



ABSTRACT

Public Services – Departmental Promotion Committee – Simplifying and Restructuring the procedure of Departmental Promotion Committee – Tamil Nadu Public Service Commission Regulations, 1954 – Amendments – Orders – Issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (M) DEPARTMENT

G.O.(Ms.) No.125

Dated: 13.11.2020

சார்வரி வருடம், ஐப்பசி 28,
திருவள்ளூர் ஆண்டு 2051.

Read:

1. G.O. (Ms.) No.603, Personnel and Administrative Reforms (Per-M) Department, dated 12.06.1985.
2. G.O. (Ms.) No.15, Personnel and Administrative Reforms (Per-S) Department, dated 12.01.1994.
3. G.O. (Ms.) No.97, Personnel and Administrative Reforms (Per-M) Department, dated 21.04.1994.
4. Government letter No.16952/M2/2019, Personnel and Administrative Reforms (M) Department, dated 25.07.2019.
5. From the Secretary, Tamil Nadu Public Service Commission, letter No.4624/DPD-A1/2019, dated 15.07.2020.

ORDER:

Article 320(3)(b) of the Constitution of India provides that the Union Public Service Commission or the State Public Service Commission, as the case may be, shall be consulted on the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers.

2. Accordingly, the Government of India and the States have formulated their Regulations. Similarly, in this State, regulation 16 of the Tamil Nadu Public Service Commission Regulations, 1954, among others, provides for consultation with the Tamil Nadu Public Service Commission for

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making appointments by the method of recruitment by transfer from subordinate service to State service and by promotion from one class to another class in the Tamil Nadu General Service and by promotion from one category to another category or from one class to another class of posts in a State Service specified in Annexure-1-B to the said Regulations.

3. As per the above provisions, the procedure of drawing panels is being followed for assessing the suitability of each individual as per the provisions contained in the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 (Tamil Nadu Act 14 of 2016) for effecting promotions / appointments of Government servants in public services.

4. Initially, panel proposals were referred to the Tamil Nadu Public Service Commission for its advice / recommendation. Later, in order to ensure timely promotions, the concept of Departmental Promotion Committee as followed by Union Public Service Commission, was introduced in Tamil Nadu in the Government order second read above. The composition of Departmental Promotion Committee is as follows:

Chairman	A Member of the Tamil Nadu Public Service Commission
Convener and Member	Secretary to Government in the concerned Department
Member	Head of Department of concerned Department.
Member	Secretary to Government, Personnel and Administrative Reforms Department or his nominee.

5. After introduction of the scheme of Departmental Promotion Committee, a proforma containing the service particulars and disciplinary / criminal proceedings, if any, pending against the individuals, are prepared, based on the instructions / guidelines issued by the Government as per the provisions contained in the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, (Tamil Nadu Act 14 of 2016) by the Heads of the Departments and scrutinized by the administrative department in the Secretariat and verified by the Personnel and Administrative Reforms Department and then sent to the Tamil Nadu Public Service Commission in the form of a booklet for placing before the Departmental Promotion Committee for its concurrence.

6. In the present procedure of consultation with Tamil Nadu Public Service Commission, it is noticed that:-

(i) Repetition of scrutiny work being done at four levels: As panels are prepared based on the provisions made under Tamil Nadu Government Servants (Conditions of Service) Act, 2016, verifying the suitability of the individuals is the exercise that is being carried out at every level. Now, there are four levels of checking entities, (i.e.) Heads of Department, Administrative Department, Personnel and Administrative Reforms Department and Departmental Promotion Committee. This procedure is time consuming and results in delay in issue of panels.

(ii) Number of posts referred to Departmental Promotion Committee is in large number: As huge number of posts have been brought within the purview of the Commission, the very purpose of constituting the Departmental Promotion Committee has been defeated (i.e.) to expedite timely promotions.

7. In order to rectify the above, the procedure followed by the Government of India and other States were examined and it was observed that the Government of India and other States, have derived their own Regulations in consulting the Union Public Service Commission / State Public Service Commissions in making promotions and transfers from one Service to another and on the suitability of candidates for such appointments, promotions or transfers, by invoking the proviso to clause (3) of Article 320 of the Constitution of India, which enable the States to make regulations specifying the matters in which either generally, or in any particular class of case or in any particular circumstance and that it shall not be necessary for a Public Service Commission to be consulted.

8. As far as Government of India is concerned, in respect of posts under the Central Government for which recruitment is done by central recruiting agencies like Staff Selection Commission, each Department in Government of India has a separate Departmental Promotion Committee consisting of its own officers and the Union Public Service Commission is not consulted. Further, in respect of all Central Civil Services/ posts belonging to Group-A, where promotion is based on Selection, the Union Public Service Commission is associated with Departmental Promotion Committee.

