

STANDING OPERATING PROCEDURE

DEPARTMENTAL PROMOTIONS COMMITTEE FOR SAINIK SCHOOLS

REFERENCES

- (a) Directions given during 42nd All India Sainik Schools Principals' Conference held at Sainik School Bijapur from 03 to 05 Oct 2012.
- (b) Sainik School Society Rule No 5.25, 5.26, 5.27 and 7.01 and 7.02.
- (c) Honourable Supreme Court of India Judgment on All India Sainik school Association v/s Defence Minister cum Chairman BoG, Sainik School Society (Available at <http://indiankanoon.org/doc/289990> OR at <http://www.rishabhdara.com/sc/view.php?case=9310>)
- (d) Honourable High Court Simla Judgment in the case of Shri Jiwan Lal Tandiya Vs Sainik School Society available at the website of Simla High Court with the reference CWC 11127/2011 .
- (e) Govt of India, Min of Personnel, DOPT letter No F No 35034/7/97-Estt(D) dt 08 Feb 2002 and letter No 22034/3/2007 - Estt(D) dt 11 April 07. (Available at http://persmin.gov.in/DOPT/Seniority_Instructions_Guidelines/Seniority_Instructions_Guidelines_Page_53_57.pdf)

INTRODUCTION

1. The issue regarding departmental promotions and constitution of DPC in Sainik Schools came up for discussion during 42nd All India Sainik Schools Principals' Conference held at Sainik School Bijapur. During the conference it was decided that a comprehensive policy be framed for affecting the promotions of different categories of employees in Sainik Schools. This SOP is the result of further deliberations on the subject.

AIM

2. To lay down Standing Operating Procedure for conduct of Departmental Promotion in the Sainik Schools through Departmental Promotion Committee.

LAYOUT

3. The SOP is divided into following parts : -
- (a) Part-I - General
 - (b) Part-II - Procedural Aspects
 - (c) Part -III - Actual Conduct

PART-I – GENERAL DETAILS

4. Timely and just promotion ensures continued professional growth, monetary benefits, high level of satisfaction, motivation and morale while simultaneously ensuring optimal utilisation of human resources. It is the responsibility of the School authorities to initiate timely actions to ensure prompt filling up of higher grade vacancies through promotion wherever applicable.

5. Before processing the cases of DPC all concerned should acquaint themselves with the documents mentioned under ser (c) (d) and (e) of 'References' at page no 1 of this document which state that -

(a) Special status of School as ruled by Honorable Supreme Court of India in the case of All India Sainik school Association v/s Defence Minister cum Chairman BoG, Sainik School Society (Excerpts from the Judgment placed at **Appx 'A'**)

(b) Honourable High Court Simla Judgment in the case of Shri Jiwan Lal Tandiya Vs Sainik School Society (**Appx 'B'**) wherein Honourable High Court has stated -

(i) No employee has a right to Promotion but he has a right to be considered for promotion. (Para 17 of Judgment refers)

(ii) Suitability as well as Merit are the criteria for Promotion. (Para 21 of Judgment refers)

(iii) There may be more than one person suitable for promotion but out of them a meritorious will have to be preferred. (Para 23 of Judgment refers)

(iv) The DPC shall be at liberty to adopt the course of written test with prior notice (to the petitioner) notifying the syllabus for such a test and fixing a bench mark to qualify in the written test or any other mode to assess the merit (of the petitioner for the post of Master (Maths)). (Para 27 of Judgment refers)

(c) DoPT Rules and Policies related to Departmental Promotion (**Appx 'C' and 'D'**)

6. There are two methods of recruiting the staff in a school -

(a) Direct Recruitment - Direct recruitment for any post will be made in accordance with Para 5.25, 5.26, 5.27 and 5.28.

(b) Departmental Promotion - Following posts will be filled up either through direct recruitment or departmental promotion (wherever possible efforts will be made to first fill up the post through departmental promotion)-

- (i) Master
- (ii) Asst Master
- (iii) Office Superintendent
- (iv) Accountant
- (v) Quartermaster
- (vi) Mess Manager
- (vii) Upper Divisional Clerk
- (viii) Lower Divisional Clerk

7. As indicated in Rule 5.26 of SS Society Rules, direct recruitment will be resorted to only if suitable qualified and experienced persons already employed in the School are not available.

