) whether cases of violations of promotion rules by the States in case of All India Service officers creating anomaly in overall cadre of same batch have come to the notice of the Union Government;
- (b) if so, the details thereof and the number of such cases which have come to notice during the last three years and the current year, State-wise;
- (c) whether the Government has established or proposes to monitor such type of violations; and
- (d) if so, the details thereof along with the guidelines and instructions issued in this regard from time to time?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES  
AND PENSIONS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE  
(DR. JITENDRA SINGH)**

(a) & (b): During the last three years and the current year, three cases of promotion without completing the mandatory length of service i.e. 25 years for Higher Administrative Grade in Madhya Pradesh, Karnataka and Rajasthan and one case of promotion without completing the mandatory length of service of 16 years for Super Time Scale in Punjab Cadre have come to the notice of the Department of Personnel and Training. No cases of violation of promotion Rules have been reported by the Ministry of Home Affairs and Ministry of Environment, Forest and Climate Change in respect of IPS and IFS officers respectively.

(c) & (d): Government of India issues instructions to the State Governments as well as inform the respective Accountant General to adhere to the respective Promotion Guidelines. Copies of IAS and IPS Promotion Guidelines are enclosed.

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PRINCIPLES REGARDING PROMOTION OF MEMBERS OF THE  
INDIAN ADMINISTRATIVE SERVICE AND COMPOSITION OF  
DEPARTMENTAL PROMOTION COMMITTEES

I. APPOINTMENT TO SENIOR TIME SCALE

An officer is eligible for appointment to the Senior Time Scale on completion of 4 years' service, subject to the provisions of rule 6A of the IAS (Rectt.) Rules, 1954<sup>1</sup>. A Committee consisting of the Chief Secretary and two officers of atleast Supertime Scale level of the State Government concerned shall evaluate the performance of the eligible officers for deciding their suitability for promotion to posts in the Senior Time Scale<sup>2</sup>. Subject to availability of posts, this scale can be allowed from or after 1<sup>st</sup> January during the relevant year in which officers become eligible for this scale<sup>3</sup>.

II. APPOINTMENT TO THE JUNIOR ADMINISTRATIVE GRADE

An officer is eligible for appointment in the Junior Administrative Grade on completing 9 years of service<sup>1</sup>. This grade is non-functional and shall be admissible without any screening, as a matter of course, to all the officers of the Senior Time Scale from 1st January of the relevant year<sup>4</sup>, except in cases where any disciplinary/criminal proceedings are pending against the officer.

III. APPOINTMENT TO THE SELECTION GRADE

An officer of the Junior Administrative Grade shall be eligible for appointment to the Selection Grade on completion of 13 years of service as per the proviso to rule 3(2A) of the IAS (Pay) Rules, 1954. A Committee consisting of the Chief Secretary and two officers of the concerned State Government, in the Supertime Scale or above, shall screen the eligible members of the Service for promotion in this grade<sup>2</sup>. This grade will be available from or after 1<sup>st</sup> January of the relevant year subject to availability of vacancies in this grade<sup>3</sup>.

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1. Rule 3, IAS (Pay) Rules, 1975.

2. DP&T's Letter No. 11030/20/75-AIS(II), dt. 27.12.75

3. DP&T's Letter No. 11030/15/97-AIS(II), dt. 15.10.97

4. DP&T's Letter No. 11030/22/91-AIS(II), dt. 16.3.93

#### IV. PROMOTION IN THE SUPERTIME SCALE

The members of the Service who are working in the Selection Grade and have completed 16 years of service<sup>2</sup> shall be eligible for appointment in the Supertime Scale *at any time during the year* of their eligibility, subject to availability of vacancies in this grade. The Screening Committee to consider officers for promotion in this scale would consist of the Chief Secretary as Chairman and 2 officers working in the grade of Principal Secretary within the State Government concerned, as members.

If, however, there is only one officer working in the grade of Principal Secretary to the Government available in the cadre, the senior-most Supertime Scale officer available in the cadre may be included in the in the Committee.

#### V. PROMOTION IN THE FIRST ABOVE SUPERTIME SCALE i.e PRINCIPAL SECRETARY TO THE STATE GOVERNMENT.

The zone of consideration for promotion in this grade may consist of the Supertime Scale level officers who have completed 25 years' service. Promotion of officers thus cleared could be made *at any time during the relevant year*, provided vacancies in this grade are available. The Screening Committee to consider officers for promotion in this scale will consist of the Chief Secretary as Chairman and one senior-most officer each working in the grades of Chief Secretary to the Government and Principal Secretary to the Govt. respectively in the cadre, as members. If an officer of the grade of Principal Secretary to the Government is not available in the cadre, the senior-most officer of the same level of the cadre working in the government of India may be taken as a member.

