

**MOST IMMEDIATE**  
**CONFIDENTIAL**

F.1/39(5)/2015-AP-2  
UNION PUBLIC SERVICE COMMISSION  
DHOLPUR HOUSE; SHAHJAHAN ROAD  
NEW DELHI

Dated 22<sup>nd</sup> March, 2016

To

The Director General,  
Employees State Insurance Corporation,  
Panchdeep Bhawan,  
Kotla Road, New Delhi.

(Attention : Shri Manish Gupta, Deputy Director, DPC Cell)

Sub: DPC – Promotion to the post of Regional Director Gr. 'B'/Joint Director in the Employees State Insurance Corporation.

Sir,

I am directed to refer to your letter No.A-33/13/2/2015-E.1 dated 21.03.2016 on the subject noted above and to forward herewith two copies of the minutes of the above mentioned DPC held in this office on 22<sup>nd</sup> March, 2016 duly signed by the Chairman and Members of the DPC.

2. The Commission have also approved the recommendations of the DPC as contained in the minutes of the DPC.
3. Attention of Ministry/Department is also invited to the instructions contained in para 6.4.4 of the DOP&T O.M. No.22011/5/86-Estt. (D) dated 10<sup>th</sup> April, 1989, which provide that promotions will have only prospective effect even in cases where the vacancies relate to earlier year(s). Para 17.11 of the said O.M. further provides the date from which the promotion should take effect. These instructions may be kept in view by the Ministry/Department while implementing the recommendations of the DPC, unless otherwise prescribed in the statutory RRs or directed by the Court of Law or in case of Review DPC.
4. A copy of the notification implementing the recommendations of the DPC may be forwarded to this office as and when issued.
5. The CR dossiers in respect of all officers received with the proposal are returned herewith. Their receipt may please be acknowledged.

Yours faithfully,



(G. M. Upadhaya)  
Under Secretary/Consultant  
Tel : 23070377

Enclosures : As above.

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**UNION PUBLIC SERVICE COMMISSION'S FILE No. F.1/39(5)/2015-AP-2**  
**Employees' State Insurance Corporation Ref. No. A-33/13/2/2015-E.1**

Minutes of the meeting of the Departmental Promotion Committee held on 22<sup>nd</sup> March, 2015 at 10.30 A.M. in the office of the Union Public Service Commission, Shahjahan Road, New Delhi-110069.

**PRESENT:**

1. Shri Arvind Saxena, Chairman  
Member, UPSC
2. Shri D. Lahiri, Member  
Insurance Commissioner (Recruitment),  
Employees' State Insurance Corporation.
3. Insurance Commissioner (P&A), Member  
Employees' State Insurance Corporation. (Post vacant)

ITEM : DPC – Promotion to the post of Regional Director Grade 'B'/Joint Director {Group 'A'; Scale of pay: PB-3-Rs. 15,600 -39,100/- (Grade Pay- Rs.7600/-)} in the Employees' State Insurance Corporation.

The Departmental Promotion Committee considered the selection of officers for promotion to the post of Regional Director Grade 'B' / Joint Director in the Employees' State Insurance Corporation.

2. The vacancy position as reported by the Employees' State Insurance Corporation to the DPC is as under:

Year	Gen	S.C.	S.T.	Total	
2011-12	30	NA	NA	30	Old Recruitment Rules
2012-13	21	NA	NA	21	
2013-14	09	NA	NA	09	
2013-14	04	NA	NA	04	New Recruitment Rules

3. The Departmental Promotion Committee were informed that as per provision made in the pre-amended Recruitment Rules (Notified on 22.07.1995), officers holding the post of Deputy Director in the scale of pay of Rs.2200-4000 (pre-revised) (Rs.15600-39100 + Grade Pay Rs.5400/- - Revised) with five years' regular service are eligible for consideration for promotion. The above Rules were amended on 23.10.2013, according to which Deputy Director with ten years regular service in Pay Band-3 with Grade Pay Rs.5400/- (including the regular service rendered as Deputy Director (Senior Time Scale) in Pay Band-3 in the scale of pay of Rs.15600-39100 with Grade Pay of Rs.6600), failing which combined regular service of twelve years in the grade of Deputy Director in Pay Band-3 in the scale of pay of Rs.15,600-39,100 with Grade Pay of Rs.5400/-

