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Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
ESTT.(Estt. D)

(Dated 16 September, 2022)

OFFICE MEMORANDUM

Determination of seniority

Determination of 'Seniority' of persons appointed to Services and Posts under the Central Government.

Note:-

(i) This document is a compilation of all relevant instructions on the subject of "determination of seniority in Central Civil Posts and Service" and therefore is intended to serve as the guide without the need, for anyone to refer to old OMs issued from time to time. The list of such OMs is given in Appendix to this document. In case any reference to the relevant OM is required, the same may be accessed from Archive Section of DOPT's Website.

(ii) While due care has been taken to compile this document, however, if any omissions or correction are noticed, the same may be brought to the notice of the Department of Personnel & Training.

1 Instructions for determination of seniority in Central Civil Posts/Services have been issued from time to time. These principles shall apply to the determination of seniority in Central Civil Services and Civil Posts except for such Services and Posts where separate principles have already been laid down or may be issued by the Government. The following paragraphs indicate the principles for determining seniority of persons appointed to services and posts under the Central Government:-

[OM No: No. 9/11/55-RPS Dated: 22/12/1959](#)

2 **Seniority of Direct Recruits and Promotees**

2.1. **Seniority of Direct Recruits**

2.1.1 The relative seniority of all direct recruits is determined by the order of merit in which they are selected for such appointment on the recommendations of the U.P.S.C. or other selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result of subsequent selection. The relative seniority that used to be determined earlier according to the date of confirmation and not the original order of merit, (in case where confirmation was in

an order different from the order of merit indicated at the time of their appointment), in accordance with the general principles of seniority, has been discontinued w.e.f. 4.11.1992. The general principles of seniority therefore stands modified to that extent.

[OM No: No. 22011/7/86-Estt\(D\) Dated: 3/7/1986](#)

[OM No: No. 20011/5/90-Estt\(D\) Dated: 4/11/1992](#)

2.1.2 Inter-se seniority of candidates Appointment from the Reserve panel at a later date:

The inter-se seniority of candidates nominated from reserve panel will be fixed as per consolidated merit given by Union Public Service Commission (UPSC)/Staff Selection Commission (SSC)/ Recruiting agency (RA). However, following instructions would apply in operating or requesting for nominations from the reserve panel:-

- i. UPSC, wherever possible, maintains a reserve panel of candidates found suitable on the basis of selections made by them for appointment on direct recruitment basis and the reserve panel is operated by the UPSC on a request received from the requisitioning Ministry/Department concerned.
- ii. Where a selection has been made through UPSC, a request for nomination from the reserve list, if any, may be made to the UPSC in the event of occurrence of a vacancy caused by non-joining of the candidate within the stipulated time allowed for joining the post or where a candidate joins but he resigns or dies within a period of one year from the date of his joining, if a fresh panel is not available by then. Such a vacancy should not be treated as a fresh vacancy.
- iii. Where selections for posts under the Central Government are made through other recruiting agencies such as SSC or by the Ministries/Departments directly and the reserve panels are similarly prepared, the procedure for operation of reserve panels maintained by UPSC as described in Point (ii) above will also be applicable for the reserve panels maintained by the other recruiting agencies/authorities.

[OM No: No.41019/18/97-Estt\(B\) Dated: 13/6/2000](#)

2.1.3. Clarification in case more than one-selection panels is received from UPSC/SSC through letter of the same date.

It has been encountered on a number of occasions that UPSC etc. in response to two separate requisitions from the Department on different point of time, sends two panels of direct recruits on the same date. Since the general principles on seniority envisages that the candidates appointed through an earlier selection shall stand senior to those appointed through a subsequent selection, it becomes difficult to fix the inter-se seniority of the candidates in such cases, drawn from two different panels of the same date. Accordingly, it has been decided that effort would be made by the UPSC and other selecting authorities to avoid recommending the panels on the same date and strive to send the panel for earlier

requisition first. However, in case of such an eventuality (i.e. sending different panels on the same date) following procedures may be followed for fixation of the inter se seniority of the candidates from the two panels:

- i. Chronology of recommendation letter;
- ii. Where the date of recommendation letter is same, chronology of interview board reports', and
- iii. Where both (i) and (ii) are also same, then the chronology of requisition made by the respective Ministries/Departments.

It is also mentioned here that in case of recruitment through examination, the date of publication/announcement of the results shall remain the criteria.

[OM No: 20011/1/2008/Estt\(D\) Dated: 11/11/2010](#)

2.2 **Seniority of Promotees**

2.2.1 Where promotions are made on the basis of recommendations of a Departmental Promotion Committee (DPC), either by 'selection' or 'non-selection' method as per due procedure, the seniority of an officer assessed as 'fit', in the promoted grade shall be same as in the feeder grade from which they are promoted. Where, however, a person is considered as unfit for promotion and is superseded by a junior, such persons shall not, if he/she is subsequently found suitable and promoted, take seniority in the higher grade over the junior persons who had superseded him/her. Persons appointed as a result of an earlier selection shall be senior to those appointed as a result of subsequent selection. The relative seniority of promotees which earlier used to be determined according to the date of confirmation in the promotion grade and not the original order of merit, (in case where confirmation was in an order different from the order of merit indicated at the time of their appointment), stands discontinued w.e.f. 4.11.1992.

