

CHAPTER : 12 – SENIORITY & PROMOTION

(12.1)

Government of Nagaland Home Department: Appointment 'A' Branch

MEMORANDUM

No. 11/APA/1/66

Dated Kohima, the 9th June, 1966.

Sub:- Principles of Seniority:

The principles governing the fixation of seniority in different grades of employees serving in various offices in Nagaland were circulated during 1961 under the then Commissioner, NHTA, Memo No. 1/35-Adm/60. Dated 1/1/1961 certain changes have taken place since then. The general principles of seniority are therefore brought to the notice of all concerned for circulation.

DIRECT RECRUITMENT:

2. When recruitment is made directly through open competition through the Nagaland Public Service Commission or other approved Selection Boards, the relative seniority of direct recruits shall be determined by the order of merit in which they are selected for appointment on the recommendation of the Commission or other Selecting Authority persons appointed as a result of an earlier selection will be senior to those appointed as a result of subsequent selection.

PROMOTEES:

3. (i) The relative seniority of persons promoted to the various grades shall be determined in order of their selection for such promotions. This shall apply to cases where promotion is made by selection by a Departmental Promotion Committee and the seniority shall be in the order in which they are recommended for promotion by the Departmental Promotion Committee.
- (ii) Where promotions are made on the basis of seniority subject to the rejection of the unfit, the seniority of persons considered fit for promotion at the same time shall be the same as their relative seniority in the lower grade from which they are promoted. In case a person is considered as unfit for promotion at one time and is superseded by a junior, such a person shall not, if he is subsequently found suitable and promoted, taken seniority in the higher grade over his juniors who had superseded him.
- (iii) Where promotions to a grade are made from more than one grade, the eligible persons shall be arranged in separate lists in the order of their relative seniority in their respective grades. Thereafter, the Departmental Promotion Committee shall select persons from each list upto the prescribed quotas and arrange all the selected candidates into a consolidated order of merit which will determine the seniority of persons to the higher grade.

Note: This aspect of the case viz:- fixation of quotas for promotion from different cadres to one grade shall be kept in view by the authorities concerned while framing recruitment etc. rules.

RELATIVE SENIORITY OF PROMOTEES AND DIRECT RECRUITS:

4. The relative seniority of direct recruits and of promotees shall be determined according to the rotation of vacancies between direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruitment and promotion respectively in the recruitment Rules.

EXPLANATION

- (I) Where reservation for each source is 50% the order of seniority shall be (i) promotee (ii) direct recruitment and so on.
- (II) Where 75% vacancies are reserved for promotees and 25 % for direct recruitment each direct recruit shall rank in seniority below three promotees. If for any reasons, a direct recruit or a promotee ceases to hold the appointment in grade the seniority shall not be re-arranged merely for the purpose of ensuring the proportion referred to above.

PERMANENCY

5. All persons permanently employed in a grade shall rank senior to all temporary-employees of that grade.

NOTE:- Normally persons are confirmed in order of their seniority and therefore, a permanent employee would automatically be senior to temporary employee in a grade. In certain cases direct recruitment is done against permanent vacancies and such direct recruits are treated a senior to their temporary counterparts. In Nagaland, however, in the absence of Rules, cases may arise where persons may have been confirmed for special considerations other than seniority, such cases should be examined on merits so determine whether any officer confirmed earlier than his senior should not be treated senior.

CREDIT FOR PAST SERVICE

6. “ Except in the case of direct recruits, where seniority goes by the order of merit, and in case of departmental promotion where it follows the order of seniority counts in a grade is the date of joining that grade. However, in Nagaland, recruitment to various posts was done in the past on ad-hoc basis from amongst employees serving not only in Nagaland but NEFA, Assam etc.

In order to ensure that the interests of those who were already in long service prior to coming to Nagaland are not jeopardised, it has been decided that Government service rendered in an equivalent grade elsewhere should count in full for determining seniority in particular grade. For service in a lower grade, a benefit of one year's service for every three completed years of service in lower grade shall be given subject to a total benefit of not exceeding 3 years. This benefit of past service shall be admissible to those who have joined service in Nagaland upto 31-3-1962 and shall not be admissible to those who joined after 1-4-1962.

UNFIT OF THE CADRE FOR SENIORITY PURPOSES

7. A cadre generally means the strength of a service or part of a service sanctioned as a separate unit. A question therefore arises as to what should be definition of a cadre of the purposes of various posts in the District level. The criteria to be adopted for the purpose of including various posts under a Department in a cadre should be (i) they should carry the same

scale of pay (ii) they should have similar duties and responsibilities and (iii) they should be transferable. All posts which fulfill these criteria in a Department should normally be included in a cadre for having a common seniority. For posts the incumbent of which are transferable within a District, there should be District level Cadre posts the incumbent of which are transferable from one district to another, there may be in an all Nagaland cadre. The above are guiding principles only. Individual cases may, however, be examined on merits and orders of Government from the respective Department obtained in doubtful cases.

8. All Departments are, therefore, requested to finalise the seniority for various grade as early as possible. For this purpose the Heads of Departments etc. may compile information in the under mentioned form in respect of grades, which they consider should be included in a common cadre.

No.	Name	Date of Birth	Educational Quali.	Date of first joining in Govt. service with post and pay scale	Date of subsequent appointments from time to time with grades
1	2	3	4	5	6

Whether permanent or temporary	Date of permanent appointment and post in which confirmed	Date of appointment to the present post	Date of counting seniority in the present cadre	Remarks
7	8	9	10	11

9. The seniority once prepared should be circulated to every member of the cadre for making objections if any. Such objections should be considered carefully and the seniority list finalized. The list may be reviewed every year to make it upto date including those who have joined the cadre during the preceding year end eliminating the names of those who have retired or left the cadre otherwise.

Sd/- H. ZOPIANGA
Secretary to the Govt. of Nagaland

(12.2)

**Government of Nagaland
Home Department: Appointment Branch**

MEMORANDUM

No. APPT/16/1/67

Dated, Kohima, the 10th Aug/1967.

