



ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
punjab national bank

Personnel Administration Division
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April 20, 2012

**PERSONNEL ADMINISTRATION DIVISION
CIRCULAR NO. 83**

TO ALL OFFICES

PROMOTION POLICY FOR OFFICERS

Service conditions of Officers are governed by the Regulations framed by the Board of Directors in exercise of powers conferred by Section-19 read with Sub-section-26 of Section-12 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, in consultation with the reserve Bank of India and with the previous sanction of the Central Government. Regulation 17 of PNB Officers' Service Regulations, 1979, lays down that the promotions to all grades of Officers in the Bank shall be made in accordance with the Policy laid down by the Board from time to time, having regard to the guidelines of the Government, if any.

2. The Government of India, Ministry of Finance, Banking Division, had issued guidelines in July, 1979, in accordance with the above Regulations. Subsequent to these guidelines a number of Government guidelines pertaining to promotion of officers from one scale / grade to another have been received including guidelines vide letter No. F No. 4/11/1/2011-IR dated 14.03.2012 to ensure uniformity in Officers' cadre promotions in all the Public Sector Banks. It has been advised that the guidelines given vide letter dated 14.03.2012 shall be operationalised after adoption by the respective Board of the Banks.

3. Having regard to the recent guidelines issued by the Government, the requirements of the bank and also the deliberations held with the representatives of the AIPNBOA in small committee meetings, the Board in its meeting held on 21.03.2012 has approved the revised promotion policy for promotion of Officers from JMG Scale-I to MMG Scale-II, MMG Scale-II to MMG Scale-III, MMG Scale-III to SMG Scale-IV, SMG Scale-IV to SMG Scale-V, SMG Scale-V to TEG Scale-VI and TEG Scale-VI to TEG Scale-VII. Further, the Board in its meeting held on 20.04.2012 has also approved certain amendments in the above promotion policy.

4. A revised Promotion Policy for promotion of Officers as approved by the Board in its meeting held on 21.03.2012 and 20.04.2012 is enclosed for information of all concerned.

5. Further, a reference has been made by the Bank to Ministry of Finance seeking certain exemptions on the Govt. guidelines incorporated in the enclosed promotion policy and on receipt of communication from the Govt. in the matter, the same will be incorporated in the promotion policy.

Encl: As above

GENERAL MANAGER



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PROMOTION POLICY FOR OFFICERS

In terms of Regulation 17 of PNB (Officers') Service Regulations, 1979 and having regard to the guidelines of the Government, the Board of Directors lays down the following policy for promotion of officers in the Bank :-

1. **THE TITLE AND COMMENCEMENT :**

- i) This policy shall be called PNB Officers Promotion Policy, 2012.
- ii) This policy supersedes the earlier Promotion Policy for promotions from JMG Scale I to MMG Scale II, MMG Scale II to MMG Scale III and MMG Scale III to SMG Scale IV as circulated vide HRDD Circular no. 516 dated 19.02.2009 and the Promotion Policy for promotions from SMG Scale IV to SMG Scale V & above as circulated vide HRDD Circular no. 529 dated 18.03.2009.
- iii) This policy will be operative w.e.f. 01.04.2012 i.e. in respect of the promotion process for the year 2012-13 and onwards.

2. **DEFINITIONS :**

In this policy, unless there is anything repugnant to the subject or context :

- i) **'Bank'** means Punjab National Bank.
- ii) **'Board'** means Board of Directors of the Bank.
- iii) **'Competent Authority'** means the authority designated for the purpose by the Board.
- iv) **'Government'** means the Central Government.
- v) **'Guidelines of the Government'** shall mean guidelines issued and/or may be issued by the Government and shall include the guidelines issued by the Government vide its letter No. F.No.4/11/1/2011-IR dated 14.03.2012 in supersession of the earlier guidelines issued by the Government in this regard.

- vi) **‘Chairman & Managing Director’** means the Chairman & Managing Director of the Bank.
- vii) **‘Executive Director’** means the Executive Director incharge of Human Resource Development Division and Personnel Administration Division of the Bank.
- viii) **‘Officer’** means a person fitted into or promoted to or appointed to in any of the grades specified in Regulation 4 of PNB (Officers’) Service Regulations, 1979 and any other person, who immediately prior to the appointed date was an Officer of the bank and shall also include any Specialist or Technical person as fitted or promoted or appointed and any other employee to whom any of the Regulations under PNB (Officers’) Service Regulations, 1979 has been made or may be made applicable under Regulation-2 of the said Service regulations.
- ix) **‘Financial Year’** means the period commencing from the 1st day of April of a year and ending with the 31st day of March of the next year.
- x) **‘Regulations’** means PNB (Officers’) Service Regulations, 1979, as amended from time to time.
3. All promotions from one scale to another shall be merit based and be made according to the vacancies in respective scale / grade as per Manpower Plan approved by Board.
4. **SELECTION PROCESS FOR PROMOTION FROM JMG SCALE-I TO MMG SCALE-II**

The vacancies in MMG Scale-II shall be filled up by promotion from JMG Scale-I through the two channels, described below :-

a. Channel-I (Normal/Seniority Channel)

40% of the vacancies in MMG Scale-II shall be filled up through this Channel. Under this channel, the officers fulfilling the following eligibility criteria shall be eligible to apply:-

- i. The candidates who have completed 5 years of service in JMG Scale-I and have qualified the On-Line Computer Literacy and CBS Awareness Test.

- ii. They must have completed two years of continuous service in rural areas subject to relaxations mentioned under Point No.10.10. This stipulation will however not be applicable in case of Technical /Specialist Officers.
- iii. The Officers, other than Technical/Specialist Officers, who have put in more than two years of service in rural areas will get an advantage of further relaxation of 50% weightage in minimum experience for each additional completed year of service while assessing their eligibility as per para 4 a(i) above.

The candidates from amongst the applicants, the number of candidates to be called for the interview in order of inter-se seniority shall be determined in terms of the procedure given in Clause-11 'Number of candidates to be considered for promotion'.