[OM No: No. 9/11/55-RPS Dated: 22/12/1959](#)

[OM No: No. 22011/7/86-Estt\(D\) Dated: 3/7/1986](#)

[OM No: No. 20011/5/90-Estt\(D\) Dated: 4/11/1992](#)

[OM No: 20011/1/2008/Estt\(D\) Dated: 11/11/2010](#)

2.2.2 Where promotions to a grade are made from more than one feeder grade and quotas have been laid down for each feeder grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. The officers in each grade, assessed as fit by the DPC shall be interpolated in the ratio prescribed for each grade in the recruitment rules for the post.

[OM No: No. 9/11/55-RPS Dated: 22/12/1959](#)

When eligibility list is to be resorted to?

2.2.3 Where promotions to a grade/post are made from more than one grade and no quota has been fixed for various feeder grades owing to a small number of posts in the promotion grade, the aforesaid principle would not be viable. In such cases it would be required to prepare a combined eligibility list of candidates from various feeder grades, with due regard to the inter-se seniority of the candidates of various feeder grades. Separate instructions have been issued in this connection with regard to framing of recruitment rules in such a situation. Whereas specific criteria need to be issued/incorporated in the Recruitment Rules by the cadre controlling authorities for preparation of combined eligibility list of the candidates from various feeder grades, broad parameters as under may be kept in view while preparing such list:

- i. Date of completion of the qualifying service prescribed in the relevant recruitment rules, in the feeder grade for promotion.
- ii. If the aforesaid date is same, then date of completion of the qualifying service in the feeder-to-feeder grade.
- iii. Inter-se seniority of the officers from each feeder grade will be maintained.

2.3 Seniority of SC/ST Government servants on their promotion by virtue of rule of reservation roster

SC/ST Government servants on their promotion by virtue of rule of reservation roster will be entitled to consequential seniority also. In other words, the candidates belonging to general/OBC category promoted through a later DPC will be placed junior to the SC/ST Government servants promoted through earlier DPC, even though by virtue of the rule of reservation.

2.3.1 Clarification on reservation roster vis-a-vis seniority

In case of promotion, vacancies meant and reserved for SC/ST are determined through the roster points in the reservation roster. It is clarified that the said reservation roster/points are meant only for identifying the vacancy that goes to a particular category of officer and in no way acts as a determinant for fixation of seniority of the officer in a panel recommended by the DPC. The DPC is to grade an officer as 'fit' or 'unfit' and the feeder grade seniority of the officers assessed as fit would be maintained in the promoted grade.

[OM No: No.35034/7/97-Estt\(D\) Dated: 8/2/2002](#)

2.4 **Relative Seniority of Direct Recruits and Promotees**

2.4.1 A vacancy Register in the format prescribed (Annexure-1) is to be maintained for the purpose of determining the number of vacancies to be filled during a year under each of the methods of recruitment prescribed in the Recruitment Rules, giving a running account of the vacancies arising and being filled from year to year basis. Thus, where the Recruitment Rules prescribe appointment to a grade say 50% by Promotion and 50% by Direct Recruitment then the rotation of quota between Promotion and Direct Recruitment would be in the ratio of 1:1.

[OM No: No. 35014/2/80-Estt.\(D\) Dated: 7/2/1986](#)

2.4.2 A new vacancy register will have to be started in the following cases:

- (i) From the date the recruitment rules are notified in the gazette.
- (ii) When there is an amendment to the Recruitment Rules which changes the percentage allotted for the various modes of recruitment

[OM No: No. 28011/6/76-Estt.\(D\) Dated: 24/6/1978](#)

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

[OM No: No. 22011/7/86-Estt\(D\) Dated: 3/7/1986](#)

2.4.4 If adequate number of direct recruits does not become available in any particular year, rotation of quotas for the purpose of determining seniority would take place only to the extent of the available direct recruits and the promotees. In other words, to the extent direct recruits are not available the promotees will be bunched together at the bottom of the seniority list below the last position upto which it is possible to determine seniority, on the basis of rotation of quotas with reference to the actual number of direct recruits who become available. The unfilled direct recruitment quota vacancies would, however, be carried forward and added to the corresponding direct recruitment vacancies of the next year (and to subsequent years where necessary) for taking action for direct recruitment for the total number of vacancies for direct recruits and promotees as determined according to the quota for that year.

[[Para 3 of O.M. No. 35014/2/80-Estt\(D\) Dated.07.02.1986](#)]

2.4.5 With effect from 19.11.2019, the determination of *inter se* seniority of direct recruits and promotees, as laid down by the Hon'ble Supreme Court of India, in its Order dated 19.11.2019 in K. Meghachandra Singh case will be governed by the following principles:-

(i) The rotation of quota, based on the percentage of vacancies allocated to direct recruitment and promotion in the notified recruitment rules/service rules, shall continue to operate for determining vacancies to be filled by the respective quotas in a recruitment year. The term 'recruitment year' shall mean the year in which the vacancy arises. However, *inter se* seniority between direct recruits and promotees, who are appointed against the vacancies of respective quota, would be reckoned with reference to the year in which they are appointed i.e. year in which they are borne in the cadre or formal appointment order is issued.