Su: - Principles of Seniority- Clarification thereof:

The undersigned is directed to refer to the principles of seniority circulated vide this Department Memo No. 11/APA/1/66 dated 9.6.66 and to say that certain points have been raised by some Heads of Departments for clarification. The points so raised and the clarification thereto are as follows.

Sd/- R. KHATHING

Chief Secretary to the Government of Nagaland.

(12.3)

**Government of Nagaland
Home Department: Appointment 'B' Branch**

MEMORANDUM

No. 11/APA/1/66

Dated, Kohima, the 29th June, 1970

Subject:- Principles of Seniority- Credit for Past Service.

As regards para 6 of the Government Memorandum No. 11/APA/1/66 dated 9-6-66 and subsequent amendment to the aforesaid para issued under the Memorandum No. APPTT/16/1/67 dated 10-8-67, a question has arisen as to whether the officials who had joined prior to the issue of the Memorandum dated 9/6/66 and whose seniority was not finalized till then should be debarred from the benefit of past service with retrospective effect.

On careful examination of the above question, it has been decided by the Government that the above mentioned orders should be treated as non-existent for the purpose of fixing seniority of officials who had joined prior to 9-6-66 and whose seniority has not been finalized yet. The seniority of the officials concerned should therefore be fixed strictly in accordance with the appropriate clauses of Memorandum No.1/35-ASM/60 dated 11-1-61 depending upon the circumstances of their appointment. The seniority of officials already finalized should not be reopened.

Sd/- R. EZUNG

Deputy Secretary to the Government of Nagaland.

(12.4)

Government of Nagaland
Home Department: Administrative Reforms (O&M) Branch

NO.AR-13/21/74

Dated Kohima , the 8th July, 1975.

MEMORANDUM

Sub: Counting of Seniority for service rendered on Adhoc Appointment.

The undersigned is directed to refer to the subject cited above and to say that it has been brought to the notice of this Department for clarification that whether the services rendered by an official on adhoc appointment should count towards seniority including leave, increment and pension etc. After careful examination it has been decided that if such adhoc services is continuous followed by regular appointment/confirmation the period of adhoc services thus rendered will count for increment, leave pension and other services benefit. But seniority in the particular cadre should count only from the date of regular appointment and should follow the order of merit given by the Nagaland Public Service Commission or the Selection Board.

Sd/ A.K. BISWAS

Under Secretary to the Government of Nagaland.

(12.5)

Government of Nagaland
Home Department: Administrative Reforms (O&M) Branch

NO.APPT-16/1/67

Dated Kohima, the 19th Nov, 1975.

OFFICE MEMORANDUM

Sub:- Seniority of the Government Servants on contract Appointment.

The undersigned is directed to refer to the subject cited above and to say that a question has been raised as to whether a Government servant on contract appointment will count his service for seniority from the date of joining the post on Contract appointment or from date of absorption of regular basis into the said post. After careful consideration it has been decided that in such cases service for seniority shall be counted from the date of his absorption on regular basis.

The above decision equally applies to both the officers coming from outside the State who are appointed on contract basis and the employees of this State government in similar cases.

The period of such service thus rendered will count for increment, leave, pension and other service benefit.

Sd/- K.S. PURI

Secretary to the Government, of Nagaland

(12.6)

**Government of Nagaland
Home Department
Administrative Reforms (O&M) Branch**

NO.APPT-16/1/67

Dated , Kohima, the 24th March, 1976.

To,

The Secretary to the Govt. of Nagaland,
Works & Housing Department, Kohima.

Sub:- Seniority of the Government Servants on contract appointment.

Sir,

I am directed to refer to your letter No. PW/EST/255/6/8/1 dated 11th December, 1975 on the subject mentioned above and to say that in this Department's O.M of even number dated 19th November, 1975, the decision of the Government to regulate the seniority of the Government servants who are appointed initially on contract basis and subsequently absorbed on regular basis has been communicated. According to this decision the services rendered during the period on contract appointment will be counted for increment, leave, pension and other service benefits except seniority which will be counted only from the date of absorption of such Government servants on regular basis. The decision that the said service will not count for seniority was also communicated vide this Department's memorandum of even number dated 26th October, 1967, in partial modification of this Department's memorandum of even number dated 10th August, 1967.

In view of the above position, it is clarified that the principle of seniority laid down in this Department's O.M of even number dated 19th November, 1975 is applicable to the Government Servants who have rendered contract service prior to or after 1-4-1962 and subsequently absorbed in regular service.

Yours faithfully,

Sd/- I. Longkumer
Secretary to the Govt. of Nagaland.

(12.7)

Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)

NO.AR-8/1/75

Dated Kohima, the 8th December, 1978.

To,
The Accountant General,
Nagaland, Kohima.

Sub:- Ad-Hoc Promotion

Sir,

I am directed to refer to your letter No.GA-1/Misc/520 dated nil and to say that the term 'ad-hoc appointment' will be used in cases of appointment by direct recruitment made temporarily without selection through the Nagaland Public Service Commission or Selection Board as laid down in the relevant Service Rules, The appointment which is made by promotion without a reference to the Departmental Promotion Committee will be termed as "officiating promotion" subject to clearance by the D.P.C.

It is confirmed that the period of service rendered by a person during his appointment by direct recruitment ad-hoc basis will not be counted for the purpose of seniority. The seniority of the person given 'officiating promotion subject to clearance by the D.P.C. will be counted either from the date of clearance given by the D.P.C. or from the date of officiating promotion, if so recommended specifically by the D.P.C.

We agree with the audit that if any junior officer is given 'officiating promotion' subject to the clearance by the D.P.C. while his senior is either on deputation or holding a post outside the regular line, the benefit under Principles "next below rule" will not accrue to his senior till the junior is promoted to such post on regular basis.