8. **Feeder Cadres** – Feeder cadres for various posts for which departmental promotion is applicable will be as under

<u>Post</u>	<u>Feeder Cadre</u>	<u>Min Service in feeder cadre (Including Probation)</u>
Master	Asst Master in the relevant subject	5 years
Asst Master	Lab Assistant	5 Years
OS/Accountant	UDC	5 years
Quartermaster	Mess manager/ LDC/ Hostel Superintendent	5 Years
Mess manager	LDC/Hostel Superintendent	5 years
UDC	LDC	5 Years
LDC	Gen Employees	3 Years

Notes -

(a) In order to be eligible for consideration by the DPC a candidate should be serving in the specified feeder cadre and meet all other eligibility conditions. The eligibility dates for determining the eligibility of a candidate for consideration by DPC will be the first day of January if the vacancy arises between January and June and first day of July if the vacancy arises between July and December of the year. Other employees serving in other cadre/trades can apply for a post only as fresh candidates. For example a LDC even if he possesses the required qualification for a Master will not be considered by the DPC. He however can apply for that post but only as a fresh candidate.

(b) Merely having served in the feeder cadre for required number of years will not automatically qualify a candidate for consideration by DPC. At the same time all candidates who meet the laid down criteria of age, qualification and service will be considered by the DPC. The School administration will also inform all such candidates in writing that they are being considered by the DPC.

(c) On the date of the first sitting of the DPC, the candidate should possess the required qualification and should have served for the required duration in the School. (Service rendered in another Sainik School will NOT count towards fulfilling the service criteria)

(d) The date on which the qualification was acquired will have no effect on the seniority of a candidate.

9. **General Conditions** -

(a) **Frequency** - DPC will be conducted as per requirement, at least six to eight weeks prior to the occurrence of a vacancy. For this the School has to ensure that a case is taken up with Sainik School Society well in time for release of the vacancy and to obtain the permission for conduct of the DPC.

(b) **Eligibility** - In order to be eligible to be considered for departmental promotion, an individual should meet the following criteria :-

(i) Should possess the requisite qualification for the post for which he is to be considered.

(ii) Should have rendered minimum qualifying service in the feeder cadre.

(iii) Should not be under suspension.

(iv) Candidates facing an inquiry can be considered by the DPC. However their appointment will be subject to the final outcome of the Court of Inquiry.

10. **Composition of Departmental Promotion Committee** - Composition of DPC for different posts will be as under -

<u>Ser</u>	<u>Post</u>	<u>Composition of DPC</u>	<u>Remarks</u>
(a)	Master	<u>PO</u> - Principal <u>Members</u> 1. Vice Principal 2. Rep from State Adm 3. Rep of Chairman LBA	

		4. Subject Expert (Not from within the School)	
(b)	Office Superintendent/ Accountant/ Quartermaster/ Mess Manager/ UDC	<u>PO</u> - Principal <u>Members</u> 1. Adm Officer 2. Rep of Chairman LBA 3. Rep of State Administration	

Notes

- (i) Employees from the same School only will be considered for the Departmental Promotion.
- (ii) Separate DPC will be constituted for filling vacancies in different cadres (For example DPC for Master and for Office Superintendent will have different composition).

PART II - PROCEDURE

11. Various steps to be initiated by the School administration for release of vacancy and holding of the DPC are enumerated below -

(a) A permanent vacancy in the School can occur under following circumstances

- (i) Retirement
- (ii) Resignation
- (iii) Transfer
- (iv) Promotion
- (v) Creation of New Post
- (vi) Untimely demise/ Accident

(b) Except in the case of untimely demise of an employee, the actual date of occurrence of the vacancy is known well in advance. Hence it is incumbent upon the School to intimate the same to Sainik School Society

and obtain permission to fill the vacancy well in time. Such a request should clearly specify, if a DPC is applicable for filling up the vacancy.

(c) On receipt of the approval from Sainik School Society, the School will ensure that all documents like Annual Reports and personal files of the individuals to be considered by the DPC are ready in all respect. The School should also intimate all affected persons that they are likely to be considered by the DPC so that in their own interest, they can get their dossiers/personal files updated.

