

ANNEXURE XIX – B
(Para 22.7 refers)

Application No. _____

Roll No. _____

BHARAT DYNAMICS LIMITED

Application blank for recruitment of
Management Trainees (Technical)/
Management Trainees (Non-Technical)*

PHOTOGRAPH

Advertisement Number _____

1. Name in Full : Shri/ Smt./:
(in block letters)

2. Complete Postal Address

(1) Present

(2) Permanent

3. Date of birth (Documentary evidence to be attached in support of it.)

4. Are you an Indian National?
If so, by birth or by domicile?5. (a) Place of birth and
State in which situated :

(b) Home Town :

Contd..



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6. Father's Name, occupation and address (if alive) :

7. Religion.

8. Educational qualifications : (Matriculation onwards)

Examination or Degree	Name of the Institution	Subject of study	Class or Divn.	Percentage of marks (aggregate)	Year of passing

9. Membership of Professional Institutions, if any

10. (a) Details of Training (Add extra sheets, if required)

Nature of Training	Duration & Year of Training	Institution in which training was imparted	Further information if any.

* Please delete the inappropriate words.

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(b) Details of Experience

Name & Address of employer (show last employer first)	Period of employment		Designation And Scale of Pay	Emoluments		Nature of duties
	From	To		Basic	Total	

11. Languages :	Speak	Read	Write
(A) Mother Tongue _____	_____		
(B) Other Languages (i) _____	_____		
(ii) _____	_____		
(iii) _____	_____		
(iv) _____	_____		
(v) _____	_____		

12 Were you in Government (Civil or Military) Service? If so, furnish details of service.

13. Marital Status : Married/Single/Widower/Widow

14. Are you related to any Directors of this Company? Is so, give details.

Contd..



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15. Have you been a candidate for any other post in this or any other offer of BDL before? if so, furnish details Regarding post applied for, Division/ Office, whether interviewed or not and if so the results.

16. Do you belong to a scheduled Caste/ Tribe ? if so, attach documentary evidence in support.

17. Have you applied for appointment/ scholarship elsewhere? If so give details

18. Professional, academic and extra-curricular interests. (Please furnish particulars in Appendix – I)

19. Any other information which you wish to furnish

20. Reference : Please furnish below names of two persons not related to you, to whom reference could be made regarding your character and antecedents.

(i) Name _____
Position _____
Address _____

(ii) Name _____
Position _____
Address _____

Date :

(Signature of the Applicant)

Contd..



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APPENDIX – I
(Item No.18 of Application i.e.
Annexure – XIX B)

(A) Activities and positions of responsibility.

(i) Official positions held during academic career in Students' Organisation, NCC, etc.

School	College	Elsewhere
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(ii) Membership and Offices held in Associations, Learned Societies, Clubs and other Organisations.

School	College	Elsewhere
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(iii) Literary and professional activities, namely, contribution of articles to magazines, periodicals, etc.

School	College	Elsewhere
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(iv) Achievements in sports and games.

School	College	Elsewhere
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(B) Describe highlights of your academic life. Subjects in college that have interested you most.

(C) Describe briefly your hobbies and interests

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Appendix II (Annexure XIX B)**- 8 -****INSTRUCTIONS TO CANDIDATES TO FILL THE APPLICATION BLANK
(For Management Trainees)**

1. Before filling the application blank, please go through its various columns thoroughly and carefully.
2. Answer each of the columns precisely to the points and give the required details neatly and correctly.
3. The name against column 1 should be furnished as in the educational qualification certificate (unless it has been changed) in Block Letters. Female candidates may further write within brackets “Kumari” or “Shrimathi”, as may be applicable.
4. ‘Present address’ should be the one to which communications are to be sent to him. Any change in the address should be intimated to this office quoting the Roll No. communicated to you.
5. True copy of the documents in support of the date of birth should be attached with the application.
6. Clear and full details regarding qualifications should be furnished. All the sub-columns should be filled in clearly. True copies of the certificates/Diplomas/Degrees should be sent along with the application.
7. Details regarding experience, if any, should be furnished against column 10(b) in brief. If required additional sheets may be used.
8. If you belong to Scheduled Caste or Scheduled Tribe, an attested copy of the Certificate to that effect issued by the competent authority in the prescribed proforma enclosed herewith may be sent along with the application.
9. ANNEXURE-I should be filled to give clear idea on various aspects mentioned herein.
10. No original certificate/Diploma/Degree should be sent along with the application. Originals are to be produced at the time of interview and when reporting for training, if selected.
11. Persons in the service of the Central or State Government or Semi-Government/Autonomous Organisations or Public Enterprises are to apply through their Employers.
12. Applications which are incomplete and not fulfilling all the requirements are liable to be rejected.
13. Suppression of any relevant information or incomplete replies to the questions in this application form will entail disqualification for appointment.