Yours faithfully,

Sd/- L.L.YADEN
Special Secretary to the Govt. of Nagaland.

(12.8)

**Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)**

OFFICE MEMORANDUM.

No.APB-3/24/69

Dated Kohima, the 15th Nov. 1979.

Sub:- UNIFORM PROCEDURE TO BE FOLLOWED FOR FILLING UP OF THE POSTS OF U.D.A. IN THE DIRECTORATES.

It has come to light that there has been no uniform procedure regarding filling up of the ministerial posts viz. U.D.A. and L.D.A. in the Directorates. In view of this, it is felt necessary to have uniform procedure for filling up of aforesaid posts in all the Directorates. Also it is felt that some promotional avenues for qualified UDAs and LDAs in the District Divisional and Sub-Divisional officers have to be found out.

2 The Government have therefore, after careful consideration decided that henceforth the procedure set out hereunder should be followed in the Directorates:-

- (i). U.D.A. (a) 50% by Departmental promotion.
 - (b) 25% From amongst the serving H.As (Divisional and Sub-Divisional) Officers and U.D.A. from District offices having requisite qualification and putting in minimum 7 years service as U.D.A in the District offices and in Divisional and Sub-Divisional offices.
 - (c) 25% by direct recruitment.
- (ii). L.D.A. (a) 20% by departmental promotion.
 - (b) 20% from amongst the serving L.D.As of District Divisional and Sub-Divisional offices in minimum 5 years service as L.D.A. in the District, Divisional and Sub-Divisional offices.
 - (c) 60% by direct recruitment.

The above procedure should be incorporated in the Ministerial Service Rule of respective Heads of Department.

Sd/-C.N. NGULLIE
Deputy Secretary to the Govt. of Nagaland.

(12.9)

**Government of Nagaland
Department of Personnel and Administrative Reforms
(Vigilance Branch)**

No. PAR/VIG/1/5/80

Dated, Kohima, the 17th Nov/1981.

OFFICE MEMORANDUM

Sub;- Promotion of Officers/ officials against whom Vigilance cases are pending or under investigation/.

It has been brought to the notice of the Govt. by the Vigilance Commission that a good number of Govt. servants against whom Vigilance cases involving integrity are either pending or under investigation are being promoted to higher posts and declared confirmed or deputed for training etc. without obtaining integrity clearance certificate from the Commission.

It has therefore been decided by the Govt. that in the interest of public service, henceforth no promotion either regular or officiating/confirmation/crossing of Efficiency Bar/deputation to foreign countries for training will be considered by the D.P.C/Appointing Authorities without integrity clearance certificate by the Administrative Departments to be issued only after obtaining clearance from the Vigilance Commission.

It should be the responsibility of the Administrative Departments of the Governments, Heads of Departments and Heads of Offices who are empowered to make appointments under the Delegation of Financial and Cognate Power Rule, 1964 as amended from time to time to obtain and issue integrity clearance certificate to the effect that no Vigilance case is pending contemplated against the Govt. servants whose cases for promotion (either regular or officiating) /confirmation/ crossing of Efficiency Bar/deputation to foreign countries for training committee is convened or cases are put up to the concerned authority for orders as the case may be.

This issues in supersession of the Department's office Memorandum No.PAR/VIG/1/5/80 dated 4th Dec/1980.

This receipt of this O.M. may please be acknowledged.

Sd/- Z. OBED
Chief Secretary to the Govt. of Nagaland

(12.10)

**Government of Nagaland
Department of Personnel & Administrative Reforms
(Administrative Reforms Branch)**

OFFICE MEMORANDUM

No.AR-4/9/76

Dt. Kohima, the 24th July, 1985.

SUB:- APPOINTMENT OF REGISTRARS IN SOME OF THE DIRECTORATES;

In continuation to this Departments Office Memorandum of even number dated 18-10-84 on the subject cited above the undersigned is directed to issue the following general guidelines for coordination and effective functioning of the offices in which Registrar has been appointed as per the order referred to above.

1. The Registrar posts shall be manned by ministerial staff only on promotion based on Seniority-cum-Merit as shall be subsequently provided in the combined Draft Service Rules of the Directorates.
2. The Registrar posts shall not be encadred in the Administrative (Gazetted) Services of the Departments concerned but shall remain cadre posts of the Nagaland Directorate Ministerial Staff (NDMS) Service.
1. The Registrar posts shall be filled by Superintendent with sufficient experience and knowledge of establishment matters who must have worked as an Office Superintendent for not less than 6(six) years continuously in the same Department/Office.
2. If a suitable candidate is not immediately available to fill up the post from among Departmental candidates it may be filled by a deputationist temporarily will the senior most Superintendent becomes eligible for promotion.
3. The Registrar shall be the Head of the establishment section/branch and all files, except those of technical matters, shall be routed through him by all the Office Superintendents under his control.
4. The Registrar, assisted by the Superintendents, shall be responsible for overall supervision of the office and staff working under him including office discipline, regular attendance, punctuality etc, and shall report direct to his immediate superior officer.
5. On the basis of the guidelines the Heads of Departments may further distribute works or delegate functions to achieve objective in the best possible way.

Receipt of this Office Memorandum may please be acknowledged and action taken intimated to or clarification sought with this Department.

Sd/ IMTIKUMZUK
Joint Secretary to the Govt. of Nagaland

(12.11)

**Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)**

OFFICE MEMORANDUM.

NO.AR-8/1/75

Dated Kohima, the 29th August, 1986.

Pursuant to this Department 's letter of even number dated 8/12/78 a question has been raised which has been under consideration to the Government as to whether officiating promotion could be regularized by the D.P.C. from the date of its sitting or from the date of the officiating promotion retrospectively or any other date in between.

After careful examination it is now decided that the effective date should be determined by the D.P.C. (both gazetted and non-gazetted) after accounting the merits of each case subject, inter-alia, to the following factors:-

- (i) Good ACRs /Vigilance clearance etc.
- (ii) Availability of clear vacancy
- (iii) Completion of qualifying length of service as provided in the Rules.
- (iv) Confirmation/ regularization of promotion in the lower grade by the DPC.
- (v) Adherence to final seniority position.

