

No.36/58/2010-EO (SM-I)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
(Office of the Establishment Officer)

New Delhi, the 13th August, 2010

To

The Chief Secretaries,
All the States/Union Territories

All the Secretaries
All the Ministries/Departments of the Government of India.

Sub: Central Staffing Scheme – procedure for selection and appointment of officers to Secretarial posts in the Ministries/Departments of the Government of India and to certain important non-Secretariat posts – issue of Consolidated Guidelines regarding.

Sir,

I am directed to state that a consolidated circular on the above subject was last issued, vide this Department OM No. 36/77/94-EO(SM-I) dated 5.1.1996. Further instructions amending the circular have been issued from time to time as approved by the Government. It is proposed to issue a revised consolidated circular on the subject, incorporating in it all the subsequent amendments. A copy of the draft revised circular, proposed to be submitted to the competent authority for approval, before issue, is **enclosed**.

2. All the stakeholders, including the State Governments, Cadre Controlling Authorities, Ministries/Departments of the Government of India etc. are requested to go through the proposed revised draft circular and communicate their comments/suggestions, if any, to this Department at the earliest, so that an holistic view may be taken on all the aspects of the issue, while finalising the final Guidelines.

Yours faithfully,


(Rajeev Kumar Mittal)
Deputy Secretary

MOST IMMEDIATE

**No.36/5/2005-EO (SM.I)
Government of India
Ministry of Personnel, PG & Pensions
(Department of Personnel & Training)

New Delhi, the 13th August, 2010

OFFICE MEMORANDUM

Subject: - Central Staffing Scheme – Procedure for selection and appointment of officers to secretarial posts of and above the rank of Under Secretary to the Government of India and to important non-Secretariat posts.

The basic circular on the above subject was issued vide Department of Personnel (Cabinet Secretariat) OM No.33 (1)-EO/70 of 27th October, 1970. Further instructions amending the circular were issued from time to time as approved by Government. Last consolidated instructions on the subject was issued by Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training) OM No. 36/5/2005-EO(SM-I) dated 5th January, 1996. In the meantime, some more instructions have been issued by the Government amending the above circular. All these instructions in force have been reviewed and consolidated, and I have been directed to communicate the following for the information and guidance of all concerned, in supersession of all relevant orders on the subject.

2 THE CENTRAL STAFFING SCHEME

(a) The Central Staffing Scheme has been in operation now for almost 50 years. It provides a systematic arrangement for the selection and appointment of officers to senior administrative posts at Centre, excluding posts which are specifically encadred with the organized Group 'A' services or filled by recruitment through the Union Public Service Commission. Some posts of **Director(*1)**, Deputy Secretary and Under Secretary under the Central Government are shown as numbers, without specifying individual posts, in the cadre strength of the Central Secretariat Service. These posts are filled in accordance with the rules of the Central Staffing Scheme, and when so filled, stand outside the Central Staffing Scheme.

(b) Appointments to all other posts of the rank of Under Secretary and above in the Government of India are filled under the Central Staffing Scheme, by borrowing officers from the All India Services and participating Group 'A' services; the cardinal principle being that all officers who are so borrowed will serve the Government of India for a stipulated tenure on deputation and thereafter, return to their parent cadre. Their growth, development and career prospects will be mainly in their own Service.

(*1 Added in terms of the approval of ACC conveyed to CS Division vide O.M. No.36/2/2004-E.O. (SM.I) dated 01.03.2005)

3 The raison d'être of such a scheme is the Centre's need for fresh inputs at senior levels in policy planning, formulation of policy and implementation of programmes from diverse sources, viz. the All-India Services and the participating organized Group 'A' Services. The services of scientific

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and technical personnel and professionals in the field of economics, statistics, law and medicine are, similarly, obtained from officers serving for specified periods on deputation and who return to their respective cadres at the end of tenure. This two-way movement is of mutual benefit to the service cadres and the Government of India.

INSTITUTIONAL ARRANGEMENTS

4. THE APPOINTMENTS COMMITTEE OF THE CABINET

The Cabinet Committee on Appointment (known as the ACC), constituted under rule 6(1) of the Government of India (Transaction of Business) Rules, 1961 has, inter-alia, the following functions:-

- (i) *to take decisions in respect of appointments specified in Annexure I to the First Schedule to the Government of India (Transaction of Business) Rules, 1961 as amended from time to time;*
- (ii) *to take decisions in respect of the empanelments specified in Annexure II to the First Schedule to the Government of India (Transaction of Business) Rules, 1961 as amended from time to time;*
- (iii) *to decide all cases of disagreement relating to appointments between the Departments or Ministries concerned and the Union Public Service Commission;*
- (iv) **to decide all cases of extension of tenure, under the central staffing scheme(s) or relevant central tenure norms, of officers belonging to the All India Services and other Group A Services beyond the prescribed limits;(*2)**
- (v) **to decide cases relating to lateral shift of officers serving on central deputation; (*2)**
- (vi) **To decide cases of premature repatriation of officers serving with the central govt. to their parent cadre or Department. (*2)**
- (vii) *To consider and decide representations and memorials from officers of the rank of Joint Secretary (or equivalent) and above, except from those in their cadre posts, against adverse remarks.*
- (viii) **to consider and decide the cases of all inter-cadre deputation and transfers of the officers All India Services.(*2)**

(*2- Added in terms of the modified TOBR dated 16 Oct 2009)

The "relevant" entries Of ANNEXURE 1 and 2 of Transaction of Business Rules are as follows:

ANNEXURE 1: (*3)

1. Secretariat appointments of and above the rank of Joint Secretary in the Central Govt.
2. All other appointments of civilian officers in the Govt. Of India carrying a salary or salary scale or pay band plus grade pay equivalent to or higher than the minimum of such scale or pay band plus grade pay payable to Joint Secretary to the Govt. Of India except
 - a. Appointment of IPS officers of IG and ADG levels in CPOs under MHA

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- b. Appointment of officers of Defence Forces of the rank of Major General or equivalent in CPOs under MHA and
- c. Appointments of organised Group A Central services officers to the posts in the cadre other than the posts which carry pay scale equivalent to the Secretary to Govt. Of India
3. Appointment of officers abroad (other than officers belonging to MEA) to the posts of the rank of Third Secretaries or equivalent and above in Indian Missions or outside such Missions
4. Appointments of Private Secretaries and Officers on Special Duty, in the office of the members of the Union Council of Ministers.
5. Appointments in autonomous bodies and statutory bodies under the Central Govt to the posts of Chief Executive in the salary or salary scale or pay band plus grade pay equivalent to or higher than the minimum of such scale or pay band plus grade pay payable to Joint Secretary to the Govt. Of India
6. Appointment of CVOs in PSUs, autonomous organisations and statutory bodies under the Central Govt in the salary or salary scale or pay band plus grade pay equivalent to or higher than the minimum of such scale or pay band plus grade pay payable to Joint Secretary to the Govt. Of India

Annexure 2: (*3)

1. Empanelment of officers of All India Services and Organised Group A Central Services for holding Secretariat posts at the level of Joint Secretary, Additional Secretary and Secretary in the Central Govt.
2. Empanelment of officers of Central Secretariat Services for holding Secretariat posts at the level of Joint Secretary, Additional Secretary and Secretary in the Central Govt.