The selection of candidates shall be done on the basis of the following parameters :-

PARAMETERS	MAXIMUM MARKS
Performance	60 Marks
Interview	30 Marks/ 40* (*) For Technical/Specialist Officers
Branch Experience Marks/ Branch Incumbent Experience Marks/Marks for posting in the hard area, as identified by the Central government, (Not applicable in case of Technical/ Specialist Officers)	10 Marks- Break – up:- <ul style="list-style-type: none"> • Branch experience: 1 mark for each completed year of service in branch during last five years (Max. 5 marks). • Incumbent Experience/ posting in the hard area: 1 additional mark for each completed year of service as Incumbent Incharge of a branch/ posting in the hard area, as identified by the Central Government, during last five years. (Max. 5 additional marks) <p>However the total marks for Branch Experience and Incumbent Experience/ Hard Area Posting shall not be more than 10.</p>
TOTAL	100

Performance (60 Marks) : The marks for the performance of the 5 preceding years would be reckoned. The weightage for PAF parameters shall be assigned as under :-

The maximum marks for PAF provided in the promotion policy multiplied by total marks obtained in the 5 relevant PAFs divided by 500.

Illustration :

For example the marks obtained during the previous five years are as under :

First Year PAF Marks	-	69
2 nd year PAF Marks	-	56
3 rd year PAF Marks	-	85
4 th year PAF Marks	-	62
5 th year PAF Marks	-	78
Total 05 years PAF marks	-	350

Weightage to PAF Parameter in selection process shall be provided as Under :

$$\frac{60 \times 350}{500} = 42 \text{ marks}$$

In respect of officers who remained under suspension for more than six months, in any of the financial years, their performance for the year(s) shall be rated as “Below Average” for the particular year.

In case the period of suspension is for six months or less, the performance for the remaining period shall be treated as performance for the entire year.

The same procedure will be followed in respect of officers under termination during a portion of the year and subsequent reinstatement as per the orders of the Appellate / Reviewing Authority.

The same procedure will be followed in respect of those Officers also who remained on Sabbatical Leave during a portion of the year, performance of which is to be considered for promotion. The performance for the period of sabbatical leave for full year shall be treated as “Below Average” with “Zero” marks for the particular year.

INTERVIEW :

There will be no minimum qualifying marks in the Interview.

An Officer who is not selected through this Channel shall not be disqualified for consideration under Channel-II (Merit/Fast Track Channel) mentioned below.

b. Channel-II (Merit/Fast Track Channel)

60% of the vacancies in MMG Scale-II shall be filled up through this Channel. Under this channel, the officers fulfilling the following eligibility criteria shall be eligible to apply:-

- i. The candidates who have completed 3 years of service in JMG Scale-I and have qualified the On-Line Computer Literacy and CBS Awareness Test
- ii. They must have secured at least 75% marks in PAFs of each of the preceding 3 years and
- iii. They must have completed two years of continuous service in rural areas subject to relaxations mentioned under Point No.10.10. This stipulation will however not be applicable in case of Technical /Specialist Officers.

The selection of candidates shall be done on the basis of the following parameters :-

PARAMETERS	MAXIMUM MARKS	REMARKS
Written Test (Part 'A' & 'B' of 30 marks each, Part 'B' would be for 40 Marks for Technical/Specialist Officers).	60/70* Marks (* For Technical/ Specialist Officers	Minimum qualifying marks shall be 40% in individual paper and 50% in aggregate for General candidates and 30% & 40% respectively for SC/ST candidates.
Performance	60 Marks	Minimum 75% Marks in PAF of each of the preceding 3 Years.

Branch Experience Marks/Incumbent Experience Marks/Marks for posting in the hard area, as identified by the Central government, (Not applicable in case of Technical/ Specialist Officers)	10 Marks	10 Marks- Break – up:- <ul style="list-style-type: none"> • Branch experience: 1 mark for each completed year of service in branch during last five years (Max. 5 marks). • Incumbent Experience/ posting in the hard area: 1 additional mark for each completed year of service as Incumbent Incharge of a branch/ posting in the hard area, as identified by the Central Government, during last five years. (Max. 5 additional marks) <p>However the total marks for Branch Experience and Incumbent Experience/ Hard Area Posting shall not be more than 10.</p>
Total	130	

WRITTEN TEST (60/70 Marks)

The written Test will be objective type in 2 parts.

PART-A (30 Marks) – Law & Practice of Banking, NI Act, Partnership Act, Contract Act, Company Law, and Bank’s book of instructions/internal guidelines/ circulars relating to banking routine, including CBS.

PART-B (30 Marks/40 Marks*) – Govt. and RBI Guidelines/Bank’s Credit/Foreign Exchange policies/ internal guidelines, SARFAESI Act, DRT Act, General Awareness and Corporate level policies including IT relating to all the spheres of Banking, Economics & Management.

* For Technical/Specialist Officers

Performance (60 Marks) : The marks for the performance of the 3 preceding years would be reckoned. The maximum marks for PAF provided in the promotion policy multiplied by total marks obtained in the 3 relevant PAFs divided by 300.

The weightage for PAF parameters shall be assigned as illustrated in Para 4(a) herein before.

An Officer who is not selected through this channel, shall not be disqualified for consideration under Channel-I (Normal/Seniority Channel) referred to above.

5. SELECTION PROCESS FOR MMG SCALE-II TO MMG SCALE-III

The vacancies in MMG Scale-III shall be filled up by promotion from MMG Scale-II through 2 channels, described below :-

a) Channel-I (Normal/Seniority Channel)

40% of the vacancies in MMG Scale-III shall be filled up through this Channel. Under this channel, the officers fulfilling the following eligibility criteria shall be eligible to apply:-

- i. The candidates who have completed 5 years of service in MMG Scale-II and have qualified the On-Line Computer Literacy and CBS Awareness Test.
- ii. They must have completed three years of service in Rural/ Semi Urban Areas including two years of continuous service in rural areas in JMG Scale I subject to relaxations mentioned under Point No.10.10. This stipulation will however not be applicable in case of Technical/ Specialist Officers.
- iii. The Officers, other than Technical/Specialist Officers, who have put in more than two years of service in rural areas will get an advantage of further relaxation of 50% weightage in minimum experience for each additional completed year of service while assessing their eligibility as per para 5 a(i) above. This relaxation shall however not be available to the candidates who have availed the relaxation at the time of promotion from JMG Scale-I to MMG Scale-II. Further, the relaxation shall be admissible to those candidates only who complete the additional period of rural posting in MMG Scale-II.

The candidates from amongst the applicants, the number of candidates to be called for the interview in order of inter-se seniority shall be determined in terms of the procedure given in Clause-11 'Number of candidates to be considered for promotion'.