#### VI. PROMOTION IN THE GRADE OF CHIEF SECRETARY

The zone of consideration for promotion in this grade would consist of all the members of the Service who have completed 30 years of service. Appointment in this grade would be made from amongst the officers thus cleared, *at any time during the relevant year* and subject to the provisions of rule 9(7) of the I.A.S. (Pay) Rules, 1954. The Screening Committee for this purpose shall consist of the Chief Secretary concerned, one officer working in this grade in the cadre and another officer of the cadre serving in Government of India in the same grade.

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No. 45020 / 11 / 97 - IPS - II  
Ministry of Home Affairs / Grih Mantralaya  
Government of India / Bharat Sarkar

New Delhi, Dated 15th January, 1999.

To,  
The Chief Secretaries of all States

**Subject :- Indian Police Service-Promotion to Senior Scale,  
Junior Administrative Grade, Selection Grade,  
Super Time Scale and above Super Time Scales -  
Guidelines regarding.**

Sir,

I am writing this to invite your attention is guidelines on the above subject circulated vide this Ministry's letter No. 16011/39/89- IPS -II, dated 28.04.1988, 16011/1/89- IPS -II, dated 04.09.1989 and 16011/61/90- IPS -II, dated 28.12.1990. Taking into consideration of certain difficulties brought to the notice of this Ministry from different quarters from time to time and the encadrement of post of Additional Director General of Police in the police hierarchy, Government have decided to modify the existing guidelines and have consolidate them in one place for the sake of reference. Further, in order to ensure uniformity of procedure in the matter of promotion, formation of DPC and their functioning etc., general principles of promotion are also being suggested for guidance.

2. In order to ensure uniformity of procedure in the matter of appointment and promotion to various grades in the Indian Police Service in all the State Cadres in the country. It would be desirable to adhere to the revised guidelines and follow and impose stricter standards of selection as envisages in the revised guidelines.

3. A copy of the revised guidelines is sent herewith which may please be acknowledged.

Yours faithfully,

Sd/-  
( O. P. ARYA )  
Joint Secretary (Police)

Copy to:

1. Department of Personnel & Training (All India Service Division) with reference to their letter No. 20011 / 4 / 92 - AIS (II), dated 12.01.1999.
2. Joint Secretary (UT)
3. Gaurd file.



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## PRINCIPLES REGARDING PROMOTION OF MEMBER OF IPS IN THE STATE CADRE

### I. PROMOTION TO SENIOR TIME SCALE

Director General and Inspector General of police and where no cadre post of DG exists, the Addl. DG of Police may evaluate the performance of those members of the service who have completed 4 years of service, for deciding their suitability for promotion to Senior Time Scale posts keeping in view the provisions of rule 6A of the I.P.S. (Recruitment) Rules, 1954 and make suitable recommendations to the State Government. This Scale shall be available from or after the 1st January of the relevant year and subject to availability of vacancies in this grade.

### II. PROMOTION TO THE JUNIOR ADMINISTRATIVE GRADE

This grade is nonfunctional and shall be admissible without any screening to all the officers working in the Senior Time Scale who have completed 9 years of service, from 1st January of the relevant years.

### III. PROMOTION TO THE SELECTION GRADE

A Committee consisting of the Chief Secretary, The Secretary-in-charge of the Police Department and the Director General and Inspector General of Police (Addl. Director General of Police where there is no cadre post of DG) may screen the cases of those officers in the Junior Administrative Grade, who have completed 13 years of service, for promotion to the Selection Grade as per the provisions of the IPS (Pay) Rules, 1954. On the basis of merit with due regard to seniority. Selection grade will be available from or after 1st January of the relevant year subject to the availability of vacancies in the said grade.

### IV. PROMOTION TO SUPER-TIME SCALE AND THE ABOVE SUPER TIME SCALE POSTS

#### (A) Composition of the screening Committees

#### (1) for Super Time Scale posts :-

The Screening Committee for this purpose (for promotion to the grades DIG and IG) would be the same, as the one constituted for Screening of officers for promotion in the Selection Grade. Committee for the Union Territories Cadre would

comprise the Union Home Secretary as Chairman, with Additional Secretary or the Joint Secretary in the Ministry of Home Affairs who is incharge of UT Police Cadre and Commissioner of Police, Delhi as members.

