

GOVERNMENT OF TAMIL NADUPERSONNEL AND ADMINISTRATIVE REFORMS (PER. S.) DEPARTMENT.

G.O. No.15, dated 12th January 1994 as amended from time to time.

Public Services - Departmental Promotion committees - Constitution of - Orders issued.

Read the following paper.-

D.O. Letters from the Chairman, Tamil Nadu Public Service Commission, 1331/M5/93 dated 17th May 1993 and dated 10th January 1994.

ORDER - No.15, Personnel and Administration Reforms (per. S) Department, dated 12th January 1994.

The question of constituting Departmental promotion Committees with a view to ensuring objectivity in the appraisal of merit and ability of Government employees for selections to various posts by recruitment by transfer from a subordinate service, or by promotion from one category to another category or from one class to another class in a State Service for which the Tamil Nadu Public Service Commission is required to be consulted has been considered by the Government at the instance of the Tamil Nadu Public Service Commission. The Commission recommended that Departmental Promotion Committees might be set up also with a view to avoiding delay in selection of candidates to higher posts.

2. According to the Regulation 16 of the Tamil Nadu Public Service Commission Regulations, 1954, consultation with the Commission is necessary for making appointments by the methods "recruitment by transfer" from subordinate service to State Service and "appointment by promotion" from one class to another class in the Tamil Nadu General Service and also for certain posts specified in Annexure-I- B of the said Regulations. At present; cases of the above types are referred to the Tamil Nadu Public Service Commission for its advice. In practice, for a variety of administrative reasons, such advice is often received late, thus delaying the regular appointment of officers to various services. The Chairman, Tamil Nadu Public Service Commission, has suggested that the scheme of Departmental Promotion Committees available in some States and the Government of India may be introduced in Tamil Nadu to expedite decision in these matter.

3. The Government have carefully considered the whole matter in the light of the functioning of such Departmental Promotion committees in Kerala, Maharashtra and the Government of India. The matter was also discussed in the meeting of Secretaries to Government held on 16th August 1993 when the Chairman, Tamil Nadu Public Service Commission, was also present and the broad principles were agreed to. Based on the studies and discussions referred to above, the Government have decided to set up Departmental Promotion committees for appointment by recruitment by transfer or by promotion to the various posts for which the Tamil Nadu Public Service Commission, will have to be consulted. They accordingly order that Departmental Promotion Committees be constituted for selection of candidates to various posts, appointment to which are made by the methods "recruitment by transfer" from subordinate service to State service and "appointment by promotion - from one class to another class in the Tamil Nadu General Service and also for certain posts specified in Annexure I -B of the Tamil Nadu Public

Service Commission Regulations, 1954. However, the system of Departmental Promotion Committee shall not apply in respect of selections for appointment by recruitment by transfer to the Post of District Munsif-cum-Judicial Magistrate, 'since a combined selection is made for appointment to the post by direct recruitment and by recruitment by transfer, the rule of reservation is applicable to both the methods taken together.

4. The Departmental Promotion committee shall function on the following lines:-

(I) Composition of the Committees. (a) The Composition of a Departmental Promotion committee shall be as follows:-

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| (i) A member of the Tamil Nadu Public Service Commission | - | Chairman. |
| (ii) Secretary to Government in the concerned Department | - | Convener and Member |
| (iii) Heads of Department concerned | - | Members |
| (iv) Secretary to Government, Personnel and Administrative Reforms Department or his nominee not below the level of Deputy Secretary to Government. | - | Member. |

NOTE : - The term "Member of the Tamil Nadu Public Service Commission" will also include the Chairman, Tamil Nadu Public Service Commission.

(b) In respect of selection to the post of Under Secretary to Government in the Departments of Secretariat other than Law and Finance Departments including the planning and Development Department, the Committee shall consist of the following.

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| (i) A member of the Tamil Nadu Public Service Commission | - | Chairman |
| (ii) Secretary to Government, Personnel and Administrative Reforms Department. | - | Convener and Member. |

(c)* *In respect of selection to posts for which Head of Department is the appointing authority the Committee shall consist of the following :-*

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|---|---|---------------------|
| (i) A member of the of the Tamil Nadu Public Service Commission | - | Chairman |
| (ii) Head of Department concerned | - | Convener and Member |
| (iii) Secretary to the Commission. | - | Member. |

(2) Nomination of Members on the Committee :- The Chairman, Tamil Nadu Public Service Commission, shall nominate Member of the Commission to be on each Departmental promotion Committee for a specified period or periods. Different Departmental Promotion Committees shall be presided over by different Members as nominated by the Chairman.

