

**Department of Personnel and Administrative Reforms O.M. No.22011/4/77-Estt.(D),
dated the 30th July, 1977, to all Ministries/Departments, etc.**

Subject :—Procedure to be followed in cases where the findings of the Departmental Promotion Committee are kept in sealed cover.

Attention of the Ministries/Departments is drawn to the instruction contained in the Ministry of Home Affairs office memorandum No. 39/3/59-Estt. (A) dated 31st August, 1960 which provides that in cases of Persons where the findings of the Departmental Promotion Committee are kept in sealed cover because they are under suspension or vigilance enquiries are pending against them a vacancy should be kept reserved for them and it should be filled only on an officiating basis till the finalization of the departmental proceedings. If the officer is completely exonerated and the charges levelled against him are proved to be wholly unjustified then he should be promoted thereafter to the vacancy which had been filled on an officiating basis and which was reserved for him.

2. It has been the experience of this Department that in many cases the candidates belonging to the Scheduled Castes and Scheduled Tribes occupy the lowest position in the panels prepared by the DPC. Where the findings of the DPC about an officer are kept in sealed cover due to disciplinary proceedings. If the officer is completely exonerated he is straightaway promoted after reverting the junior-most officer officiating in the grade. In such cases it is the SC/ST officers who are generally reverted since they occupy the lowest positions in the panel. This affects the representation of the SC/ST officers in the panel. Had the officer been not under a cloud he would have been included in the panel and the SC/ST officer would have also found a place in the panel because of the availability of reservation in promotion. Thus the present instruction have the effect of adversely affecting the interests of SC/ST officers and upset the reservation of SC/ST community in the panel.

3. This matter has been carefully examined and it has been decided that where such reversion becomes necessary the reversions should be made in such a manner that the total number of reservation for SC/ST in the select list is not reduced.

4. Ministry of Finance etc. are requested to take note of the above decision and also bring it to the notice of the officers working under them for guidance and necessary action.