ANNEXURE XX
(Para 21.1 refers)

**EMPLOYMENT AGENCIES TO WHOM COPIES OF ADVERTISEMENT ARE
REQUIRED TO BE FORWARDED.**

1. All Divisions/Offices of BDL
2. Director of Employment Exchanges, Government of India, Ministry of Labour employment, No.18, Gurudwara Rakabaganj Road, New Delhi.
3. Employment Officer of concerned Regional Employment Exchange and/or
 - (a) Special employment exchange for Physically handicapped in respect of vacancies reserved for physically handicapped personnel.
 - (b) Zilla Sainik Board/Rajya Sainik Board concerned and Director of Employment, Directorate General (Resettlement), Government of India, Ministry of Defence, Maulana Azad Road, DHQ Post Office, New Delhi – 110 011.

In respect of vacancies, reserved for Ex-servicemen, dependents of Service man killed in action and disabled service man.

- (c) - District Magistrates concerned
 - Department of Social Welfare of the concerned State Government.
 - Recognised representative Associations of SCs and STs (Recognised for limited purpose of notification of vacancies reserved for SCs and STs)
 - Secretariat of the Parliamentary Committee on the Welfare of SC/ST, C/o Lok Sabha Secretariat, New Delhi – 110 001.
 - Selected stations of All India Radio.
 - The Commissioner for scheduled Castes and Scheduled Tribes, West Block No.1, Wing No.7, I Floor, RK Puram New Delhi - 110 022.

In respect of vacancies reserved for Scheduled Castes and Scheduled Tribes.

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4. The Secretary, National Registration Unit, Council of Scientific and Industrial Research (CSIR), IENS Buildings, Old Mill Road, NEW DELHI.

In respect of Technical/Scientific Posts in Grade-I and above only.
5. Employment and Manpower Division, Planning Commission, Yojan Bhavan, New Delhi.

In respect of Non-Technical/Non-Scientific Posts in Grade-I and above only.
6. Director General of Employment and Training (Special Cell) Government of India, New Delhi.
7. Liaison Officer, Directorate General of Employment and Training, Ministry of Labour and Employment, New Delhi.
8. Defence Services Liaison Officer, Defence Services Liaison Office, Army Headquarters, New Delhi.
9. Employment Board (General Department), Government of Jammu and Kashmir, Jammu (Tawi).
10. The Secretary to Government of Jammu and Kashmir, Planning Department (Employment Cell), Jammu – Tawi (Srinigar).
11. The Deputy Director, Youth Employment Information Centre, Office of the Divisional Commissioner, Kashmir.
12. The Deputy Director, Youth Employment Information Centre, Office of the Divisional Commissioner, Jammu.
13. Member (Personnel), Ordinance Factory Board, No.6 Esplanade East, Calcutta – 700 069.

NOTE : Wherever necessary the advertisement should be accompanied by notification in the prescribed vacancy notification forms.

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**ANNEXURE XXI
(Para 64.1 refers)**

BDL/

Sri _____

Sub:- Offer of Contract appointment to the post of _____

Dear Sir,

With reference to the your application dated _____ and subsequent interview you had with us, we have pleasure in offering you the post of _____ on contract basis on the following terms and conditions :

- (i) Tenure of appointment : _____ months with effect from the date of your joining at _____.
- (ii) Pay and Allowance : You will be paid, on initial appointment, a basic pay of Rs. _____ per month in the scale of pay of Rs. _____ plus other allowances as admissible.
- (iii) Gratuity : Not admissible during the contract period. In case, you are offered a regular employment, you will be eligible for gratuity;
- (iv) Medical Fitness : Your appointment will be subject to your presenting a satisfactory medical report from the Company's Doctor at _____.
- (v) Your continuation of appointment will be subject to verification of your credential/testimonials, etc.
- (vi) Termination of Contract : The Company has a right to terminate your services by giving 3 months notice in writing or by giving three months' basic pay plus DA in lieu of notice. Though you