(*3 Relevant entries of Annexure 1 and 2 of TOBR itself have been listed out)

5. THE CIVIL SERVICES BOARD:

(1) For staffing posts of the rank of Deputy Secretary, Director and Joint Secretary in the Ministries/Departments of the Government of India, the Appointments Committee of the Cabinet shall be assisted and advised by the Civil Services Board constituted therefore. The constitution and functions of **Civil services Board** are as detailed below:-

(a)	Cabinet Secretary	Chairman (ex-officio)
(b)	Secretary (Personnel)	Member (ex-officio)
(c)	One Secretary to the Government of India (to be appointed for a year at a time)	Member
(d)	Establishment Officer	Member-Secretary (ex-officio)
(e)	Secretary of the Administrative Ministry/Department concerned.	Co-opted Member

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(2) Functions:

It shall be the duty of the Board:-

- a) to make recommendations, having regard to the merits and eligibility for consideration and availability of officers in the field of choice:
 - (i). For appointments to posts of Deputy Secretary, Director and Joint Secretary under the Central Staffing Scheme;
 - (ii). For appointments of officers of All India Services and Group 'A' Central services to following non-CSS posts
 - (a) Posts of Constitutional bodies or Staff officers of Heads of Constitutional bodies.
 - (b) Posts of statutory bodies set up by an Act of Parliament, all Staff Officers of Heads of such statutory bodies.
 - (c) Posts in non permanent, non-statutory bodies with specific term set up through executive orders/notification by the central Govt. -like ARC, Pay Commission etc. (*4)

(*4 – Modified in terms of CDG dated 28.11.07)

- b) To consider and make recommendations on **following** proposals :
 - I. FOREIGN POSTS OF GOI: These include
 - a. the posts in the Indian Missions abroad under the administrative control of the Ministries of Finance, Commerce etc (Other than MEA)
 - b. Overseas offices of Tourism, Civil Aviation, Culture, Commerce etc and other ministries.
 - c. India Investment Centres and similar public bodies.(*5)
 - II. CAPTIVE POSTS OF GOI in INTERNATIONAL ORGANISATIONS:
 - a. EDs in World Bank, IMF ,ADB etc
 - b. Advisors, Technical/Executive Assistants to EDs and other similar where recruitment is restricted to other posts (*5)

(*5 Added As Per Consolidated Instructions of Foreign Assignment of India Experts F.18/10/91 –FA(UN))

[Clarification : Bilateral Assignments and other international assignments on the following posts are covered under Rule 6(2)(ii) and are considered by a committee under the chairmanship of Cabinet Secretary comprising Secretary (P) , Finance Secretary and Establishment Officer as Member-Secretary:

1. UN Organisations
2. International Financial Institutions like World bank, IMF, ADB etc.
3. Multilateral organisations like IAEA, WTO, and Commonwealth Organisation, International court of Justice, SAARC etc
4. Bilateral bodies set up under Vienna Convention i.e. Embassies and Bodies set up under them like USAID, DFID NORAD etc.(for appointment to the posts in this

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subcategory Foreign Secretary or Secretary MEA will also be a member of the Committee)

5. International NGOs and Funding Organisations from which India receives technical/financial Assistance like International Red Cross Society, Action Aid, Aqa Khan Foundation, Ford Foundation etc. (for appointment to the posts in this subcategory concurrence of MHA will be taken)](*6)

[*6 Added As Per Consolidated Deputation Guidelines 28.11.2007]

- c) To consider and make recommendations to the Appointments Committee of the Cabinet in respect of such cases of premature retirement under rule 16(3) of the All India Services (DCRB) Rules, FR 56(j) or article 459(h) of the Civil Services Regulations as fall within the purview of the Board;
- d) To consider the assessment made by the Committee of Secretaries, dated experts, (*7) and to make recommendations thereon to the ACC for inclusion of officers in the Joint Secretary's Suitability List; and

(*7 Modified in terms of ACC approval 12/3/2008 EO(SM III) dated 22.9.2008)

- e) To advise the Department of Personnel & Training on matters specifically referred to the Board by that Department.

(3) The Civil Services Board shall not, however, be concerned with the recommendations for-

- i. **Cadre posts to which appointments are to be made only from among officers of the concerned cadres are not under the purview of the board. (*8)**
Appointment of members of Indian Foreign Service to posts included in the Foreign Service Cadre which are made on the recommendations of the Foreign Service Board;

(*8 - Suggested Addition)

- ii. Appointment to posts under the control of the Ministry of Railways which are made on the advice of the Railway Board;
- iii. Appointments to posts under the control of the Ministry of Defence other than civil posts which are made on the advice of the Services Selection Board or other specified authorities; and

(iv) The Civil Service Boards (CSB) shall not be concerned with the recommendations for appointment to the posts at the level of Additional Secretary, Special Secretary or Secretary to the Government of India. In respect of these cases, the Cabinet Secretary shall keep in view the approved suitability lists of officers fit to hold the categories of posts and irrespective of whether the officers are serving in the Government of India or in the States. submit recommendations to the Appointments Committee of the Cabinet

(v) Appointments to posts in the Autonomous Institutions, wholly or substantially funded by Central Govt. (*9)

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- vi) Appointments to post of CVOs in CPSUs(*9)
- vii) Appointments to posts in CPSUs or SPSUs (*9)

(*9 – Added in terms of CDG dated 28.11.07)

6. THE CENTRAL ESTABLISHMENT BOARD:

(1) The Central Establishment Board shall consist of:-

(a)	Secretary (Personnel)	Chairman (ex-officio)
(b)	<u>Secretary (DEA)</u>	<u>Member (ex-officio)(*10)</u>
(c)	<u>Two Secretaries to the Government of India (By rotation, for a period of one calendar year)</u>	<u>Members(*10)</u>
(d)	Establishment Officer	Member-Secretary (ex-officio)

(*10 Modified in terms of the approval of ACC conveyed to CS Division vide O.M. No.36/2/2004-E.O. (SM.I) dated 01.03.2005)

(2) Functions:

It shall be the duty of the Board-

- a) To make recommendations for selection for deputation on fellowship training such of the cases as are referred to it by the Government;
- b) To consider premature retirement under relevant rules in respect of officers below the rank of Joint Secretary; and
- c) To advise the Department of Personnel & Training on matters specifically referred to the Board by that Department.