(ii) for the Above Super Time Scale posts -

The Screening Committee for promotion of an officer to the grade of Director General as well as Addl. Director General of Police and / or equivalent post, would consist of (i) Chief Secretary, (ii) one non-IPS officer of the rank of Chief Secretary and working in the State Government, (iii) Director General of Police and (iv) an additional member in case there is a senior officer available who is holding independent charge of Home Secretary and is in the rank of Addl. Chief Secretary or Chief Secretary (with rank not less than that of Additional Secretary to Government of India).

**(B) Zone of Consideration**

The zone of consideration of officers for promotion to various grades, would be as follows, depending upon the availability of posts :

1. For promotion to the Grade of Officers who have completed 14 years of service  
DIG
2. For promotion to the Grade of Officers who have put in 18 years of service  
IGP
3. For promotion to the Grade of Officers who have put in 26 years of service  
Additional DGP
4. For promotion to the Grade of Officers who have put in 30 years of service  
DGP

**(C) Method of Selection**

i) Selections hold be based on merit with due regard to seniority as provided in sub-rule 2A of Rule (3) of the Indian Police Service (Pay) Rules, 1954.

ii) Suitability of officers to hold posts of and above the Selection Grade may be adjudged by evaluating their character roll record as a whole and general assessment of their work.



iii) An officer who has not been included in the panel other than DG in the first instance should be eligible for reconsideration after earning two more annual confidential reports. For DG level, reconsideration could be after earning at least one more ACR.

iv) Special review may be done in cases where adverse remarks in an officer's annual confidential reports are expunged subsequently as a result of his representation / memorial.

(D) Period of validity of the panel

i) A fresh panel should be prepared as soon as all the officers in the earlier panel have been provided for. Empanelment of officers shall be considered batch-wise. Care shall be taken to ensure that officers are suggested / considered for appointment to various grades in the order of their interesse position in the panel. The record of the officers who have been impaneled for promotion but are yet to be promoted despite a lapse of 2 years, may be screened to see if in the last two years, there had been any deterioration in their standard as would warrant their delisting from the panel.

ii) If a vigilance or departmental inquiry has been started against an officer on the panel after a preliminary inquiry establishing charges prima facie, the said officer shall not be promoted, pending the result of inquiry.

General Principles for promotion would be as given in Annexure.

Sd/-  
( JAGBIR SINGH )  
Section Officer



GENERAL PRINCIPLES REGARDING MODE OF SELECTION ETC.  
FOR PROMOTION AND FUNCTIONS OF SCREENING COMMITTEES ETC.

1. FUNCTIONS OF 1.1  
SCREENING  
COMMITTEES

It should be ensured while making promotions that suitability of candidates for promotion is considered in an objective and impartial manner. For this purpose Screening Committees (hereafter referred to as Committees) should be formed for different grades whenever an occasion arises for making promotions / confirmations etc. the committees so constituted shall adjudge the suitability of officers for :-

(a) Promotions of officers in various grades;

(b) Confirmation; and

(c) Assessment of the work and conduct of probationers for the purpose of determining the suitability for retention in Service or their discharge from Service or extending their probation.

2. FREQUENCY AT 2.1  
WHICH COMMITTEES  
SHOULD MEET

Meeting of the Committees should be convened at regular intervals to draw panels for filling up the vacancies arising during the course of a year. For this purpose, it is essential for the concerned appointing authorities to initiate action to fill up the existing as well as anticipated vacancies well in advance of the expiry of the previous panel by collecting relevant documents like ACRs, Integrity Certificates, Seniority List etc. for placing before the Committees. Meetings of the Committees could be convened every year and if necessary, on a fixed date, e.g. 1st of May or June. All the cadres should lay down a time schedule for holding the Committee meetings and the same should be monitored by making one of their officers responsible for keeping a watch to ensure that they are held regularly. Holding of these meetings need not be delayed or postponed on one

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or the other administrative ground or on the ground that the necessary material for placement before the Committees is not ready, the requirement of convening regular meetings of the Committee should be dispensed with only after a certificate has been issued by the appointing authority that there are no vacancies to be filled by promotion or no officers are due for promotion / confirmation during the year in question.