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are free to resign from services of Company by giving 3 months notice, in writing, or by paying 3 months basic pay plus DA in lieu of notice, the Management reserves the right not to accept the resignation if the circumstances so warrant. In case of shorter notice the liability will be restricted to payment for the proportionate period which falls short of the notice period. If during the notice period you are absent without permission, your services can be terminated without notice. Further in the event of your giving notice of resignation, the Company will have the option to accept resignation with immediate effect or at any time before the date of expiry of notice period in which case you will be paid only for the period you actually worked;

- (vii) TA/DA for joining duty : First Class train fare for self and dependant members of the family as per the rules. In addition, excess baggage allowance equal to free baggage given by the carrier is also admissible. In case, you resign within one year from the date of your joining duty, you are liable to refund the amount received by you from BDL.
- (viii) Other terms and conditions :
 - (a) You will be liable to serve in any position or Department or Division in any part of India or abroad at the discretion of the Company;
 - (b) You will not apply for appointment elsewhere without first obtaining the written permission from the competent authority in the Company.
 - (c) The age of superannuation in the BDL is 60 years and thereafter you shall be retired from the services of the Company and you shall have no claim to be continued in the service of the company thereafter;

Contd..



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- (d) During your employment, you will be governed by the rules and regulations of service of the Company as applicable to officers on contract, that may be in force and which may be amended, altered or extended from time to time and your acceptance of this offer of appointment carries with it your agreement to observe all such rules and regulations.
- (e) You should intimate changes, if any, that have taken place or that will take place hereafter in respect of particulars furnished by you in your application/bio-data for the post mentioned above, to the _____.

If the above terms and conditions are acceptable to you, please send your letter of acceptance together with the attestation forms and five copies of your recent passport size photographs and medical certificate to the undersigned latest by _____. After receipt of your acceptance, you will be advised of the likely date of your reporting for duty at _____ after completing certain formalities which may take about 6-8 weeks time.

Yours faithfully
for BHARAT DYNAMICS LIMITED



ANNEXURE XXII
(Para 64.1 refers)

No. BDL/

Sri _____

Sub:- Appointment to the post of _____

Ref:- _____

With reference to the your application dated _____ and subsequent interview you had with us, you are appointed to the post of _____ in the scale of pay of Rs. _____ (Grade _____) on a regular basis with immediate effect on the following terms and conditions :

- (i) You will continue to draw basic pay already fixed during your contract employment in the above scale of pay. In addition, you will be entitled to Dearness and other Allowances/concessions as applicable to the officers of your grade/status, from time to time under the rules of the Company.
- (ii) The period of service already rendered by you in the BDL will count for the purpose of increment/leave, etc., as provided under the rules.
- (iii) You will be on probation for a period of 12 months from the date of your appointment and this period may be extended, if considered necessary by the Company. You will be deemed as confirmed in this post only, if you are intimated to that effect to that effect in writing. During the probationary period, the Company can terminate your services without notice, without assigning any reason and without any compensation in lieu thereof;
- (iv) The age of superannuation in the BDL is 60 years and thereafter you shall be retired from the services of the Company and you shall have no claim to be continued in the service of the company thereafter;
- (v) During your employment, you will be governed by the rules and regulations of service of the Company that may be in force and which may be amended, altered or extended from time to time and your acceptance of this offer of appointment carries with it your agreement to observe all such rules and regulations.

Yours faithfully,
 for BHARAT DYNAMICS LIMITED



ANNEXURE - XXIII
(Para-59 refers)

Remarks:

- (1) It stands withdrawn vide Circular No. BDL/04/51/17/C-P&A
dt. 30.12.1996.
- (2) To refer Para – 59.2 (b) (ii) of the Rules.



ANNEXURE XXIV
(Note (1) of Para 42.1 refers)

PROFESSIONAL QUALIFICATIONS

1. FINANCE & ACCOUNTS

- i) Pass in Final Examination of Institute of Cost and Works Accountants Calcutta/London.
- ii) Pass in Final Examination for Membership of the Institute of Chartered Accountants of India/England.
- iii) Pass in SAS Examination conducted by the Comptroller & Auditor General of India.
- iv) MBA from Indian Institute of Management, Calcutta, Ahmedabad and Bangalore in Finance Discipline.
- v) Post Graduation Degree/Diploma in Business Administration with specialization in Finance from recognised Universities.

2. SECRETARIAT

Pass in Associate Membership Examination of the Institution of Company Secretaries of India, New Delhi.

3. ADMINISTRATION/PERSONNEL/INDUSTRIAL RELATIONS

- i) Post Graduate Degree/Diploma in Social Welfare/Personnel Management/Social Science/Industrial Relations awarded by recognized Universities/Institutions recognized by Government.
- ii) MBA from Indian Institute of Management, Calcutta, Ahmedabad, Bangalore or any University recognized by the Government with specialisation in Personnel Management/Industrial Relations.