7. ESTABLISHMENT OFFICER

- (a) An officer of the status of an Additional Secretary to the Government of India in the Department of Personnel & Training shall be designated as the Establishment Officer to the Government of India, and he would be the Secretary to the Appointments Committee of the Cabinet and Member-Secretary of Civil Services Board and the Central Establishment Board.

It shall be his duty inter-alia-

- (i). To receive communications intended for the ACC or the respective Boards and to obtain and communicate their orders to the Ministries/Departments concerned:

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- (ii). To keep himself informed of possible or impending vacancies in posts falling within the purview of the ACC or the respective Boards and the availability of officers of the requisite seniority/qualifications and experience for filling such appointments;
- (iii). To keep himself in close touch with the State Governments, the Comptroller & Auditor-General of India and other cadre controlling authorities for the systematic planning and maintenance of supply of suitable officers for manning the deputation posts at the Centre; this will necessarily involve the identification of talent with a view to its development and utilization;
- (iv). To ensure up-to-date maintenance and proper custody of confidential records of all officers belonging to the IAS and those already appointed or proposed to be appointed to Grade I of the Central Secretariat Service;
- (v). To conduct all correspondence with the State Government, the Comptroller & Auditor-General of India and other cadre controlling authorities or the Ministries concerned in regard to the selection or reversion of officers in connection with the appointments within the purview of the ACC or the respective Boards;
- (vi). To keep himself fully informed of all aspects of senior management (i.e. Joint Secretaries and above and their equivalent) including development of personnel for it;
- (vii). To deal with all matters pertaining to the training and career planning for the IAS and the Central Secretariat Service;
- (viii). To assist in policy formulation for matters relating to training and career planning for the All-India and Central Services; and
- (ix). To maintain liaison with professional institutions in personnel matters.

(b) All correspondence between Ministries at the Centre on the one hand and the Comptroller & Auditor-General of India and other cadre controlling authorities or the State Governments on the other for obtaining the services of officers for appointment at the Centre shall be canalized through the Establishment Officer whenever:-

- (i). The officer whose services are required belongs to an All-India Service or a Central Service Group 'A', a State Civil Service or a State Police Service; or
- (ii). The officer is required for a post which is within the purview of the respective Board or the Appointments Committee of the Cabinet.

(c) No Ministry or Department, or autonomous body financed by the Central Government shall obtain or try to obtain the services of officers of an All-India Service or State Service or a Central Service Group 'A' by way of direct correspondence with any State Government or the concerned Cadre Controlling Authority.

FUNCTIONAL ASPECTS

8. SCOPE OF THE CENTRAL STAFFING SCHEME

- (a) All posts of the rank of Under Secretary and above in the Government of India may be filled on tenure deputation from the all-India Services and the participating Group 'A' Services of the Central Government excluding such posts of Under Secretary, Deputy Secretary and **Director(*11)** as are filled by the officers of Central Secretariat Services.

(*11 Added in terms of the approval of ACC conveyed to CS Division vide O.M. No.36/2/2004-E.O. (SM.I) dated 01.03.2005)

- (b) In so far as the officers from the Central Secretariat Service (CSS) are concerned, a specified number of posts at the levels of Under Secretary, Deputy Secretary and **Director(*12)** will be treated as part of their Cadre and posts over and above these will be filled under the Central Staffing Scheme.

(*12 Modified in terms of the approval of ACC conveyed to CS Division vide O.M. No.36/2/2004-E.O. (SM.I) dated 01.03.2005)

- (c) In terms of the provisions of article 312 of the Constitution, the Indian Administrative Service, the Indian Police Service and the Indian Forest Service are all-India Services common to the Union and the States. Every State cadre of each of these Services provides for a central deputation quota which in turn requires additional recruitment to be made to these Services to provide for trained and experienced members of these services to serve on posts in the Central Government. Accordingly, utilization of the central deputation quota of different State Cadres is an important factor governing the scale at which officers are borrowed from the various State cadres of these all-India Service on tenure deputation can be deemed to be a cadre post of that Service. Similarly, no individual member of an all-India Service can claim any right to a post or appointment under the Government of India on this ground.

9. The eligibility of officers *belonging to All India Services and Central Group A Service* for holding posts of the level of Under Secretary and above is given below:-

Level	Years of Service in Group 'A' [>(*13)]	Remarks
(1)	(2)	(3)
Under Secretary	5	<u>Officers should have drawn minimum of five increments in the Grade Pay of Rs. 5400/- P.M. or more in the PB-3.(*14)</u>
Deputy Secretary	9	<u>Officers should be drawing a basic pay of Rs.22230/- or more in the senior time-scale of service.(*14)</u>
Director	14	<u>Officers should be drawing at least Rs.37400 basic pay in the Grade Pay of Rs. 7600/- in Pay Band 3. (*14).</u>

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Joint Secretary	17	<p><u>Officers should be drawing Grade Pay of Rs. 10000 P.M. in Pay Band -4 in their respective parent cadre/service OR where an officer is on deputation, he should be on the panel approved by the ACC for Grade Pay of Rs. 10000 P.M. in Pay Band -4 in that service/cadre and an officer junior to him on that panel should have been appointed to a post with Grade Pay of Rs. 10000 P.M. in Pay Band -4 in that service/cadre. For the All India Services, appointment of at least one officer of the Service of any State with Grade Pay of Rs. 10000 P.M. in Pay Band -4 would be a pre-condition for consideration of the officers of a particular year of allotment. (*14)</u></p> <p><u>Officers belonging to the Central Secretariat Service should have eight years of service in the Selection Grade and should have been assessed suitable for the post of Director for a minimum continuous period of three years for being eligible to hold posts of the level of Joint Secretary under the Central Staffing Scheme. (*15)</u></p>
Additional Secretary	25	<p><u>Seven years of service in the Grade Pay of Rs. 10000 P.M in Pay Band -4 in the parent cadre or service., (*16)</u></p> <p><u>Twenty years of Group 'A' service with at least seven years' residency in the Joint Secretaries' suitability list in respect of Central Secretariat Service Officers. They should have a minimum of three years of residual service(*16)</u></p>
Secretary	30	<p><u>Minimum of two years of service in a post carrying Grade Pay of Rs. 12000 P.M. in PB-4. (Note: In the case of All-India Service officers who stand allocated to different cadres, eligibility criteria will apply to the entire batch as soon as one officer of the batch has put in the required 2 years of service on a post carrying Grade Pay of Rs. 12000 P.M. in PB-4.) (*14) (*16)</u></p>

