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Government of Orissa  
General Administration Department.

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OFFICE MEMORANDUM

7/165

Bhubaneswar, dated the 25/6 1983.

Sub:- Change in procedure regarding constitution of Departmental Promotion Committees/Selection Board.

No. 7165 /AIS-I Instructions were issued in Office Memorandum No. 14020-Gen. dated 23.5.1979 of erstwhile P & S Department for associating the Chairman/Member, P.S.C. with the Departmental Promotion Committees/Selection Board with the following objectives :-

- (i) To cut down the delays which were being caused as a result of references and counter references made between the Departments of Government and PSC to finalise the select list from which promotions were to be made.
- (ii) To obviate the difficulties that arose as a result of time gap between giving adhoc promotion by the Departments on the recommendation of DPC/Selection Board and the receipt of the select list with the concurrence of PSC and also in some cases on account of the PSC not agreeing to include in the select list for promotion, officers who had been given adhoc promotions on the recommendation of the DPC/Selection Board.

In accordance with aforesaid office memorandum the Chairman, PSC or a Member PSC functions as the Chairman of the DPC/Selection Board at present.

2. Experience has shown that the association of the PSC with the DPC/Selection Board has not helped in the matter of expediting the Commission's concurrence to the recommendation of DPC/Selection Board. This aspect was reviewed in the Secretaries meeting held on 13.10.82 and it was found that the revised procedure adopted in 1979 has not produced the desired results.
3. The question as to whether a convention can be evolved that in no case the recommendation of DPC/Selection Board would be modified and changed by the PSC in view of the fact that PSC is associated with

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the DPC/Selection Board, has been examined. It is found that it is not possible to establish such a practice since formal consultation with the Commission is obligatory in the case of promotions to Class-II and Class posts and the approval of the Commission to the recommendations of the Selection Board cannot be taken for granted on the ground that a Member of the Commission was associated with it.

4. Consultation with the Commission is constitutional obligation in specified cases and this can be ensured only at the last stage when the recommendations of the DPC/selection Board are seen by the entire Commission and their views furnished on the same. Associating the Chairman or a Member of the Commission with the DPC/selection Board cannot substitute for such mandatory consultation. It has also not resulted in reducing the time for obtaining the formal recommendations of the PSC.

5. In the above circumstances in supersession of this Department Office Memorandum No.14020-Gen., dated 23.5.79 Government have been pleased to decide to revert to the earlier practice of holding the meetings of the DPC/Selection Board independently without associating the PSC with them and forwarding the recommendation of the DPC/Selection Board to the PSC for formal concurrence. While adopting the revised procedure the Depts. should, however, ensure that the recommendation of the Selection Board/DPC with all relevant records are forwarded to the PSC immediately after the meetings.

6. The Departments of Government are requested to take immediate steps to set up Selection Board/D.P.C. disassociating Chairman/Member, P.S. where statutory Rules have been framed under proviso to Article 309 of the Constitution of India for appointment to respective services by selection

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or promotion, those rules may also be amended suitably disassociating Chairman/Member, P.S.C. from the Selection Board/U.P.C.

7. Necessary action may be taken in this regard by the concerned Departments within one month from the date of issue of this office Memorandum under intimation to General Administration Department.

S/- C. Narayanaswamy.  
Special Secretary to Government.

Memo No. 7166 /ALS., dt. 25-6-83

Copy forwarded to All Secretaries to Government/Special Secretary to UPSC/Service Condition Branch/S.L. Branch/Guard file for information and necessary action.

2. Receipt of this Office Memorandum may please be acknowledged.

(Para 2 to All Secy's. to Govt.)

*Signature*  
24.6.83  
Deputy Secretary to Government.