9. Accordingly, in order to avoid repetition of scrutiny of panel proposals as now being done at four levels, (i.e.) Heads of Department, Administrative Department, Personnel and Administrative Reforms Department and Tamil Nadu Public Service Commission and in order to restructure the procedure of Departmental Promotion Committee in line with the procedures followed by Government of India and other States, as a reformatory measure, it is ordered to simplify the Departmental Promotion Committees as follows :-

- (a) The panel proposals shall be placed before the Departmental Promotion Committee as is being followed now under the Chairmanship of Chairman / Member, Tamil Nadu Public Service Commission with other Members viz., Secretary of the Administrative Department, Head of the Department concerned and Secretary / a nominee of Personnel and Administrative Reforms Department as Members (in line with Union Public Service Commission), for making appointment to the posts classified in the entry level under **Group-A** of the State Services alone.
- (b) The panel proposals for Group-A posts other than entry level posts and Group-B posts within the purview of the Tamil Nadu Public Service Commission and for which Government / Heads of Department is the appointing authority, which were hitherto placed before the Departmental Promotion Committee of Tamil Nadu Public Service Commission, shall henceforth be placed before the newly constituted Departmental Promotion Committee, under the chairmanship of the Secretary of the concerned administrative Department, Head of the Department concerned and Secretary / a nominee of Personnel and Administrative Reforms Department as Members.
- (c) For the posts which are outside the purview of Tamil Nadu Public Service Commission, the existing system of preparation of panel may continue.

10. The Secretaries to Government / Heads of Departments shall send necessary proposal to include entry level post in their Department classified under Group – A of the State Services from Level 25 and above in the pay matrix, if any, other than those specified in Annexure- I-B to regulation 16(c) of the Tamil Nadu Public Service Commission Regulations, 1954 mentioned in the notification below, for making subsequent amendments to Tamil Nadu Public Service Commission Regulations.

11. The guidelines issued in Government orders second and third read above shall be applicable to the newly constituted Departmental Promotion Committee also, until they are amended, if necessary.

12. Based on the above orders, the following Notification will be published in the Tamil Nadu Government Gazette :-

NOTIFICATION.

In exercise of the powers conferred by Article 318 and the proviso to clause (3) of Article 320 of the Constitution of India, the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Public Service Commission Regulations, 1954 (Volume-I of the Tamil Nadu Services Manual, 1987).

AMENDMENTS.

In the said Regulations,-

(1) in regulation 16, in clause (c), for the second and third provisos, the following proviso shall be substituted, namely:-

“Provided further that in the case of appointment by promotion and by recruitment by transfer to the entry level posts under **Group-A** of the State Services specified in Annexure 1-B to these Regulations, the Commission shall be consulted.”;

(2) for ANNEXURE 1-B, the following Annexure shall be substituted, namely:-

“ANNEXURE 1-B

[See regulation 16(c)]

The entry level posts under **Group-A** of the State Services from Level 25 and above in the pay matrix in respect of which the Commission shall be consulted in the matter of promotion and recruitment by transfer:

1. Under Secretaries to Government in the Departments of Secretariat under One Unit.
2. Under Secretaries to Government in Finance Department.
3. Under Secretaries to Government in Law Department.
4. Under Secretaries in Tamil Nadu Public Service Commission.
5. Deputy Director, Sericulture.

6. Deputy Milk Commissioner in Dairy Development.
7. Deputy Director in Public Health.
8. Works Manager in Police Transport Workshop-cum-Training School.
9. Senior Planning Officer in State Planning Commission.
10. Joint Director in Planning and Development.
11. Deputy Director (Administration) in Survey and Settlement.
12. Deputy Director (Administration) in Town and Country Planning.
13. Administrative Officer in Social Welfare.
14. Deputy Director in National Cadet Corps."

(BY ORDER OF THE GOVERNOR)

S. SWARNA
SECRETARY TO GOVERNMENT

To

The Secretary, Tamil Nadu Public Service Commission,
Chennai – 3.(10 copies)

All Secretaries to Government, Secretariat, Chennai – 9.

The Secretary to Government, Law Department, Chennai – 9.

The Works Manager, Government Central Press, Chennai – 79.

(for publication of notification in the Tamil Nadu Government Gazette)

The Secretary to Government of India, Ministry of Home Affairs, New Delhi.

All Heads of Departments.

The Accountant General, Chennai – 18.

Copy to:

The Secretary to Hon'ble Governor, Raj Bhavan, Chennai – 22.

The Principal Secretary-I to the Hon'ble Chief Minister,
Chief Minister's office, Secretariat, Chennai – 9.

The Special Personal Assistant to Hon'ble Minister (Fisheries, Personnel and
Administrative Reforms), Chennai – 9.

The Special Personal Assistant to Hon'ble Minister (Law, Courts and
Prisons), Chennai – 9.

The Personal Secretary to Chief Secretary to Government, Chennai – 9.

The Principal Private Secretary to Secretary to Government, Personnel and
Administrative Reforms Department, Chennai-9


The Personnel and Administrative Reforms (S) Department, Chennai – 9.

(for issue of correction slip to the Tamil Nadu Services Manual Volume-I,
1987 and necessary follow up action).

The Personnel and Administrative Reforms (AR-II) Department, Chennai – 9.

Stock File/Spare Copy.

// Forwarded by Order //


16/11/20
SECTION OFFICER.
and
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