4. COMMERCIAL

- i) Master Degree in Commerce from recognized University.

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- ii) Post Graduate Degree/Diploma in Materials Management from recognized Institutions/Universities.
- iii) MBA from Indian Institute of Management, Calcutta, Ahmedabad, Bangalore or any University recognized by the Government with specialisation in Materials/Marketing Management/Industrial Relations.

5. SECURITY AND VIGILANCE

- i) Successful completion of ten months pre-Commission training course from the Officers' Training School, Madras or from any other equivalent Institution under the Defence Forces.
- ii) Successful completion of one to one and half year's course conducted by the Central/State Governments qualifying for appointment as Deputy Superintendent of Police/Sub-Inspector in State Police, Railway Protection Force, Central Reserve Police, Border Security Force.

6. BUSINESS DEVELOPMENT

Authority

PC No.25/2003 (i) Essential Qualification : BE/B.Tech

Dt.13-12-2003 (ii) Desirable/Additional Qualification : MBA (Marketing)

NOTES :

- i) In the Finance & Accounts discipline, SAS Examination conducted by other Departments of Government of India, viz. Civil Accounts Departments, Railways Accounts Department, Post & Telegraph's Accounts and Defence Accounts Departments are also to be treated on par with the SAS Examination conducted by the Comptroller & Auditor General of India.
- ii) If Officers of Township and other Sections which form part of Administration Dept. possess any of the qualifications listed in para (3) above, they will be deemed to possess Professional qualification for purposes of Time Scale Promotion Scheme.

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- iii) Certificate in Shorthand & Typewriting will not be considered as Professional qualification for purposes of Time Scale Promotion.

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ANNEXURE XXV – A
(Note of Para-28 Refers)

VERIFICATION OF CASTE CERTIFICATE

Authority

1) IDN No.BDL/
04/51/001/C-P&A
Dt.01-01-1998

2) OM No.12017/
10/97-SED (R.Cell)
Dt.25-11-1997 of
Ministry of Welfare
Gol.

The following are the guidelines for the purpose of
verification/acceptance of caste certificates produced
by candidates :

- i) Caste certificate to be issued by the competent
authorities in the prescribed format (Reference
Annexure XXV-‘B’)
- ii) List of authorities empowered to issue SC/ST
Certificates :
 - a) District Magistrate/Additional District Magistrate/ Collector/ Deputy
Commissioner/Deputy Collector/Ist Class Stipendary
Magistrate/City Magistrate/Sub-Divisional Magistrate/Taluka
Magistrate/ Executive Magistrate/Extra Assistant Commissioner
(Not below the rank of 1st Class Stipendary Magistrate)
 - b) Chief Presidency Magistrate/Additional Chief Presidency
Magistrate/Presidency Magistrate.
 - c) Revenue Officers not below the rank of Tehsildar.
 - d) Sub-Divisional Officer of the area where the candidate and/or his
family normally resides.
 - e) Administrator/Secretary to Administrator/Development Officer
(Lakshadeep Islands)
- iii) A Caste certificate issued by any one of the authorities competent
to do so, be accepted as sufficient proof in support of candidate's
claim as belonging to SC/ST.

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- iv) Earlier guidelines in this regard issued by the Ministry of Home Affairs (Cir No.35/1/72-RU (SCTV) dt.2.5.75 and No.12025/2/96-SCT(I) dt.22.3.77) do not envisage counter signature on the caste certificate by the District Magistrate. It has, therefore, been advised not to ask SC/ST candidates to produce caste certificate counter signed by the District Magistrate or obtain certificate in the forms prescribed by them. Caste Certificates issued by the authorities, who have been empowered to issue social status certificate should be accepted.
- v) However, the caste status of the candidate should be verified through the District Magistrate of the place where the candidate and/or his family ordinarily resides.
- vi) If after appointment in any particular case, the verification reveals that the candidate's claim was false, his service may be terminated in accordance with the relevant rules/orders and other legal action may be taken.

3. The Corporate P&A Deptt may please be kept informed about the action taken regarding the false claim when detected.

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ANNEXURE XXV – ‘B’
(Item (i) of Annexure – XXV – A)

VERIFICATION OF CASTE CERTIFICATE

Form of certificate to be produced by a candidate belonging to a Scheduled Caste or Scheduled Tribe in support of his claim.