### 3. DETERMINATION OF VACANCIES 3.1

It is essential that the number of vacancies in respect of which a panel is to be prepared 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 grade due to death, retirement, resignation, promotions and deputation. As regards vacancies arising out of deputation only those cases of deputation for periods exceeding 3 years should be taken into account taking due note of the number of deputation likely to return to the cadre. Purely short term vacancies created as a result of the officers proceeding on leave, training or on deputation for a short-term period etc. should not be taken into account for the purpose of preparation of a panel. In cases where there has been delay in holding the Committee meetings for a year or more, vacancies should be indicated year-wise separately.

### 4. PAPERS TO BE PUT UP FOR CONSIDERATION BY COMMITTEES 4.1

The proposals should be completed and submitted to the Committee well in time. No proposal for holding a Committee should be sent until and unless at least 90% of the ACRs (up-to date and complete) are available. Every effort should be made to keep the ACR dossiers, up-to-date lest this aspect is advanced as the reason for not holding the Committee meetings in time. the officer referred in para 2 should also be responsible for monitoring the completion of the ACR dossiers.



4.2 The ACR folder should be checked to verify whether the ACRs for individual years are available. If the ACR for a particular year is not available and for valid/justifiable reasons, it cannot be made available, a certificate should be recorded to that effect and placed in the folder.

4.3 The integrity certificate on the lines indicated below should be furnished to the Committees constituted to consider cases for promotion or confirmation.

"The records of service of the following officers who are to be considered for promotion / confirmation in the grade have been carefully scrutinized and it is certified that there is no doubt about their integrity."

If there are names of persons in the list of eligible candidates. Whose has been held in doubt at one stage on the other list shall carefully be recorded by the officer in-charge of the Personnel Department and brought to the notice of the Committee. It should be ensured that the information thus furnished is factually correct and complete in all respects. Cases where incorrect information has been furnished should be investigated and suitable action taken against the person responsible for it.

## 5. CONSIDERATION OF OFFICERS ON DEPUTATION 5.1

The names of officers who are on deputation should also be included in the list submitted to the Committee for consideration in they come within the zone of consideration and fulfill the prescribed eligibility conditions. Similarly, the names of the officers on deputation should also be included in the list of names to be considered for confirmation in case they are eligible and come within the range of seniority. In cases where a certain number of years of service to be put in the lower grade is prescribed as a condition for becoming eligible for



consideration for promotion to the higher grade and/or for confirmation, the period of service rendered by an officer on deputation should be treated as comparable service in his cadre for the purposes of promotion as well as confirmation. This is subject to the condition that the deputation is with the approval of competent authority and it is certified that but for deputation, the officer would have continued to be in the relevant grade in his cadre. The same would apply in cases of officers who are on study leave or training under the various training schemes which are treated as duty for all purposes.

6. PROCEDURE TO BE OBSERVED BY COMMITTEES 6.1

Each Committee should decide its own method and procedure for objective assessment of the suitability of the candidates. While merit has to be recognized and rewarded, advancement in an officer's 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 annual confidential report and based on strict and rigorous selection process. The misconception about "Average" performance also requires to be cleared. While "Average" may not be taken as adverse remark in respect of an officer, it cannot also be regarded as complimentary to the officer as such performance should be regarded as routine and undistinguished. It is only the performance that is above average and performance that is really noteworthy which should entitle an officer to recognition and suitable rewards.

7. CONFIDENTIAL REPORTS 7.1

The annual Confidential Reports are the basic inputs on the basis of which assessment is to be made by each Committee. The evaluation of ACRs should be fair, just and nondiscriminatory. The Committee should consider ACRs for equal number of years in respect of all officers falling within the zone of

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consideration for assessing their suitability for promotion. where one or more ACRs have not been written for any reason, the Committee should consider the available ACRs. While making the assessment, the Committee should not be guided merely by the overall grading that may be recorded in the ACRs but should make its own assessment on the basis of the overall entries made in the ACRs. If the Reviewing Authority or the Accepting Authority, as the case may be has overruled the Reporting officer or the Reviewing Authority respectively, 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 consciously after due application of mind. If the remarks of all these authorities are complementary to each other, then the remarks should be read together and the final assessment made on that basis.

7.2 In the case of each officer an overall grading should be given which will be either "Fit" or "Unfit". there will be no benchmark for assessing suitability of officers for promotions.

7.3 Before making the overall grading, the Committee should take into account whether the officer has been awarded any major or minor penalty or whether any displeasure of any higher authority has been conveyed to him. similarly, the Committee would also take note of the commendations received by the officer during his service career. The Committee would also give due regard to the remarks indicated against the column of integrity.