		<p><u>Stringent criteria for selection would apply to members of all the services. Further, apart from the eligibility conditions prescribed above, it would continue to be ensured that, for empanelment of officers of various Central Services Group A for appointment to the posts of Secretary and Additional Secretary/equivalent at the Centre, there is a difference of two years between the officers of the IAS and officers of other Central Services. While making its recommendations the Special Committee of Secretaries (SCOS) would also continue to lay emphasis on service rendered by such officers in posts falling under the Central Staffing Scheme in the Central Secretariat. (*16)</u></p>
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@ As on 1st January of the relevant year

(*13 Incorporated to harmonise the date with the date of promotions as provided by a circular 22011/3/98 (Estt (D)) dated 17 Sept 98 and all the three AIS Pay Rules;

(*14- Modified to give effect to sixth pay commission recommendations)

(*15 Restored as per the ACC approval 35/13/2007 dated 24.5.2010)

(*16 Provisions as contained in O.M. No.36/15/2001-EO (SM.I) dated 20.07.2001 have not incorporated)

EMPANELMENT FOR SENIOR and TOP MANAGEMENT POSTS:

10. JOINT SECRETARY OR EQUIVALENT:

(a) It has been the practice to draw a suitability list (known as panel) of eligible officers from the All-India Services and Group 'A' Services participating in the Central Staffing Scheme. This exercise is normally conducted on an annual basis, considering officers with the same year of allotment together as one group, **except for the officers of Indian Foreign Service. The officers of Indian Foreign Service are appointed to certain posts of Joint Secretary or equivalent which are earmarked for officers of that Service. Names of three or four officers of Indian Foreign Service of appropriate seniority is obtained from the Ministry of External Affairs for each post to assess their suitability for holding such posts(*17).**

(*17 - Modified by way of addition as per ACC approval)

(b) At the level of posts of Joint Secretary and equivalent, the Civil Services Board will finalise the panel for submission to the ACC. In this work, the Civil Services Board may be assisted by a Committee of Secretaries/a panel of experts. (*18)

(*18 Modified in terms of ACC approval 12/3/2008 EO(SM.III) dated 22.9.2009

(c) The panel approved by the ACC on the recommendation of the Civil Services Board will be utilised for making appointments to posts under the Government of India, but inclusion in the panel would not confer any right to such appointment under the Centre.

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(d) The cases of such officers who were not included in any panel in a particular year would be reviewed together after a period of two years i.e. when two more annual confidential reports on their performance have been added to their CR dossiers. Another such review may be conducted after a further period of two years.

(e) A Special review may be made in the case of any officer whose CR undergoes a material change as a result of his representation being accepted against recording of adverse comments on his annual confidential report.

(f) The Cadre Controlling Authorities would be informed of the names of officers under their administrative control as and when they are included in the panel finalized with the ACC approval. **The names of officers, included in the panel, shall be put on the official website of the Department of Personnel & Training. (*19)**

(*19 –Suggested Addition)

(g) Inclusion in the panel of officers adjudged suitable for appointment as Joint Secretary or equivalent would be a process of selection based on the criteria of merit and competence as evaluated by the senior members of the Committee/Board on the basis of the CR dossiers.

11. ADDITIONAL SECRETARY/ SECRETARY

(a) Selection for inclusion on the panel of officers adjudged suitable for appointment to the posts of Additional Secretary/Special Secretary/Secretary to the Government of India and posts equivalent thereto, will be approved by the ACC on the basis of proposals submitted by the Cabinet Secretary.

(b) In this task, the Cabinet Secretary may be assisted by a Special Committee of Secretaries for drawing up proposals for the consideration of ACC. As far as possible, panels of suitable officers will be drawn upon an annual basis considering all officers of a particular year of allotment from one service together as a group.

(c) Inclusion in such panels will be through the process of strict selection and evaluation of such qualities as merit, competence, leadership and a flair of participating in the policy-making process.

(d) Posts at these levels at the Centre filled according to the Central Staffing Scheme are not to be considered as posts for the betterment of promotion prospects of any service.

(e) The needs of the Central Government would be the paramount consideration. While due regard would be given to seniority, filling up of any specific post would be based on merit, competence and the specific suitability of the officer for a particular vacancy in the Central Government.

(f) **The review of the officers at the level of Additional Secretary/Secretary may be done annually. (*20)**

(g) The Cadre Controlling Authorities would be informed of the names of officers under their administrative control as and when they are included in the panel finalized with the ACC approval. The names of officers, included in the panel, shall be put on the official website of the Department of Personnel & Training. (*21)

(*21 Suggested Addition)

12. OFFICERS RETURNING FROM FOREIGN ASSIGNMENT/DEPUTATION UNDER RULE 6(2) (ii):

Officers, who are on deputation under Rule 6 (2) (ii), would run the disqualification of not being considered for empanelment under the Central Staffing Scheme during the currency of their deputations, and also, till they earn Annual Confidential Reports on return to their cadre. (*22)

An officer, who is or was on a foreign assignment or on a deputation under Rule 6(2) (ii) of AIS (Cadre) Rules, 1954, will be considered for empanelment at the level of Joint Secretary only if on return from such an assignment he has served for a period of at least two years in his cadre and has earned two Annual Confidential Report thereon. Similarly, such an officer will be considered for empanelment at the levels of Additional Secretary/Secretary after he has served for a period of one year in his cadre and has earned one Annual Confidential Report.

(*22 Modified in terms of CDG dated 28th November, 2007).

13. REGULATION OF TENURE:

(a) The fixed tenure of deputation of posting under the Central Government is the heart of the Central Staffing Scheme. Rotation between the Centre and the States, Central Ministries and parent cadres, and headquarters and the field, provide a certain degree of pragmatism to policy formulation and programme implementation from the Central Ministries. Based on the experience gained so far, the periods of tenure at the different levels have been prescribed as under:-

Under Secretary	3 years
Deputy Secretary	4 years
Director	5 years
Joint Secretary	5 years

(b) An officer holding the post of Joint Secretary or equivalent, when appointed to a post under the Government of India at the level of Additional Secretary, would have a tenure of 3 years from the date of appointment as Additional Secretary subject to a minimum 5 years and a maximum of 7 years of combined tenure as Joint Secretary/Additional Secretary. Where an officer remains on leave (either from the Centre or from his Cadre Authority or both) on the expiry of his tenure as Joint Secretary till his appointment as Additional Secretary, the leave period shall be counted as tenure deputation.

Additional Secretary	4 years, except for cases covered under the previous heading.
Secretary	No fixed tenure.

