

No. S.O-(R-I)/1(14)/2011-S&GAD/2719-2819

GOVERNMENT OF BALOCHISTAN



**SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT**

(Regulation Section-I)

Dated Quetta, the 22nd October, 2011

To

1. The Additional Chief Secretary (Dev), P&D Department, Quetta.
2. The Senior Member, Board of Revenue, Balochistan, Quetta.
3. The Chairman, Chief Minister's Inspection Team, Quetta
4. The Chairman, Balochistan Public Service Commission, Quetta
5. The Chairman, Balochistan Development Authority, Quetta.
6. The Principal Secretary to Governor Balochistan, Quetta
7. The Principal Secretary to Chief Minister Balochistan, Quetta
8. All the Administrative Secretaries to Government of Balochistan _____ Department.
9. The Secretary Balochistan Provincial Assembly, Quetta.
10. All Divisional Commissioners in Balochistan.
11. All Heads of Attached Departments in Balochistan.
12. The Director General Public Relation Balochistan, Quetta.
13. The Controller, Printing and Stationery Department, Quetta.

Subject: PROFORMA PROMOTION POLICY-2011

The undersigned is directed to refer to the subject noted above and to say that the existing proforma promotion policy circulated vide S&GAD's letter No. SO.III-6(47)(R)/S&GAD-75 dated 17th May, 1981 has been reviewed in order to resolve the various difficulties and confusions in the application of the policy and to make it more clear and easy to apply.

2. The following policy guidelines regarding grant of Proforma promotion to civil servants as well as proforma promotion and "notional" promotion to retired "civil servants" are hereby issued:-

I) PROFORMA PROMOTION (DEFINITION)

Proforma promotion means predating of promotion of a civil servant with effect from the date of promotion of his junior for the purpose of payment of arrears and fixation of pay. It means that

a civil servant who was entitled to be promoted from a particular date, but for no fault of his own, was wrongfully prevented from rendering service in the higher post, is entitled for proforma promotion and payment of arrears of pay/allowances and re fixation of pay.

II) SENIORITY AND PROFORMA PROMOTION

It is clarified that proforma promotion is not a necessary prerequisite for the determination of seniority of a civil servant. Inter-se-seniority of a civil servant is determined under the Balochistan Civil Servants (Seniority) Rules, 2009. Under Rule 4 (c) of ibid Rules, Civil servants eligible for promotion who could not be considered for promotion in the original reference in circumstances beyond their control or inadvertently omitted from consideration in the original reference and superseded, when they are subsequently considered and approved for promotion or whose case was deferred while their juniors were promoted to the higher posts, shall on promotion, without supersession take their seniority with the original batch. Therefore, proforma promotion is not a necessary prerequisite for restoration of original seniority. The appointing authorities should therefore restore seniority in such cases through a speaking order. However, proforma promotion in such cases is to be granted for the purpose of financial benefits.

III) CASES WHERE PROFORMA PROMOTION CAN/CANNOT BE GRANTED

_____ The salient features of the proforma promotion policy issued vide letter No.SOR-III-6(47)/(R)/S&GAD-75 dated 17.5.1981 and subsequent policy letters, which will continue to be applicable, are recapitulated as under:-

- (a) Proforma Promotion shall generally be granted in cases where an official whose junior has been promoted

on regular basis but was deferred due to any of the following reasons:-

- i) The seniority of two officials is in dispute. The senior official is promoted on due date but subsequently the junior official establishes his claim of seniority by obtaining a favourable decision from Government or the Balochistan Services Tribunal or any other court of law.
- ii) The official is under suspension or is facing a departmental inquiry and therefore, his promotion is deferred. If eventually he is exonerated of the charges, he becomes entitled for proforma promotion from the date on which he would otherwise have been promoted.
- iii) An official is considered unfit for promotion because of adverse remarks in the Character Roll. Subsequently, he succeeds in getting the remarks expunged.
- iv) In cases where an official might be ignored for promotion due to a clerical error or incomplete record or plain negligence.
- v) An official is dismissed from Government Service through a departmental proceeding or court of law, subsequently on department appeal or on decision of a court of law, he is re-instated in service; he shall be entitled for proforma promotion from the date his juniors were promoted (if any).
- vi) If an official is on deputation and his promotion becomes due in the parent cadre so the official be asked to re-join his parent department, if he declines to re-join, then he is not entitled for Proforma promotion on repatriation.
- vii) On finalization of disciplinary action against an official and awarded penalty of stoppage of promotion and on his appeal the penalty is set aside, so in this connection, the official shall be entitled for proforma promotion.
- viii) If a civil servant was imposed penalty of stoppage of promotion for a specific period, on expiry of period he shall not be entitled for proforma promotion. However, will be entitled for promotion with immediate effect on first available vacancy.
- ix) If a civil servant was imposed penalty of reduction in rank/lower post/grade for a specific period, on


expiry of period he shall not be entitled for proforma promotion. However, will be entitled for promotion with immediate effect on first available vacancy.