(d) All affected employees will also be intimated in writing about conduct of the written test (if applicable), its syllabus and pass marks/percentage to be achieved by an employee in order to qualify for consideration by the DPC. Question Papers for such tests will be got prepared by the Principal through subject experts from outside the School.

(e) The School will also approach Chairman LBA and State administration to detail their reps for the forthcoming DPC meeting. School will also approach local Colleges/University or some reputed School to detail a subject expert, whenever required.

12. Recommended time plan for the above events is given below in a tabular form -

<u>Ser No</u>	<u>Event</u>	<u>Time Frame</u>
(a)	Intimating Sainik School Society regarding occurrence of vacancy and asking for release of vacancy	D-90 days
(b)	Release of vacancy by Sainik School Society	D-60 Days
(c)	Preparation of documents for smooth conduct of DPC	D-60 to D-45
(d)	Approaching State Govt, Chairman LBA and Educational Institutes to detail Members	D-45
(e)	Getting Question Paper prepared for the written Test	D-30 to D-15

PART III - CONDUCT

13. On the day of the DPC, the members will report to the Principal of the concerned School. Being Presiding Officer of the Committee, it will be his responsibility to keep all the documents ready and also prepare a master data sheet to compare the performance of each individual being considered by the DPC. This master data sheet will contain all details about the employees being considered by the DPC in a matrix form. The Principal will brief all the members and will also place all necessary confidential documents (APAR etc.) in front of the committee. The committee will scrutinize all the documents placed in front of it and verify the data in the master data sheet. DPC will also decide on the criteria to be fixed for declaring a candidate FIT/UNFIT for promotion.

14. A written test and a Practical test will invariably be conducted by the DPC while considering candidates for selection. The syllabus for such a test will be based on the requirements of the post. It will be the responsibility of the Principal to get minimum two sets of Question Papers prepared through subject experts (not the one who is member of DPC) from outside the School and keep them in sealed envelopes. On the day of DPC, the Board will select one of the sealed envelopes and conduct the written test in their presence. It will be the responsibility of the subject expert in the committee to correct the same. Following General guidelines are suggested for such a test –

- (a) Conduct of the written test will be the first activity to be conducted by the DPC.
- (b) Test will be conducted in a room specially earmarked and prepared for this purpose.
- (c) Minimum one member of the committee shall act as supervision during the exam
- (d) Question Paper should try to take into account the experience of the employees. While selecting a Master/Asst Master, emphasis will be on academic knowledge, for other posts emphasis will be on practical knowledge related to the trade. Difficulty level and the structure of the Question Paper should be decided accordingly.

15. DPC will also decide on the cut-off marks for written as well as practical exam. In this regard decision of the DPC will be final. Passing in the written test will be a mandatory requirement for a candidate for being considered by the DPC. DPC will peruse the ACRs and personnel files of the candidates only after having finalised the result of written and practical decided the cut off criteria for approving a candidate for promotion.

16. Merit will be the primary factor in deciding the suitability of a candidate for the higher post. Merit will be decided by taking into acct the performance of a candidate in the written/practical exam, qualification(s), annual reports for at-least last five years, results (in case of teachers) and awards if any. DPC will decide weightage for each criteria before proceeding to examine annual reports and other documents of the candidates. As an example suggested weightage is given at Appx 'E'.

17. DPC will prepare a merit list based on all the above criteria and handover the same to the Principal of the School in a sealed envelope, who will obtain the approval of the Chairman LBA. Once approved by the Chairman LBA, the principal will forward a copy to Sainik School Society for information and publish a Part II notifying the promotion. A letter to this effect will also be issued to the individual concerned.

Validity of DPC proceedings

18. DPC proceedings will remain valid for one year wef the date the proceedings are countersigned by the competent authority (Chairman LBA).

Conclusion

19. Fair play and transparency should be the hallmark of any promotion in a School. The DPC has to ensure that the best suited man is promoted to the higher grade. The School on its part has to ensure timely and proper conduct of a DPC to ensure optimal utilisation of human resources as also to maintain a high level of morale amongst its employees.