FORM OF CASTE CERTIFICATE

This is to certify that Shri/Shrimati*/Kumari* _____
son/daughter * of _____ of village*/town* _____ in
District/Division* _____ of the State/Union Territory*
_____ belong to the _____ caste/tribe* which is
recognized as a Scheduled caste/Scheduled Tribe*

UNDER :

- @The Constitution (Scheduled Castes) Order, 1950
- @The Constitution (Scheduled Tribes) Order, 1950
- @The Constitution (Scheduled Castes) (Union Territories) Order, 1951
- @The Constitution (Scheduled Tribes) (Union Territories) Order, 1951

(As amended by the Scheduled Castes and Scheduled Tribes Lists (Modification) Order, 1956, the Bombay Reorganisation Act, 1960, the Punjab Reorganisation Act, 1966, the State of Himanchal Pradesh Act, 1970, The North Eastern Areas (Reorganisation) Act, 1971 and Scheduled Tribes Orders (Amendment) Act, 1976).

- @The Constitution (Jammu & Kashmir) Scheduled Castes Order, 1956.
- @The Constitution (Jammu & Kashmir) Scheduled Tribes Order, 1989.
- @The Constitution (Andaman and Nicobar Islands) Scheduled Tribes Order, 1959.
- @The Constitution (Dadar and Nagar Haveli) Scheduled Castes Order, 1962.
- @The Constitution (Pondicherry) Scheduled Castes Order, 1964.
- @The Constitution Scheduled Tribes (Uttar Pradesh) Order, 1967.
- @The Constitution (Gao, Daman & Diu) Scheduled Castes Order, 1968.
- @The Constitution (Gao, Daman & Diu) Scheduled Tribes Order, 1968.

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@The Constitution (Nagaland) Scheduled Tribes Order, 1970.

@The Constitution (Sikkim) Scheduled Castes Order, 1978.

@The Constitution (Sikkim) Scheduled Tribes Order, 1978.

%2. Application in the case of Scheduled Castes/Scheduled Tribes Persons who have migrated from one State/union Territory:

This certificate is issued on the basis of the Scheduled Caste/Scheduled Tribe certificate issued to Shri/Shrimati _____ father/mother of Shri/Shrimati/Kumari* _____ in District/Division _____ of the State/Union Territory _____ of the State Union Territory _____ who belonging to the _____ caste/tribe* which is recognized as Scheduled Caste/Scheduled Tribe*

In the State/Union Territory* _____ issued by the _____ (name of the prescribed authority) vide their No. _____ dated _____

%3. Shri/Shrimati/Kumari* _____ and or his/her* family ordinarily reside(s) in village/town* _____ of _____ District/Division of the State/Union Territory* of _____.

Signature _____
 **Designation _____
 (with seal of Office)

Place _____ State _____
 Union Territory.

Date : _____

* Please delete the words which are not applicable.

@ Please Quote specific Presidential Order.

% Delete the paragraph which is not applicable.

NOTE : The term 'Ordinarily reside(s)' used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950.

** List of authorities empowered to issue Scheduled Caste/Scheduled Tribe certificates :

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1. District Magistrate/Additional District Magistrate/ Collector/ Deputy Commissioner/Deputy Collector/1st Class Stipendary Magistrate/City Magistrate/Sub-Divisional Magistrate/Taluka Magistrate/ Executive Magistrate/Extra Assistant Commissioner (Not below the rank of 1st Class Stipendary Magistrate)
2. Chief Presidency Magistrate/Additional Chief Presidency Magistrate/Presidency Magistrate.
3. Revenue Officers not below the rank of Tehsildar.
4. Sub-Divisional Officer of the area where the candidate and/or his family normally resides.
5. Administrator/Secretary to Administrator/Development Officer (Lakshadweep Islands)



ANNEXURE – XXVI – A
(Note of Para-43.2)

Promotion of Government servants against whom disciplinary/Court proceedings are pending or whose Conduct is under investigation-
Procedure and guidelines to be followed.*

Authority

OM No.