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Handwritten signature and date: 22/3

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(including the regular service rendered as Deputy Director (Senior Time Scale) in Pay Band-3 in the scale of pay of Rs.15600-39100 with Grade Pay of Rs.6600) and Assistant Director or Section Officer or Manager Grade I in Pay Band-2 in the scale of pay of Rs.9300-34800 with grade pay of Rs.4800/- out of which five years regular service should be in the grade of Deputy Director in Pay Band-3 in the Pay Scale of Rs.15600-39100 with Grade Pay of Rs.5400/- (including the regular service rendered in Pay Band-3 in the scale of pay of Rs.15600-39100 with Grade Pay of Rs.6600 as Deputy Director (Senior Time Scale)) are eligible for promotion.

3.1 In view of the above rule position, the Employees' State Insurance Corporation has decided to fill up the vacancies which occurred prior to 23.10.2013 (the date on which Recruitment Rules were amended) may be filled up in accordance to eligibility conditions laid down in the pre-amended rules. Amended rules may be applied in respect of those vacancies which become available on or after 23.10.2013. The Employees' State Insurance Corporation has earmarked yearwise vacancies as per above rule position. Further, the Employees' State Insurance Corporation vide amendment Notification dated 03.11.2011 under "Employees' State Insurance Corporation (Staff and Conditions of Service) Regulations, 1959", has revised the pay of Joint Director to PB-3 Rs.15600-39100 (Grade Pay Rs.7600/-). In view of this the suitability of officers to be considered for all the reported vacancies from 2011-12 onwards is to be decided on the basis of benchmark 'Very Good'. This has also been approved by the Commission.

4. The Committee were also informed of the following provisions contained in the DPC guidelines, circulated by the Department of Personnel and Training, vide their O.M. No. 22011/5/86-Estt.(D) dated 10.04.1989:-

- (i) "6.1.2. – The DPC enjoy full discretion to devise their own methods and procedures for objective assessment of the suitability of candidates who are to be considered by them".
- (ii) "6.1.3. – While merit has to be recognized and rewarded, advancement in an officer's career should not be regarded as a matter of course, but should be earned by dint of hard work, good conduct and result oriented performance as reflected in the ACRs and based on strict and rigorous selection process".
- (iii) "6.2.1 (b) – The DPC should assess the suitability of the officers for promotion on the basis of their service record and with particular reference to the CRs for preceding five years, which became available during the year immediately preceding the vacancy/panel year."

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- (iv) "6.2.1(e) – The DPC should not be guided merely by the overall grading, if, any, that may be recorded in the CRs but should make its own assessment on the basis of entries in the CRs, because it has been noticed that some times the overall grading in a CR may be inconsistent with the grading under various parameters or attributes".
- (v) "6.2.1(f) - If the Reviewing authority or the Accepting authority as the case may be has overruled the Reporting Officer or the Reviewing authority as the case may be, the remarks of the latter authority should be taken as the final remarks for the purposes of assessment provided it is apparent from the relevant entries that the higher authority has come to a different assessment conclusively after due application of mind. If the remarks of the Reporting Officer, Reviewing authority and Accepting authority are complementary to each other and one does not have the effect of overruling the other, then the remarks should be read together and the final assessment made by the DPC."

5. The Committee were further informed of the following subsequent additional guidelines issued in DOP&T:-

- (i) In cases where adverse remarks of reporting/reviewing/accepting authorities have been expunged or modified by the competent authority, the overall grading in the ACR has been decided by the DPC in terms of DOP&T O.M. dated 06.01.2010.
- (ii) The DOP&T vide O.M. No.21011/1/2010-Estt-A dated 13<sup>th</sup> April, 2010 have stipulated that if an employee is to be considered for promotion in a future DPC and his ACRs prior to the period 2008-09 which would be reckonable for assessment of his fitness in such future DPCs contain final grading which are below benchmark for his next promotion, before such ACRs are placed before the DPC, the concerned employee will be given a copy of the relevant ACR for his representation, if any, within 15 days of such communication.
- (iii) In terms of DOP&T O.M. No.22011/5/2013-Estt.(D) dated 09.05.2014, in the event of the DPC deciding not to take cognizance of an order of the competent authority on the representation of the Government Servant on the entries/grading in APARs on the ground that the same is not a speaking order, the DPC shall make its assessment based on the entries in APAR and other material including the representation of the Government Servant.