The selection of candidates shall be done on the basis of the following parameters :-

PARAMETERS	MAXIMUM MARKS
Performance	60 Marks
Interview	30 Marks/ 40* (* For Technical/Specialist Officers)

<p>Branch Experience Marks/ Branch Incumbent Experience Marks/Marks for posting in the hard area, as identified by the Central government, (Not applicable in case of Technical/ Specialist Officers)</p>	<p>10 Marks- Break – up:-</p> <ul style="list-style-type: none"> • Branch experience: 1 mark for each completed year of service in branch during last five years (Max. 5 marks). • Incumbent Experience/ posting in the hard area: 1 additional mark for each completed year of service as Incumbent Incharge of a branch/ posting in the hard area, as identified by the Central Government, during last five years. (Max. 5 additional marks) <p>However the total marks for Branch Experience and Incumbent Experience/ Hard Area Posting shall not be more than 10.</p>
<p>TOTAL</p>	<p>100</p>

Performance (60 Marks) : The marks for the performance of the 5 preceding years would be reckoned. The maximum marks for PAF provided in the promotion policy multiplied by total marks obtained in the 5 relevant PAFs divided by 500.

The weightage for PAF parameters shall be assigned as illustrated in Para 4(a) herein before.

INTERVIEW :

There will be no minimum qualifying marks in the Interview.

An Officer who is not selected through this Channel shall not be disqualified for consideration under Channel-II (Merit/Fast Track Channel) mentioned below.

b. Channel-II (Merit/Fast Track Channel)

60% of the vacancies in MMG Scale-III shall be filled up through this Channel. Under this channel, the officers fulfilling the following eligibility criteria shall be eligible to apply:-

- i. The candidates who have completed 3 years of service in MMG Scale-II and have qualified the On-Line Computer Literacy and CBS Awareness Test.
- ii. They must have secured at least 75% marks in PAFs of each of the preceding 3 years and

- iii. They must have completed three years of service in Rural/ Semi Urban Areas including two years of continuous service in rural areas in JMG Scale I subject to relaxations mentioned under Point No.10.10. This stipulation will however not be applicable in case of Technical/Specialist Officers.

The selection of candidates shall be done on the basis of the following parameters :-

PARAMETERS	MAXIMUM MARKS	REMARKS
Written Test (Part 'A' & 'B' of 30 marks each, Part 'B' would be for 40 Marks for Technical/Specialist Officers).	60/70* Marks (* For Technical/Specialist Officers)	Minimum qualifying marks shall be 40% in individual paper and 50% in aggregate for General candidates and 30% & 40% respectively for SC/ST candidates.
Performance	60 Marks	Minimum 75% Marks in PAF of each of the preceding 3 Years.
Branch Experience Marks/ Branch Incumbent Experience Marks/Marks for posting in the hard area, as identified by the Central government, (Not applicable in case of Technical/ Specialist Officers)	10 Marks	10 Marks- Break - up:- <ul style="list-style-type: none"> • Branch experience: 1 mark for each completed year of service in branch during last five years (Max. 5 marks). • Incumbent Experience/ posting in the hard area: 1 additional mark for each completed year of service as Incumbent Incharge of a branch/ posting in the hard area, as identified by the Central Government, during last five years. (Max. 5 additional marks) However the total marks for Branch Experience and Incumbent Experience/ Hard Area Posting shall not be more than 10.
Total	130	

WRITTEN TEST (60/70 Marks)

The written Test will be objective type and in 2 parts.

PART-A (30 Marks) – Law & Practice of Banking, NI Act, Partnership Act, Contract Act, Company Law, and Bank's book of

instructions/internal guidelines/ circulars relating to banking routine including CBS.

PART-B (30 Marks/40 Marks*) – Govt. and RBI Guidelines / Bank's Credit / Foreign Exchange / Risk Management / Treasury / Merchant Banking policies / internal guidelines, SARFAESI Act, DRT Act, General Awareness and corporate level policies including IT relating to all the spheres of Banking, Economics & Management. The emphasis will be comparatively more on corporate level policies, budget, monetary / credit policy etc.

* For Technical/Specialist Officers

Performance (60 Marks) : The marks for the performance of the 5 preceding years would be reckoned. The maximum marks for PAF provided in the promotion policy multiplied by total marks obtained in the 5 relevant PAFs divided by 500.

The weightage for PAF parameters shall be assigned as illustrated in Para 4(a) herein before.

An Officer who is not selected through this channel, shall not be disqualified for consideration under Channel-I (**Normal/Seniority** Channel) referred to above.

6. SELECTION PROCESS FOR MMG SCALE-III TO SMG SCALE-IV

The vacancies in SMG Scale-IV shall be filled up by promotion from MMG Scale-III through Merit channel only, as described below :-

- All the vacancies in SMG Scale-IV shall be filled up through this Channel. Under this channel, the candidates who have completed 3 years of service in MMG Scale-III and have qualified the On-Line Computer Literacy and CBS Awareness Test shall be eligible to apply.
- From amongst the applicants, the number of candidates to be called for the group discussion and interview in order of inter-se seniority shall be determined in terms of the procedure given in Clause-11 'Number of candidates to be considered for promotion'.

- The selection of candidates shall be done on the basis of the following parameters :-

PARAMETERS	MAXIMUM MARKS	REMARKS
Performance	60 Marks	
Group Discussion	20 Marks	
Interview	60 Marks/ 70* (* For Technical/ Specialist Officers)	Minimum qualifying marks in the Interview shall be 30%.
Branch Experience Marks/ Branch Incumbent Experience Marks/Marks for posting in the hard area, as identified by the Central government, (Not applicable in case of Technical/ Specialist Officers)	10 Marks	10 Marks- Break – up:- <ul style="list-style-type: none"> • Branch experience: 1 mark for each completed year of service in branch during last five years (Max. 5 marks). • Incumbent Experience/ posting in the hard area: 1 additional mark for each completed year of service as Incumbent Incharge of a branch/ posting in the hard area, as identified by the Central Government, during last five years. (Max. 5 additional marks) <p>However the total marks for Branch Experience and Incumbent Experience/ Hard Area Posting shall not be more than 10.</p>
Total	150	

Performance (60 Marks) : The marks for the performance of the 5 preceding years would be reckoned. The maximum marks for PAF provided in the promotion policy multiplied by total marks obtained in the 5 relevant PAFs divided by 500.