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(c) The tenure of the officers appointed to the foreign posts of GOI would be allowed a tenure of 3 years and this period will not count towards the ceiling prescribed for assignments under the international organisation. However the tenure of the officers on the captive posts of GOI in international organisations will be subject to ceiling on tenure, cooling off requirements prescribed as per Consolidated Deputation Guidelines 28.11.2007, DOPT Instructions F No 14017/33/2005-AIS(II)(Part 1) dated 27 Dec 2006 and CIFA dated 20 June 1991(*23)

(*23 Provisions incorporated for clarity purposes in terms of CIFA dated 20 June 1991, Consolidated Deputation Guidelines 28.11.2007 and DOPT Instructions F No 14017/33/2005-AIS(II)(Part 1) dated 27 Dec 2006)

(d) Every officer shall revert at the end of his tenure as indicated above on the exact date of his completing his tenure. He will, however, have a choice to revert to his cadre on the 31st May previous to the date of the end of his tenure in case personal grounds such as children's education etc., necessitate such reversion. No extension after completion of the full tenure would be allowed.

(e) The period of training abroad undergone by officers, who were deputed while working in Government of India under Central Staffing Scheme, will not be excluded for the purpose of calculating the tenure at the Centre.

(f) In cases of officers who underwent training in India the complete period of training will be excluded for the purpose of calculating tenure at the Centre in the following cases:-

- i) Training at the National Defence College, New Delhi;
- ii) Training at the Defence Services Staff College, Wellington
- iii) Training at the Management Development Institute, Gurgaon for the Executive Management Programme;
- iv) Training at the Indian Institute of Public Administration, New Delhi for the APPA course;
- v) For an officer selected for the Jawahar Lal Nehru Fellowship, only half the period spent on the Fellowship will be counted towards Central tenure.

(g) Officers at the level of Additional Secretary and Joint Secretary having one year or less for superannuation at the end of their Central tenure need not be reverted to their parent cadres and they can be given extension of tenure till they superannuate; provided that an Additional Secretary level officer is not empanelled for the post of Secretary.

(h) An officer who has served in the following Institutions/Posts for at least three years will be permitted to count half the period spent in that post towards his central deputation tenure, subject to a maximum of 7 years tenure.

- i) Postings at the Lal Bahadur Shastri National Academy of Administration, Mussoorie;
- ii) Development Commissioner and Joint Development Commissioner Kandla Free Trade Zone, Kandla;

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- (e) CSS officers who are empanelled as Joint Secretaries, with 15% quota for promotion of Joint Secretaries in SAG Grade at their current place of posting, if they are placed under central staffing scheme, with such in situ promotions restricted to 40 in number (*61)

[*61 Provision in terms of Cabinet approval conveyed vide OM No 19/1/2008-DS-1 (P) dated 20/7/2010]

21. Study Leave/No-Objection

- (a) No long term study leaves will be granted by any Ministry/Department to officers on deputation under the Central Staffing Scheme without obtaining prior concurrence of Establishment officer. An officer may not be allowed long term study leave before completing two years in Centre and on completion of study leave the officer shall automatically revert back to his cadre. (*62)

[*62 Provision in terms of the ACC approval conveyed vide OM No. 4/6/2005-EE dated 23.5.2008]

- (b) If an officers appointed under Central Staffing Scheme for a specified tenure applies for a post outside Central Staffing Scheme, the concerned Administrative Ministry/Department, where the officer is posted, can forward his application, with the approval of the Minister-in-charge:
- (i) Directly without referring to DOPT, if the remaining balance tenure of the officer is less than 6 months;
 - (ii) After obtaining the 'No objection' of the DOPT if the remaining tenure of the officer in the Ministry/Department is more than 6 months. (*63)

(*63 Suggested Addition (Major): For better understanding of ministries and for the purposes of having uniformity in these matters)

22. These instructions do not apply to:-

- (a) Statutory appointments to be made by the President of India in accordance with the provisions of the Constitution; or
- (b) Appointments of Ambassadors, High Commissioners, Heads of Missions or High Dignitaries under the aegis of the Ministry of External Affairs.

23. This scheme and Consolidated Deputation Guidelines dated 28.11.2007 /Consolidate Instructions on Foreign Assignment/ Inter cadre deputation and Transfer Guidelines / CVO Guidelines are to be read in harmony. (*64)

24. In furtherance of this scheme, internal guidelines may be formulated and utilized for any purposes including empanelment, debarment etc (*64)

(*64 Suggested Addition)

25. Any issue in doubt or dispute regarding the interpretation of these instructions should be referred to the Establishment Officer for decision.

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- iii) Planning Advisor, North Eastern Council, Shillong;
- iv) Advisor (Rural Development), North Eastern Council, Shillong;
- v) Finance Advisor, Brahmaputra Board, Guwahati;
- vi) Commissioner (payments), Dhanbad;
- vii) **Sardar Vallabh Bhai Patel National Police Academy, Hyderabad;(*24)**
- viii) **Indira Gandhi National Forests Academy, Dehradun.(*24)**

(*24 Suggested Additions (Minor): Like LBSNAA, premier academies for IFOS and IPS)

(i) **Total ceiling of ten years has been prescribed beyond which an officer will not be permitted to be appointed in the personal staff of Ministers irrespective of level, in his/her entire career. Further, tenure as Private Secretary/OSD should be limited to 5 years within this overall limit. (*265)**

(*25 Incorporated as per DOPT OM 31/65/2009-EO (MM I) dated 4/3/2010)

(j) **If an officer combines, in one spell, his tenure as Private Secretary, with an appointment under the Central Staffing Scheme, while a tenure of 5 years as PS can be allowed (subject to the overall combined tenure of 7 years; with the 5 year limit as PS applying to the entire career of the officer), the tenure of the officer as US/DS/Director under the Central Staffing Scheme shall be 3/4/5 years respectively, again subject to the overall tenure of 7 years. (*26)**

(*26 Incorporated as per 4/16/2003-EO (MM II) approval dated 8/10/2007)

(k) **If an officer is shifted from a non Central Staffing Scheme post to a post under the Central Staffing Scheme, or vice versa, she/he shall be eligible for an additional tenure of two years, subject to at least two years on either post. (*27)**

(*27 Incorporated as per CDG date 28.11.07)

(l) The maximum combined continuous tenure at centre in one stretch on Central Staffing Scheme posts; non-Central Staffing Scheme posts; and PS to Ministers would be seven years.

(m) **Cadre clearance from the cadre controlling authority will not be required each time when the tenure of an officer is extended beyond normal tenure {as mentioned in para 10(a) & 10(b)} above due to shifting {as mentioned in para 10(i) and 10(j)}.(*28)**

(*28 Incorporated as per DOPT OM 31/20/2008 –EO (MM 1) dated 5/9/2008)

(n) Where appointment of IPS/ I Forest S officers is governed by the existing tenure rules under the Central Staffing Scheme, the same would apply.