(ii) The terms 'recruitment' and 'appointment' have to be read harmoniously and the determination of seniority for recruitees would depend on their actual appointment and not the initiation of recruitment process itself. It thus follows that the seniority of direct recruits and promotees henceforth stands delinked from the vacancy/year of vacancy.

(iii) The source of legitimacy of determination of seniority would be with reference to the date of joining of a person against a vacancy. irrespective of the fact that it may have arisen in the previous year(s) and not being a carried forward vacancy of any quota.

(iv) If adequate number of direct recruits (or promotees) do not become available, 'rotation of quotas' for the purpose of determining seniority, would stop after the available direct recruits and promotees are assigned their slots on joining in a particular year. The unfilled direct recruitment quota vacancies would, however, be carried forward and added to the corresponding direct recruitment vacancies of the next year (and to subsequent years where necessary) for taking action for direct recruitment for the total number of vacancies for direct recruits and promotees as determined according to the quota for that year.

(v) The term 'available', both in the case of direct recruits as well as promotees, for the purpose of rotation and fixation of seniority, shall be the actual year of appointment after declaration of results/selection and completion of pre-appointment formalities as prescribed.

(vi) Thus, appointees who join in the concerned recruitment year and those who join in subsequent year(s), would figure in the seniority list of the respective years of their being appointed. To that extent it may not be necessary to go into the question of quota meant for direct recruits and promotees to find out as to the year in which the vacancy arose against which the recruitment is made.

[OM No: No.20011/2/2019-Estt.\(D\) Dated: 13/8/2021](#)

2.4.6 For recruitments initiated on or after 19.11.2019 as well as for future recruitments, in addition to cases where the recruitment process has been initiated by the administrative Department/ Cadre Authority before 19.11.2019, but where all appointments, subsequent to the initiation of recruitment process, could be made only on or after 19.11.2019 i.e. date of order of Apex Court, the *inter se* seniority of direct recruits and promotes shall be determined in the following manner -

(a) The rotation of quota based on the percentage of vacancies allocated to direct recruitment and promotion in the notified recruitment rules/service rules, shall continue to operate for determination of vacancies to be filled by the respective quotas in a recruitment year.

(b) Determination of *inter se* seniority between direct recruits and promotees, who are appointed against the vacancies of respective quota, would, however, be reckoned with reference to the year in which they are appointed i.e. year in which they are borne in the cadre or formal appointment order is issued. In case, where the recruitment year is the same as the year of appointment, the appointees shall be given seniority of that year.

(c) Where in case of promotees or direct recruits, the year of appointment is the next year or any year subsequent to the recruitment year, the seniority of such promotees and direct recruits would be determined with reference to the year of their actual joining/appointment to the post. since they were not able to join in the said recruitment year in which the vacancy arose. Thus, they would get seniority of the year in which they actually join i.e. year in which formal appointment order is issued or they are borne in the service/cadre and that they shall not get seniority of any earlier year (viz. year of Vacancy/panel or year in which recruitment process is initiated).

(d) Rotation between promotees and direct recruits for the purpose of determination of *inter-se* seniority, would be undertaken only to the extent of available direct recruits and promotees in a particular year. The term 'available direct recruits or promotees' appearing in OMs dated 7.2.1986/3.7.1986, for the purpose of rotation of quota in fixation of *inter-se* seniority, shall mean the actual number of direct recruits and promotees appointed during the year after declaration of results/selection and completion of pre-appointment formalities as prescribed.

(e) As per (d) above, if adequate number of direct recruits (or promotees) do not become available in a particular year, the "rotation of quotas" for the purpose of determining *inter-se* seniority, would stop after the available direct recruits and promotes are assigned their slots on their appointment/joining in that year.

(f) If no direct recruit is available in a particular year, available promotees would be bunched together in accordance with their position in the panel approved for promotion. Similarly, if no promotee is available in that year, available direct recruits would be bunched together, as per their position obtained in the selection process.

(g) In case, where direct recruits or promotees, as the case may be, belonging to two more selections/panel approved for promotion, join in the same year, then those who have been appointed/joined as a result of earlier selection/panel would be placed senior in the seniority list to those been appointed/joined as a result of a subsequent selection.

[OM No: No.20011/2/2019-Estt.\(D\) Dated: 13/8/2021](#)

3 Seniority of Absorbees

3.1 The method of recruitment 'Transfer' has been re-named as 'Absorption' and Transfer on Deputation' as 'Deputation'.

[OM No: No.AB-14017/2/97-Estt\(RR\) Dated: 25/5/1998](#)

3.2 The relative seniority of persons appointed by absorption to a Central service from the Subordinate Offices of the Central Government or other departments of the Central or a State Government shall be determined in accordance with the order of their selection for such absorption.