The weightage for PAF parameters shall be assigned as illustrated in Para 4(a) herein before.

GROUP DISCUSSION (20 Marks) : All the eligible shortlisted applicants, will have to appear for Group Discussion and for interview.

INTERVIEW (60/70 Marks) : Minimum qualifying marks in the Interview shall be 30%.

7. SELECTION PROCESS FOR SMG SCALE-IV TO SMG SCALE-V:

- i. There shall be one Channel of promotion of officers from SMG Scale IV to SMG Scale V namely 'Merit Channel';
- ii. The channel of promotion and requirement of minimum experience shall be as follows:

Scale	Promotion Channel	Min. Experience requirement (in yrs)	Min. length of service (in yrs)
IV to V	Merit Channel	3 years service in Scale IV	12

- iii. For being eligible for promotion to SMG Scale V, the candidates should have been a Branch Head for at least three years in any Scale subject to relaxations mentioned under Point No.10.10.
- iv. Selection parameters and their weightage/marks in the Promotion from SMG scale IV to SMG scale V are as under:

PAF		Group Discussion (GD)	Interview	
Max marks	Min qual. marks	Max. marks	Max marks	Min. qual. marks
60	24	20	60	30

- v. From amongst the applicants, the number of candidates to be called for group discussion and interview shall be determined in terms of the procedure given in Clause-11. The eligible candidates will be called in the order of seniority.
- vi. The marks for the performance of the 5 preceding years would be reckoned. The weightage for PAF parameters shall be assigned as illustrated in Para 4(a) herein before.

8. SELECTION PROCESS FOR SMG SCALE-V TO TEG SCALE-VI:

- i. There shall be one Channel of promotion of officers from SMG Scale V to TEG Scale VI namely 'Merit Channel';
- ii. The channel of promotion and requirement of minimum experience shall be as follows:

Scale	Promotion Channel	Min. Experience requirement (in yrs)	Min. length of service (in yrs)
V to VI	Merit Channel	3 years service in Scale V	15

- iii. Selection parameters and their weight-age/marks in the Promotion from SMG scale V to TEG scale VI are as under:

Parameters & Marks			
PAF		Interview	
Max. marks	Min. qual. marks	Max. marks	Min. qual. marks
60	24	60	30

- iv. The eligible Officers will be called for interview in the order of seniority in terms of the procedure given in Clause-11..
- v. The marks for the performance of the 5 preceding years would be reckoned. The weightage for PAF parameters shall be assigned as illustrated in Para 4(a) herein before.

9. SELECTION PROCESS FOR TEG SCALE-VI TO TEG SCALE-VII:

- i. There shall be one Channel of promotion of officers from TEG Scale VI to TEG Scale VII, namely 'Merit Channel';
- ii. The channel of promotion and requirement of minimum experience shall be as follows:

Scale	Promotion Channel	Min. Experience requirement (in yrs)	Min. length of service (in yrs)
VI to VII	Merit Channel	3 years service in Scale VI	18

- iii. For being considered for promotion to Scale VII, the officer should have been Regional / Circle Head or must have worked, in Scale-III to V, in the Regional / Circle Office; for two years subject to

relaxations mentioned under Point No.10.10. The experience as Chairman of RRB would be treated as equivalent to experience as Regional / Circle Head.

- iv. Selection parameters and their weight-age/marks in the promotion from TEG scale VI to TEG scale VII are as under:

Parameters & Marks			
PAF		Interview	
Max. marks	Min. qual. marks	Max. marks	Min. qual. marks
60	24	60	30

- v. The eligible Officers will be called for interview in the order of seniority in terms of the procedure given in Clause-11.
- vi. The marks for the performance of the 5 preceding years would be reckoned. The weightage for PAF parameters shall be assigned as illustrated in Para 4(a) herein before.

10. ELIGIBILITY :

10.1 In all the channels of promotion an officer shall have to first qualify On-line Computer Literacy & CBS Awareness Test, **if not already qualified in the past. The qualifying marks for this test shall be 40%.**

10.2 The minimum eligibility in terms of number of years of service for promotion from one scale to another shall be the one mentioned in clause 4 to 9 above.

Incentive for additional rural postings would be available to the Officers, other than Technical/ Specialist Officers, only once, for promotion either to MMG Scale-II or to MMG Scale-III under Channel-I to the extent as provided hereinabove Further, the incentive shall be admissible for additional rural posting in the same scale.

10.3 The minimum eligibility in terms of the number of years of service for promotion will be reckoned as on 1st of April of the Financial Year in which the vacancies arise for promotion.

10.4 “Below Average” performance appraisal rating in the immediate preceding year shall render an Officer in-eligible for promotion.

- 10.5** Apart from other eligibility criteria, the main-stream officers should have two years branch experience in Scale-II/III before promotion to Scale-IV. However, those officers who do not have the requisite two years branch experience will also be eligible for consideration for promotion but on promotion to SMG Scale-IV, they will be posted straight away to branches for completing the requisite period of two years.
- 10.6** There is no need for the Technical/Specialist Officers to undergo Rural/Semi Urban branch experience.
- 10.7** Technical/Specialist Officers on opting to join main stream or on promotion to SMG Scale-IV will be provided 12 weeks on the job training in branch routine and other aspects of banking and will cease to be Technical Officers thereafter. They have to be posted for at least 2 years in field operations i.e. in branches immediately after joining main stream of banking subject to relaxations mentioned under Point No.10.10. Their services can however be utilized in field as well as in their area of specialization as per Bank's requirement.
- 10.8** In case, the Technical / Specialist Officers joining at a scale higher than in JMG Scale-I, the minimum service requirement as stipulated in Para 7(ii), 8(ii) & 9(ii) above would be reckoned from the level at which they enter the service. For example, if an Officer enters at Scale-II, the minimum length of service for promotion from Scale-IV to Scale-V will be 9 years instead of 12 years.
- 10.9** The Officers who remained on Sabbatical Leave in a particular scale shall be eligible for promotion to next higher scale only after completion of the requisite period of active service, as stipulated under Clause 4 to 9 above, subsequent to their resuming duties.
- 10.10** The stipulation of service in rural / semi-urban area, service as branch head, working as a Regional/ Circle Head or working in Regional / Circle Office and working in field operation in respect of Technical/ Specialist Officers opting to join main stream, as stipulated in various paras above shall however be relaxed as under:-