The list of candidates considered by the Committee and the overall grading thus assigned to each candidate would form the basis for preparation of the panel for promotion.



8. PREPARATION OF  
YEAR-WISE PANELS  
WHERE THE  
COMMITTEE HAVE  
NOT MET FOR A  
NUMBER OF YEARS

8.1

Where for any reasons beyond control, the Committee has not met in a year(s) even though vacancies arose during that year(s) the first Committee that meets thereafter should follow the procedures indicated below.

- (a) Determine the actual number of vacancies that arose in each of the previous year(s) immediately preceding and the actual number of vacancies proposed to be filled in the current year separately.
- (b) Consider in respect of each of the years those offices only who would be within the zone of consideration with reference to the vacancies of each year starting with the earliest year onwards.
- (c) Prepare a panel by placing the panel of the earlier year above the one for the next year and so on.

8.2

Where a Committee has already met in a year and further vacancies arise during the same year, the following procedure should be followed.

- (a) For vacancies due to death, voluntary retirement, new creations etc. belonging to the category which could not be foreseen at the time of placing the facts and the matter before the Committee, another meeting of the Committee should be held for drawing up a panel for the vacancies thus arising. If for any reason, the Committee cannot meet for the second time, the procedure of drawing up of year-wise panel may be followed when it meets next for preparing panels in respect of vacancies that arise in the subsequent year.
- (b) In cases of non reporting of vacancies due to error or omission, since the wrong whereby such an error artificially restricted the zone of consideration cannot be undone, a Review DPC should be held keeping in mind the total vacancies in the year.



(c) For the purpose of evaluating the merit of the officers while preparing year-wise panels, the scrutiny of the record of the service of the officer should be limited to the records that would have been available had the Committee met at the appropriate time. However, if on the date of such meeting, department, proceedings against an officer are in progress and the sealed cover procedure is to be followed, such procedure should be observed even if departmental proceedings were not in existence in the year to which the vacancy related. The officers name should be kept in the sealed cover till the proceedings are finalized.

(d) While promotions will be made in the order of the consolidated panel, such promotions will have only prospective effect even in cases where the vacancies relate to earlier years.

## 9. CONFIRMATION

9.1

In the case of confirmation, the committee should not determine the relative merit of officers but it should assess the officers as "Fit" or "Not Yet Fit" for confirmation in their turn on the basis of their performance as assessed with reference to their records of service.

## 10. PROBATION

10.1

In the case of probation, the Committee should not determine the relative grading of officers but only decide whether they should be declared to have completed the probation satisfactorily. If the performance of any probationer is not satisfactory, the Committee may advise whether the period of probation should be extended or whether he should be discharged from service.

## 11. PROCEDURE TO BE FOLLOWED IN RESPECT OF OFFICERS UNDER CLOUD

11.1

At the time of consideration of the cases of officers for promotion of such officers in the zone of consideration falling under the following categories should be specifically brought to the notice of the concerned Screening Committees:-

- (a) Officers under suspension;
- (b) Officers in respect of whom a Charge-sheet has been issued and disciplinary proceedings are pending;
- (c) Officers in respect of whom prosecution for criminal charge is pending

## 11.2

The Screening Committee shall assess the suitability of the officers coming within the purview of the circumstances mentioned above, along with other eligible candidates, without taking into consideration the disciplinary case/ criminal prosecution which is pending. The assessment of the Committee including "unfit for Promotion" and the grading awarded by it will be kept in a sealed cover. The cover will be superscribed "FINDINGS REGARDING THE SUITABILITY FOR PROMOTION TO THE SCALE OF .....IN RESPECT OF SHRI .....NOT TO BE OPENED TILL THE TERMINATION OF THE DISCIPLINARY CASE / CRIMINAL PROSECUTION AGAINST SHRI.....". The proceedings of the Committee need only contain the note "THE FINDINGS ARE CONTAINED IN THE ATTACHED SEALED COVER". The same procedure will be adopted by the subsequent Screening committees till the disciplinary case / criminal prosecution against the officer concerned is concluded.

## 12. ADVERSE REMARKS 12.1

Where adverse remarks in the Confidential Report of the officer concerned have not been communicated to him, this fact should be taken note of by the Committee while assessing the suitability of the officer for promotion / confirmation. In a case where a decision on the representation of an officer against adverse remarks has not been taken or the time allowed for submission of representation is not over, the Committee may defer the consideration of the case until a decision on the representation is arrived at.



