Subject: Guiding principles for the working of the 'Next Below Rule' - modification - reg.

In accordance with the instructions governing the 'Next Below Rule' envisaged in the second proviso to F.R. 30(I), this benefit can be accorded to an officer working outside his regular line, subject to fulfilment of several conditions. One of the basic principles underlined in this regard is that all the seniors and at least one junior officer should have been regularly promoted in the cadre besides satisfaction of the 'one for one' condition. It has now come to notice that cases may arise where all the seniors of the officer outside the line are promoted and there is no junior officer eligible for promotion within the cadre despite clear regular vacancies available for making promotions. In such cases, the benefit of 'Next Below Rule' is not admissible as per the relevant instructions and this causes undue financial hardship to the concerned Government servants.

2. The matter has been carefully considered in consultation with the Ministry of Finance. It has now been decided that to obviate the hardship caused in such type of cases, benefits envisaged under 'Next Below Rule' may henceforth be allowed to the officers working outside their regular line in dispensation of the requirements of 'one for one' and 'promotion of at least one junior', subject to the fulfilment of the following further conditions:

(a) that a post within the cadre remains unfilled for want of an approved person junior to the officer; and

(b) The vacancy caused in the cadre is not filled up by making promotion on ad-hoc basis till the release of the next panel when some juniors become eligible for promotion.

3. In so far as the incumbents appointed in the Indian Audit and Accounts Department are concerned, these orders issue with the concurrence of the Controller and Auditor General.

4. Hindi version is enclosed.

[Signature]  (S. HARIHARAN)

UNDER SECRETARY TO THE GOVT. OF INDIA

Copy to all Ministries/Departments etc.