Relaxation in Promotion Years	2012-13	2013-14	2014-15	2015-16
Stipulation				
Para 4a(ii) & 4b(iii) – 2 years continuous service in rural areas	2 years	1 year 3 months	3 months	Nil
Para 5a(ii) & 5b(iii) – 3 years service in rural/ semi-urban areas including 2 years continuous service in rural areas in JMG Scale-I	3 years	2 years 3 months	1 year 3 months	3 months
Para 7(iii) – Branch Head for atleast 3 years in any scale	3 years	2 years 3 months	1 year 3 months	3 months
Para 9(iii) – Regional / Circle Head or must have worked in Scale-III to V in any Regional/ Circle office; for 2 years	2 years	1 year 3 months	3 months	Nil
Para 10.7 – Posting for atleast 2 years in field operations	2 years	1 year 3 months	3 months	Nil

11. NUMBER OF CANDIDATES TO BE CONSIDERED FOR PROMOTION

For promotions up to SMG Scale-V, applications shall be invited from all the eligible officers for participating in selection process in all channels.

For promotion from one scale to another, in the channels having parameters of interview, the number of eligible candidates to be considered for promotion shall be restricted to 3 times the number of vacancies for which the promotions are being considered i.e in the ratio 1:3. However, in case fresh candidates equal to the number of anticipated vacancies are not available by keeping the Zone of Consideration at 3 times of the anticipated vacancies, the Zone of Consideration may be extended to 4 times of the number of anticipated vacancies, with the prior approval of the Board.

12. RELAXATION IN ELIGIBILITY CRITERIA

The eligibility criteria in respect of minimum number of years of service required for promotion from one scale to another may be relaxed by the Board maximum by one year.

It is however stipulated that no officer would be given the benefit of relaxation in the minimum required experience by the Board at two successive levels of promotion in Scale III and above. It means if an officer is promoted to MMG Scale III availing the benefit of relaxation in the minimum required experience, allowed by the Board under this policy, he/she will not be eligible for availing the benefit of relaxation in the minimum required experience, allowed by the Board under this policy for promotion to SMG Scale IV and so on.

13. OFFICERS IN TECHNICAL/SPECIALISED CATEGORIES

A technical/specialist officer is one who is recruited in a category/discipline other than the main stream banking line for utilization of his services in areas requiring certain technical skills or specialized experience. All technical/specialist officers are eligible to join the main stream banking provided they have completed 5 years of service from the date of their appointment as technical/specialist officers. Having regard to the needs and exigencies, the Bank may permit these officers to join the main stream banking line or retain them in their own discipline. The Technical / Specialist Officers, on being permitted to join main stream of banking shall be provided 12 weeks on the job training in branch routine and other aspects of banking and thereafter they have to gain experience of at least 2 years in field operations i.e. in branches subject to relaxations mentioned under Point No.10.10.

Those technical/specialist officers, who do not exercise the option to join the mainstream or who are retained in their own discipline even after having exercised option will be provided as far as possible, adequate promotional avenues at par with those available to the officers in the main stream banking line. They will be considered for promotion in their respective discipline in the higher grades upto MMG Scale III subject to their suitability in accordance with the promotion process as applicable to other Officers in the main stream banking.

Unless it is specifically provided otherwise, the eligibility criteria for promotion of technical/specialist officers shall be the same as that of the main stream officers. These officers are expected to equip themselves with minimum basic knowledge of banking operations and procedures thereof. For promotion, they will be subjected to the same selection process as applicable to the officers in main stream.

The Officers who have been selected from clerical cadre, through a separate selection process, in a category/discipline other than the main stream banking line for utilization of their services in areas requiring certain technical skills or specialized experience e.g. Rajbhasha Adhikari,

Data Management Officers etc. shall be treated at par with the technical/ Specialized Officers, for the purpose of promotion under this promotion policy.

14. SC/ST OFFICERS

The SC/ST candidates will be entitled to the benefit of reservations and relaxations, if any, in accordance with the guidelines received, on the subject, from time to time, from Ministry of Finance, Department of Financial Services, New Delhi.

15. PERFORMANCE APPRAISAL

- i. The performance appraisal reports of the preceding 5 or 3 years, as indicated above, (excluding the immediately preceding year), will be considered for the purpose of awarding marks for promotion from one scale to another. However, such officers who become eligible for promotion with less than the stipulated number of years of service in officer cadre, on account of being recruited in a higher scale or relaxation allowed by Board or Rural incentive as prescribed above in the policy etc., the marks of performance shall be considered for the number of years for which the concerned officer remained in Officers cadre with a minimum of 2 years.
- ii. It shall be the responsibility of every officer to submit his annual performance appraisal report in the prescribed format to his immediate reporting authority. If an Officer fails to submit his performance appraisal report for any year within the specified period, his performance shall be treated as 'Below Average' with Zero mark for the particular year.
- iii. If an Officer's performance is rated as 'Below Average', the rating as well as the reasons thereof be communicated to him in writing to enable him to improve himself.
- iv. If the Officer is aggrieved with the 'Below Average' rating awarded to him, he may appeal to the Executive Director looking after HRD/PAD within 30 days of receipt of the communication. The Executive Director may consider the appeal and convey the decision preferably within 1 month from the date of receipt of appeal.

16. GROUP DISCUSSION AND INTERVIEW

For promotion to SMG Scale IV and V, the Committee of Group Discussion shall specifically assess the communication skill, conceptual and leadership capabilities of the candidates.

In all the promotions covered under this policy, the Interview Committee would make an overall assessment of the candidates on the basis of job knowledge, communication skill, conceptual ability, leadership qualities, decision making and overall personality. However, there shall be no distinct allocation of marks of these components.