[\[para 7\(i\) of O.M. No. 9/11/55-RPS Dated 22.12.59\]](#)

3.3. Where such absorptions are effected against specific quotas prescribed in the Recruitment Rules, the relative seniority of such absorbees vis-à-vis direct recruits or promotees, subject of the provision of para 3.5 below, shall be determined by rotation of vacancies amongst the available direct recruits, promotees and absorbees which shall be based on the quotas reserved for direct recruitment, promotion and absorption respectively in the Recruitment Rules. Where the vacancies in any quota or quotas are carried forward, the principles stated in Para 2.4 will apply, mutatis mutandis in determining inter-se seniority of the appointees.

[\[para 7\(ii\) of O.M. No. 9/11/55-RPS Dated 22.12.59 and](#)

[Para 3.2 of O.M. No. 20011/1/2008-Estt. \(D\) dated 11.11.2010](#)

3.3 The principle laid down in para 3.2 above will not present any difficulty where recruitment by absorption is made singly and at intervals but it will be found wanting in cases where two or more persons are selected from different sources on the same occasion and the selection is spread over a number of days. It will, therefore, be necessary for the authorities responsible for approving appointments by absorption to indicate the interse order of merit of the selected persons in such cases.

[\[para 7 \(i\) of O.M.No.9/11/55-RPS Dated 22.12.1959](#)

[and Para 3 of O.M. No. 20011/1/2008-Estt. \(D\) dated 11.11.2010](#)

3.5 Seniority of persons absorbed after being on deputation

3.5.1 In the case of a person who is initially taken on deputation and absorbed later (i.e. where the relevant recruitment rules provide for "Deputation/Absorption), his seniority in the grade in which he/she is absorbed will normally be counted from the date of absorption. If he/she has, however, been holding already (on the date of absorption) the same or equivalent grade on regular basis in his/her parent department, such regular service in the grade shall also be taken into account in fixing his seniority, subject to the condition that he/she will be given seniority from –

- the date he/she has been holding the post on deputation,

(or)

- the date from which he/she has been appointed on a regular basis to the same or equivalent grade in his parent department.,

Whichever is earlier.

[\[Para 2 of O.M. No. 20011/1/2000-Estt\(D\) Dated 27.03.2001\]](#)

3.5.2 The fixation of seniority of an absorbee in accordance with the above principle will not, however, affect any regular promotions to the next higher grade made prior to the date of such absorption. In other words, it will be operative only in filling up of vacancies in higher grade taking place after such absorption.

[\[Para 2 of O.M. No. 20020/7/80-Estt\(D\) Dated 29.05.1986\]](#)

3.5.3 It is also clarified that for the purpose of determining the equivalent grade in the parent department following criteria may be followed for determining analogous posts in so far as posts under the Central Government are concerned:-

(i) Though the scales of pay of the two posts which are being compared may not be identical, they should be such as to be an extension of or a segment of each other.

(ii) Both the posts should be falling in the same Group of posts. Classification of civil posts are as under:-

| Sl.No. | Description of Posts | Classification of Posts |
|--------|---|-------------------------|
| (1) | (2) | (3) |
| 1 | A Central Civil Post carrying the pay in the Pay Matrix at the Level from 10 to 18. | Group A |

| | | |
|---|---|---------|
| 2 | A Central Civil Post carrying the pay in the Pay Matrix at the Level from 6 to 9. | Group B |
| 3 | A Central Civil Post carrying the pay in the Pay Matrix at the Level from 1 to 5. | Group C |

(iii) The levels of the responsibility and the duties of the two posts should also be comparable.

(iv) (a) Where specific qualifications for transfer on deputation/ transfer have not been prescribed, the qualifications and experience of the officers to be selected should be comparable to those prescribed for direct recruits to the post where direct recruitment has also been prescribed as one of the methods of appointment in the recruitment rules.

(b) Where promotion is the method of filling up such posts, only those persons from other Departments may be brought on transfer on deputation whose qualifications and experience are comparable to those prescribed for direct recruitment for the feeder grade/post from which the promotion has been made.

[\[Para 1 of O.M. No.14017/27/75-Estt.\(D\) Dated March 7, 1984](#)

[and Para 1 of O.M. No. 11012/10/2016-Estt.A-III dated 08.12.2017\]](#)

3.5.4 As far as the posts under the State Governments/Public Undertakings, etc. are concerned, it is quite likely that even posts with identical designations may not have comparable scales of pay and they may also differ with reference to the extent and stage of merger of D.A. with pay. The levels in the hierarchy and the nature of duties, may not also be comparable. These posts may not also be classified into group A, B & C, as has been done under the Central Government. Taking these factors into consideration the selecting authorities may have to be guided more by the nature of duties performed by the candidates in their parent organization vis-a-vis those in the posts under selection, and qualifications and experience required for the post under the Central Government for making selection for appointments by transfer/deputation (including short-term contract) from outside the Central Government service. Since details of recruitment rules for the posts under State Government/Public Undertakings etc. may not be available, bio-data sheets, signed by the officers themselves and certified/ countersigned by their employer indicating their qualifications, experience, assignments held in the past, contributions made by them in the field of research, publications to their credit and any other information which the officers might consider relevant for assessing their suitability for the posts in question may be obtained in the proforma (Annexure-II)

3.5.5. These guidelines may be kept in mind in examining the applications from officers holding analogous posts for making selection by the process of transfer on deputation/transfer (including short term contract).

