Q1: What are the Rules and Regulations under which promotions to IAS/IPS/IFoS are governed?


Q2: Who are the cadre controlling authorities for the IAS/IPS/IFoS?

Ans: The Central Govt. is the cadre controlling authority for the three All India Services and in terms of the provisions of the respective IAS/IPS/IFoS Promotion Regulations, the Central Govt. means Ministry of Personnel & Public Grievances & Pensions, Department of Personnel & Training for IAS; Ministry of Home Affairs for IPS and Ministry of Environment & Forests for IFoS. The vacancies to be filled under the Promotion Quota for each year are determined by the Central Govt. in consultation with the respective State Govt. and the final appointments are also made by them.

Q3: What is the role of the UPSC in promotion/selection to All India Services?

Ans: Once the vacancies for promotion/selection to All India Services have been determined by the Central Govt. / Nodal Ministry in consultation with the State Government, the concerned State Government forwards the proposal for promotion / selection for the relevant year(s) including the documents listed at Q7 to the Commission. Once the proposal has been examined in the Commission and deficiencies if any rectified, the meeting of the Selection Committee is convened by the Commission. Upon receipt of the observation of the State Government as stipulated at Regulation 6 & the observation of the Central Government as envisaged in Regulation 6A, the recommendation of the Selection Committee are placed before the Commission. The list as finally approved by the Commission shall form the Select List of the members of the State Civil Service. Appointments to the All India Services are then made by the respective Nodal Ministries.
Q4: When can a meeting of the Selection Committee for a particular year be convened for promotion to IAS/IPS/IFoS?

Ans: A meeting of the Selection Committee for that year can be convened any time between 1st January to 31st December after (a) vacancies are determined by the Central Govt and (b) a proposal with complete documents is furnished by the respective State Govt to the Commission.

Q5: Whether year wise Select Lists can be prepared if the Selection Committee does not meet for a year?

Ans: Yes, year wise Select Lists are required to be prepared, in case Selection Committee could not meet by 31st December during the previous years in terms of proviso to Reg 5(1) of Promotion Regulations, in the meeting of the Selection Committee for the current year.

Q6: What are the eligibility conditions for consideration for promotion to All India Services?

Ans: In terms of the provisions of Promotion Regulations, a State Civil/Police/Forest Service Officer is eligible to be considered for promotion to IAS/IPS/IFoS provided on 1st January of the year for which the Select List is to be prepared, he is

   a) a member of the State Civil/Police/Forest Service
   b) having completed not less than eight years of continuous service (whether officiating or substantive) in the post of Deputy Collector/Deputy SP or in any other post or posts declared equivalent thereto by the State Government/ posts included in the SFS.
   c) confirmed in the State Service
   d) within the zone of consideration equal to three times the number of vacancies in the order of seniority.
   e) having not crossed the age of 56 years. However he would be eligible over 56 years if he was included in the earlier Select List provisionally but could not be appointed during the validity period of the Select List.

Q7: What are the documents required to be sent by the State Govt. while sending proposals to the Commission for convening the Selection Committee Meetings?

Ans: 

   a) Latest Seniority List duly notified.
   b) Eligibility List(s) of officers to be considered.
   c) Integrity Certificate duly signed by the Chief Secretary.
d) Statement of Disciplinary/criminal proceedings pending against the officers with date of issue of a charge sheet/filing in the court of law.

e) Statement of adverse remarks in the ACRs – which are yet to be communicated; communicated but the time limit to represent is not yet over; a representation against the adverse remarks is pending decision with the State Govt.

f) Statement of Penalties imposed during the last 10 years with brief particulars, date of penalty and the currency period of penalty.

g) Statement of Court cases having a bearing on the preparation of the Select List.

h) Complete ACR dossiers containing original ACRs with ‘Non Recording Certificates’ indicating valid reasons for missing ACRs. A statement of available ACRs with reasons of missing ACRs.

Q8: When is a disciplinary/criminal proceeding treated as pending against an officer?

Ans: A disciplinary case shall be treated as pending only if a charge sheet has actually been issued to the officer or filed in a court as the case may be.

Q9: What is the composition of the Selection Committee?

Ans: Composition of the Selection Committee is as specified in the Schedule of the Promotion Regulations. The absence of a member, other than the Hon’ble Chairman or Hon’ble Member of the Commission, shall not invalidate the proceedings of the Committee if more than half the members of the Committee had attended its meetings.

Q10: What records are assessed by the Selection Committee?

Ans: The Selection Committee makes an assessment of the ACRs (and other service records) of the officers furnished by the State Govt with special reference to the preceding five years of the year of Select List.

Q11: How are the assessments made by the Selection Committee?