(o) The tenure of officers of Indian Foreign Service appointed to posts under Central Staffing Scheme will be as under:

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- (i) Officers of the Indian Foreign Service appointed to posts under the Central Staffing Scheme would have a tenure of three years; and
- (ii) They shall not normally be relieved, except with the approval of the Appointments Committee of the Cabinet from a central staffing scheme post before their tenure.

(p) An officer belonging to the Central Secretariat Service when appointed as Joint Secretary in a Ministry/Department other than the one where he was working, shall get a tenure of five years. There may not be any objection to appointing a Director belonging to CSS on promotion as Joint Secretary or a Joint Secretary belonging to CSS as Additional Secretary in the same Ministry/Department, if selected for such appointment on the basis of availability of a post as well as the suitability of the officer concerned. However in such cases the combined continuous tenure in the same Ministry/Department shall not exceed five years.

Provided that if an officer has two years balance of tenure in the same Ministry; or else is to retire within a period of two years, he/she may be considered for appointment as Joint Secretary in the same Ministry/Department. (*29)

(*29 Modified in terms of the approval of ACC conveyed to CS Division vide O.M. No.36/2/2004-E.O.(SM.I) dated 01.03.2005 the ACC approval conveyed vide ID No. 909/DIR(VV)/ACC/2007, dated 7.8.2007 in File No. 6/1/2007-EO (SM.I.)

13. PREMATURE REPATRIATION

(a) Orders for premature reversion to their respective cadres of officers serving under Central Staffing Scheme may be issued:-

(a)(i) By the Establishment Officer in cases where the officers want to avail the benefit of promotion in their cadres:

(b)(ii) By the Establishment Officer, with the approval of the Cabinet Secretary, in cases of compassionate/personal grounds where the officer has a balance tenure of six months or less left.

(iii) **By the Cabinet Secretary in case of an officer (not covered by any of the provisions mentioned in (i) & (ii) above) having balance tenure of more than six months, who wants to prematurely repatriate to his cadre on personal grounds and is agreeable to imposition of condition of extended cooling off, with the imposition of the condition of extended cooling off. (*30)**

(iv) **By the ACC in case of an officer who wants to prematurely repatriate to his cadre on personal grounds but not agreeable to imposition of condition of extended cooling off or his services are required by the State Government and his case is not covered by any of the provisions mentioned in (i), (ii) & (iii) above, with the imposition of the condition of extended cooling off. Including the cases where relaxation of imposition of extended cooling off is required to be dispensed with (*31)**

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- (v) In cases with the imposition of extended cooling off the concerned officer's name will be entertained for a future deputation to a post filled under the Central Staffing Scheme, only after the officer has completed the prescribed period of 'cooling off' in his cadre, after the expiry of the unfinished tenure of his deputation on the post held by him at the time of his premature repatriation. So, the 'cooling off' period will be reckoned not from the date of his actual repatriation but from the date he would have finished his normal deputation term. (*31)
- (vi) If, however, the officer is recalled by the State Government for appointment as Secretary to CM/Governor, he would not be subjected to the extended 'cooling off' period [and the case can be approved by the Cabinet Secretary(*32)] (*31)

(*30 Incorporated in terms of Directions in F. No. 6/17/2000-EO (MM.I) Dt. 7.12.2000)
(*31 Provisions as contained in O.M. No.5/2/94-EO (MM.II) dated 24.12.1999 have been incorporated).
(*32 Suggested Addition)

- (b) The powers being delegated to the Establishment Officer/Cabinet Secretary will not extend to officers who constitute the "hard core" in organisations like the IB.
- (c) Officers left with balance tenure of less than a year on return from posting abroad or Foreign Service shall be reverted by the Establishment Officer to their parent cadres.

15. Lateral Shift

- (a) No lateral shifts of officers from one Ministry to another will normally be considered. However, Lateral transfer while on Central deputation shall be considered in the following instances:

- (i) Where the posts are of such nature that repeated circulations do not yield sufficient nominations;
(ii) Where the institutions/organizations are such that the profile required for the job does not co-relate with the profile of the officer appointed;
(iii) Where the posts are located in such places that sufficient nominations are ordinarily not received. (*33)

(*33 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.08.2005 have been incorporated)

- (b) In the case of Private Secretary to Ministers, the following policies are to be followed:
- (i) An officer who has worked as Private Secretary/Officer on Special Duty/Additional Private Secretary to a Minister should not be redeployed on any post in or under the same Ministry/Department;(*34)

(*34 Modified in terms of directions of ACC conveyed vide DO letter No.31/20/2002 (MM.I) dated 21.11.2002)

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(ii) The Private Secretary (to Minister) who has been empanelled for holding the post of Private Secretary at the Centre should also not be considered for relocation in any other Ministry/Department and the officer should be posted to some other Ministry/Department.

(c) The cases of lateral transfer of officers on grounds of inefficiency, incompetence, unsatisfactory performance or incompatibility with the job requirements shall be considered only after the administrative Ministry/Department has obtained the officers' explanation for each alleged shortcoming. Such grounds of inefficiency, etc. shall not be held against the officers for imposing penalty, etc. or for recording in his ACR. These grounds shall be used only for the limited purpose of lateral transfer. In case it is felt that proceedings for penalty should be launched, such proceeding shall be taken up separately as per the existing rules and provisions. (*35)

(*35 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.08.2005 have been incorporated).

(d) An officer may be appointed to a post in a Ministry/Department different from one held previously after return from training, or abolition of post etc., only if there is no vacancy to accommodate such officer in the same Ministry/Department (*36)

(*36 Suggested Additions (Major): To curtail requests of Ministries in this regard)

(e) Though lateral shift of officers is not allowed between two Ministries, lateral shift of officers between two Departments of the same Ministry may be considered, if such a proposal is received, with the approval of the Minister-in-charge, along with proper justification. The orders of such lateral shift may be issued by the Establishment Officer after obtaining the approval of the Cabinet Secretary. (*37)

(*37 Suggested Addition)

16. INTERVALS BETWEEN POSTINGS ON DEPUTATIONS TO THE CENTRE (Cooling Off)

(a) There shall be a mandatory 'cooling off' requirement after every period of deputation under Rule 6 (1) and 6 (2) (ii). (*38)

(b) The length of such 'Cooling off' shall be as follows:

- | | | |
|---|-----------------|--|
| <u>(i) For Joint Secretary level and below</u> | <u>:</u> | <u>3 years(2 years in the case of All-India Service cadres pertaining exclusively to States of Assam-Meghalaya, Sikkim, Manipur-Tripura and Nagaland and J&K</u> |
| <u>(ii) For Additional Secretary level</u> | <u>:</u> | <u>1 year</u> |
| <u>(iii) For Secretary level</u> | <u>:</u> | <u>Nil</u> |