Besides, there should be no supersession and the normal rules and procedures should have been followed. If any case of supersession, however, exists the DPC should place on record its findings together with the reasons for acceptance or otherwise. The DPC may consider regularization of such cases of officiating promotion with retrospective effect done in fulfillment of the above conditions and in the interest of public service without which the official may be put into undue hardships.

The DPC should also consider all aspects of a case and set the date from which officiating promotion may be regularized and reflect it clearly in the minutes. Meanwhile, the Heads of Departments and Administrative Secretaries should ensure that promotion cases are always routed through the DPC expeditiously so that ad-hoc approach to officiating promotion is not resorted to as far as practicable.

Receipt of this office Memorandum may please be acknowledged.

Sd/-I. LONGKUMER
Chief Secretary to the Govt. of Nagaland.

(12.12)

**Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)**

OFFICE MEMORANDUM

No.AR-8/19/84

Dated Kohima, the 9th November, 1989.

Sub:- Creation of 26 posts of Registrar in the scale of pay Rs 1075-50-1675-EB-50-1975-55-2305/-P.M. Class-I, Gazetted in the remaining 26 Directorates.

The undersigned is directed to invite a reference to the subject cited above and to convey the sanction of the Governor of Nagaland to the creation of 26 Registrar posts in the scale of pay Rs.1075-50-1675-EB-50-1975-55-2305/-Class I gazetted plus 25% of inner line compensatory allowance of basic pay and all other allowances as are admissible from time to time under the Government of Nagaland in the following 26 Directorates with effect from 1-11-1989 to 28-2-1990.

Social Welfare & Security/Rural Development/Tourism/Higher & Technical Education/Economics & Statistics/Taxes/Excise/PHE/Art & Culture/Physical Education/Prison/Town Planning/Transport Commissioner/Fisheries/Employment Exchange/Treasuries & Accounts/Evaluation/Cooperation/N.S.T./Weights & Measures/Labour/A.T.I./Irrigation/PWD(Housing) Sericulture/State Council of Educational Research & Training.

1. The post (s) of Assistant Director presently held by Ministerial promotees in the Directorates of Supply/Land Records & Survey/Information & Public Relations/Printing Press/State Lotteries and Deputy Director in Geology & Mining shall be re-designated as Registrar as and when the present incumbents vacate the posts and no additional post shall be created in these Directorates.
2. The length of qualifying service of Superintendent for promotion to the post of Registrar shall be 5 years, where there is no eligible Superintendent. For promotion to the posts of Registrar as above in any of the Directorate, the Registrar post will be held on deputation by any eligible Supdt. from any one of the other Directorates.
3. These issues with the concurrence of Finance Department accorded vide their U.O.No.441 of 7/11/89. Sanction for creation of these posts may now be issued by the respective Administrative Department accordingly.

Sd/ BANUO Z. JAMIR
Secretary to the Government of Nagaland.

(12.13)

**Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)**

NO.AR-8/19/84

Dated Kohima, the 28th Nov' 1989

To,

The Director, _____

Sub:- Decision of the Government.

Sir,

It has been decided by the Government that the post of Registrar created for the Directorates will be filled on deputation basis by officers who are not members of Nagaland Directorate Ministerial Staff Association. In case Superintendents of the Directorates where vacancy of Registrar exists are not eligible to be appointed as Registrar the post of Registrar in such Directorates should be filled by Superintendents of other Directorates who are eligible to be promoted.

This directive should be followed without exception.

Yours faithfully,

Sd/ Z.OBED

Chief Secretary to the Government of Nagaland

(12.14)

**Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)**

OFFICE MEMORANDUM

NO.AR-1/8/88

Dated Kohima, the 21st Sept, 1995

Sub:- SUBMISSION OF REQUISITION TO HOLD DPC MEETING.

The undersigned is directed to refer to the subject cited above and to say that while submitting requisition to NPSC to hold DPC for regularisation of promotion, the Departments should send requisition within 6 (six) months of making officiating promotion failing which the A.G. Nagaland will stop payment of salaries to such officers relating to the posts held by them on an officiating basis.

Sd/- T.C.K.LOTHA

Chief Secretary to the Government of Nagaland

(12.15)

**Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)**

OFFICE MEMORANDUM

NO.AR-1/8/88

Dated Kohima, the 14th Dec' 1995

Sub:- PROCEEDINGS OF DEPARTMENTAL PROMOTION COMMITTEE

The undersigned is directed to refer to the subject cited above and to inform that when a date for Departmental Promotion Committee meeting is fixed and the Chief Secretary could not attend on that day/time due to some unavoidable circumstances the meeting would be held with other members, provided that the quorum of more than 50% members are present. The draft minutes of the D.P.C. would be sent to the Chief Secretary on file. If he has any objection, a second meeting of the D.P.C. may be held to consider his objections.

Sd/- T.C.K. LOTHIA
Chief Secretary.

(12.16)

**Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)**

OFFICE MEMORANDUM

No. AR-12/3/89

Dated Kohima, 24th June 1996.

1. The issue of reviewing the present system of effecting promotion with a view to promote efficiency, competence and sincerity in Government servants has been under the consideration of the Government for some time. It was felt that the present system of effecting promotions on the basis of Seniority-cum-Merit has been at the cost of efficiency, competence and sincerity. In practice promotions are given mainly on the basis of seniority subject to rejection of the unfit. However, rarely anyone is given an adverse entry in the Annual Confidential Report in Nagaland because of the close knit nature of society as well as the cumbersome procedure prescribed. Therefore, rarely anybody is declared unfit and in almost all cases promotions take place mechanically as normal course.