17. COMPETENT AUTHORITY TO APPROVE PROMOTIONS AND INTERVIEW COMMITTEES :

a) The competent authorities for the purpose of approving promotions to various scales shall be as under :--

FOR PROMOTIONS	COMPENT AUTHORITY
JMG Scale-I to MMG Scale-II	Committee comprising one Deputy General Manager and two Assistant General Managers to be nominated by General Manager (PAD)
MMG Scale-II to MMG Scale-III	Committee comprising one Chief General Manager / General Manager and two Deputy General Managers to be nominated by the Executive Director incharge of PAD.
MMG Scale-III to SMG Scale-IV	Committee comprising of Two Executive Directors out of which one ED should be the Incharge of PAD/ HRD, (Chief General Manager/ General Manager in case the post of Executive Director is vacant) and Chief General Manager/ General Manager. Chairman & Managing Director to nominate Executive Directors/ Chief General Manager/ General Manager on the Committee.
SMG Scale IV to SMG scale V	Chairman & Managing Director, and two Executive Directors out of which one Executive Director should be the Incharge of PAD/ HRD. (Chief General Manager/General Manager to be nominated by CMD in case the post of Executive Director(s) is /are vacant)

SMG Scale V to TEG Scale VI	Chairman & Managing Director, and two Executive Directors out of which one Executive Director should be the Incharge of PAD/ HRD. (Chief General Manager/General Manager to be nominated by CMD in case the post of Executive Director(s) is /are vacant)
TEG Scale VI to TEG Scale VII	Directors Promotion Committee consisting of Chairman & Managing Director, Govt. Director & RBI Nominee Director.

The CMD is also authorized to change the competent authority to approve promotions upto MMG Scale-III having regard to administrative exigencies.

b) The following is the constitution of Interview Committees for conducting the interviews for various levels of promotions :--

LEVEL	CONSTITUTION OF INTERVIEW COMMITTEE
JMG Scale-I to MMG Scale-II	<ul style="list-style-type: none"> a) Deputy General Manager/ Assistant General Manager b) Chief Manager c) Head Office representative not below the rank of Chief Manager d) SC/ST representative The Committee to be constituted by General Manager(PAD)
MMG Scale-II to MMG Scale-III	<ul style="list-style-type: none"> a) Chief General Manager / General Manager b) Deputy General Manager/ Assistant General Manager e) Head Office representative not below the rank of Chief Manager c) SC/ST representative The Committee to be constituted by the Executive Director Incharge of PAD
MMG Scale-III to SMG Scale-IV	<ul style="list-style-type: none"> a) Chief General Manager/ General Manager b) Deputy General Manager c) Deputy General Manager Chairman & Managing Director to nominate Chief General Manager/ General Manager/ Deputy General Manager on the Committee.

SMG scale IV to SMG scale V	Executive Director Chief Gen. Manager (CGM) / Gen. Manager (GM) Gen. Manager (ED, CGM, GM to be nominated by CMD) Outside Expert-I Outside Expert-II
SMG scale V to TEG scale VI	Chairman & Managing Director Executive Director Executive Director Outside Expert-I Outside Expert-II
TEG scale VI to TEG scale VII	Directors Promotion Committee consisting of Chairman & Managing Director, Govt. Director, RBI's Nominee Director and two outside experts.

c) The following is the constitution of Committee for conducting the Group Discussion for promotion of candidates:

LEVEL	CONSTITUTION OF COMMITTEE
MMG Scale-III to SMG Scale-IV	a) Senior executive(s) of Bank b) Outside Expert(s)*
SMG Scale-IV to SMG Scale-V	a) Senior executive(s) of Bank b) Outside Expert(s)*

* Outside Expert may be prominent citizen, Retired/ Ex- Senior Executive of Bank, Reputed Business School Faculty etc. with domain knowledge.

The Committee of Senior Executive(s) and Outside Expert(s) for Group Discussion shall be constituted by the Board.

- i) Having regard to the number of candidates to participate in a selection process, the exigencies of Bank's work and for other practical difficulties, the Bank may constitute more than one Committees for Group Discussion / interview at same / different locations.
- ii) The competent authority shall approve the promotions strictly in the order of merit and on the basis of procedure laid down in this policy. Where, however, the competent authority considers in its judgement that an officer, notwithstanding his merit ranking, is not fit for promotion, the competent authority may exclude his name from the merit list after recording the specific reasons for

reaching such judgement. The reasons so recorded would be communicated.

- iii) All promotions will be made only prospectively. In case, the implementation of promotion policy is delayed due to unavoidable reasons, promotions can be effected from a date not earlier than the date on which the competent authority has cleared the promotions.

18. PREPARATION OF MERIT PANEL

- a) In all cases of promotion, for the purpose of preparing the merit list in the order of aggregate marks, only those candidates who secure the minimum qualifying marks in the parameter of PAF, written test and interview, as stipulated hereinabove, will be considered.
- b) In case two or more candidates secure same number of aggregate marks, their ranking in the merit list shall be decided on the basis of their inter-se seniority in the existing grade/scale.
- c) In case number of eligible candidates available for approval for promotion in merit / fast track channel is not sufficient as per the vacancies identified, the remaining vacancies shall be filled up by approving equal number of candidates from normal / seniority channel, over and above the vacancies identified for that channel.
- d) From the merit list, the Bank shall prepare a panel of selected candidates to the extent of 125% of the identified vacancies in the next higher scale for which the selection is being conducted.
- e) The promotions will be offered to the extent of the number of vacancies, in the order of merit. The inter-se seniority of the candidates promoted shall remain unchanged in the next higher scale irrespective of their ranking in the merit list. However, the candidates from the panel, who are offered promotions subsequently against refusals, superannuation, other exits etc. shall rank junior to the candidates who have been promoted in the first instance and the inter-se seniority amongst these candidates will be maintained in the same manner as in the former case.
- f) The panel shall be valid till the end of the Financial Year i.e. 31st March for which the promotion process has been held. The Chairman & Managing Director, in its discretion may extend the validity of the panel keeping in view the exigencies.

- g) The eligible candidates who qualify to be approved under both the channels for promotion to MMG Scale-II or MMG Scale-III shall be considered for promotion through that channel in which it becomes faster.
- h) The candidature of promotion in respect of all such candidates who are reported to have resorted to unfair means in the Computer Literacy & CBS Awareness Test and /or in the written test and whose cases have been identified in the technical analysis of IBPS Mumbai as “Established beyond all reasonable doubts” shall be cancelled. Further, Bank will reserve the right to take appropriate disciplinary / administrative action against such Officers as deemed fit.

19. COMMUNICATION OF WRITTEN TEST MARKS AND DISCLOSURE OF CUT OFF MARKS:

Written test marks will be declared in respect of all the candidates who appear in the written test. However, written test marks will not be declared in respect of those candidates whose cases are covered under Sealed Cover Procedure and whose cases have been identified as resorted to unfair means in the written test.

The cut off marks i.e., total marks secured by the last candidate approved on the basis of merit (excluding the candidates qualifying through zone of consideration) wherever applicable, will be declared in respect of both the Channels of promotions upto SMG Scale-IV.