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(*38 Modified in terms of provisions contained in CDG dated 28.11.2007)

- (c) Since the requirement of 'cooling off' is to ensure that an officer does not stay away from his cadre for long stretches at a time, there shall be no objection if an officer on central deputation is permitted deputation under Rule 6(2)(ii) in continuation of Central Deputation [or vice-versa,(*40)] without cooling off, subject to overall absence of the officer from the cadre not exceeding 7 years.(*39)

(*39 Provision contained in DOPT OM 14017/33/2005-AIS II Pt.1 dated 14.3.08)

(*40 Modified in terms of ACC approval 31/20/2008- EO(SM-1) dated nil)

- (d) The cooling off period in case of a woman officer whose husband is posted under the Government of India may be waived upto six months so that she may get a posting at the station where her husband is posted. (*41)

(*41 Added in terms of Order communicated by letter No. 31/7/2006-EO(SM I) Dt. 25.4.2007)

- (e) The deputation to following posts, within the State Government on whose cadre the officer is borne, will be counted towards 'Cooling off':

- i) A Municipal Corporation or a Local Body of the State.
- ii) State Government PSUs
- iii) Training/Research/Educational Institutions wholly or substantially funded or controlled by the State Government
- iv) Autonomous Institutions wholly or substantially funded or controlled by the State Government
- v) A registered Trust or Society or Association or Body of Individuals wholly or substantially funded or controlled by the State government.

Services in any of the posts in (iv) and (v) above shall be counted towards 'cooling off' only if the posts are located within the State. (*42)

(*42 Modified in terms of provision contained in Consolidated Deputation Guidelines dated 28.11.2007)

- (f) The cooling off period would commence on the date on which the officer reports to his cadre on reversion from Central deputation including extended deputation arising out of proceeding on study leave, EOL, etc. while being on Central deputation without reverting to the cadre. (*43)

(*43 Provisions in terms of approval of ACC in file No.27/36/94-EO (SM.I))

16. COMPULSORY WAITING:

- (a) Where an officer is to be appointed to a post different from the one held previously on account of return from training, or abolition of post etc. he/she shall continue to be borne on the establishments of the organization in which he/she previously held the post and his/her pay and allowances shall be met by that organization, till such time he/she assumes charge of a new post. The services of such an officer during the period of his/her compulsory wait can be utilized by the Establishment Officer or by the organization concerned with the approval of the Establishment Officer, for any specific assignment.

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(b) Officers on 'compulsory wait' having a balance tenure of less than one year shall be repatriated to their parent cadres with the approval of the Cabinet Secretary and the MOS(PP) unless their services are found required for some specific job/assignment. (*44)

[*44 Provisions as contained in DOP&T's Circular No. 3/4/2004-EO(MM.I) dated 17.08.2004 have been incorporated.]

(c) Names of officers on 'compulsory wait' for posting shall be circulated by the Establishment Officer for placement in panels as provided under the Central Staffing Scheme. If they are not selected for a post within three months of 'compulsory wait' despite repeated circulation for various posts, their posting will be made on a mandatory basis. (*45)

[*45 Guidelines as contained in DOP&T's Circular No. 3/4/2004-EO (MM.I) dated 17.08.2004 have been incorporated.]

18. DEBARMENT

(a) An officer will ordinarily be debarred for further Central deputation for a 5 year period, if he fails to take up an assignment in pursuance of an order of the Appointments Committee of the Cabinet (ACC) and the cadre authority/State Govt. have not requested for withdrawal of the name from offer list before his name was approved by the CSB for a placement. Such an officer will also be debarred for being deputed on foreign assignment/consultancies abroad during the period of debarment. However, such debarment from Central deputation would not be a ground for refusal of cadre clearance for participation in any kind of training programmes, abroad. (*46)

(*46 Provisions in terms of OM No.14/1/98-FA (UN) dated 28.02.1998 & No.11-201-1/S dated 08.05.2003 have been incorporated)

(b) The State Govts. /Cadre authorities may withdraw an officer from the offer list without rendering him liable to debarment, provided he has not been approved by the CSB for a placement; if the request of withdrawal is received after CSB approves an officer for appointment, then he would be liable to be debarred.

(c) A representation against debarment will be considered and decided by the Minister of State and Union Cabinet Minister for Personnel after taking into consideration the views of CSB.

(d) After issuance of ACC/DoPT orders regarding appointment of an officer under the Central Staffing Scheme, a time of three weeks from the date of receipt of the orders shall be given to the officer to join his new post. If no response is received after three weeks or the officer fails to join, the process of debarment shall be initiated after a notice to that effect is issued to the officer concerned. (*47)

(*47 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.08.2004 have been incorporated).

19. PROCEDURE FOR FILLING VACANCIES: JOINT SECRETARY/DIRECTOR/DEPUTY SECRETARY & EQUIVALENT:

(a) NOTIFICATION OF VACANCIES

All Departments/Ministries shall be requested to make available the details of the vacancies at the levels of Deputy Secretary/Director/Joint Secretary along with detailed job description, experience, specific qualifications, etc. required for filling up each vacant post. The Department of Personnel & Training shall put on its Website the details of the vacancies at the levels of

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DS/Director/Joint Secretary occurring during the course of the year. (*48) It will be open to Ministries and departments to indicate at the same time the names of any particular officer or officers whose claims and suitability they wish the respective boards or the ACC to consider. (*49)

*(*48 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.05.2004 have been incorporated)*

*(*49 Suggested Deletion)*

(b) RETENTION OF OFFICERS

- (i) DOPT shall issue bi-annual circulars to all the State Governments/Cadre Controlling Authorities for forwarding the names of officers for posting under the Central Staffing Scheme in 2 tranches 1st January and 1st July. The last date will be fixed as 31st Jan and 31st July. (*50)

*(*50 Provisions as contained in O.M. 32/2010 dated 18.2.2010 have been incorporated)*

- (ii) Any names received after this date may not be considered by EO for inclusion in offer list. The EO after taking into account the demands/job requirements of the various Departments/ministries, the ACR gradings, vigilance status etc. shall take a decision about the retention of the names in the Offer List. (*51)

*(*51 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.05.2004 have been incorporated)*

- (iii) For posts at the level of Joint Secretary, the field of choice will be restricted to officers who are already screened and found suitable to hold posts at this level in accordance with the prescribed procedure

(c) ER SHEETS

- (i) DOPT shall place on its Website the Offer list containing the names of officers retained for posting under the Central Staffing Scheme. (*52)

- (ii) Department of Personnel & Training shall also place on its Website the Executive Record (ER) Sheets of all officers, retained on offer, containing the details of their qualifications, trainings, postings, etc. These ER sheets shall be used in the computerized programme for preparation of panels. (*52)