2. With a view to increase responsiveness of the administration and encourage qualities of competence, efficiency and sincerity amongst Government Servants it has now been decided that all promotions shall be based on the principle of Merit-cum-Seniority and not Seniority-cum-Merit. All Departments were requested to amend their Service Rules accordingly with immediate effect vide this Departments Memorandum No. AR 12/3/89 dated 08-02-1996, and those Department who are framing Service Rule should adopt this principle.

3. It is now considered necessary to lay down a uniform method of effecting promotions according to the principle of Seniority-cum-Merit to remove any doubt regarding operation of the new principle. The procedure to be followed in promotion cases according to Seniority-cum-Merit shall be as follows.

- (a) First, the number of vacancies in the grade to which promotions are to be given shall be determined.
- (b) Second, the final seniority list of officials in the lower grade within the “Zone of consideration” will be prepared. Confirmation/Regularization of promotion by Committee in this grade shall be essential. Vigilance Clearance shall be essential. Completion of qualifying length of service as prescribed in the relevant Service Rules shall also be essentials.
- (c) The number of officials to be considered for promotions from the final seniority list in order of seniority shall be thrice the number of the vacancies. In the event of sufficient number of officials in the lower grade who satisfy the conditions prescribed in (b) above not being available, lesser number of officials who are eligible may be considered, but not less than twice. Thus the ‘Zone of consideration’ may be equal to thrice the number of vacancies or less if sufficient number of eligible officials are not available but shall not be less than twice the number of vacancies.
- (d) The service records of the eligible officials in the ‘Zone of consideration’ shall be compared on the basis of their ‘Annual Confidential Reports’ for preceding five years. The officials shall be classified as ‘Outstanding’, ‘Very Good’, ‘Good’, ‘Fair’ or ‘Poor’ depending on the average grading obtained in the ACRs. The average grading of an official shall be the grading obtained the maximum number of times in his ACRs for preceding five years.

It may so happen that an official may get two or more grades equal number of times. In that event his average grading shall be determined by calculating the average. The average will be derived from assigning 6(six) marks to each “Outstanding” entry in the ACR, 4 to “Very Good”, 3 to “Good”, 1 to “Fair” and 0 to “Poor”, summing up the marks thus obtained in preceding five years and dividing the total by 5. The average grading then shall be the grading nearest to the average.

- (e) The names of officials in the ‘Zone of Consideration’ shall be re-arranged according to their average grading beginning from ‘Outstanding’ at the top, then ‘Very Good’ and so on. Names of the officials having same average grading will be arranged according to their seniority. A ‘Select List’ shall be formed by taking the officials in the re-arranged ‘Zone of Consideration’ beginning from the top in that order equal to twice the number of vacancies.
- (f) The ‘Select List’ shall be in force for one year or till such time a fresh ‘select list’ is made whichever is earlier. The date on which a ‘select list’ comes into being shall be the date on which it is finalized in the sitting of the Departmental Promotional Committee.

4. No promotion shall be effected as per merit-cum-seniority principle otherwise than in accordance with the procedure laid down in para 3. No Officiating promotion shall be given unless such a promotion is effected from a valid 'select list' following the order in which the names appear in the select list.

5. All Departments shall incorporate the principle of 'Merit-cum-Seniority' in the Service Rules and direct those provisions which are repugnant to the procedure prescribed in this Office Memorandum expeditiously.

Sd/- T C K Lotha, IAS
Chief Secretary to the Govt. of Nagaland

(12.17)

Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)

MEMORANDUM

No.AR-12/3/89

Dated Kohima, 8th Feb/1996.

Sub:- Follow up action on the decision of the Cabinet.

The undersigned is directed to reproduce below the minutes of the Cabinet decision held on 8-10-1995.

"That the promotion of Government servants to be based on the principle of Merit-cum-Seniority and not Seniority-cum-Merit. All Service Rules should be amended accordingly with immediate effect.

Sd/- K.I. YANGER
Deputy Secretary to the Govt. of Nagaland.

(12.18)

Government of Nagaland
Personnel Administrative Reforms Department
(O&M Cell)

OFFICE MEMORANDUM

No.AR/O&M/2/93.

Dt. Kohima, the 4th March'1997.

Sub: - Upgradation of the Posts of Sectional Officer Gr-I/Computer Gr-I/Mines Overman/Asstt.Driller manned by 3(three) years qualified Diploma in Engineering only to that of Class-II, gazetted at the Pay Scale of Rs.1650-55-1925-65-2705-70-3475 P.M. and Re-designated as Junior Engineer (J.E)

The undersigned is directed to refer to the subject cited above and to convey the sanction of the Governor of Nagaland to the up gradation of 486 existing posts of Sectional Officer Grade-I with 3(three) years qualified Diploma Engineering holders only exists in various departments to that of in the pay scale of Rs.1650-55-1025-65-2705-70-3475/- P.M. Class-II Gazetted and re-designated as Junior Engineers as shown against each below with effect from 01/04/1997.

Sl. No.	Name of the Departments	Existing	Number of posts
1	2		3
(1)	Works & Housing Department (Road & Bridges and Housing)	-	172 posts
(2)	Mechanical Wing	-	40 posts
Sl. No.	Name of the Departments	Existing	Number of posts
1	2		3
(3)	Power Department (Electrical)	-	134 posts
(4)	Power Department (Civil)	-	25 posts
(5)	Public Health Engineering	-	74 posts
(6)	Police Project	-	7 posts
(7)	Geology & Mining Department (Mines Overton and Assistant Driller)	-	8 posts
(8)	School Education/Tourism and others	-	26 posts
Total posts upgraded and re-designated to Junior Engineers		-	486 posts

This issues with this Departments clearance accorded vide U.O. No. 411 dated 6/3/97 and concurrence of Finance Department vide their RFC No. 19 of 26/8/96. Formal sanction for up gradation of those posts and re-designation to that of Junior Engineers may now be issued by the respective Administrative Departments mentioned above accordingly.

Sd/- R. EZUNG

Joint Secretary to the Govt, of Nagaland.