12.2

An officer whose increments have been withheld or who has been reduce to a lower stage in the time-scale, cannot be considered on that account to be ineligible for promotion as the specific penalty of withholding promotion has not been imposed on him. The suitability of the officer for promotion should be assessed by the Committee as and when occasions arise. They will take into account the circumstances leading to the imposition of the penalty and decide whether in the light of overall service records of the officer and the fact of the imposition of the penalty, he should be considered suitable for promotion. Even where the Committee considers that despite the penalty the officer is suitable for promotion, the officer should not actually be promoted during the current year of the penalty.

13. VALIDITY OF THE 13.1  
COMMITTEE  
PROCEEDINGS  
WHEN ONE  
MEMBERS IS  
ABSENT

In such cases and provided that the Chairman was not absent, the proceedings of the Committee shall be legally followed and can be acted upon. It should however be ensured that the member was duly invited but absented himself for one reasons or the other and there was no deliberate attempt to exclude him from the Committee's deliberations and provided further that the majority of the members constituting the Committee are present in the meeting.

14. PROCESSING OF 14.1  
RECOMMENDATIONS  
OF THE  
COMMITTEES

The recommendations of the Committee are advisory in nature and should be duly placed before the appointing authority for approval. There may, however, be occasions when the appointing authority may find it necessary to disagree with the recommendations. In any case, however, the decision to agree or disagree with the recommendations should be taken within a period of 3 months from the date of the meeting of the Committee.



14.2

Where the appointing authority proposes to disagree with the recommendations of the committee, it may refer the matter again to the Committee for reconsideration of their earlier recommendations. If the Committee reiterates its earlier recommendations giving also the reasons in support thereof, the appointing authority will take a decision either to accept or to vary

15. VIGILANCE  
CLEARANCE WHILE  
IMPLEMENTING THE  
COMMITTEE  
RECOMMENDATIONS

15.1

A clearance from vigilance angle should be available before making actual promotion or confirmation of officers approved by the committee to ensure that no disciplinary proceedings are pending against the officers concerned.

16. ORDER IN WHICH  
PROMOTIONS TO BE  
MADE

16.1

The officers placed in the approved panels for promotion are to be considered for appointment to higher grades in the order of their inter-se position in the respective panels, except in cases where disciplinary / court proceedings are pending against an officer. The procedure to be adopted in cases of officers against whom disciplinary / court proceedings are pending has been laid down in the succeeding paragraphs.

17. PROMOTION  
OFFICERS  
DEPUTATION

OF  
ON

17.1

If a panel contains the name of an officer who is away from the cadre and is on deputation in public interest, including an officer who has gone on study leave/training, provisions should be made for his regaining the temporarily lost promotion in the higher grade on his return to the cadre. It has to be borne in mind the seniority of members of all India services which is fixed at the time of their completion of probation period, is not to undergo any change throughout their career and early or late promotion of an officer vis-a-vis other officer(s) is to have no impact on their seniority. Therefore, such an officer need not be reconsidered by a fresh committee, if subsequently held, while he continues to be on deputation / study leave / training. This would be irrespective of the fact whether or not he has got the benefit of pro forma promotion under NBR.

17.2

In case an officer is away on deputation on his own volition by applying in response to some advertisement, he should be required to revert to his parent cadre immediately when due for promotion, failing which his name shall be removed from the panel. On his reverting to the parent cadre after a period of 2 years, he will have no claim for promotion to the higher grade on the basis of that panel. In that case, he should be considered in the normal course along with other eligible officers when the next panel is prepared and he should be promoted to the higher grade according to his position in the fresh panel.

18. SEALED COVER 18.1  
CASES ACTION  
AFTER COMPLETION  
OF DISCIPLINARY /  
CRIMINAL  
PROSECUTION

If the proceedings of the Committee for promotion contain findings in a sealed cover, on conclusion of the disciplinary case / criminal prosecution, the sealed cover or covers shall be opened. In case the officer is completely exonerated, the due date of his promotion will be determined with reference to the findings of the Screening Committee kept in sealed cover / covers and with reference to the date of promotion of his next junior on the basis of such findings, the officer may be promoted, if necessary, by reverting the junior most officiating person. Such promotion would be with reference to the date of promotion of his junior and in these cases, the officer will be paid arrears of salary and allowances.

