

PREPARATION OF PANEL

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- Tamilnadu Government Servants (Conditions of Service) Act 2016
- Act No. 14/2016
- Section 7
- Schedule XI

What is Panel?

- List of eligible persons for promotion
- Drawn by appointing authority competent to prepare the persons fit for promotion
- From one Service / Category / Class to another Service / Category / Class
- Having higher responsibilities and pay

Preparation of Panel

- Panel to be prepared annually
- Based on the estimated number of vacancy
- With reference to Seniority of feeder category
- Includes candidates from previous list but not promoted
- However they may not retain seniority in the higher post

Candidates to be considered

No. of Vacancies	No. of qualified candidates to be considered
1 - 20	200% of the actual no. of estimated vacancies
20 - 80	175% of the actual no. of estimated vacancies subject to a minimum of 40
81 and above	150% of the actual no. of estimated vacancies subject to a minimum of 140

Preparation of Panel

- Rounding of fractions to the next whole number
- TNPSC Purview posts - Temporary list may be drawn for temporary promotion to avoid administrative delay till regular list approval
- For other posts only permanent panel to be prepared
- Panel for more than one service - Option
- Mere inclusion does not confer promotion

Preparation of Panel

- TNPSC Candidates to join within 3 months
- Special cases – 6 months
- After that he will loose seniority
- Seniority in the higher post to be fixed with reference to rank in panel

Validity of Panel

- Shall be published on or after crucial date
- One year from the date of approval
- It shall lapse at the end of one year

Who should be included?

- From the published and communicated seniority list of feeder category
- Should possess prescribed qualifications in the Special Rules
- Seniors who have written departmental exam but awaiting results on crucial date shall not be included.

Authority to draw Panel

Sl. No.	Promotion Cadre	Panel drawing Authority
1	Additional Director of Rural Development & Panchayat Raj	Secretary to Government RD & PR
2	Superintending Engineer (RD)	"
3	Joint Director	"
4	Executive Engineer (RD)	"
5	Assistant Director	"
6	Assistant Executive Engineer (RD)	"
7	Assistant Engineer (RD)	"
8	Block Development Officer Working at District Unit	District Collector
9	Block Development Officers working at the Directorate	Director of Rural Development & Panchayat Raj.
10	Dy. Block Development Officer working at District Unit	District Collector
11	Dy. Block Development Officers working at the Directorate	Director of Rural Development & Panchayat Raj.
12	Union Overseer	District Collector
13	Assistant Working at District Unit	District Collector
14	Assistant working at the Directorate	Director of Rural Development & Panchayat Raj.

Crucial Date

Sl. No.	Promotion Cadre	Crucial Date
1	Additional Director of Rural Development & Panchayat Raj	1 st March of Every Year
2	Superintending Engineer (RD)	1 st March of Every Year
3	Joint Director	1 st March of Every Year
4	Executive Engineer (RD)	1 st March of Every Year
5	Assistant Director	1 st March of Every Year
6	Assistant Executive Engineer (RD)	1 st March of Every Year
7	Assistant Engineer (RD)	1 st March of Every Year
8	Block Development Officer Working at District Unit	1 st March of Every Year
9	Block Development Officers working at the Directorate	1 st March of Every Year
10	Dy. Block Development Officer working at District Unit	1 st March of Every Year
11	Dy. Block Development Officers working at the Directorate	1 st March of Every Year
12	Union Overseer	1 st March of Every Year
13	Assistant Working at District Unit	15 th March of Every Year
14	Assistant working at the Directorate	15 th March of Every Year

Estimation of Vacancy

The Panel shall be estimated in the following format.

1	Total Cadre strength	
	(i) Temporary	
	(ii) Permanent	
2	No. of Vacancies on Retirements (For 12 Months as in Para - 14 of G.O. (Ms) No. - 603, Personnel and Administrative Reforms (Per-M) Department, Dated : 12.06.1985 (or) on the Crucial Date prescribed in the Rules)	
3	5 % Leave Reserve vacancies with reference to the working strength (Not applicable for Direct Recruitment)	
4	No. of likely Promotions	
5	No. of New Posts likely to be sanctioned during the Panel Period and the No. of Posts Sanctioned earlier. But, not included in the Previous Year Estimate.Add :-	
6	No. of vacancies to be provided for Un-Expected contingencies on a staggered Scale as indicated in G.O. (Ms) No - 381, Personnel and Administrative Reforms (Per-S) Department, Dated : 28.06.2009 (With reference to the Actual Estimate computing the items from 2 to 5 above) Not applicable for direct Recruitment).	

Estimation of Vacancy

	DEDUCT :-	
7	No. of Posts Disbanded during the Recruitment Year	
8	No. of Vacancies Apportioned for Direct Recruitment	
	TOTAL	

Percentage of Contingency

When the total vacancies arrived at with reference to General rule 4 are between	Contingencies as a percentage of total vacancies
1 and 10	40%
11 and 20	30%
21 and 40	20%
41 and 100	15%
Above 100	10 %

Service Qualification

Sl. No.	Name of the Promotion Cadre	Details of Service Qualification to be acquired for promotion on the crucial date as per the special rules
1	Additional Director of Rural Development & Panchayat Raj	Must have rendered service in the category of Joint Director of Rural Development for a period of not less than one year on duty.
2	Superintending Engineer (RD)	Must served as Executive Engineer (RD) for a period of not less than 3years on duty.
3	Joint Director	Must have rendered service in the category of Assistant Director of Rural Development for a period not less than 2 years on duty..