(12.19)

**Government of Nagaland
Personnel & Administrative Reforms Department
(O&M Cell)**

OFFICE MEMORANDUM

No.AR/O&M/2/93

Dated Kohima, the 19th Jan, 1998

Sub:- Upgradation of the posts of Sectional Officer Grade-I/Computer Grade-I/Surveyor Grade-I/Assistant Driller/Mines Overman/Assistant Cartographer/Draughtsman Grade I (Civil) Engineering Posts only to that of pay scale Rs. 1650-3475/- Pm Class-II gazetted and redesignated as Junior Engineer with effect from 1/4/1997.

In continuation to this Department's O.M. NO.AR/O&M/2/93 of 4/4/97, the undersigned is directed to refer to the subject cited above and to convey the sanction of the Governor of Nagaland to the Up gradation of under mentioned details of posts of Sectional Officer Grade-I/Computer Grade-I/Surveyor Grade-I/Assistant Driller/Mines Overman/Assistant Cartographer/Draughtsman (Civil) Grade-I (Engineering posts only) exists in various Departments to that in the scale of pay Rs.1650-3475/- p.m Class-II and redesignated as Junior Engineer with effect from 1/4/1997 shown against each:-

Sl. No	Post/Designation	Qualification	No. of Posts	Exists in Department
1	S.O Grade-I	BE Degree holders	78	Works & Housing/PHE/ Power /Irrigation & Flood Control and Geology Mining
Sl. No	Post/Designation	Qualification	No. of Posts	Exists in Department
2	S.O Grade-I	2(two) years Diploma and Non- Diploma holders		
3	Computer Grade-I			
4	Draughtsman (Civil) Grade-I		168	
5	Asst. Cartographer			
6	Surveyor Grade-I			
7	Asst. Driller		7	
8	Mines Overman			

Total posts upgraded and redesignated as Junior Engineer

This issues with this Departments' U.O No. 96 of 12/12/97 and Finance Department concurrence RFC No. 43 of 12/1/1998. Formal sanction for upgradation of these posts and re-designation as Junior Engineer now be issued by the respective Administrative Departments mentioned accordingly.

Sd/- L.H. THANGI MANNEN
Secretary to the Government of Nagaland

(12.20)

**Government of Nagaland
Department of Personnel & Administrative Reforms
(Personnel 'A' Branch)**

NO.PAR-7/4/79

Dated, Kohima, the 26th June, 2002.

OFFICE MEMORANDUM

Sub:- Revised Format for requisition of post for Direct Recruitment/DPC.

The undersigned is directed to refer to the subject cited above and to state that many Departments had been expressing difficulties in filling up the existing forms to submit to the Nagaland Public Service Commission in respect of requisition for Direct Recruitment as well as Departmental Promotions as prescribed forms were found to be quite cumbersome. Accordingly, the matter has been considered by the Government and the existing formats have been revised and simplified in consultation with the NPSC. Copies of the two revised formats are enclosed for the use of all Departments.

2. All Departments are therefore requested to use the revised formats for requisition of posts to the NPSC for Direct Recruitment and convening of DPC meetings with immediate effect.

Enclosed:-As stated.

Sd/- RAGHU MENON
Addl. Chief Secretary to the Govt. of Nagaland

Format NPSC-1/02
(To be submitted in Duplicate)

FOR DIRECT FORMAT FOR REQUISITION RECRUITMENT
(To be filled separately for each Grade of Post)

1. Name of Department and Service_____
2. Specify Service Rules applicable_____
3. Particulars of post(s) proposed to be filled up by direct recruitment should be furnished as per Annexure –A
4. Qualification required.
 1. ESSENTIAL :
 - (a) Academic (if more than one qualification is prescribed, :
these should be indicated in order of importance)
 - (b) Training(s) required :
 - (c) Any other qualification (s) required. :
 - (d) Other equivalent qualification (s) acceptable :
 2. DESIRABLE / PREFERABLE :
 - (a) Academic :
 - (b) Training :
 - (c) Experience :
 - (d) Any other :
5. Specify probation period, if prescribed. _____
6. Total number of posts in the Grade and number of vacancy as on date of submission of requisition should be furnish per Annexure- B.
7. Nature of duties to be performed_____
8. Other information deemed relevant: _____

Particulars of post proposed to be filled up by Direct Recruitment

Sl. No	Post	Grade	Scale of Pay	No. of vacancy	Whether Permanent or Temporary	Remarks
1.						

FORMAT FOR REQUISITION FOR DEPARTMENTAL PROMOTIONS

(to be filled separately for each Grade to which promotions are proposed)

1. Name of the Department and Service :
2. Specify Service Rules applicable:
3. Total strength of sanctioned posts in the Grade:

Designation	Grade	Number
--------------------	--------------	---------------
4. Post(s) proposed to be filled up by promotion:

Designation	Grade	Scale of pay	Number
--------------------	--------------	---------------------	---------------
5. Posts of the same Grade likely to fall vacant within the current Calendar year:

Designation	Grade	Number
--------------------	--------------	---------------

Date

Signature

Name

Designation

Annexure-A

**List of Officers/Staff in Promotion Zone and in order of Seniority
(Annexure to Format NPSC-II/02)**

Sl. No.	Name of Officer Remraks	Latest Substantive Appointment		Officiating Appointment	
		Designation	Date	Designation	Date
1					

Date

Signature

Name

Designation

OTHER DOCUMENTS AND INFORMATION FURNISHED

1. Latest and undisputed Seniority List.
2. List of Officers/staff in the promotion zone as per Annexure-A.
3. Service Rules with latest Amendments.
4. Annual Confidential Reports of all the candidates for the preceding 5 years.
5. Vigilance Clearance Certificates of all the candidates (Certificates not more than 3 months old).
6. Suspension or departmental proceedings pending against officers/staff indicated in the Remarks column in Annexure-A (only if applicable).

Note:

*The Format should be signed by an Officer not below the rank of Additional Secretary if the appointing authority is the Governor or the Head of Department in other cases.