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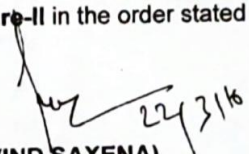
- (iv) While Assessing the suitability of the Officers on whom statutory penalty/penalties has/have been imposed, the DPC may take into account the guidelines of DOP&T issued vide O.M. No. 22011/4/2007-Estt.(D) dated 28.04.2014.

5. The Committee were apprised that taking into account the instructions/ guidelines, issued by DOP&T, as detailed above, the Commission in exercise of their constitutional functions as envisaged in Article 320 of the Constitution took a conscious decision that an officer attaining at least 4 benchmark gradings out of the 5 ACRs, as prescribed by the Government of India in Deptt. of Personnel and Training O.M. No. 22011/9/98-Estt(D) dated 08.09.1998, read with subsequent O.M. of even number dated 16.06.2000, should be assessed as "fit" for promotion and that this decision should be applicable to all DPCs pertaining to the vacancy year 2003-2004 and subsequent years.

6. Attention of the Committee was also invited to the instructions contained in DOP&T O.M. No. 35034/7/97-Estt(D) dated 08.02.2002, which inter-alla provides that "the DPC shall determine the merit of those being assessed for promotion with reference to the prescribed benchmark and accordingly grade the officers as "Fit" or "Unfit". Only those who are graded "fit" (i.e. who meet the prescribed benchmark) by the DPC shall be included and arranged in the select panel in order of their inter-se seniority in the feeder grade. Those officers who are graded "unfit" (in terms of the prescribed benchmark) by the DPC shall not be included in the select panel. Thus, there shall be no supersession in promotion among those who are graded "fit" (in terms of the prescribed benchmark) by the DPC".

7. The Departmental Promotion Committee, accordingly, examined the Character Rolls of the eligible officers and assessed them as indicated in **Annexure-I**.

8. On the basis of the assessment as given in Annexure-I, the Committee recommend that the panel for promotion to the post of Regional Director Grade 'B' / Joint Director in the Employees' State Insurance Corporation should consist of the officers mentioned in **Annexure-II** in the order stated therein.

  
(ARVIND SAXENA) 22/3/16

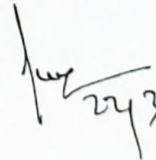
  
(D. LAHIRI) 22/3

**UNION PUBLIC SERVICE COMMISSION'S FILE No. F.1/39(5)/2015-AP-2**  
**Employees' State Insurance Corporation Ref. No. A-33/13/2/2015-E.1**

**Assessment for the year 2011-12 (No. of vacancies: 30 General)**

<b><u>Sl.No.</u></b>	<b><u>Name (S/Shri/Ms.)</u></b>	<b><u>Assessment</u></b>
1.	Rajesh Kumar Saxena	As in sealed cover
2.	M. Samiullah	Fit
3.	Amarjit Singh	Fit
4.	Mathews M.K.M.M.	Fit
5.	A. S. Pandey	Fit
6.	K. G. Suresh	Fit
7.	C. R. Paul	Fit
8.	V. Kasinathan	Fit
9.	S. K. Mahananda (SC)	Fit
10.	Sanjay Mukherjee	Unfit
11.	A. K. Pattnaik	Fit
12.	Amrish Kumar Sharma	Fit
13.	Sharad Kumar	Fit
14.	D. T. Undirewade (SC)	Fit
15.	A. C. Majumdar (SC)	Fit
16.	Loorthu Vedam	Fit
17.	G. Ramakrishnan	Unfit
18.	A. Sainul Abdeen	Fit
19.	G. C. Darji	Fit
20.	T. N. Dwivedi	As in sealed cover
21.	Ashok K. Rawat (ST)	Fit
22.	T. V. Jayasankaran	Fit
23.	Asha Mishra	Unfit
24.	D. P. S. Jakhar	Fit
25.	B. Chakraborty	Fit
26.	J. S. Dhanda (SC)	Fit

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<b><u>Sl.No.</u></b>	<b><u>Name (S/Shri/Ms.)</u></b>	<b><u>Assessment</u></b>
27.	Arun K. Kant	Unfit
28.	J. S. Ahirwal (SC)	Fit
29.	P. V. Shivprasad	Fit