- x) An official is enjoying Extra Ordinary Leave without pay, on return from such leave, he is not entitled for Proforma promotion.
 - (xi) A civil servant would have been otherwise promoted but for suspension, then after honourable acquittal, he can be given pro-forma promotion retrospectively. However, he cannot be given the pay of the higher post retrospectively because pay of a higher post is given only when a Government servant actually works in the higher post.
- (b) The senior will have no case for proforma promotion if the junior was promoted on officiating basis.

IV) PROFORMA PROMOTION TO BE CONSIDERED AT THE TIME OF REGULAR PROMOTION.

Previously, under the policy regarding proforma promotion, an officer/official was first promoted with immediate effect and, thereafter, on his representation, his case for grant proforma promotion was considered separately. This practice was cumbersome and resulted in delays and unnecessary hardship to the concerned civil servant. It has now been decided that:

- (a) The case of proforma promotion shall be considered by the relevant committee/board/authority at the time of regular promotion of the concerned civil servant (if he was wrongfully prevented from promotion earlier due to any of the reasons given in para- III(a)), in order to reduce the work load at all levels and also to minimize the suffering caused to the civil servant, whose promotion has already been delayed due to no fault of his own.
- (b) The Administrative Department shall, therefore, process the working papers for such promotions accordingly. This will obviate the necessity of individuals for filing separate representation for proforma promotion after their regular promotion.
- (c) In such cases of promotion/proforma promotion, the officer/official will be adjusted against the higher post in the first instance, and then his case for drawal of arrears of pay shall be decided, resolved by the relevant authority.

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- (d) In old cases, the existing procedure shall continue i.e., where an officer has already been promoted with immediate effect, he should file a representation for grant of proforma promotion and his case for Proforma promotion will be considered by the relevant committee/board.
- (e) In cases where a person, who was eligible for Proforma promotion under the conditions mentioned in III (a) read with IV (a), but could not be granted Proforma promotion and was only considered for promotion with immediate effect, in such cases also, his claim for proforma promotion may be considered later as per previous practice. However, the departments should ensure that generally the proforma promotion must be granted in such cases at the time of regular promotion to the civil servant, if he was wrongfully prevented from promotion earlier.

V) PROFORMA PROMOTION OF RETIRED OFFICERS/OFFICIALS

This means a case where a senior officer/official was deferred for promotion due to no fault of his own and his junior was promoted and subsequently the senior was also promoted. During his service, but could not get proforma promotion during service and retired.

Since a retired "civil servant" is no longer in service, therefore, he ceases to be a civil servant. Since promotion can be granted only to a civil servant, a retired officer/official cannot avail the benefit of promotion/proforma promotion.

However, keeping in view the hardship caused to the retired 'civil servant', it has been decided that in case where a civil servant was wrongfully prevented from promotion (para-III (a) refers) and was subsequently promoted during his service, but could not get proforma promotion during his service and retired, such officer may be considered for proforma promotion, provided he files a representation to this effect during his service. The representation filed after retirement shall not be considered.

VI) NOTIONAL PROMOTION TO RETIRED CIVIL SERVANT

(سند فروع التعمير الفروع)

This means a case where a senior officer/official was deferred for promotion due to some reason and his junior was promoted and subsequently after removal of the reason of deferment, the senior becomes eligible but could not be promoted to a higher post, during his service and retired.

As explained above at serial No.V, a retired 'civil servant' cannot be considered for promotion because he ceases to be a civil servant on his retirement. Therefore, a retired person cannot avail the benefit available exclusively to a civil servant. Since promotion can only be granted to a civil servant, a retired officer/official cannot be considered for promotion on notional basis.

3. For the purpose the advices of Regulation wings of S&GAD and Finance Department shall be mandatory prior to placement of case before the PSB/DPC as the case may be. The S&GAD will scrutinize the case in the light of rules and give recommendations whether the civil servant is entitled for grant of proforma promotion from a specific date or otherwise and the Finance Department shall examine the case whether the civil servant is entitled for grant of proforma promotion from a specific date with financial or without financial benefits.

4. The Administrative Departments are requested to circulate this policy to all concerned for compliance.

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