

8. Approved Candidates:-

- ¹(1) (i) All first appointments to a service and all promotions in a service otherwise than in accordance with Sub-Regulation (a) and (b) of Regulation 24 shall be made by the appointing authority or the authority specified in Sub-Regulation (c) as the case may be from a list of approved candidates. Such list shall be prepared in the prescribed manner by the appointing authority or any other authority empowered in the regulations in that behalf. Where the candidates in such list, are arranged in their order of preference, appointments to the service or promotions therein shall be made in such order.
- (ii) The list of approved candidates for appointment by promotion shall be prepared during June to August every year. For the purpose of preparing the said list, qualified and eligible candidates equal to ³the 20% excess of ²(twice) the number of estimated vacancies both existing and estimated to arise upto 31st August of the succeeding year shall be considered. Estimated vacancies means retirement vacancies, new posts already sanctioned and deputation expected to last over one year less incoming returning deputationists. ⁴A separate panel of candidates shall also be prepared taking into account the vacancies not exceeding 20% of the total estimate of vacancies, ignoring fraction of less than ½ or 0.5 and rounding of fraction of ½ or more i.e., 0.5 and above to the next nearest number as reserve to fill up the vacancies likely to last on account of exhausting the yearly panel due to V.R.S., death and new posts created up to the validity of the yearly panel i.e., up to 31st August.

The candidates to be considered in 20% excess panel should be fully qualified and eligible as on the date of drawl of panel.

¹ Reg. 8 (1) (i) (ii) (iii) (iv) are substituted old Reg. 8(i) (ii) (iii) (iv) respectively by deleting the letter (a) occurring before (1) (a) therein by B.P.Ms.No.972, dt.14-10-1988. Earlier substituted in B.P.Ms.No.168, dt.31-3-1971.

² The word "twice" is deleted by B.P.(P&G-Per) Ms.No.191, dt.12-7-1993.

³ Inserted the words "the 20% excess of" between the words "candidates equal to" and "the number of estimates vacancies" vide T.O.O. (Addl.Secy.-Per) Ms.No.201, dt.19-12-2007.

⁴ Added vide T.O.O. (Addl.Secy-Per) Ms.No.35, dt.17-05-2008.

Merit cum seniority and limited recruitment are to be taken separately for considering 100% vacancies and 20% excess vacancies.

¹Provided that if the number of candidates to be included in the list of approved candidates falls short of the number of vacancies estimated, such short fall shall be made good by considering the names of qualified and eligible candidates as per seniority.

²8(1)(ii)(A) Inclusion of a candidate's name in any panel of candidates for any Service, Class or Category shall not confer on him any right for appointment to such Service, Class or Category.

(iii) The list of approved candidates shall be valid for one year from the date of approval by the competent authority. The Board may for reasons to be recorded extend the validity of the list by a period not exceeding six months. It shall lapse thereafter and those not promoted by then shall have to be reconsidered for fresh list. ³Fresh lists of approved candidates shall be prepared when the names in the approved list of candidates get exhausted and there are vacant posts that need to be filled in during the panel year.

(iv) The Number of candidates approved for inclusion in any list shall not exceed the number of vacancies estimated in the manner set out in Regulations 8(i) (ii).

¹ Substituted by B.P.(P&G-Per) Ms.No.191, dt.12-7-1993.

² Added the clause 8 (1) (ii) (A) by T.O.O. (Addl.Secy.-Per) Ms.No.201, dt.19-12-2007.

³ Added by B.P. (P&G-Per) Ms.No.91, dt.28-5-1994.

¹Provided that where notional promotions are decided to be given with retrospective effect, the approved list prepared on review in accordance with Regulation 8(2) below by the inclusion of fresh names shall be restricted to the number of candidates whose names are included in the original approved list. In the process of such review, if it is decided to include the names of certain number of candidates in the approved list, the names of equal number of candidates included at the end of the original approved list shall be deleted, in case the original approved list is not exhausted by promoting all the candidates enlisted therein.

²Provided that such of those candidates recommended for inclusion are due to retire from service on attaining the age of superannuation during the validity of list of approved candidates, equal number of candidates as per seniority and found fit for promotion shall also be recommended for inclusion.

³(2) The following cases shall again be placed before the Departmental Promotion Committee for review for purpose of addition to, or deletion from the approved list at any time.

- (a) When qualified and eligible candidates were omitted to be considered; or
- (b) Un-qualified and ineligible candidates were considered by mistake;
- (c) Where the seniority of a candidate is revised with retrospective effect and is different from the seniority list placed before the earlier Departmental Promotion Committee; or

¹. Added by B.P.(P&G-Per)Ms.No.248, dt.11-8-93.

². Added by B.P.(P&G-Per)Ms.No.83, dt.27-7-95.

³. Reg. 8(2) substituted by B.P.Ms.No.752, dt.26-6-1989.

- (d) Where some procedural irregularity was committed by Departmental Promotion Committee; or
- (e) When adverse remarks in the Annual Appraisal Reports/Confidential Reports were subsequently toned down or expunged after the Departmental Promotion Committee had considered the case of the candidate; or
- (f) Candidates considered for inclusion in the list but whose cases were deferred because of their being under suspension or facing enquiry in disciplinary proceedings or before criminal court or whose conduct was under investigation at the time of preparation of the list but who have subsequently been exonerated and restored to rightful place with retrospective effect.

NOTE: The review Departmental Promotion Committee shall consider only those candidates who were qualified and eligible as on the date of original Departmental Promotion Committee meeting. It shall restrict the scrutiny to the Annual Appraisal Reports/Confidential Reports for the period relevant to the original Departmental Promotion Committee. The Annual Appraisal Reports/Confidential Reports written for subsequent period shall not be considered. However, if any adverse remarks relating to the relevant period were toned down or expunged, the modified Annual Appraisal Reports/Confidential Reports shall be considered as if the original adverse remarks did not exist at all.