

No.20011/2/92-Estt.(D)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel and Training)

New Delhi, the 3rd Nov., 1995

OFFICE MEMORANDUM

Subject:- Fixation of seniority in the case of delayed promotion due to penalty.

The undersigned is directed to refer to the instructions contained in DoP&AR O.M. No. 21/5/70-Estt.(A) dated 15.5.71 (reiterated vide O.M. No. 22011/2/78-Estt.(A) dated 16.02.1979) according to which a Govt. servant on whom a minor penalty of withholding of increment etc. has been imposed should be considered for promotion by the DPC which meets after the imposition of said penalty and if he is considered fit for promotion despite imposition of penalty, the promotion may be given effect to after the expiry of the penalty. References have been received from various Departments seeking clarification on the question of seniority of such officers on their promotion.

2. It is clarified that the officer who has been recommended for promotion by a DPC despite his penalty will be promoted only on the basis of the recommendation of the said DPC after the expiry of the penalty and his seniority would be fixed according to his position in that panel.

Sd/-
(K.K. Jha)
Director(E)

To
All Ministries/Departments etc.

Copy to:-

1. Comptroller and Auditor General of India
2. Rajya Sabha Sectt./Lok Sabha Sectt.
3. UPSC (with 10 spare copies) w.r.t. letter No. 2/8/95-S-II dated 13.9.95.
4. All Union Territory Administrations
5. All attached/subordinates offices under the DoP&T
6. Commissioner for SC/ST, New Delhi.
7. Secretary, Staff Side, National Council(JCM), 9, Ashoka Road, New Delhi
8. All Sections
9. 200 spare copies for Estt.(D)