[\[Para 2 & 3 of O.M. No.14017/27/75-Estt.\(D\) Dated March 7, 1984\]](#)

3.6 Seniority of persons who are transferred and absorbed directly without being on deputation.

For persons who are transferred and absorbed directly without being on deputation i.e. where the recruitment rules provide for recruitment through absorption, the provision as contained in the afore-said paras (para 3.5) would be applicable i.e. the date he has been holding the post on deputation or the date from which he has been appointed on the regular basis to the same or equivalent grade in his parent department, whichever is earlier.

[\[Para 3.5 of O.M. No. 20011/1/2008-Estt. \(D\) dated 11.11.2010\]](#)

3.6 Seniority of officers holding posts/grades in grades merged in pursuance of recommendations of Sixth Central Pay Commission.

3.6.1 Where all the posts in one or more pre-revised scales are merged with a higher pre-revised scale and given a common replacement scale/ grade pay/ pay scale, the suitability of the incumbents need not be assessed for granting them the higher replacement scale/ grade pay/pay scale, there is also no need for the incumbents to complete any minimum eligibility service in the earlier scale of pay.

[\[Para 2.1 of O.M. No. AB-14017/66/2008-Estt. \(RR\) dated 09.03.2009\]](#)

3.6.2 The recommendation of 6th CPC has been accepted on 29.08.2008 and the merger of pay scale(s) of the post has been made effective w.e.f. 01.01.2006. The seniority of officers holding post in grades which have been merged (except merged grades of MTS) in pursuance to recommendation of Sixth Central Pay Commission will be determined as follows:-

I. The status of a government servant as on 29.08.2008 including those who have earned promotion between 01.01.2006 to 29.08.2008 will be protected as appointment/promotions are made as per the provisions of statutory recruitment rules applicable to the post/grade.

II. The seniority of government servant which existed on 29.08.2008 (date of acceptance of recommendation of 6th CPC) will be maintained i.e. the holder of post having higher pay scale or post which constituted promotion post for the posts in the feeder grade, will rank enbloc senior to those holding post having lower pay scale or the posts in feeder grade.

III. Where posts having different pay scales prior to 6th CPC recommendation and now after merger have come to lie in the same Pay Band with

same Grade Pay, the inter-se seniority of all the employees will be fully maintained with employee in a higher pre-revised pay scale being placed higher vis-a-vis an employee in a lower pay scale. Within the same pre-revised pay scale, seniority which existed prior to revision would continue.

IV. Where recruitment for the posts in different pre-revised pay scale(s) was initiated separately for each posts, prior to acceptance of recommendation of 6th CPC i.e. prior to 29.08.2008 but selected individual joined duty on or after 30.08.2008 in the revised pay scale(s) against the posts which have been granted same Grade pay, such officers will be assigned seniority enbloc below those officers who were in position as on 29.08.2008.

V. The availability of officers nominated on the basis of panel of promotion given by DPC or selection list given by selecting Authority will be decided as on 29.08.2008. In ease a officer from the panel given by DPC or selection list given by selecting Authority has joined on or prior to 29.08.2008, then status of all the officers included in panel given by DPC or selection list will be protected and all officer will be considered available and their seniority determined by following the basic principle of seniority i.e. order of panel given by DPC or merit list given by selecting Authority. In case all the officers included in the panel given by DPC or selection list given by selecting Authority joins after 29.08.2008, then the seniority of such officers within a grade, will be determined by placing them below all available officers as on 29.08.2008 but maintaining their inter se seniority in order of panel of DPC or merit list given by selecting authority.

[\[Para 2 of OM No. 20020/4/2010-Estt. \(D\) 13/09/2012\]](#)

3.7 **Seniority of MTS officials of merged grades in pursuance of recommendations of Sixth Central Pay Commission.**

I. The posts in the erstwhile Group 'D' for the purpose of determination of seniority, can be grouped into five different categories as under:

| S.No. | Pre-revised pay scale of the post | Category |
|-------|-----------------------------------|----------|
| 1. | 2750-70-3800-80-4590 | I |
| 2. | 2650-65-3300-70-4000 | II |
| 3. | 2610-60-2910-65-3300-70-4000 | III |
| 4. | 2610-60-3150-65-3540 | IV |

| | | |
|----|----------------------|---|
| 5. | 2550-55-2660-60-3200 | V |
|----|----------------------|---|

II. The determination of seniority of merged grade will be regulated as per following guidelines:

a. As on 29.08.2008, holders of posts in Category-I will be enbloc senior to the holder of posts in Category-II, similarly holder of the posts in Category-II will be senior to holder of the posts in Category-III and so on.

b. While merging the different grade(s), the inter se seniority in a post which existed as on 29.08.2008 is to be maintained.

c. Within same category, where different stand alone posts have been merged, inter se seniority will be determined based on length of continuous officiation in the post.

d. Only the regular service in the grade is to be counted for determination of service and ad-hoc service, if any, is to be ignored.

e. Seniority is to be determined based on the substantive post held by the employee irrespective of the fact that such employee has been allowed financial upgradation to the next higher grade under ACP Scheme or any other scheme.

f. In case of employees who joined a erstwhile Group 'D' post either by promotion or direct recruitment between 01.01.2006 to 29.08.2008, inter-se seniority will be determined as per guidelines laid down in para 3.6 above.