18.2

If any penalty is imposed on the officer as a result to the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover / covers shall not be acted upon. His case for promotion may be considered by the next Screening Committee in the normal course and having regard to the penalty imposed on him. In such cases, the question if arrears will be decided by the Central Government by taking into



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account all the facts and circumstances of the disciplinary / criminal proceedings. Where the Government denies arrears of salary or a part of it, the reasons for doing so shall be recorded.

**19. SIX MONTHLY 19.1  
REVIEW OF SEALED  
COVER CASES**

It is necessary to ensure that the disciplinary case / criminal prosecution instituted against an officer is not unduly prolonged and all efforts to expeditiously finalise for proceedings are taken so that the need for keeping the cases of officers in sealed cover / covers is limited to the barest minimum. the appointing authorities concerned should comprehensively review such cases on the expiry of six months from the date of convening of the first screening committee which had adjudged his suitability and kept its findings in the sealed cover. Such a review should be done subsequently also after every six months. The review should, inter alia cover the progress made in the disciplinary proceedings / criminal prosecution and further measures required to be taken to expedite their completion. The same procedure is to be followed for considering the cases of confirmation.

**20. AD HOC 20.1  
PROMOTIONS IN  
CASES WHERE  
DISCIPLINARY  
PROCEEDINGS /  
CRIMINAL  
PROSECUTIONS ARE  
PROLONGED**

As appointment of the members of the All India Services to various grades is made on regular basis and the concept of one-time confirmation exists in their cases, the concept of grant of ad hoc promotion is alien to them. Unlike Central Government Servants, ad hoc promotions are not be allowed in their cases even if the disciplinary cases / criminal prosecutions instituted against them are found to have been prolonged. In their cases, only six monthly review of their disciplinary / criminal cases is to be undertaken and efforts are to be made to expedite their completion.

21. SEALED COVER 21.1  
PROCEDURE  
APPLICABLE TO  
OFFICERS COMING  
UNDER CLOUD  
BEFORE PROMOTION

In the case of an officer recommended for promotion by the Screening Committee where any of the circumstances mentioned in Para 11 above arise before actual promotion, sealed cover procedure would have to be followed. The subsequent Committee shall assess the suitability of such officers along with other eligible candidates and place their assessment in sealed cover. The sealed cover / covers will be opened on conclusion of the disciplinary case / criminal prosecution, in case the officer is completely exonerated, he would be promoted as per the procedure outlined in Para 18 above and the question of grant of arrears would also be decided accordingly. If any penalty is imposed upon him as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover shall not be acted upon, as outlined in Para 18.2 above.

22. VALIDITY OF THE 22.1  
PANEL

A panel for promotion recommended by the Committee and approved by the appointing authority shall be valid till all the officers placed in the panel have been promoted. This will of course, exclude officers who are away on deputation or are on study leave or are on training.

23. REVIEW COMMITTEE 23.1  
MEETING

The proceedings of any Committee may be reviewed only if the Committee had not taken all the material facts into consideration if material facts were not brought to their notice or if there were grave errors in the procedure followed by them. Special review may also be done in cases where adverse remarks in the officers ACRs are expunged as a result of their reports. The Review Committee should consider only those officers who were eligible as on the date of meeting of the Original Committee. They should also restrict their scrutiny to the ACRs for the period relevant to the first Committee. If any adverse remarks relating to the relevant period were toned down or



expunged, the modified ACRs should be considered as if the original adverse remarks did not exist at all. Before doing so, the appointing authority would scrutinize the relevant cases with a view to decide whether or not a review by the Committee is justified, taking in mind the nature of the adverse remarks toned down or expunged. while considering a deferred case or review of the case of a superseded officer, if the Committee finds the officer fit for promotion / confirmation, it would place him at the appropriate place in the relevant panel after taking into account the toned down remarks or expunged remarks.

23.2

If the officers placed junior to the officer concerned have been promoted, the latter should be promoted immediately and if there is no vacancy, the junior-most person officiating in the higher grade should be reverted to accommodate him. On promotion, his pay should be fixed at the stage it would have reached had he been promoted from the date the officer immediately below him was so promoted, but no arrears for the past periods would be admissible. In the case of confirmation, if the officer concerned is recommended for confirmation on the basis of review, he should be confirmed from the due date.

Sd/-  
( JAGBIR SINGH )  
Section Officer

*Confidential*

No. 15020/11/97-IPS-II  
Ministry of Home Affairs  
Government of India

New Delhi 12 May 2000

To

The Chief Secretaries of  
State Governments

Sub Guidelines - Promotion of IPS officers to Senior Scale, JAG,  
Selection grade, Supertime scale and above Supertime scales -  
Clarification etc.

