

FAST IMMEDIATE

No 20011/1/2005-AIS-II
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Personnel & Training

New Delhi, dated 23rd January, 2008

To

The Chief Secretaries of
all the State Governments.
(As per list attached)

Subject:- Proposals for confirmation of vacancies in the Selection Grade of IAS
and above grades in terms of Rule 3(2)(ii) & (iii) of the IAS (Pay) Rules
2007.

Sir,

I am directed to refer to this Department's letter of even number dated 14th May 2007 on the subject noted above and to say that in terms of para 3 thereof it was, inter-alia, clarified that while sending proposals for confirmation of vacancies, the vacancies resulting from overutilisation of sanctioned State Deputation Reserve not approved by the Central Government, should not be taken into account. However, subsequently, by our letter of even number dated 14.12.2007, it was clarified that while sending proposals for confirmation of vacancies in the Selection Grade and above grades, the number of underutilized posts in the Central Deputation Reserve of the respective state cadres, may be reckoned against the overutilised number of posts in the State Deputation Reserve of the state and similarly the number of overutilised posts in the Central Deputation Reserve of the respective state cadres may be deducted from the sanctioned strength of the SDR and the vacancies may be calculated accordingly.

2. The matter has been reexamined and it may be clarified that the clarification sent in this Department's letter dated 14.12.2007 *ibid* goes against the explicit provisions of rule 8(2) & (3) of the IAS (Cadre) Rules, 1954 which provide as under:-

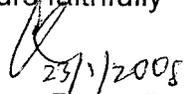
8(2) A Cadre officer shall not hold an ex-cadre post in excess of the number specified for the concerned State under item 3 of the Schedule to the IAS (Fixation of Cadre Strength) Regulations, 1955.

(3) The State Government may, with the prior approval of the Central Government, appoint a cadre officer to hold ex-cadre post in excess of the number specified for the concerned State in item 3 of the Schedule to the IAS (Fixation of Cadre Strength) Regulations, 1955 and , for so long as the approval

2 -
of the Central Government remains in force, the said ex-cadre post shall be deemed to be an addition to the number specified in item 3 of the said Schedule.

3. It is therefore requested that this Department's subsequent letter of even number dated 14.12.2007 may be treated as withdrawn and the proposals for confirmation of vacancies may be sent accordingly.

Yours faithfully


23/1/2008
(Chaitanya Prasad)
Director