1) 39/3/59-Estt**

Dt.31-08-1960

2) 7/28/63-E-A**

Dt.22-12-1964

3) 22011/3/

77-E-A**

Dt.14-07-1977

4) 22011/1/

79-E-A**

Dt.31-01-1982

5) 22011/2/

86-E-A**

Dt.12-01-1988

6) 22011/1/

91-2-E-A**

Dt.31-07-1991

7) 22011/4/

91-Estt.(A)

Dt.14-09-92*

8) Cir No. BDL/

C-P&A/PLG&

ED/R&P/2004

Dt.28-02-2004

The undersigned is directed to refer to Department of Personnel & Training OM No.22011/2/86-Estt.(A) Dated the 12th January, 1988 and subsequent instructions issued from time to time on the above subject and say that the procedure and guidelines to be followed in the matter of promotion of Government servants against whom disciplinary/court proceedings are pending or whose conduct is under investigation have been reviewed carefully. Government have also noticed the judgement dated 27-08-1991 of the Supreme Court in Union of India etc. Vs K.V. Jankiraman etc. (AT 1991 SC-2010). As a result of the review and in supersession of all the earlier instructions on the subject (referred to in the margin**), the procedure to be followed in this regard by the authorities concerned is laid down in the subsequent paras of this OM for their guidance.

Cases of Government Servants to whom Sealed Cover Procedure will be applicable :

2. At the time of consideration of the cases of Govt servant for promotion, details of Government servants in the consideration zone for promotion falling under the following categories should be specifically brought to the notice of the Departmental Promotion Committee:-

- i) Government servants under suspension,
- ii) Government servants in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending; and
- iii) Government servants in respect of whom prosecution for a criminal charge is pending."

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Procedure to be followed by DPC in respect of Government servants under cloud:

2.1 The Departmental Promotion Committee shall assess the suitability of the Government servants coming within the purview of the circumstances mentioned above alongwith other eligible candidates without taking into consideration the Disciplinary Case / Criminal Prosecution pending. The assessment of the DPC including 'Unfit for Promotion', and the grading awarded by it will be kept in a sealed cover. The cover will be superscribed "Findings regarding suitability for promotion to the Grade / Post of in respect of Shri (Name of the Government servant). Not to be opened till the termination of the disciplinary case / criminal prosecution / against Shri". The proceedings of DPC need only contain the note 'The findings are contained in the attached sealed cover'. The authority competent to fill the vacancy should be separately advised to fill the vacancy in the higher grade only in an officiating capacity when the findings of the DPC in respect of the suitability of a Government servant for his promotion are kept in a sealed cover.

Procedure by subsequent DPCs:

2.2 The same procedure outlined in para-2.1 above will be followed by the sub-subsequent Departmental Promotion Committees convened till the disciplinary case/criminal prosecution against Government Servant concerned is concluded.

Action after completion of disciplinary case / criminal prosecution:

3. On the conclusion of the disciplinary case/criminal prosecution which results in dropping of allegation against the Government Servant, the sealed cover or covers shall be opened. In case the Government Servant is completely exonerated, the due date of his promotion will be determined with reference to the position assigned to him in the findings kept in the sealed cover/covers and with reference to the date of promotion of his next junior on the basis of such position. The Government Servant may be promoted, if necessary, be reverting the junior most officiating person. He may be promoted notionally with reference to the date of promotion of his junior. However, whether the officer concerned will be entitled to any arrears of pay for

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the period of notional promotion preceding the date of actual promotion, and if so to what extent, will be decided by the appointing authority by taking into consideration all the facts and circumstances of the disciplinary proceeding/criminal prosecution. Where the authority denies arrears of salary or part of it, it will record its reasons for doing so. It is not possible to anticipate and enumerate exhaustively all the circumstances under which such denials of arrears of salary or part of it may become necessary. However, there may be case where the proceedings, whether disciplinary or criminal, are, for example delayed at the instance of the employee or the clearance in the disciplinary proceedings or acquittal in the criminal proceedings is with benefit of doubt or on account of non-availability of evidence due to the acts attributable to the employee, etc.

These are only some of the circumstances where such denial can be justified.

3.1 If any penalty is imposed on the Government Servant as a result of 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 DPC in the normal course and having regard to the penalty imposed on him.

3.2 It is also clarified that in a case where disciplinary proceedings have been held under the relevant disciplinary rules, 'Warning' should not be issued as a result of such proceedings. If it is found, as a result of the proceedings, that some blame attaches to the Government Servant, atleast the penalty of 'Censure' to be imposed.

Six Monthly Review of "Sealed Cover" cases:

4 It is necessary to ensure that the disciplinary case / criminal prosecution / instituted against any Government Servant is not unduly prolonged and all efforts to finalise expeditiously the proceedings should be taken so that the need for keeping the case of a Government Servant in a sealed cover is limited to the barest minimum. It has, therefore, been decided that the appointing authorities concerned should review comprehensively the cases of Government Servants whose suitability for promotion to a higher grade has been kept in a sealed cover on expiry of six months from the date of convening the first Department Promotion Committee which had adjudged his suitability and kept its findings in the sealed cover. Such a review should be done subsequently

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also every six months. The review should, inter alia, cover the progress made in the disciplinary proceedings / criminal prosecution and the further measures to be taken to expedite their completion.