Service Qualification

4	Executive Engineer (RD)	Must have served as Assistant Executive Engineer (RD) for a period of not less than 5 years on duty.
5	Assistant Director	Must have served as BDO (B.Pt) & BDO (V.Pt) each one year on duty.
6	Assistant Executive Engineer (RD)	Must have served as Assistant Engineer (RD) for a period of not less than 5 years on duty.
7	Assistant Engineer (RD)	Must have rendered service as Overseer or JDO as the case may be for a period of not less than 4 years on duty.
8	Block Development Officer	Working at District Unit Must have served as Dy.BDO (Pts) for a period not less than one year on duty. and having undergone Dy.BDO(Pts) training and other than Dy.BDO (Pts) Training each 15 days.

Service Qualification

9	Dy. Block Development Officer working at District Unit	Must have served as Assistant Accountant or RWO GR.I not less than one year on duty..
10	Union Overseer	Must have rendered service as Road Inspector for a period of not less than 7 years on duty.
11	Assistant Working at District Unit	Must have served as Jr.Assistant / RWO GR.II/ Cashier for a period of not less than one year.
12	Assistant working at the Directorate	Must have served as jr.Assistant for a period of not less than one year.

Effect of Punishments / Charges Pending / Vigilance cases on panel inclusion

EFFECT OF THE PUNISHMENT / CHARGES PENDING ON INCLUSION IN THE PANEL

S.No	NATURE OF CHARGE / PUNISHMENT	WHETHER THE INDIVIDUAL CAN BE INCLUDED IN THE PANEL?
1.	Charges pending under rule 17 (a) of TNCS (D&A) Rules on the time of consideration	YES. 17 (a) charges are no bar for promotion (Govt.Lr.No.248 P&AR (S) dept.20.10.97)
2.	Charges pending under rule 17 (b) of TNCS (D&A) Rules on the time of consideration	NO. 17 (b) charges are no bar for promotion (Govt.Lr.No.248 P&AR (S) dept.20.10.97)
3.	Charges pending under rule 17 (a) of TNCS (D&A) Rules on the crucial date, but punishment awarded at the time of consideration	NO. The punishment will be held against the individual. (Govt.Lr.No.52716 P&AR (S) dept.01.10.99)
4.	Censure is under currency on the crucial date or date of consideration, whereas the occurrence of the irregularities leads to the punishment was prior to 5 years from the crucial date	YES. It will not be held against the individual.

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5	No currency of punishment on the crucial date or at the time of consideration, but within the check period of FIVE years and the occurrence also within the period of FIVE years (Other than Censure).	NO. It will be held against the individual. (Govt.Lr.No.52511 P&AR (S) dept. 01.10.99)
6	Punishment within the check period of FIVE years but occurrence of the irregularities prior to five years from the crucial date.	YES. It will not be held against the individual. (Govt.Lr.No.52511 P&AR (S) dept. 01.10.99)
7	No charges on crucial date or at the time of consideration and including in the panel, but charges framed under rule 17(b) before actual promotion.	Should not be promoted and his promotion to be deferred. (Govt.Lr.No.67652/s/2002 P&AR (S) dept. Dt.27.08.2003)

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8	Individual under suspension	NO. It is a bar for promotion
9	Criminal case is pending / charge and sheet filed	NO. If charge sheet has been filed in the criminal case it will be held against the individual . (Govt.Lr.No.248 P&AR Dept, dt.20.10.97)
10	Charge Memo under Rule 17 (b) has been stayed by the court	NO. Mere stay of the charge memo is not enough unless it has been quashed by the Court. (Govt.Lr.No.368 P&AR Dept, dt.18.10.93)
11	Charge under contemplation (No specific charge framed under rule 17(b) of TNCS (D&A) Rules	YES. Contemplation of charge is not a bar for promotion . (Govt.Lr.No.368 P&AR Dept, dt.18.10.93)

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12	Vigilance – Inquiry is pending	YES. If no charge sheet is filed and mere pending inquiry will not be held against the individual. (Govt.Lr.No.248 P&AR Dept, dt.120.10.97)
13	Remittal Order issued by the Govt . Direction the appropriate authority to initiate disciplinary action on the receipt of the report.	YES. Unless specific charge framed under rule 17(b) of TNCS (D&A) Rules. (Govt.Lr.No.248 P&AR Dept, dt.20.10.97)
14	“Censure” awarded within the period of ONE YEAR from the crucial date and the occurrence of the lapses are within the period of 5 years.	NO. It will be held against the Individual. (Govt.Lr.No.67652 P&AR Dept, dt.27.08.2008)
15	No “Censure “ on the crucial date, but awarded at the time and the occurrence of the lapses of within the period of 5 years	NO. It will also be held against the individual (Govt.Lr.No.67652 P&AR Dept, dt.27.08.2008)