*(*52 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.05.2004 have been incorporated)*

(d) PREPARATION OF PANELS

The procedure for preparation of panels of suitable names for forwarding to the concerned Ministries/Departments for filling the vacancies of Joint Secretary/Director and Deputy Secretary, would be as follows:-

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(i) The Establishment Officer, acting on behalf of the Board shall offer a panel of three names for each vacancy keeping in view the educational qualifications, service, experience and special training required for effective performance of the job and suggestions of the Ministry/Department as to the field of consideration of persons for the job (*53)

(*53 Suggested Deletion)

ii) The following broad parameters shall be considered by the Establishment Officer while making panels with the help of computer software:-

- a) Officer should be on Offer List for Central Deputation;
- b) Relevant domain experience;
- c) Educational qualifications and training of the officers;
- d) Whether the officer's spouse is already at the Centre and the officer contemplates to come on Central deputation;
- e) CDR utilisation (utilisation of Deputation Reserve)
- f) Mix of cadres;
- g) Due weightage to seniority in the Service;
- h) Quality of CRs/PARs. (*54)

(*54 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.08.2005 have been incorporated)

(iii) The computer programme devised for drawing panels for the consideration of the CSB shall, in addition to the above parameters, also factor in the following parameters:-

For Joint Secretary Level:

- a) Preference to be given to states which have low CDR utilisation;
- b) Preference to be given to officers who have been on Offer List for more than two years and are yet to be given a posting;
- c) Mix of different State cadres in the panel

For Deputy Secretary/Director level

- a) Inclusion of at least one IAS officer in the panel as far as possible
- b) Preferences to be given to officers who are on the Offer List for more than two years
- c) Special requirement of the job

If an officer lacks sufficient experience in a particular domain that may be required for the post the relevant qualification of an officer shall be taken into account. (*55)

(*55 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.08.2005 have been incorporated)

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(iv) In cases where a sufficient number of officers possessing the qualifications and experience necessary for the particular post is not actually available, the Establishment Officer may reduce the number of officers so included in the offer list to two or even one.

(v) The Board taking into consideration the offer list will finalise the panel in order of preference for each vacancy of Joint Secretary/Director/Deputy Secretary having regard to the job description, suitability of the candidates, cadre profile, fair representation for women, representation of various organized services, equitable opportunities to officers on the offer list and other relevant factors. Where a sufficient number of officers possessing the qualifications and experience necessary for a particular post is not actually available, the Board may reduce the number of officers so included in the panel to two or even one.

(e) SELECTION OF OFFICERS:

(i) The Panel finalised by the CSB shall be forwarded for submission to the Minister-in-charge for his selection. This should normally be completed within 7 days of the receipt of the panel or, if the Minister is on tour, then within 7 days of his return from tour.

(ii) If a selection is not completed within seven days of the receipt of the panel or on return from tour by the Minister, the Cabinet Secretary may be free to either:

- a) Directly forward all three names on the panel to the ACC with full particulars of the officers, in the case of Joint Secretaries: or
- b) Arrange to issue appointment orders for the first name in the panel in the case of Directors/Deputy Secretaries. (*56)

(*56 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.08.2005 have been incorporated)

(iii) In considering the names suggested, every effort should be made by the Ministers to confine the final selection for the vacancy from among the names on the panel.

(IV) If any particular case, the names on the panel, are not acceptable, the Ministry concerned will inform the Establishment Officer of the detailed reasons as to why each officer suggested is not considered suitable.

(v) The Establishment Officer, may then suggest another panel of names to the Ministry/Department for its consideration and approval of the Civil Services Board. However, the Ministry concerned will have only one opportunity for another panel and the Ministry has to choose from the same. If no decision is arrived at by the Ministry within 15 days a proposal for mandatory posting of the officer will be initiated by the Establishment Officer. (*57)

(*57 Provisions as contained in O.M. 31/23/2008-EO (MMI) dated 25Feb 2010 have been incorporated)

(f) APPROVAL OF THE COMPETENT AUTHORITY FOR THE APPOINTMENT OF SELECTED OFFICERS

- (i) Approval of the ACC shall be sought for the selection of officers of the level of JS while in respect of appointments to the levels of Deputy Secretary/Director, it shall not be necessary to place the matter before the ACC even if the

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Department/Ministry selects an officer other than the officer at Sl.No. 1 in the CSB panel. (*58)

(*58 Provisions as contained in O.M. No.3/4/2004-EO (MM.I) dated 17.08.2005 have been incorporated)

(ii) The Establishment Officer will present all relevant material together with his own recommendations, if any, for the consideration of the respective Boards and/or the Appointments Committee of the Cabinet, as the case may be.

(iii) In all cases which do not require the orders of the Appointments Committee of the Cabinet, final selection shall be made by the Minister concerned on the basis of the recommendations of the respective Boards. All other cases shall be submitted by the Establishment Officer for the final orders of the Appointments Committee of the Cabinet

SPECIAL/MISCELLANEOUS PROVISIONS

20. Special provisions for PREFERENTIAL PLACEMENT OF OFFICERS WORKING AT THE LEVEL OF DIRECTOR AT JOINT SECRETARY LEVEL AFTER THEIR EMPANELMENT/ IN SITU PLACEMENT:

- (a) If there is a vacancy or likely vacancy in the near future, of Joint Secretary in a Ministry/Department in which the empanelled officer is working as Director, that Ministry/Department be advised to send a proposal for his appointment as Joint Secretary, if considered acceptable; (*59)
- (b) If there is no vacancy or immediate vacancy of Joint Secretary in a Ministry/Department in which an empanelled officer is working as Director, the names of such officers will be offered in panels to Ministries/Departments where vacancies of Joint Secretary might be existing or arising, for selection for appointment as Joint Secretary for the balance period of his tenure; (*59)
- (c) Empanelled officers having very short tenure left would not be considered for placement in Ministries/Departments other than the Ministry/Department in which they are working as Director and are found suitable for appointment to a vacant post of Joint Secretary; (*59)

[*59 Provisions conveyed by ACC approval 36/27/2004-EO (SM1) dated 25.10.2004 have been incorporated]

- (d) If an officer of Central Secretariat Service is empanelled to hold the post of Joint Secretary and there is a vacancy in the Ministry/Department in which he/she is serving, he/she could be considered for appointment irrespective of the seniority in the list and the placement of the remaining officers of the empanelled list may go in accordance with the seniority.[*60]

[*60 Provisions conveyed in terms of ACC approval vide ID No. 909/DIR(VV)A.30.2007 dated 7.8.2007 in File No. 6/1/2007-EO (SM.I) have been incorporated]