Procedure for ad-hoc promotion:

5. In spite of six monthly review referred to in para-4 above, there may be some cases, where the disciplinary case/criminal prosecution against the Government Servant is not concluded even after expiry of two years from the date of the meeting of the first DPC which kept its findings in respect of the Government servant in a sealed cover. In such a situation the appointing authority may review the case, of the Government Servant provided he is not under suspension, to consider the desirability of giving him ad-hoc promotion keeping in view the following aspects:-

- a. Whether the promotion of the Officer will be against the public interest;
- b. Whether the charges are grave enough to warrant continued denial of promotions;
- c. Whether there is no likelihood of the case coming to a conclusion in the near future;
- d. Whether the delay in the finalisation of proceedings, departmental or in a court of law, is not directly or indirectly attributable to the Government Servant concerned; and
- e. Whether there is any likelihood of misuse of official position which the Government Servant may occupy after ad-hoc promotion, which may adversely effect the conduct of the Departmental Case / Criminal Prosecution.

The appointing authority should also consult the Central Bureau Investigation and take their views into account where the departmental proceedings or criminal prosecution arose out of the investigations conducted by the Bureau.

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5.1 In case the appointing authority comes to a conclusion that it would not be against the public interest to allow ad-hoc promotion to the Government Servant, his case should be placed before the next DPC held in the normal course after the expiry of the two year period to decide whether the Officer is suitable for promotion on ad-hoc basis. Where the Government Servant is considered for ad-hoc promotion, the Departmental Promotion Committee should make its assessment on the basis of the totality of the individual's record of service without taking into account the pending disciplinary case/criminal prosecution against him.

5.2 After a decision is taken to promote the Government servant on an ad-hoc basis an order of promotion may be issued making it clear in the order itself that:-

- (i) the promotion is being made on purely ad-hoc basis and the ad-hoc promotion will not confer any right for regular promotion; and
- (ii) the promotion shall be "until further orders". It should also be indicated in the orders that the Government reserve the right to cancel the ad-hoc promotion and revert at any time the Government Servant to the post from which he was promoted.

5.3 If the Government servant concerned is acquitted in the criminal prosecution on the merits of the case or is fully exonerated in the departmental proceedings, the ad-hoc promotion already made may be confirmed and the promotion treated as a regular one from the date of the ad-hoc promotion with all attendant benefits. In case the Government servant could have normally got his regular promotion from a date prior to the date of his ad-hoc promotion with reference to his placement in the DPC proceedings kept in the sealed cover(s) and the actual date of promotion of the person ranked immediately junior to him by the same DPC, he would also be allowed his due seniority and benefit of notional promotion as envisaged in para 3 above.

5.4 If the Government servant is not acquitted on merits in the criminal prosecution but purely on technical grounds and Government either proposes to take up the matter to a higher court or to proceed against him departmentally or if the Government servant is not exonerated in the departmental proceedings, the ad-hoc promotion granted to him should be brought to an end.

Contd..



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Sealed cover procedure for confirmation :

6. The procedure outlined in the preceding paras should also be followed in considering the claim for confirmation of an officer under suspension, etc. A permanent vacancy should be reserved for such an officer when his case is placed in sealed cover by the DPC.

Sealed cover procedure applicable to officers coming under cloud after holding of DPC out before promotion :

7. A Government Servant, who is recommended for promotion by the Departmental Promotion Committee but in whose case any of the circumstances mentioned in para 2 above arise after the recommendations if he DPC are received but before he is actually promoted, will be considered as if his case had been placed in a sealed cover by the DPC. He shall not be promoted until he is completely exonerated of the charges against him and the provisions contained in this OM will be applicable in his case also.

8. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these instructions have been issued after consultation with the Comptroller and Auditor General of India.



ANNEXURE – XXVII
(Clarification under Para 55.2 refers)

**PROCEDURE FOR RELEASE OF ANNUAL INCREMENT ON REVOCATION
OF SUSPENSION**

Authority The question of release of annual increment(s) after
PC No.01/2003 the revocation of suspension has been considered and
Dt.13-01-2003 the following procedure has been approved.