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16	An individual was overlooked due to the charges pending under the 17 (b) of TNCS (D&A) Rules, but subsequently acquitted from charge.	Should be included in the panel where his immediate junior was included and the pay should be regulated under ruling 17 of FR 27 (Govt.Lr.No.368 P&AR Dept. Dt.18.10.93)
17	Adverse remarks for the period of THREE YEARS or more within the check period of five years	Adverse remarks which have not been shown to and not acknowledged by the officer reported upon shall be ignored. Other adverse remarks which have been shown to the officer and acknowledgement by him but not represented against not expunged on representation should be considered for taking decision. (Govt.Lr.No.248 P&AR Dept. Dt.20.10.97)
18	Preliminary or detailed enquiry undertaken by the Directorate of vigilance and Anti-Corruption.	YES. It will not be a bar for promotion. (Govt.Lr.No.248 P&AR Dept. Dt.20.10.97)

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S.No	NATURE OF CHARGE / PUNISHMENT	WHETHER THE INDIVIDUAL CAN BE INCLUDED IN THE PANEL?
19	Regular cases / Registered cases by DVAV	Mere registration of cases in Courts need not be held against the officer. But if charge sheet has been filed in the Criminal case, it should be held against the Officer. (Govt.Lr.No.248 P&AR Dept, Dt.20.10.97)
20	Trap and arrest made under the prevention of Corruption Act by DVAC	NO. It should be treated as a serious Offence and held against the officer. (Govt.Lr.No.248 P&AR Dept, Dt.20.10.97)
21	An individual was overlooked in a panel due to the currency of Punishment counting in the next panel also. Where he may be considered in the next panel.	NO. It should be passed over in the subsequent panels also, till the currency of the punishment is over. (Govt.Lr.No.52716 P&AR Dept, Dt.01.10.99)

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22	When the punishment is under currency (i.e. Operation period of Stoppage of increment with / without cumulative effect) whether the occurrence of irregularities took place has to be taken into account while assessing the above punishment?	NO. Irrespective of the occurrence whether it is within the period of five years or beyond the period of five years, the individual should be passed over in the panel . (Govt.Lr.No.52716 P&AR Dept, Dt.01.10.99)
23	An individual was overlooked in a panel due to a punishment during the check period of FIVE YEARS. Whether he is eligible for inclusion in the subsequent panel?	YES. Once an individual was overlooked in a panel due to a punishment during the check period (applicable only to the punishment during the check period and not for the punishment under currency) need not be passed over again for the same punishment and he may be included in the subsequent panel. (Govt.Lr.No.248 P&AR Dept, Dt.20.10.97)

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24	What is the effect of SERVER WARNING awarded to an individual?	There are not to be considered as punishments and individual may be included in the panel. (Govt.Lr.No.248 P&AR (S) Dept. Dt.20.10.97)
25	How to calculate the currency of punishment of stoppage of increment awarded to an individual i.e. Whether from the date of order or actual operating period of stoppage of increment?	The currency of the punishment should be calculated from the date on which the punishment order was served to the individual. (Govt.Lr.No.28790/2001 (P&AR) Dept, Dt.08.07.2001) And the currency of punishment will continue till the punishment is over. (Govt.Lr.No.18667/S/(P&AR) Dept, Dt.24.04.06)

Effect of Punishments / Charges Pending / Vigilance cases on panel inclusion

S.No	NATURE OF CHARGE / PUNISHMENT	WHETHER THE INDIVIDUAL CAN BE INCLUDED IN THE PANEL?
26.	Recovery from pay of pecuniary loss caused to Government / Local body	No.
27.	A person convicted by a trial court and appealed to appellate court	Not eligible for promotion - Govt.Lr.No.126, P&AR Department Dated: 26.04.1995
28.	Imposing of punishment takes effect from the date on which the said order is communicated to the candidate	Govt. Lr.No.28790/S/2001-10 P& AR Department Dated: 06.07.2001
29	Punishment awarded from the crucial date to the date of release of panel	Will be a bar

Incidents after issue of Panel

- 17 (b) charges framed after issue of panel will affect the promotion
- Punishment awarded for pending charges under 17(a) also affect the promotion
- Suspension
- Framing of Charge sheet in Criminal Case

If 17(b) charges dropped subsequently

- Appointing authority shall take action 'Suo moto' to include the name in the panel within 15 days of receipt of the order.

Communication of Panel and Differed list

- For State Services, panel shall be published in Government Gazette.
- For other services – Notice board of the A.A.
- List to be communicated by Registered Post to included persons
- As well as deferred persons.

Publishing of NIL Panel

- If the estimate of vacancy for any particular year is nil, a 'Nil' list should also be displayed in the notice board.

Custodian of ACR

- As per Circular No.216/2009/GE2.2, Dated :19.08.2009, of CRD Chennai, PA(D) to the Collector is the custodian of the ACRs.

THANK YOU