(12.21)

**Government of Nagaland
Personnel & Administrative Reforms Department
(Administrative Reforms Branch)**

CIRCULAR

Dated, Kohima, the 18th December, 2003.

No. AR-1/8/88 : : It has come to the notice of Government that many Departments are sending proposal for Departmental Promotion to His Excellency the Governor of Nagaland, without routing through Nagaland Public Service Commission which is irregular and laid down formalities should be followed without exception.

This is for information and further necessary action for all concerned.

Sd/- V.N.GAUR
Principal Secretary to the Govt. of Nagaland.

(12.22)

**Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)**

OFFICE MEMORANDUM

NO.AR-5/ASSO/98 (Pt)

Dated, Kohima, the 9th July, 2004.

Sub: - Counting of Seniority of Government servants on Contract Appointment

Many Departments are sending proposals to the P&AR Department suggesting different formula for fixing of seniority of the contract Government employees whose services have been regularised. It is brought to the notice of all concerned that the seniority of the contract employees after their regularization is regulated under the terms of Office Memorandum No. APPT-16/1/67 Dated 19-7-1975 which stipulates that their seniority will count from the date of regularization/absorption of such employees and not from any other date.

All Departments are requested to adhere to this principle.

Sd/- V.N.GAUR
Principal Secretary to the Government of Nagaland.

(12.23)

**Government of Nagaland
Department of Personnel and Administrative Reforms
(Personnel 'A' Branch)**

OFFICE MEMORANDUM

NO. PAR-2/3/77 (Pt)

Dated, Kohima, the 4th October'2004.

Subject:-Promotion to Higher Post with retrospective effect.

A few cases have come to the notice of the Government where promotions to higher posts were given by various Department of the Government with retrospective effect.

2. Under F.R. 17 (1), an officer shall begin to draw the pay and allowances attached to his post with effect from the date when he assumes the duties of that post. Thus, unless an officer actually holds charge of the higher post on the crucial date from which promotion is made effective, the officer does not become entitled to the pay of the higher post merely because an order has been issued at a later date giving a retrospective date. In view of this, it is irregular to make orders of promotion effective from retrospective date unless there was written directive from the competent authority on that (retrospective) date requiring that officer to take over full charge of the higher post.

3. The undersigned is, therefore, directed to impress upon all the Administrative Departments/Head of the Departments of the Government to ensure that such practice of giving promotion with retrospective effect should be discontinued forthwith, unless it is necessary to restore the seniority of that person on account of wrong supercession by a junior officer, and based on the rulings given by DPC or a Court of Law.

4. The receipt of this O.M. may kindly be acknowledged.

Sd/- LALTHARA
Addl. Chief Secretary to the Govt. of Nagaland

(12.24)

**Government of Nagaland
Personnel & Administrative Reforms Department
(Administrative Reforms Branch)**

NO. AR-1/8/88 (Pt)

Dated, Kohima, the 17th Nov'2004.

OFFICE MEMORANDUM

Sub: - Holding of DPC mandatory with Service Rules.

The undersigned is directed to refer to the subject cited above and to state that many Departments under Government of Nagaland are not having their Service Rules till date. It has also been observed that many departments are coming to the Commission pleading to regularise promotion cases even without having their Service Rules.

The Departments which have no Service Rules must frame their own Service Rules at the earliest. The Commission will not entertain any proposal for convening of DPC unless the proposal is supported by Service Rules. Further, those departments having Service Rules may update the same as per rules. A copy of the Service Rules may also be forwarded to this Department for record and reference.

Sd/- LALTHARA

Addl. Chief Secretary to the Govt. of Nagaland

MOST IMMEDIATE
TIME BOUND

(12.25)

**Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)**

No. AR-3/Gen-174/2007 (Pt)

Dated, Kohima, the 20th July, 2009.

OFFICE MEMORANDUM

Sub:- Various issues connected with retirement of the State employees who have completed 35 years of service or 60 years of age.

1. The State Government had taken a decision that all persons holding public employment under the State Government shall retire on the last day of the month on attaining the age of 60 years, or in which he/she completes 35 years of public employment, whichever is earlier. There will be some dislocations and gaps of administrative and functional structures in all the Departments in implementing the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009. In order to fill up the vacancies, the Department will have to carry out some advance exercises. The Government will also allow relaxation of the qualifying years for officiating promotion to the next higher grade upto minimum of 1(one) year in each grade, wherever there are vital gaps in the hierarchy of certain Departments as a result of the implementation of this Act. For this, all Departments should submit proposals to the P&AR

Department for consideration of promotion under this special dispensation, to be put up to the Civil Services Board (CSB). However, for employees of the Police and Forest Departments, the proposals may be directly put up by the concerned Departments to Police Establishment Board and Forest Establishment Boards respectively instead of CSB. If and when necessity arises, some posts may be downgraded to suitable levels to enable better utilization of cadre posts, with prior approval of CSB, to be obtained through P&AR Department.

2. As a first step of this exercise, all Departments are requested to submit the list of information as per the sample formats enclosed (format-I and II) to the P&AR Department within 5(five) days and before 24th July, 2009. The employees who would have completed 35 years of service by 30th September, 2009. Another list of employees, who would have completed 35 years of service by 31st December, 2009 should also be prepared and furnished.

3. Meanwhile, a sample format for issue of retirement orders in respect of those affected by the Act will be worked out by P&AR, and circulated to all Department, so that retirement orders can be issued simultaneously and in the same format once the date of implementation of the Act is decided by the Government.

4. Further, all Departments are hereby directed to carry out special scrutiny of all service records and service books of Government employees under them. This should be completed within 3(three) months from the date of issue of this O.M, and those who are found to have tempered with their age or date of entry into service, should be given the option of going for voluntary retirement, or face disciplinary proceedings and criminal prosecution in a Court of Law, which may entail forfeiture of all pension benefits, if found guilty.

Enclosed : Format I & II.

