

Proceedings of sitting on 26-09-2008 at 1100 hrs in the chamber of Hon'ble Member Shri Tsering Samphel with Director/Res., DoPT

A list of officers present in the sitting is at Annexure.

ISSUE

The promotion of Shri J. R. Meena to the post of Assistant Director (JTS of ISS), which was ordered on 13.07.2006, should have been done retrospectively, when the ST vacancies were there and eligible candidates from ST category were also available.

BACKGROUND

A representation dated 25.07.2007 was received in the Commission from Shri J. R. Meena regarding his promotion to the post of Assistant Director (JTS of ISS) from back date, as he was eligible and vacant ST post were also there.

Shri Meena has intimated that he joined as 'Senior Investigator' in Central Statistical Organization (CSO) on 09.07.1992 (deemed date 25.07.1991) through UPSC. As per the earlier RRs, a candidate with 4 years of service as Senior Investigator is eligible for promotion to JTS of ISS. The RRs were amended in 1997 and eligibility was raised from four years of service as SI to seven years. According to earlier RRs, he was eligible for promotion in 1995 and even if the new RRs are considered, he was eligible for promotion in 1998.

He has further mentioned that the department is carrying forward the three ST vacancies of JTS to subsequent years since 1997-98 on the grounds that eligible candidates are not available. This appears to have been done because of non-updation of eligibility list.

As per RRs, 40% of the vacancies are to be filled up through promotion quota. After introduction of Post Based Roster in July, 1997, the DPC of promotion to JTS of ISS was done in 2001, 2003 and 2004, but every time the three ST vacancies were left unfilled on the basis of non-availability of eligible candidates. Shri Meena was promoted in 2006.

Shri Meena has requested that his promotion should be made effective since 1998, as per new RRs, when the vacancies were also there. He has further mentioned that reasoning of the Department to keep the ST vacancies unfilled on account of the non-availability of eligible persons is also not correct.

This matter was taken up in the Ministry of Statistics and Programme Implementation. In their reply, Ministry has mentioned that RRs were changed on 12.10.1995, but due to temporary ban, the said rules could be notified only in 1997. It was also clarified that eligibility list was circulated on 07.03.1997 taking seven year criteria was as on 12.10.1995.

To have a better understanding of the problem and rule position, Shri Tsering Samphel, Hon'ble Member decided to have a discussion with Director/Reservation, DoPT on 26.09.2008 at 1100 hrs. in his Chamber.

DISCUSSION

Director/Reservation, DoPT intimated that as per RRs 40% of the vacancies in JTS grade are to be filled up by promotion quota. Whereas it appears that 40% promotion quota has been applied on the Post after implementation of the Post Based Roster in 1997. Due to this, the Department has adjusted the vacancies arising after 02.07.1997 with the excess posts filled up with promotion quota prior to 02.07.1997. This has resulted in conduction of DPC in 2001. Had the eligibility list been updated by the Department regularly, Shri Meena could have been considered for promotion in 2001.

Shri Meena explained that as per the seniority list he was within the extended zone of consideration.

RECOMMENDATION

After discussion, Hon'ble Member recommended that a meeting with Secretary, MoS&PI and Secretary, DoPT to be arranged to sort out this issue.

ANNEXURE

The following were present in the sitting on 26.09.2008 :

NCST

1. Shri Tsering Samphel, Hon'ble MemberIn Chair
2. Shri Vinod Aggarwal, Director

DoPT

Shri K. G. Verma, Director/Reservation

Petitioner

1. Shri J.R. Meena
2. Shri Jagat Hazarika