

No. 5474-3-S-73/2078

From

The Chief Secretary to Government, Haryana.

To

All Heads of Departments, Commissioners, Ambala and Hissar Divisions; all Deputy Commissioners, and all Sub-Divisional Officers in Haryana;

The Registrar, Punjab and Haryana High Court, and all District & Session Judges in Haryana.

Dated Chandigarh, the 29th January, 1974.

Subject:

Efficiency Bars Stoppage of Efficiency Bars under the provisions of C.S.R.  
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Sir,

I am directed to refer to the subject noted above and to say that in order to ensure uniformity of action by different Departments in the matter of stoppage of officers/officials at efficiency bars, Government have reviewed the matter further and consider it necessary to lay down certain general principles in a consolidated form for the guidance of all concerned.

2. The crossing of an efficiency bar is to be distinguished from the earning of an annual increment. In the case of the annual increment onus is on the competent authority to show cause why it should be withheld; in the case of crossing an efficiency bar the onus is on the official tacitly or otherwise to show cause why he should cross it.

3. Stoppage at efficiency bar on the basis of work and conduct of a Government employee under the provision of C.S.R. has to be distinguished from the stoppage at efficiency bar under the Punishment and Appeal Rules. Under the Punishment and Appeal Rules, an employee may be stopped at efficiency bar, not as a punishment in itself, but as a result of punishment or stoppage of grade increment/increments. When a Government employee is to be stopped at the efficiency bar under the provisions of the Rules, an opportunity to show cause is required. In such a case, it is necessary

Punjab Govt.  
letter No  
3374-G-48/  
35863,  
dated  
5.7.48

Relevant extracts from advice dated 6.7.73 given by the advocate General in this connection are enclosed. In view of the above facts, the instructions issued vide composite Punjab Government circular Letter No.1055-G-51/1308, dated the 23.2.51 are hereby withdrawn.

4. It is thus not necessary before it is decided to stop a Government employee at an efficiency bar, to inform him in writing of the grounds on which it is proposed to take such action. The order stopping an employee at an efficiency bar should however be a speaking order and it should give sufficient details so that the employee can, if he so desires, make a representation against the same. It is desirable that every case should be scrutinised carefully by the Departments and good reasons given in support of an order of stoppage.

5. It is further clarified that:

i) under the provisions of C.S.R. no order stopping a employee at efficiency bar for any particular period, can be passed. An employee is just stopped at the efficiency bar. Note 3 below Rule 4.8 of C.S.R Vol. I Part I provides that the case must be reviewed after a period of one year and therefore it is clear that the initial order cannot be effective for a period more than one year;

ii) the record and conduct of the Government employee upto the date of his crossing the efficiency bar is to be taken into consideration

iii) when a Government servant is allowed to pass an efficiency bar which had previously been enforced against him, he should come on to the time scale at such stage as the authority competent to declare the bar removed may fix for him, subject of course, to the pay admissible according to his length of service.

iv) advice of the Haryana Public Service Commission in such cases is not required;

v) the case will have to be reviewed annually in terms of note 3 below rule 4.8 of the Punjab CSR Vol.I, Part I and his upto date record will have to be taken into consideration at the time of

substituted vide  
letter no. 73/  
10/79-S dated  
20.1.81

to warrant the removal of the bar. For this purpose the previous record will necessarily have to be taken into consideration together with the fresh reports.

6. While Heads of Departments are required to exercise their judgement and discretion in each case, the following should be kept in view:

1) The efficiency bar must be real, and permission to cross them should not be given as a netter of course to Government servant who just manage to avoid getting into trouble.

2) On the other hand stoppage at an efficiency bar should be for general bad work and inefficiency and not for one or two lapses only.

3) For the purpose of crossing the efficiency bars Government servants will broadly fall into three categories as below and their cases should be dealt with as explained against each:

(a) Good-Are those who consistently earn good reports and who should in ordinary course be permitted by the competent authority to cross the efficiency bars.

(b) Fair-Are those who secure at least 50% good reports. They should not be permitted to cross the bar unless the Head of Department is satisfied, on a careful study of the record, that they merit promotion and give promise of satisfactorily filling the heavier charges in the grade.