Sd/- LALTHARA

Chief Secretary to the Govt. of Nagaland.

FORMAT-I

Name of the Department_____

Statement indicating lists and particulars of Government employees who would be completing 35 years of service as on 30th September, 2009.

Sl. No	Name of the Govt. employee	Designation	Office and place of posting	Date of birth	Date of joining service	Date of completion of 35 years of service.	Remarks
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
(1)							
(2)							
(3)							

Name & Signature of Controlling authority

Designation_____

FORMAT-II

Name of the Department_____

Statement indicating lists and particulars of Government employees who would be completing 35 years of service as on 31st December, 2009.

Sl. No	Name of the Govt. employee	Designation	Office and place of posting	Date of birth	Date of joining service	Date of completion of 35 years of service.	Remarks
1	2	3	4	5	6	7	8
(1)							
(2)							
(3)							

Name & Signature of Controlling authority

Designation_____

(12.26)

Government of Nagaland
Department of Personnel and Administrative Reforms
(Administrative Reforms Branch)

No. AR-3/Gen-58/2001

Dated Kohima, the 26th August, 2009.

OFFICE MEMORANDUM

Sub: Clarification on promotion of Stenographer and Typists.

It has come to the notice of the Government that many Departments are sending proposals for upgradation of Stenographers and Typists in the Departments who have passed the Departmental exam and on completion of the qualifying years prescribed for them. It is now clarified that, the Departments' concerned should promote Stenographers and Typists **upto Grade-I level personal** to them after they passed the prescribed Speed Test conducted by the NPSC, and on completion of the qualifying years prescribed for each grade without sending the proposal to the P&AR Department, Finance Department, Upgradation Committee and the Cabinet.

Sd/- TEMJEN TOY
Commr & Secretary to the Govt. of Nagaland

(12.27)
Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)

No. AR-3/Gen-174/2007 (Pt)

Dated, Kohima, the 18th May, 2012.

OFFICE MEMORANDUM

Sub:- Relaxation of qualifying years for officiating promotion in connection with retirement of the State employees under the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009.

1. The undersigned is directed to refer to this Department's Office Memorandum of even number dated 20th July, 2009* on the subject cited above and to state that the State Government had allowed relaxation of the qualifying years for officiating promotion to the next higher grade upto minimum of 1(one) year in each grade, wherever there are vital gaps in the hierarchy of certain Departments as a result of the implementation of the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009. The Departments were also requested to submit proposals to the P&AR Department for consideration of promotion under this special dispensation, to be put up to the Civil Services Board (CSB). However, it has come to the notice of the Government that certain Departments have misused the above one-time relaxation to use it as an overriding clause over departmental Service Rule, and also bypassing the P&AR Department.
2. It is re-iterated that the benefit of one-time relaxation as prescribed in the aforesaid O.M dated 20th July, 2009 cannot be given without prior consultation with P&AR Department. In case any violation has been made by any department of the instructions in the said O.M, the case may be referred to P&AR department with all details, including the circumstances why prior clearance was not taken for review.
3. Further, in case of any difficulties faced in implementing the instructions for one-time relaxation contained in the aforesaid O.M, extension of relaxation beyond one-time to take care of these problems will be made on a case to case basis, for which department/cadre controlling authority may refer the matter to P&AR along with detailed justification for giving such relaxation.

****Refer Chapter 12.26***

Sd/- LALTHARA
Chief Secretary to the Government of Nagaland.

(12.28)
Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)

No. AR-3/ Gen-174/2007 (Pt)

Dated Kohima, the 17th of December, 2014

OFFICE MEMORANDUM

Sub: Relaxation of qualifying years for officiating promotion in connection with retirement of State Government employees under the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009.

1. The Nagaland Retirement from Public Employment (Second Amendment) Act, 2009, which came into force with effect from 31.10.2009, stipulates that a State Government employee will retire from service on completing 35 years of public employment or on attaining the age of 60 years, whichever is earlier.

2. As some dislocations and gaps in administrative and functional structures were envisaged in implementing the Act, it was decided to allow relaxation of the qualifying service for officiating promotion to the next higher grade on completion of minimum service of 1 (one) year in the existing grade and submission of proposals for consideration of promotion to P & AR Department vide this Department's Office Memorandum of even number dated 20.07.2009.

3. It was re-iterated vide this Department's Office Memorandum of even number dated 18.05.2012 that the benefit of relaxation in qualifying service as prescribed in O.M. dated 20.07.2009 cannot be availed of without prior consultation with P & AR Department, including cases of extension of relaxation beyond one-time relaxation.

4. The position has been further reviewed by the Government as gaps in administrative hierarchy of Departments may continue to occur under the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009 (for example, such gaps could occur if officials recruited in a particular batch or year retire together on completing 35 years of public employment). It has been decided, therefore, to continue with the policy of relaxation of qualifying length of service for promotions, subject to the following conditions:

- (i) The relaxation of the prescribed qualifying length of service for promotions will be permitted only for those Government employees who have been confirmed in service and have been occupying the post on regular capacity for a minimum period of 1 (one) year. It shall *not be available in entry-level / direct recruitment posts* as the incumbents holding these posts are required to gain adequate experience in terms of prescribed length of qualifying service before being promoted to the next higher level.
- (ii) Relaxation of prescribed qualifying length of service for promotions can be permitted on more than one occasion only on completion of minimum service of 1 (one) year in the respective post by the Government employee and regularization of the previous officiating promotion by the Departmental Promotion Committee (DPC).

(iii)The relaxation of prescribed qualifying length of service for promotions will be permitted only on the basis of prior clearance of P & AR Department in each case. Failure to obtain prior clearance of P & AR Department will be viewed seriously.

5. This issues in supersession of this Department's Office Memoranda of even number dated 20.07-2009 and 18.05.2012*.

**Refer Chapter 12.27*

Sd/- TOSHI AIER, IAS
Chief Secretary to the Govt. of Nagaland