[\[Para 3 & 4 of O.M. No. 20020/4/2010-Estt \(D\) dated 30th April, 2013\]](#)

4 **Seniority in Special Types of Cases**

4.1 In the case of such ex-T.B. or ex-Pleurisy ex-Leptosy patients, as have been declared non-infective and medically fit for Government service, on re-employment in the same posts from which they were discharged the actual previous service rendered by them should be counted for seniority. The seniority of such persons re-employed in other posts will be fixed in consultation with the Department of Pers. & Trg.

[\[Para 4.1 of O.M. No. 22011/7/86-Estt.\(D\) Dated 03.07.1986\]](#)

4.2.1 **Seniority of an officer under suspension and of officers against whom enquiries are pending.**

An officer under suspension who on conclusion of the departmental proceeding against him/her, is completely exonerated, the suspension being held to be wholly unjustified, should be promoted in the first vacancy that could be made available for the purpose and his/her seniority in the next higher grade fixed as if he/she had been promoted in accordance with his/her position in the select list. In such a case, the period during which

any officer junior to the suspended officer concerned was promoted to the higher grade should be reckoned towards the minimum period of service prescribed for purpose of eligibility for promotion to the higher grade.

[\[Para 4.2.1 of O.M. No. 20011/1/2008-Estt. \(D\) dated 11.11.2010\]](#)

4.2.2 Seniority of officers who have been recommended for promotion by a DPC during the currency of a penalty.

An officer who has been recommended for promotion by a DPC despite imposition of a minor penalty on him/her, will be promoted on the basis of the recommendation of the said DPC, only after expiry of the penalty and his/her seniority would be fixed according to his/her position in that panel.

[\[Para 2 of O.M. No. 20011/2/92-Estt.\(D\) Dated 03.11.1995\]](#)

4.2.3 Fixation of seniority of a Government servant reverted to a lower post/grade/service as a measure of penalty and subsequently promoted to a higher post.

4.2.4 An order imposing the penalty of reduction to a lower service, grade or post or to a lower time-scale should invariably specify:-

- (i) the period of reduction, unless the clear intention is that the reduction should be permanent or for an indefinite period;
- (ii) whether on such re-promotion, the Govt. servant will regain his original seniority in the higher service, grade or post or higher time-scale which had been assigned to him prior to the imposition of the penalty.

4.2.5 In cases where the reduction is for a specified period and is not to operate to postpone future increments, the seniority of the Govt. servant may, unless the terms of the order of punishment provide otherwise, be fixed in the higher service, grade or post or the higher time scale at what it would have been but for his/her reduction.

4.2.6 Where the reduction is for a specified period and is to operate postpone future increments, the seniority of the Govt. servant on re-promotion may, unless the terms of the order of punishment provide otherwise, be fixed by giving credit for the period of service rendered by him/her in the higher service, grade or post or higher time-scale.

[\[Para 4.2.1 to 4.2.3 of O.M. No.22011/7/86-Estt.\(D\) Dated 03.07.1986\]](#)

4.3. Fixation of inter se seniority of the staff rendered surplus and redeployed on different occasions but in the same office.

4.3.1 The surplus employees are not entitled for benefit of the past service rendered in the previous organisation for the purpose of their seniority in the new organisation. Such employees are to be treated as fresh entrants in the matter of their seniority, promotions etc.

4.3.2 When two or more surplus employees of a particular grade in an office are selected on different dates for absorption in a grade in another office, their inter-se seniority in the latter office will be same as in their previous office provided that –

- (i) no direct recruit has been selected for appointment to that grade in between these dates; and
- (ii) if there are no fixed quotas for direct recruitment and promotion to the grade in question in the new office no promotee has been approved for appointment to that grade in between these dates.

4.3.3 When two or more surplus employees of a particular grade in an office are simultaneously selected for re-deployment in another office in a grade, their inter-se seniority in the particular grade, on redeployment in the latter office, would be the same as it was in their previous office.

4.3.4 The above orders would not be applicable in respect of personnel who are appointed on the recommendations of the UPSC to posts/services recruitment to which is made through the Commission. Seniority of surplus officers appointed on the recommendations of the Commission will be decided on merits in consultation with the Commission.

[\[Para 1 and 2 of O.M.No.9/22/68-Estt.\(D\) Dated 6.2.69 and](#)

[Paras 4.3.1 to 4.3.4 of O.M. No. 22011/7/86-Estt.\(D\) dated 3.7.86\]](#)

4.4 Seniority in cases of delay in reporting for duty after selection

(i) An offer of appointment issued by different Ministries/Departments should clearly specify the period (which shall not normally exceed one or two months) after which the offer would lapse automatically if the candidate did not join within the specified period.