20. CONSEQUENCES ARISING OUT OF IMPOSITION OF PENALTY:

- (i) An officer who has been imposed two minor penalties during the preceding 3 years will not be eligible for promotion for a period of one year from the date on which the second minor penalty was imposed.
- (ii) An officer who has been imposed more than two minor penalties or one major penalty during the preceding 3 years will not be eligible for promotion for a period of two years from the date on which the third minor or major penalty was imposed.
- (iii) The eligibility or otherwise, on account of imposition of penalties referred to above, shall be reckoned as on 1st of April every year in which the vacancies arise for promotion.

- (iv) In case an officer is approved for promotion by the Competent Authority, but he has been awarded minor penalty of 'withholding of promotion', his promotion will be released only after the expiry of the stipulated period for which the promotion has been withheld by the Disciplinary Authority.

21. CONSEQUENCES OF REFUSAL TO ACCEPT PROMOTION/SEEKING REVERSION:

- (i) An officer who refuses to accept promotion/refuses to join at the allocated location/ seeks reversion after accepting the promotion in the higher scale shall not be eligible for promotion for the next selection.
- (ii) Debar in case of refusal/reversion under any channel will be applicable under both the channels of selection for promotion to MMG Scale II and III.
- (iii) The past debar in the earlier promotion policy on account of non applying in Channel I/ absence in Interview/ non selection/refusal/reversion will not be applicable. Henceforth, the Debar on account of refusal/ reversion shall be calculated in terms of provisions of this promotion policy.

22. SEALED COVER PROCEDURE

- (1) Officers who are otherwise eligible for promotion but are either:
- under suspension; or
 - in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending; or
 - in respect of whom prosecution for criminal charge is pending;

will be eligible for participating in the selection process but their result shall be kept in Sealed Cover.

The sealed cover procedures will not be resorted to in such cases where a vigilance case has been registered but none of the situation as above has arisen as on the date of approval of promotion by the Competent Authority. Release of promotion in such cases shall however be kept in abeyance till the receipt of vigilance clearance and shall be subject to his eligibility as on the date of release of promotion.

- (2) For the said purpose, the procedure described below shall be followed:

2.1) An officer in whose case 'Sealed Cover Procedure' is attracted, the findings of the Interview Committee shall be recorded in respect of

such officer in a separate Interview Evaluation Sheet, which shall be signed by all the members of the Interview Committee and the Interview Evaluation Sheet shall be kept in a Sealed Cover which shall be superscribed as.....

SEALED COVER FOR PROMOTION FROM SCALE TO SCALE - CHANNEL-
SELECTION NO. - YEAR-
WRITTEN TEST HELD ON: INTERVIEW HELD ON:

NAME OF OFFICER:

PF A/C NO.:

DESIGNATION:

PLACE OF POSTING:

CIRCLE:

REASONS FOR SEALED COVER:

(Details of DA /Criminal Case i.e. Date of Charge Sheet, Major/ Minor, Vigilance Reference No., Date of Suspension, Criminal Case No. with Date and Court where pending etc.be given)

- 2.2) Under Channel II for promotion to MMG Scale II and III, the Score-sheet of those officers whose results attract sealed cover procedure as per the policy, will be kept under sealed cover after recording the written test marks and marks obtained under other selection parameters in the score-sheet. Score-sheet will be duly authenticated by the AGM/Chief-PAD.
- 2.3) In the main Interview Evaluation Sheet, the entry against the name of the officer falling under any of the above categories, shall be recorded as **'Interview Evaluation Sheet attached in sealed envelope.'** The Sealed Cover shall be kept under the custody of the Chief /AGM PAD/ HRD, Head Office, New Delhi.
- 2.4) The procedure outlined above, will be followed for the subsequent Selections also till the disciplinary / criminal proceeding against the officer concerned, is concluded.
- 2.5) As and when disciplinary or other proceedings instituted against such an officer are completed, resulting in his exoneration, the Sealed Cover(s) shall be opened one by one, in seriatim and after adding the marks obtained by him in various parameters, if his merit position falls above the cut-off point in the panel pertaining to any of the concerned Selections, his case shall be considered by the Competent Authority at Head Office to approve promotion and if finally approved for promotion, he shall be given notional promotion at par with officers of his seniority in the concerned Selection. However, he will not be entitled to receive any arrears on account of his notional promotion. On the contrary, if the

proceedings culminate in imposition of any punishment, his case shall be dealt as under:

- a. If Minor penalty is imposed and if no other penalty had been imposed during the 3 years preceding the date on which this punishment was imposed, in this case also the Sealed Cover will be opened and his case will be considered by the Competent Authority in terms of procedure described above. However, if the minor penalty imposed is of withholding of promotion, then, if otherwise approved for promotion, the promotion shall be released only after the expiry of the period stipulated by the Disciplinary Authority.

Further, if he had already been imposed another Minor penalty during the preceding 3 years, the Sealed Cover shall not be opened and he shall be treated as not eligible for promotion for a period of one year. The Sealed Cover in this situation shall be cancelled. The period of one year stipulated in Clause-20 shall be reckoned from the date of interview or written test (in channel where there is no parameter of Interview), the result of which was kept in sealed cover.

- b) If the proceedings culminate in imposition of Major penalty, the Sealed Cover shall not be opened and the officer shall be treated as not eligible for promotion for a period of two years. The Sealed Cover in this situation shall be cancelled. The period of 2 years stipulated in Clause-20 shall be reckoned from the date of interview or written test (in channel where there is no parameter of Interview), the result of which was kept in Sealed Cover.
- c) An officer in whose case any of the circumstances mentioned in Clause-22.1 supra above arises after he has been interviewed by the Interview Committee, but before he has been offered promotion/posted on promotion in accordance with the approval accorded by the Competent Authority for approving promotions, it will be considered as if his case has also been placed in a Sealed Cover. His case shall be reconsidered after conclusion of the said disciplinary / prosecution proceedings having regard to the procedure laid down herein above and provisions pertaining to 'Sealed Cover Procedure' shall be applicable in his case also.
- d) If suspension of the Officer whose result has been kept under sealed cover is revoked, the sealed cover shall be continued till the final decision of the staff side case, if any, on account of which he was placed under suspension. His case shall be dealt

with in terms of para 22-2.5 above on final decision of the staff side case.

