

No.11030/5/2015-AIS-II
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel & Training
AIS-II

New Delhi dated the 13th August, 2015

To

- 1.The Chief Secretaries of All States/UTs (By name)
- 2.The Ministry of Home Affairs, North Block, New Delhi

Subject: Concurrence of vacancies at various grades of IAS under Rule 3(2)(ii) of IAS (Pay) Rules, 2007-reg.

Sir,

It has come to the notice of this department that State Governments do not obtain prior concurrence of Government of India to the availability of vacancies arising in their respective cadres for considering appointment/promotion both at Cadre level and Ex-Cadre level.

2. In this regard, it is stated that as per Rule 3(2)(ii) of IAS (Pay) Rules, 2007, State cadre/Joint Cadre are required to forward proposals for concurrence of the Central Government for availability of vacancies at least three months before the promotions are proposed along with all the details of vacancies in cadre and ex-cadre posts at different levels in the Cadre. Rule 3(2)(ii) and (iii) provide as under:

“(ii) Appointment of a member of the Service in the scales of Selection Grade and above shall be subject to availability of vacancies in these grades and for this purpose, it shall be mandatory upon the State Cadres or the Joint Cadre Authorities, as the case may be, to seek prior concurrence of the Central Government on the number of available vacancies in each grade.

(iii) The Central Government shall accord such concurrence within a period of thirty days from the date of receipt of such references and if the Central Government does not accord concurrence within a period of said thirty days, the concurrence on availability of vacancies shall be deemed to have been accorded. The position emanating as referred to this clause shall be placed before the Screening Committee at the time it meets to consider promotion in these grades.”

3. Therefore, in order to enforce the provision of Rule 3(2)(ii) of IAS (Pay) Rules, 2007, it is proposed that **all the State/Joint Cadre Authorities may clearly indicate in the last para of the appointment order the details of the communication from this Department conveying concurrence of the Central Government to the availability of vacancies at the level of the Selection Grade and above against which such appointments have been made. In case it has been treated as 'deemed concurrence' by the State Government under Rule 3(2)(iii), the reference no. and date of receipt in this Department of the proposal from the State Government for concurrence of vacancies and reminder, if any, should be reflected in the appointment/promotion order. It is clarified that if a query has been asked by this Department or further information has been sought, the date of receipt in this Department of the final and complete information sent by the State Government should be mentioned in the order.**

3. It is, therefore, requested that all the State Governments may ensure strict adherence to the provisions contained in Rule 3(2) (ii) and (iii) of the IAS (Pay) Rules, 2007. It is noted with

appreciation that Assam, Andhra Pradesh, AGMUT, Bihar, Meghalaya, Manipur, Telengana, Uttarakhand and West Bengal have been adhering to the provisions of Rule 3(2)(ii) and (iii) of IAS (Pay) Rules, 2007 and sending their proposals for obtaining prior concurrence of this department to the availability of vacancies arising in their respective cadres.

Yours faithfully,



(Rajesh Kumar Yadav)

Under Secretary to the Government of India