Ans: Every Selection Committee is independent to make its own assessments. The Commission have framed internal guidelines which may be seen on the website of UPSC at www.upsc.gov.in.
Q12: Whether the Selection Committee can differ with the overall grading indicated in the ACRs?

Ans: Yes, the Selection Committee is the high powered statutorily constituted Committee and vested with the power to make an independent assessment of the service records and ACRs of the officers. The grading awarded by the Committee is based on the attributes indicated in various columns of the ACRs and at times may be at variance with the overall grading indicated in the ACR by the Reporting Officer/Reviewing Officer/Accepting Officer. The Hon’ble Supreme Court in their judgement in the case of K. Rajaiah have also held that the Selection Committee is not bound by the overall grading in the ACRs.

Q13: Whether the Selection Committee follows the DPC guidelines issued by the Govt. of India, DOP&T?

Ans: No. The Selection Committee makes the assessments in terms of the provisions of the Promotion Regulations as per the internal guidelines of the Commission. The Hon’ble Supreme Court in their judgement dated 13.12.2007 in Civil Appeal No.5883-5891 of 2007 filed by Shri M.V. Thimmaiah & Ors. vs. Union Public Service Commission & Others have upheld the Guidelines of the Commission for making the assessment of service records by the Selection Committees constituted under the IAS (Appointment by Promotion) Regulations 1955. The Court have observed as under:

“Therefore, in view of the catena of cases, courts normally do not sit in the court of appeal to assess the ACRs and much less the Tribunal can be given this power to constitute an independent Selection Committee over the statutory Selection Committee. The guidelines have already been given by the Commission as to how the ACRs to be assessed and how the marking has to be made. These guidelines take care of proper scrutiny and not only by the Selection Committee but also the view of the State Government are obtained and ultimately the Commission after scrutiny prepare the final list which is sent to the Central Government for appointment”.

Q14: Whether there is supersession in the promotions to the All India Services?

Ans: Yes. In terms of provisions of Reg 5(4) and 5(5) (5(3AA) and 5(4) for IFoS) of Promotion Regulations, the selections for promotion to All India Services are on merit basis. There is no concept of bench mark.
Q15: Whether an officer whose representation for expunction of adverse remarks from his ACRs is pending with State Govt. can be included in the Select List?

Ans: Yes, if he is otherwise found suitable by the Selection Committee by ignoring such adverse remarks but his inclusion will be provisional subject to expunction of such adverse remarks in terms of proviso to Reg 5(5).

Q16: Whether the officers against whom disciplinary proceedings/criminal proceedings are pending, can be included in the Select List? What will be the position if they are subsequently exonerated? Whether ‘Sealed Cover Procedure’ will be followed in their cases?

Ans: Yes, they can be included provisionally if otherwise found suitable. However, in the event of their exoneration or satisfying the provisional conditions, their name can be made unconditional by the Commission in the Select List provided a proposal is received from the State Govt within the validity period of the Select List. There is no ‘Sealed Cover Procedure’ in promotions to the All India Services.

Q17: What is the validity period of the Select List?

Ans: As per Reg 7(4), the validity period of the Select List is upto 31st December of the year in which the Selection Committee Meeting is held or 60 days after the Select List is approved by the Commission, whichever is later.

Q18: Who is the State Govt. for the purpose of Union Territories?

Ans: For promotions to UT segment of Joint AGMUT, the State Govt means MHA(UTS) for IAS and IPS and Ministry of Environment & Forests for IFS.

Q19: For Selection of Non-SCS officers for appointment to IAS, what is the weightage of ACRs and interview?

Ans: It is 50:50. However, a minimum of 50% marks in each segment would be required to be qualified for inclusion in the Select List.

Q20: Whether an officer whose integrity certificate is withheld by the State Govt or against whom disciplinary / criminal procedures are pending is eligible to be considered for selection to IAS (Non-SCS)?

Ans: No.
Q21: Whether the Select Lists already prepared and acted upon can be reviewed subsequently due to change of seniority, change of records viz expunction of adverse remarks, exoneration from disciplinary/criminal proceedings, setting aside penalties etc.?

Ans: No. There is no provision in the Promotion Regulations to suo moto review Select Lists for promotion to All India Services & reviews meetings are held only in compliance of Court Direction.

Q22: Whether there is any provision to give extended Panel in lieu of officers included in the Select List who are retired or not available for promotion?

Ans: No

Q23: Whether representations can be made to the Commission direct in connection with the Selection Committee Meeting being held?

Ans: State Govt are the custodian of all service records of the State Service Officers. Any grievance relating to service records may be routed through State Govt. If the matter also requires attention of the Commission including court directions etc, advance copies of representations may be forwarded to the Commission. The Representations may be addressed in the name of Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi-110069. (Fax No.011-23782069, 011-23385345).