- e) If the Officer is found guilty in the criminal proceedings on account of which his result has been kept under sealed cover, the sealed cover shall be cancelled and his eligibility for participating in future selections shall be based on decision of the staff side action, in terms of the provisions of this policy.
- f) If the Officer is acquitted on merit or by allowing him benefit of doubt in the criminal proceedings on account of which his result has been kept under sealed cover, the sealed cover shall be opened provided no staff side action is pending in the matter and the Disciplinary Authority does not consider initiating any staff side action in the matter. In such a situation, his case will be considered by the Competent Authority in terms of procedure described above under para 22-2.5.

In case any staff side action is pending in the matter or the Disciplinary Authority takes a decision to initiate staff side action in the matter the sealed cover shall not be opened. The decision with regard to opening or cancellation of the sealed cover and his eligibility for participating in future selections shall be based on decision of the staff side action, in terms of the provisions of this policy.

23. PERIODICAL REVIEW OF SEALED COVER CASES

- (1) Personnel Administration Division at Head Office shall ensure that the disciplinary or criminal proceedings instituted against any officer are not unduly prolonged and all efforts to finalize expeditiously the proceedings should be made so that the need for keeping the case of an officer in a Sealed Cover is limited to the barest minimum. Personnel Administration Division/ HRD Division should review comprehensively the cases of officers whose cases for promotion to a higher grade have been kept in a Sealed Cover on the expiry of six months from the date of conclusion of Selection process. Such review shall be placed before the Competent Authority who shall take decision as to continuance or otherwise of the Sealed Cover. The review shall continue until the case is finally decided. The review should, inter-alia, cover the progress made in the disciplinary / criminal proceedings and further measures to be taken to expedite their completion.
- (2) In spite of half yearly review referred to above, there may be some cases where the disciplinary / criminal proceedings against the officer are not concluded even after the expiry of 2 years from the date of completion of

Selection process in which the result was kept in Sealed Cover. In such a situation, the Competent Authority to approve promotion to higher grade may review the cases of an officer, provided he is not under suspension, to consider desirability of giving him provisional promotion keeping in view the following aspects:

- a) Whether the promotion of the officer will be against public interest;
 - b) Whether the charges are grave enough to warrant continued denial of promotion;
 - c) Whether there is any likelihood of the case coming to a conclusion in the near future;
 - d) Whether the delay in the finalization of the proceedings, departmental or in a court of law, is not directly or indirectly attributable to the officer concerned; and
 - e) Whether there is any likelihood of misuse of official position which the officer may occupy after provisional promotion which may adversely affect the conduct of the departmental case or criminal prosecution.
- (3) The authority concerned shall consult the Central Bureau of Investigation or the other prosecuting agency and take their views into account where the disciplinary proceedings or criminal proceedings arose out of the investigations conducted by the Bureau/ other prosecuting Agency.
- (4) In case the Competent Authority comes to the conclusion that it would not be against the public interest to allow provisional promotion to the officer concerned, his case may be considered in the normal course in the next Selection after the expiry of 2 years period to decide whether the officer is suitable for promotion on provisional basis. If the officer is considered for provisional promotion, the Competent Authority should make its assessment on the basis of the totality of the individual's record of service without taking into account the pending disciplinary / criminal proceedings against him.
- (5) After a decision is taken to promote the officer on provisional basis, the order of promotion may be issued making it clear in the order itself that:
- a) the promotion is being made on purely provisional basis and the provisional promotion will not confer any right for regular promotion; and

- b) the promotion shall be “until further orders’. It should also be indicated in the order that the bank reserves the right to cancel the provisional promotion and revert the officer at any time to the post from which he was promoted.
 - c) However, after provisional promotion, if the officer is exonerated in the departmental proceedings or acquitted in the criminal proceedings, he shall be treated in the same manner as if he was exonerated earlier and the procedure as indicated at para 22.2.5 shall be followed in his case.
- (6) In case if the officer concerned is not acquitted on merits in the criminal proceedings but purely on technical grounds and if the bank either proposes to take up the matter to higher court or to proceed against him departmentally or if the officer is not exonerated in the departmental proceedings, the provisional promotion granted to him will be cancelled and he shall be reverted to the post from which he was promoted on provisional basis.

24. APPEAL PROCEDURE:

- i. In respect of promotion to SMG Scale V and above, there shall be no appeal against the decision of the Committee. However, an officer who has not been approved for promotion may make a representation to the following Committee within a period of 3 months from the date on which the promotion was announced:-

Selection	Committee
Promotion from SMG IV to SMG V	2 EDs out of which one ED should be the incharge of PAD/HRD and GM-HR
Promotion from SMG V to TEG VI	CMD and 2 EDs out of which one ED should be the incharge of PAD/HRD
Promotion from TEG VI to TEG VII	CMD, Govt. Director & RBI’s nominee Director

The Committee shall consider such representations as soon as they are received and in any case not later than six months from the receipt of the representation.

The decision of the Committee shall be recorded in writing and placed before the Board of Directors for ratification before being implemented. In case of acceptance of representation, promotion will be considered from the prospective date and not from back date.

- ii. In respect of promotions upto SMG Scale IV, any officer who has not been approved for promotion under a channel having parameter of Interview, may submit online appeal in HRMS to the Executive Director within 45 days from the date of declaration of the result.
- iii. On receipt of online appeal, the Appellate Authority shall constitute a 3 member Committee, which shall not be below the rank of the Interview Committee, to process the appeal. The processing committee, so constituted, if necessary, may call the appellant for a personal hearing. The processing committee will submit its recommendations to the Appellate Authority.
- iv. The appeals shall be decided preferably within a period of three months from the last date of receipt. The decision of the Appellate Authority in respect of the appeal is final and there shall be no review of the decision.
- v. An Officer approved for promotion to the grade / scale on appeal may be fitted in that grade / scale with effect from the notional date of placement of that batch in which he was approved. However, such officer will not be entitled to receive any arrears on account of his notional promotion.
- vi. There shall not be appeal procedure against non selection to MMG Scale II and III under Channel II involving the parameter of written test only. However, in case of non selection, the candidates under this channel may submit their representation through proper channel for re-verification of marks obtained under various selection parameters within 30 days of the date of declaration of the result.
- vii. The re-verification status will be informed to the candidates through proper channel within a maximum period of 03 months from the date of receipt of such representation.