(3) Venue of the meeting :- The meeting shall take place in the office of the Tamil Nadu Public Service Commission.

(4) Meeting procedure -(i) All matters relating to convening of the meetings shall be dealt with by the concerned administrative department of Secretariat.

(ii) **Advance action shall be taken to finalise the estimate of vacancies by the administrative department of the Secretariat/Head of Department as at present***

* Amended vide Govt's Letter No.32493/95-1, dated 18.05.95.

(iii) The Convenor shall prepare notes on proposals for preparing the list of eligible candidates for the various services relating to his department in accordance with the concerned service rules and circulate them to all other Members and the Chairman of the Departmental Promotion Committee in advance. The proposals shall be strictly confidential.

(iv) The original of the service records and the personal files of the eligible candidates should be made available at the time of the meeting.

(v) * The minutes of the meeting, shall be prepared by the Convenor ^{and} Member and signed by the Chairman of the Departmental Promotion Committee and communicated to the Government /Head of the Department by the Secretary, Tamil Nadu Public Service Commission. The minutes so communicated shall be treated as the final advice /recommendation of the Commission and there shall be no further consultation with the Commission on the issue.

vi) In case of difference of opinion, the majority view shall prevail. In any particular case where the member of the Tamil Nadu Public Service Commission who is the Chairman of the Departmental Promotion Committee requires that the Commission should be consulted, *such consultation shall be made. The decision of the Commission in such cases, Shall be communicated direct to the Government by the Secretary to the Commission.* **

Difference of
opinion among
Members of the
DPC, Comm
should be
consulted.

** Amendment in Letter No. 32226/94-1, dated 2.5.94. (179) p 83, 85

(vii) All selections shall have to be made in accordance with the provisions of Special Rules, General Rules and Government Orders and instruction governing the subject.

(viii) The existing provisions in the Business Rules to deviate from the advice /recommendation of the Commission shall equally apply to the recommendations of the Committee also as described in item (v) above.

(ix) * The usual procedure of circulating proposals to the concerned Ministers and consulting advisory departments shall be followed. (In respect of selection to posts for which Head of Department is the appointing authority, the proposal will be sent to the Commission by the Head of the Department and this proposal will be considered by the Committee referred to in Sub-para (c) in para 4 (1) and make its recommendations).

(x) In all other matters not specifically indicated herein, the procedures now being followed shall be continued.

(5) Only regular panels will be drawn- Temporary panels were drawn before, because of the delay in finalising the regular panels after getting the advice/recommendation of the Commission. Temporary panels are generally to be avoided. The departmental Promotion Committee is designed to cut down delays by-

(a) providing all relevant information at one place ; and

(b) eliminating circulation of cases among all Members of the Tamil Nadu Public Service Commission as at present.

* Amended vide Govt's Letter No.32493/95-1, dated 18.05.95.

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Therefore, once the Departmental Promotion Committee system is introduced, there shall be no more need for temporary panels. All panels shall be based on the minutes of the Departmental Promotion Committees, subject to Government agreeing to or deviating from the same. Hence all panels shall be regular panels.

(6) Programme of Meeting.- The programme of holding Departmental Promotion Committee Meetings will be communicated by the Personnel and Administrative Reforms Department separately.

(7) Date of effect.- The scheme shall be effective from the date on which the Chairman Tamil Nadu Public Service Commission, first nominates Members on the Departmental Promotion Committees.

(8) Existing proposals pending with the Commission.- The proposals pending with the Commission as on the date of effect of the Scheme shall be transferred to the Departmental Promotion Committees concerned.

(9) Promotions outside the purview of the Commission.- Promotions outside the purview of the Tamil Nadu Public Service Commission, shall continue to be dealt with departmentally as at present.

5. Changes to Rules:- (i) Consequential changes to service rules, wherever necessary, shall be made suitably.

- (ii) Necessary amendments to the Tamil Nadu Public Service Commission Regulations 1954 will be issued separately by the Government in the Personnel and Administrative Reforms (Personnel-M) Department.
- (iii) The Tamil Nadu Public Service Commission is also requested to make necessary changes to its Rules of Procedure.

(By order of the Governor)

Sd/- T.V.VENKATARAMAN,
Chief Secretary to Government.

To

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(Forwarded/By Order)

Section Officer.