1 Where period of suspension not qualifying for increment intervene, the next increment is to be arrived at by adding the total period of suspension (or, any other period, e.g. leave without pay, which is not qualified for reckoning increment) to the due date of increment in normal course (immediate after the date of last increment).

2 If the due date of increment so arrived at by the above method (as in para -1 above) shall be fixed on the first day of the month in which it falls due and thereafter on the first day of the month of January or July next year, if there is no deferment/postponement and the individual is otherwise eligible (Increments falling during January to June be given on 1st January and increments falling during July to December be given on 1st July).

3. The period of suspension will not qualify for grant of increment when (a) it is treated as a “period not spent on duty” and (b) it is treated as “dies non” (‘dies non’ would as much effect as extra-ordinary leave without pay and hence, is not to be counted for granting increment).

4. **Illustration :**

Two employees Shri ABC and Shri XYZ were placed under suspension and as such their increments are not released as scheduled. The details are as under :

4.1. **Case of Shri ABC**

- (a) Pending domestic enquiry **Shri ABC** was placed under suspension w.e.f.**23.02.2001**. The suspension **was revoked**

Contd..



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w.e.f. **21.09.2001** and the suspension period has been treated as “**a period not spent on duty**”. He did not appeal against this order. Thus, the period was not treated as a period to be reckoned for increment.

- (b) The **last increment** granted to him, before suspension, was on **01.07.2000** and hence, he was, in normal course, due for **next annual** increment on **01.07.2001** which was **not released** for his suspension from 23.02.2001 to 20.09.2001 (210 days i.e. 7 months) and his **suspension was revoked on 21.09.2001**.
- (c) An employee will not get increments during the period of suspension and here it was treated as a “period not spent on duty”.

4.1.1 In view of the above fact, the increment(s) will be released as under:

- | | | |
|-----|---|--|
| (a) | Date of Last Increment | 1.07.2000 |
| (b) | Date of Increment in normal course
(Not released for suspension) | 01.07.2001 |
| (c) | Period of suspension from 23.02.2001
to 20.09.2001. | 210 days i.e.
7 months |
| (d) | Date of next increment after revocation of
Suspension (to be deferred by the period
of Suspension) | 01.07.2001 plus
7 months
i.e. 01.02.2002 |
| (e) | Next date of increment will, in view of
clause (d) above (if there is no deferment/
postponement and the individual is
otherwise eligible for the same.) | 01.01.2003 and
1st January
every year
thereafter |

Contd...



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4.2 Case of Shri XYZ

(a) **Shri XYZ** was placed under suspension w.e.f. **07.02.1998** pending criminal case in the Court. The suspension was **revoked** vide suspension revocation order dated **20.02.2001** and the suspension period was **treated as “Dies non” (for the present)** and it will finally be decided on the out come of the criminal case pending against him. **On revocation** of suspension, he **resumed duty on/from 22-02-2001**. Hence, the suspension period would be from 07.02.1998 to 21.02.2001, i.e. 1110 days – (3 yrs 15 days).

(b) In the mean time pay revision was taken place w.e.f. 01.01.1997. His pay in the revised scale has to be fixed on/from 01.01.1997; and accordingly, annual increment in the revised scale has to be released on 01.07.1997 (being increment dt.1st Sept). Thus, the next date of increment, after Pay Revision (1997 scale), was **due on 01.07.1998** which **was not released** for his suspension from 07.02.1998.

(c) An employee will not get increments during the period of suspension and the suspension period, for the present, has been treated as ‘dies non’.

(d) “Dies non” would as much effect as extra-ordinary leave without pay and is not to be counted for granting increment.

4.2.1 In view of the above fact, the increments will be released as under :

- | | | |
|-----|--|---------------------------------|
| (a) | Date of Last Increment | 01.07.1997 |
| (b) | Date of Next Increment in normal course
(Not released for suspension) | 01.07.1998 |
| (c) | Period of suspension from 07.02.1998
to 21.02.2001. | 1110 days i.e.
3 Yrs 15 days |

Contd..



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- (d) Date of next increment after revocation of Suspension (to be deferred by the period of suspension) 01.07.1998 **plus** 3 Yrs 15 days i.e. **01.07.2001**
- (e) Next date of increment will, in view of clause (d) above (if there is on deferment/postponement and the individual is otherwise eligible for the same.) **01.07.2002** and on **1st July** every year thereafter.
- (f) This case may be reviewed after final disposal of the criminal case against him and a decision taken regarding treatment of the suspension period.

5. The pending cases, if any, may also be settled immediately as per the above procedure, but settled cases will not be re-opened.

