

Copy of Punjab Government Circular letter No. 584-IGS(I)-66/2807, dated 8-2-1966 from the Chief Secretary to Government, Punjab to all Heads of Departments etc., etc.

**Subject :—**Procedure to be followed in cases where the turn of an officer, whose conduct is the subject of an enquiry comes up for promotion to a higher post.

I am directed to invite your attention to the instructions contained in the General Administration Department circular No. 1497-4GS-62/4059, dated Chandigarh the 13th February, 1962 on the subject cited above and to say that in accordance with para 2(a) (iv) of this circular, if the promotion of an employee has been withheld because of an enquiry about complaints against him and if on the completion of the enquiry he is exonerated of all the charges, he should be given promotion with respective effect (i.e.) with effect from the date on which he was due for promotion, by reverting the junior most promoted employee and/or by creating a temporary post for the relevant period, in consultation with the Finance Department, as may be warranted by the circumstances of the case. It appears that the reference to the creation of temporary posts has been interpreted by the departments, in some cases, to mean that so long as an enquiry is being held into complaints against a particular employee, his junior in his cadre or the Service may be promoted against all available substantive vacancies, and a supernumerary post may be got created to provide for the employee under enquiries, if he is ultimately exonerated. I am directed to clarify by that the intention behind the issue of these instructions was to safeguard the interests of the employees, without at the same time incurring unnecessary financial liability. Thus, whereas every officiating vacancy may have to be filled immediately after it has arisen in the interest of administration, there is no such compelling necessity in the case of substantive vacancies and these should invariably be kept reserved for the employees, against whom enquiries are in progress, and a final decision taken on the completion of the enquiry. Of course, only one substantive vacancy need be reserved for each employee under enquiry and subsequent vacancies may and should be filled up with his juniors, if they are otherwise fit, without waiting for the result of the enquiry.

2. I am to request you that these instructions may kindly be brought to the notice of all concerned for strict compliance.