[\[Para 1 \(i\) of O.M. No. 9/23/71-Estt.\(D\) Dated 6.6.1978](#)

[and Para 2 of O.M. No. 35015/2/93-Estt.\(D\) Dated 9.8.1995](#)

(ii) If, however, within the specified period, a request is received from the candidate for extension of time, it may be considered by the Ministries/Departments but extension beyond three months should not be granted and it may be granted only as an exception where facts and circumstances so warrant and in any case only up to a maximum of six months from the date of issue of the original offer of appointment. An offer on appointment would lapse automatically after the expiry of six months from the date of issue of the original offer of appointment. The candidates who join within the above period of six months will have their seniority fixed

under the seniority rules applicable to the service/post concerned to which they are appointed, without any depression of seniority.

[\[Para 1 \(ii\) of O.M. No. 9/23/71-Estt.\(D\) Dated 6.6.1978\]](#)

and [\[Para 2 of O.M. No. 35015/2/93-Estt.\(D\) Dated 9.8.1995\]](#)

- (iii) If, even after the extension(s), if any, granted by the Ministries/Departments, a candidates does not within the stipulated time (which shall not exceed a period of six month), the offer of appointment should lapse.

[\[Para 1 \(iii\) of O.M. No. 9/23/71-Estt.\(D\) Dated 6.6.1978\]](#)

- (iv) An offer of appointment which has lapsed, should not ordinarily be revived later, except in exceptional circumstances and on grounds of public interest. The Commission (UPSC) should in all cases be consulted before such offers are revived.

[\[Para 1 \(iv\) of O.M. No. 9/23/71-Estt.\(D\) Dated 6.6.1978\]](#)

- (v) In a case where after the lapsing of the offer, the offer is revived in consultation with the commission as mentioned in sub-para (iv) above, the seniority of the candidates concerned would be fixed below those who have already joined the posts concerned within the prescribed period of six months; and if the candidates joins before the candidates of the next selection examination join, he/she should be placed below all others of his batch. If however, the candidates join after some or all the candidates of the next selection examination have joined he/she should be—

(a) In case of selection through interview, placed at the bottom of all the candidates of the next batch;

(b) In the case of examination, allotted to the next year's batch and placed at the bottom.

[\[Para 1 \(v\) of O.M. No. 9/23/71-Estt.\(D\) Dated 6.6.1978\]](#)

- (vi) Above instructions shall mutatis mutandis apply to all the Recruitment Agencies / Authorities working under the Ministries / Departments.

[\[Para 4 of O.M. No. 1259494-Estt.\(D\) Dated 9.8.2017\]](#)

4.5 **Determination of seniority of re-employed officers for promotion/confirmation**

1. The question of determination of seniority of re-employed officers should arise only in cases where the officers are re-employed before they attain the age of normal superannuation.

[\[Para 3 of O.M No. 20011/3/80-Estt.\(D\) Dated 16.6.1980\]](#)

2. (1) Officers re-employed after they had retired/discharged, whether from Defence or Civil employment prior to the attainment of the age of superannuation under the civil rules, will, if appointed to civil posts under the provisions of the Recruitments applicable to direct recruits, be treated as direct recruits and their seniority in the grade fixed accordingly.

[\[Para 4\(1\) of O.M No. 20011/3/80-Estt.\(D\) Dated 16.6.1980\]](#)

(2) However, where such officers are appointed to civil posts and the Recruitment Rules applicable thereto prescribed re-employment as a distinct mode of recruitment, their seniority will be determined as under—

(a) The inter se-seniority of persons so re-employed shall be determined in accordance with the order of their selection.

(b) The relative seniority of persons so re-employed in relation to direct recruits and promotes shall be determined —

(i) Where the Recruitments Rules prescribed specific quotas for each of the categories, on the basis of rotation of vacancies based on the said quota;

(ii) In other cases, on the basis of the chronology of selection.

[\[Para 4 \(2\) of O.M No. 20011/3/80-Estt.\(D\) Dated 16.6.1980\]](#)

3. In the case of officers referred to in previous para., their confirmation and promotion to Higher posts would take place with reference to the seniority so fixed.

[\[Para 5 of O.M No. 20011/3/80-Estt.\(D\) Dated 16.6.1980\]](#)

4. These instructions would apply subject to any special provisions that may be applicable to particular services/posts in terms of the Recruitment Rules applicable to those services/posts.

[\[Para 6 of O.M No. 20011/3/80-Estt.\(D\) Dated 16.6.1980\]](#)

4.6 Fixation of seniority of a person who has been transferred to a lower post under FR-15A

When the Government employee is transferred to a lower post on his own request under FR 15(a)(2), it neither, identifies itself as a case of penal action on the employee nor as a case of transfer to a lower post in public interest. As the person already stood promoted to the next higher grade, in case of his/her reoccupying the lower post at the top of the seniority (original position), would affect adversely not

only the existing officers in the grade, but would apparently nullify the very purpose of his /her transfer to the lower post. As such an officer seeking transfer to a lower post under FR-15, at his own request, would be placed below all officers appointed regularly to the lower grade on the date of transfer.

