No. 22038/1/2002-Estt (D)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions.  
(Department of Personnel and Training)  

New Delhi-110001  
January 8, 2003  

OFFICE MEMORANDUM

Subject: Non-Functional Selection Grade in 'Organised'  
Group-A Services - Application of sealed cover  
procedure.

The undersigned is directed to say that DoPT O.M. NO.  
22038/1/88-Estt D dated 22nd November, 1990 [para (b) thereof] refers  
to application of sealed cover procedure at the time of considering grant  
of Non-Functional Selection Grade to officers of ‘Organised’ Central  
Group ‘A’ Services. However, this Office Memorandum does not indicate  
the circumstances in which the sealed cover procedure is to be adopted.  
As stated in para 2 of O.M. No. 22/1/2000-CRD dated 6th June, 2000,  
NFSG is a segment of Junior Administrative Grade and appointment to  
NFSG is, therefore, not a case of promotion, but merely a placement in a  
higher pay-scale. Consequently, the provisions relating to adoption of  
sealed cover procedure by the DPC while considering cases of regular  
promotion as prescribed in this Department’s O.M. no. 22011/4/91-Estt  
(A) dated the 14th September 1992 are not directly applicable in such  
cases.

2. It is clarified that the Internal Selection Committee, while  
considering the issue of grant of NFSG in accordance with the criteria laid  
down in this Department’s O.M. no. 28038/1/88-Estt D dated the 9th  
October, 1989, shall also place the recommendations for grant of NFSG  
in a sealed cover, if the Officer(s) concerned are covered by any of the  
following three situations as on the 1st January of the relevant calendar  
year in which the case of the concerned officers matures for grant of  
NFSG, unless such meeting is held in advance of the relevant year in  
in which case the date of the meeting of the Internal Selection Committee  
will be relevant:

   a) Where the officer is under suspension;
   b) Where a charge sheet has been issued and the  
departmental proceedings for disciplinary action are  
pending; and
   c) Where prosecution for a criminal charge is pending in a  
court of law.

Contd...2/-
3. The same procedure will be followed by the subsequent Internal Selection Committees convened till the disciplinary case/criminal prosecution against the Officer concerned is concluded. On the conclusion of the disciplinary case/criminal prosecution, if it results in dropping of the case against the Officer, the sealed cover (or covers) shall be opened. In case, he is recommended for placement in NFSG, the same shall be allowed from the relevant year in which he has been recommended for grant of NFSG by the Internal Selection Committee. He shall also be entitled to arrears of pay and allowances for such period.

4. If, however, the disciplinary/criminal case against the government servant ends in a punishment/penalty, the findings of the Internal Selection Committee in the sealed cover/covers shall not be acted upon. The Officer’s case for grant of NFSG may be considered by the next Internal Selection Committee held in the normal course subsequent to the date on which the pending case was decided against him. The Internal Selection Committee may decide on his suitability for NFSG in terms of the criteria laid down vide O.M. dated 9.10.89 and also having regard to the penalty imposed on him.

5. It is also clarified that as NFSG is a mere placement in a higher scale and non-functional in character, there is no functional requirement of another officer being allowed NFSG in place of the officer whose case is placed in the sealed cover by the Internal Selection Committee. Also, there is no requirement of allowing NFSG on ad-hoc basis to the officer whose case is placed in the sealed cover where the disciplinary/criminal case are delayed as his monetary interests are fully protected by the decision that in the event of his exoneration in the pending disciplinary/criminal case, he will be entitled to appointment in NFSG from the relevant year in which he has been recommended for grant of NFSG by the Internal Selection Committee, with arrears of pay and allowances.

6. All Ministries/Departments are advised to ensure that provisions of this Office Memorandum are kept in view while regulating the cases for placement of officers of Organised Central Group-A Services (both technical & non-technical) in the Non-functional Selection Grade.

7. Hindi version will follow.

(Alok Saxena)
Deputy Secretary to the Government of India

All Ministries/Departments of the Government of India.
Copy to:

1) President’s Secretariat /Vice-President’s Secretariat/Prime Minister’s Office/Supreme Court/Rajya Sabha Secretariat/Lok Sabha Secretariat /Cabinet Secretariat UPSC/CVC/C&AG/Central Administrative Tribunal (Principal Bench), New Delhi.
2) All attached/subordinate offices of the Ministry of Personnel, Public Grievances and Pensions.
3) Secretary, National Commission for Scheduled Castes/Scheduled Tribes.
4) Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi.
5) Facilitation Centre, DoP&T – 20 copies.
6) Establishment (D) Section – 200 copies.
7) NIC (DoP&T) for placing this Office Memorandum on the Website of DoP&T (persmin.nic.in).
8) Cadre Review Division, DOPT – 5 copies.
9) E.O.’s office, DoPT-5 Copies
10) North East Secretariat

......