**Assessment for the year 2012-13 (No. of vacancies: 21 General + 07 unfilled vacancies of previous year)**

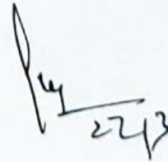
<b><u>Sl.No.</u></b>	<b><u>Name (S/Shri/Ms.)</u></b>	<b><u>Assessment</u></b>
1.	Rajesh Kumar Saxena	As in sealed cover
2.	Sanjay Mukherjee	Unfit
3.	G. Ramakrishnan	Unfit
4.	T. N. Dwivedi	As in sealed cover
5.	Asha Mishra	Unfit

**Assessment for the year 2013-14 (No. of vacancies: 09 General + 28 unfilled vacancies of previous year)**

**(As per old Recruitment Rules)**

<b><u>Sl.No.</u></b>	<b><u>Name (S/Shri/Ms.)</u></b>	<b><u>Assessment</u></b>
1.	Rajesh Kumar Saxena	As in sealed cover
2.	Sanjay Mukherjee	Unfit
3.	T. N. Dwivedi	As in sealed cover
4.	Asha Mishra	Fit
5.	N. M. Gadhavi (ST)	Fit – In terms of para 6.3.2(ii) of DoP&T O.M. dated 10.04.1989.
6.	Manju Swaminathan	Fit
7.	T. N. Nayak	Fit
8.	K. L. Gagneja	Fit
9.	C. O. Tayade (SC)	Fit

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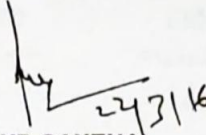


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**Annexure-I**

**UNION PUBLIC SERVICE COMMISSION'S FILE No. F.1/39(5)/2015-AP-2**  
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**Assessment for the year 2013-14 (No. of vacancies: 04 General as per new Recruitment Rules + 31 unfilled vacancies of same year as per old Recruitment Rules)**

<b><u>Sl.No.</u></b>	<b><u>Name (S/Shri/Ms.)</u></b>	<b><u>Assessment</u></b>
1.	Rajesh Kumar Saxena	As in sealed cover
2.	Sanjay Mukherjee	Unfit
3.	T. N. Dwivedi	As in sealed cover

  
(ARVIND SAXENA)

  
(D. LAHIRI)



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**Annexure-II**

**UNION PUBLIC SERVICE COMMISSION'S FILE No. F.1/39(5)/2015-AP-2**  
**Employees' State Insurance Corporation Ref. No. A-33/13/2/2015-E.1**

**Panel for the year 2011-12**

**Sl.No. Name (S/Shri/Ms.)**

1. M. Samiullah
2. Amarjit Singh
3. Mathews M.K.M.M.
4. A. S. Pandey
5. K. G. Suresh
6. C. R. Paul
7. V. Kasinathan
8. S. K. Mahananda (SC)
9. A. K. Pattnaik
10. Amrish Kumar Sharma
11. Sharad Kumar
12. D. T. Undirewade (SC)
13. A. C. Majumdar (SC)
14. Loothu Vedam
15. A. Sainul Abdeen
16. G. C. Darji
17. Ashok K. Rawat (ST)
18. T. V. Jayasankaran
19. D. P. S. Jakhar
20. B. Chakraborty
21. J. S. Dhanda (SC)
22. J. S. Ahirwal (SC)
23. P. V. Shivprasad

**Panel for the year 2012-13**

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**Annexure-II**

**UNION PUBLIC SERVICE COMMISSION'S FILE No. F.1/39(5)/2015-AP-2**  
**Employees' State Insurance Corporation Ref. No. A-33/13/2/2015-E.1**


**Panel for the year 2013-14**  
**(As per old Recruitment Rules)**

<b><u>Sl.No.</u></b>	<b><u>Name (S/Shri/Ms.)</u></b>
1.	Asha Mishra
2.	N. M. Gadhavi (ST)
3.	Manju Swaminathan
4.	T. N. Nayak
5.	K. L. Gagneja
6.	C. O. Tayade (SC)

**Panel for the year 2013-14**  
**(As per new Recruitment Rules)**

Nil

  
(ARVIND SAXENA) 22/3/16

  
(D. LAHIRI) 22/3/16