[\[Para 4.6 of DOPT O.M. No. 20011/1/2008-Estt.D dated 11.11.2010\]](#)

4.7 Seniority of meritorious sportsmen appointed in relaxation of recruitment rules

Where sportsmen are recruited through the Employment Exchange or by direct advertisement and are considered along with other general category candidates, they may be assigned seniority in the order in which they are placed in the panel for selection. Where recruitment to a post is through a selection made by the Staff Selection Commission, whether by a competitive examination or otherwise, the sportsmen recruited by the department themselves should be placed en bloc junior to those who have already been recommended by the Staff Selection Commission. The inter se-seniority of sportsperson will be in the order of selection.

[\[Para 4 of O.M. No. 14015/1/76-Est. \(D\) Dated 4.8.1980\]](#)

4.8 Seniority of persons appointed on compassionate grounds

The Scheme for Compassionate Appointment in Central Government interalia provide that:

- (a) The inter-se seniority of persons appointed on compassionate grounds may be fixed with reference to their date of appointment. Their interpolation with the direct recruits/promotees may also be made with reference to their date of appointment without disturbing the inter-se seniority of direct recruits/promotees.
- (b) Date of joining by a person appointed on compassionate grounds shall be treated as the date of his/her regular appointment.

The person appointed on compassionate ground in a particular year would be placed at the bottom of all the candidates recruited/appointed through direct recruitment, promotion etc. in that year, irrespective of the date of joining of the candidate on compassionate grounds.

[\[Para 4.8 of DOPT O.M. No. 20011/1/2008-Estt.D dated 11.11.2010\]](#)

4.9 Determination of seniority of persons selected for appointment to different posts in the same grade requiring different qualifications.

- (i) According to general principles for determination of seniority in the Central Services, the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointment on the recommendation of

the UPSC or other selecting authority; persons appointed as a result of an earlier selection being senior to those, appointed as a result of a subsequent selection.

(ii) In cases where persons are selected either by the UPSC for appointment to different posts in the same grade with different qualification (e.g., posts of Assistant Lecturer in History, Economics, Physics & Chemistry, etc.), the UPSC should be requested to recommend candidates for such posts in a consolidated order of merit. Similarly, other selecting authorities should also be requested to indicate such an order of merit while making selections for recruitment such posts.

(iii) The seniority of persons appointed to posts indicated above will be determined in the order in which their names appear in the consolidated list.

[\[Para 4.9 of DOPT O.M. No. 20011/1/2008-Estt.D dated 11.11.2010\]](#)

Appendix

Reference Office Memorandum on determination of Seniority

1. [O.M. NO. 9/11/55-RPS Dated 22.12.59](#)
2. [O.M.No.9/22/68-Estt.\(D\) Dated 6.2.69.](#)
3. [O.M. No. 9/23/71-Estt.\(D\) Dated 6.6.1978](#)
4. [OM No. 28011/6/76-Estt, Dated 24th June, 1978](#)
5. [O.M No. 20011/3/80-Estt.\(D\) Dated 16.6.1980](#)
6. [O.M. No. 14015/1/76-Est. \(D\) Dated 4.8.1980](#)
7. [O.M. No.14017/27/75-Estt.\(D\) Dated March 7, 1984](#)
8. [O.M. No. 35014/2/80-Estt.\(D\) Dated 7.2.1986](#)
9. [O.M. No. 20020/7/80-Estt\(D\) Dated 29.05.1986](#)
10. [O.M. No. 22011/7/86-Estt.\(D\) Dated 03.07.1986](#)
11. [O.M. No. 20011/5/90-Estt \(D\) Dated 4.11.1992](#)
12. [O.M. No. 35015/2/93-Estt.\(D\) Dated 9.8.1995](#)
13. [O.M. No. 20011/2/92-Estt.\(D\) Dated 03.11.1995](#)
14. [O.M. No. 41019/18/97-Estt. \(B\) Dated 13th June 2000](#)
15. [O.M. No. 20011/1/2000-Estt\(D\) Dated 27.03.2001](#)
16. [O.M. No.20011/1/2001-Estt. \(D\) Dated 21st January 2002](#)
17. [O.M. No. 35014/7/97-Estt.\(D\) Dated 8th February 2002](#)
18. [O.M. No. AB-14017/66/2008-Estt. \(RR\) dated 09.03.2009](#)
19. [O.M. No. 20011/1/2008-Estt. \(D\) dated 11.11.2010](#)
20. [OM No. 20020/4/2010-Estt. \(D\) 13/09/2012](#)
21. [O.M. No. 20020/4/2010-Estt \(D\) dated 30th April, 2013](#)
22. [O.M. No. 1259494-Estt.\(D\) Dated 9.8.2017](#)
23. [O.M. No. 11012/10/2016-Estt. A-III dated 08.12.2017](#)
24. [O.M. No. 20011/2/2019-Estt\(D\) Dated 13.08.2021](#)

Annexure - 1

[View Annexure \(PDF\)](#)