

No. AB-14017/12/88-Estt. (RR)  
Government of India  
Ministry of Personnel Public Grievances and Pensions  
Department of Personnel & Training

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New Delhi, the 25<sup>th</sup> March, 96

**OFFICE MEMORANDUM**

Subject: Revision of guidelines for framing/amendment/relaxation of recruitment rules – consideration of seniors in cases where juniors are considered.

The undersigned is directed to refer to para 3.1.2 of part.III in this Department's O.M. No.AB-14017/12/87-Estt. (RR) dated 18<sup>th</sup> March, 1988 wherein it was suggested that a suitable "Note" may be inserted in the Recruitment Rules to the effect that seniors who have completed the probation period may also be considered for promotion when their juniors who have completed the requisite service are being considered.

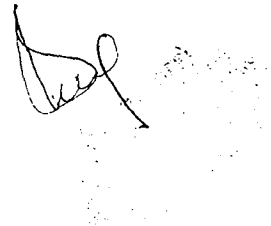
2. In the light of the Supreme Court judgement in R. Prabha Devi and others versus Government of India and others in Civil Appeals Nos. 2040-42 of 1987 decided on March 8, 1988 on the judgement and order dated Feb. 11, 1986 of the Central Administrative Tribunal, New Delhi and in continuation of O.M. of even No. dated 23.10.1989 Government have decided to amend para 3.1.2 of Part.III in this Department's O.M. No.AB-14017/12/87-Estt. (RR) dated 18<sup>th</sup> March, 1988. Accordingly, the last sentence of para 3.1.2 will stand amended to read as under:-

"To avoid such a situation the following note may be inserted below the relevant service rules/column in the schedule to the Recruitment Rules.

Where juniors who have completed their qualifying/eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than half of such qualifying/eligibility service or two years, whichever is less, and have successfully completed their probation period for promotion to the next higher grade alongwith their juniors who have already completed such qualifying/eligibility service."

Supplied under  
RTI Act.

Contd.2/-



3. Consequently para 2.1.2. of this Department O.M. No.AB-14017/12/87-Estt. (RR) dated the 18<sup>th</sup> March, 1988 will also be amended with the addition of the following sentence after 3<sup>rd</sup> sentence of para 2.1.2 ibid.

“The administrative Ministries/Departments are also empowered to amend all the service rules/recruitment rules to incorporate the “Note” as amended above.”

*Suppliment  
RTP under  
Act.*

Sd/-  
(T. O. Thomas)

Under Secretary to the Government of India

To

All Ministries/Departments of Govt. of India

Copy to:-

1. Comptroller and Auditor General of India  
10, Bahadur Shah Zafar Marg, New Delhi.
2. Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi – w.r.t. their No.F/1/1/93-S.II dated 27<sup>th</sup> November, 1995. The above decision has been taken with the approval of the competent authority.

Sd/-  
(T. O. Thomas)

Under Secretary to the Government of India