No.22011/3/80-Ett(D)
Government of India
Ministry of Home Affairs
Department of Personnel & Administrative Reforms

New Delhi, the 26th March, 1980.

Office Memorandum

Subject : Fixation of seniority - Consultation with the U.P.S.C.

As the Ministries/Departments of the Government of India are aware, the general principles for determination of seniority in Central Services and posts are laid down in the MHA, O.M.No. 9/11/55-RPS, dated 22-12-59. It has been laid down in para 1(i) of the Annexure to the O.M. referred to above that whenever it is considered necessary to follow principles different from those laid down in the O.M., a specific reference should be made to MHA (now Department of Personnel & A.R.) who will consult the U.P.S.C. It is also laid down that in regard to individual cases, the Ministry will decide the case on which the advice of the Commission should be obtained.

2. In certain Recruitment/Service Rules, keeping in view the requirement of the Service needs provision has been made that seniority of officers in exceptional cases will be determined by the Govt. in consultation with the Commission. It has come to the notice of this Deptt. that in pursuance of such provisions, the administrative Ministries are referring cases relating to seniority direct to the Commission and in certain cases final orders are also issued without consulting the Deptt. of Personnel & A.R. As the Deptt. of Personnel & A.R. have issued the general principles of seniority and are responsible for maintaining uniformity and coordination in these matters, the Ministries are requested that they should invariably refer to the first instance cases relating to seniority to this Deptt., who will consider and advise whether and if so in which cases the Commission should be consulted.

3. There are, however, cases where seniority of direct recruits appointed to different disciplines in the same grade/posts on the results of selections/examinations conducted by the Commission, references to the Commission for indicating such an order of merit may, however, be made to the Commission direct.

4. Ministry of Finance etc. are requested to bring the above to the notice of all concerned working under them for their information and necessary action.

Sd/-
(J.K. SARMA)
Director