(c) Poor-Are the remainder, and they should not be permitted to cross the bar.

Heads of Departments while considering each case on the basis of the above classification may take into account the severity or leniency of the officer whose reports are under consideration and the nature of the work on which the Government servant was employed.

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4) Efficiency and honesty taken together should be the guiding factor in dealing with the cases of efficiency bar.

5) In the case of the First efficiency bar the whole record of the officer/official in the grade in which the bar is to be crossed should be taken into consideration. In the case of the second efficiency bar only that record should be taken into consideration which the officer/official has earned since he was allowed to cross the first efficiency bar.

naGovt.  
r no.  
35-71  
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71  
6) The record of the officer/official during the period of 5 years ~~Preceding~~ the date on which crossing of the efficiency bar becomes due should be given special importance.

vt.Letter  
74-G-48  
7, dt.  
8.  
7) An employee who has earned an advance report against integrity during the period for which the work and conduct is taken into consideration, should not be allowed to cross the efficiency bar.

There are usually two bars in every time scale; the first at the stage when an officer may be considered as ceasing to be a "Junior" and as fit to perform efficiently the ordinary duties of his service, and the ~~second~~ at the stage when he becomes a "Senior" and may be expected to be fit to perform any of the duties which an officer of his rank in the service is called upon to undertake. No particular difficulty should arise with regard to the first bar, and in respect of this bar, Government only desire to lay down that no officer should be allowed to pass this bar until he has proved himself competent to perform efficiently the ordinary duties of his service.

8) The second bar presents greater difficulty, and it is clear that in the absence of definite



of Government employees who are not fit to perform the highest duties that could be allotted to them in their service, have been never-the-less allowed to rise to the highest pay in the ordinary scale. Government consider that in future no officer/official should be allowed to cross the second and final bars unless he is adjudged fit to be placed incharge of the full duties attaching to the heavier-charges which officer/official of his rank can be called upon to fill. Heads of Departments will be able to fix in their minds the standard charge which each grade of officer/official should be expected to be able to fill before passing the bar but in each case it should be remembered that the charge should be one which an officer/official can be called upon to fill in the ordinary course of the duties of his grade.

9. Cases regarding crossing of efficiency bar should be decided by the competent authorities immediately after the due date of crossing the efficiency bar. There may however, be exceptional instances in which owing to unavoidable circumstances it is not possible to take a decision in time. In such cases the decision must be taken as soon as possible after the due date and in any event not later than six months from the date on which the efficiency bar became due. Delay in this regard should be viewed seriously and stringent action should be taken against the officers/officials responsible for default.

10. In under line cases, where <sup>one</sup> report can make a difference, special report may be called and taken into consideration provided that the period involved is more than 6 months. If the period

in question is less than 6 months then the case should be decided on the basis of available reports only.

Pb. Govt. letter  
no. 4091-ASII-  
60/20836  
dt 8.6.80

The efficiency bar cases should not be held up on account of the fact that some enquiries/departmental proceedings are in progress against a Government employee. They should be taken up immediately after the due date of crossing the efficiency bar, and should be decided on merits independently of the enquiries/proceedings. If however, the decision is that the crossing of the efficiency bar should be permitted then in such cases it should be permitted subject to the express condition that the same will be without prejudice to the decision that may be taken later in the pending enquiries/proceedings.

H.G. letter no.  
6472-3871/  
28599, dt.  
6.10.71.

12. Each department should keep upto-date record of the dates on which all officers/officials working in the department are due to cross efficiency bar and should initiate those cases at the appropriate time without waiting for any communication from the Accountant General, Haryana. If any department has in any particular case any doubt as to the correctness of date in question then it may obtain confirmation from the audit office but that should be done atleast six months in advance so that the case can be settled in time.

13. All earlier instructions on the subject in case of variations should be deemed to have been modified as laid down in this circular.

Sd/-  
Deputy Secretary Political & Services  
for Chief Secretary to Government, Haryana.

A copy each is forwarded to:-

- i) The financial Commissioner (Revenue) Haryana and All Administrative Secretaries To Govt., Haryana, for information and necessary action.

Sd/-  
Deputy Secretary Political & Services,  
for Chief Secretary to Government, Haryana.