Sir,

I am directed to refer to this Ministry's letter of even number, dated 25.1.99 forwarding therewith a copy of the revised guidelines in the matter of promotion, DPC etc. of IPS officers and to say that these guidelines have further been examined and reviewed, and it has been decided to modify and make additional provisions keeping in view the functional need for the purpose of promotion etc and administrative convenience.

2. A copy of the addition revision to the existing guidelines is sent herewith for information and compliance. In case, further clarification is required that may be referred to this Ministry.

3. The letter may please be acknowledged.

Yours faithfully,

*(Signature)*  
(ATANU F. RAYASTHA)  
Director (Police)

11/5/2000



Para

(II) Sub-head : PROMOTION TO THE JUNIOR ADMINISTRATIVE GRADE

JAG GRADE (Indicated in para II of guideline :-

The existing provisions shall be substituted namely :-

"This grade is non-functional and shall be admissible without any screening to all the officers working in the Senior Time Scale who have completed 9 years of service from 1<sup>st</sup> January of the relevant years except in case where any disciplinary/criminal proceedings are pending against any individual/person".

(IV) Sub-head : Promotion to Super time scale

At the end of existing Sub-para (D) following shall be added namely :-

(E) "Promotion to these grades may be made at any time during the year of their eligibility"

Para-3 to Annexure

Sub head : Determination of vacancies : (Mentioned in para 3 of Annexure)

Every vacancy arising out of deputation for a period exceeding one year (instead of three years) may be taken into account for preparing the panel and other provisions will remain unchanged.

Para 19

Sub Para: SIX MONTHLY REVIEW OF SEALED COVER CASES

Review of sealed cover cases (mentioned at para 19 of the Annexure) :-

Where-ever the word "sixmonthly review" appeared in this sub-para it shall be read as "Three monthly review". Henceforth review of sealed cover cases may be undertaken on the expiry of every three months from the date of convening the first meeting of S&C.

Para- 8 ( After part (C) of sub-para 8.1 following shall be added )

(d)

In case there is delay in holding the committee Meetings for a year or more, while considering the names year wise, the names of those officers who have since retired but still under the Zone of consideration for the relevant year may also be considered alongwith the other officers against the vacancies of that relevant year provided that they are eligible and would have been available had the meeting been held in time, for promotion in the grade.

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Annexure IV

No. 45020/5/2010-IPS-II  
Ministry of Home Affairs  
Government of India

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North Block, New Delhi-1,  
Dated the 19<sup>th</sup> July, 2010.

To

The Chief Secretaries of  
all State Governments/ U.Ts.

Subject: Indian Police Service - Promotion to various grades - Amendment in the IPS Promotion Guidelines - Reg.

Sir,

I am directed to refer to this Ministry letter No. 45020/11/97-IPS-II dated 15.1.1999 forwarding therewith a copy of the promotion guidelines of Indian Police Service. Subsequently, certain amendments have been made in the said guidelines, which were communicated to the State Governments vide this Ministry's letter No. 45020/11/97-IPS-II dated 12.5.2000.

2. In order to ensure uniformity of procedure in the matter of appointments and promotion to various grades in the IPS, the eligibility criteria for promotion to Additional Director General of Police has been revised at par with Indian Administrative Service and Indian Forest Service, as approved by the Competent Authority. Suitable amendments have been made in the existing Promotion Guidelines of IPS, a copy (Annexure) of which is sent herewith for information and compliance. The amendments shall take effect from the date of issue of this letter.

3. The receipt of this letter may please be acknowledged.

Yours faithfully,

*Inderjeet Kaur*  
(Inderjeet Kaur)  
Director (Police)

Copy to:

1. Department of Personnel & Training (AIS-II), North Block, New Delhi.
2. Additional Secretary (UT), MHA, New Delhi.
3. Guard File.



Annexure to Ministry of Home Affairs' letter No. 45020/5/2010-IPS-II dated 19<sup>th</sup> July, 2010.

The eligibility criterion prescribed in Para IV (B) (3) of the existing Promotion Guidelines of Indian Police Service dated 15.1.1999, for consideration of officers for promotion to the grade of Additional Director General of Police, is amended as under:

“Officers who have put in 25 years of service”.



(Inderjeet Kaur)  
Director (Police)