

INDIAN COUNCIL OF AGRICULTURAL RESERACH
KRISHI BHAVAN : NEW DELHI

No.F.19(7)/2000-Estt.IV

Dated the 6th February, 2003

To

All the Directors/ Project Directors of ICAR Research Institutes/ NRCs/ Project Directorates

Sub.:- **Modifications in the existing Technical Service Rules of ICAR- Clarification regarding.**

Sir,

ICAR Techncial Service Rules were modified vide this Council's Notification No. F. 18-1/97-Estt/IV dated 3.2.2000. Some of the Institutes have raised doubts on certain issues relating to Technical Service matters of technical personnel working with them. The issues/ doubts raised by the Institutes have been examined / considered and accordingly following clarifications are issued with the approval of Competent Authority of this Council for general information of all concerned:-

S. No	Points for clarification	Clarifications of the Council
1	Whether the Technical Staff who have not exercised option for revised TSRs within the stipulated period, can be allowed to exercise the option on later date and whether all the existing Technical Staff required to be exercised the option for revised TSRs.	According to para 3 of Council's Notification No. 18-1/97-Estt.IV dated 3.2.2000, the option was to be exercised by the existing employees who may like to be goverened as per the existing Technical Service Rules and not for the revised modified Technical Service Rules. The option was to be exercised within 30 days from the date of issue of the notification with the condition that the option once exercised shall be irrevocable and final. There is, therefore, no question for exercising the option after the stipulated period.

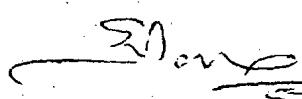
S. No	Points for clarification	Clarifications of the Council
2	<p>A person was promoted in T-I-3 grade on 1.7.84 and on completion of 5 years in the grade he was granted 3 advance increments. The person has now completed another 5 years from the date of grant of 3 advance increments. It may kindly be clarified as to from which date he should be placed in T-3 grade of Category II in the light of Modified TSR dated 3.2.2000.</p>	<p>As per the instructions contained in the ICAR letter No. 14-3/94-Estt.IV dated 1.2.95, the existing employees at the level T-I-3 who possess qualifications prescribed for entry to Category II by direct recruitment will be placed in grade T-II-3 of Category II w.e.f. 1.1.95. The employees who do not possess such qualification will in the event of improving their qualifications and acquiring degree/diploma /any other qualification prescribed for entry in Category II by direct recruitment will be placed in grade T-II-3 from 1st January of the year following the year in which degree/diploma/ certificate is awarded. Further, the ICAR Notification No. 18(1)/97-Estt.IV dated 3.2.2000 provides that from T-2 grade such personnel possessing the qualification as prescribed therein for Category II for direct recruitment, would be eligible for assessment promotion to T-3 grade after five years of service, while those not possessing such qualifications shall become eligible for assessment promotion to T-3 grade only after 10 years of service in T-2 grade. As such, the technical personnel in grade T-2 and erstwhile T-I-3 who do not possess qualification prescribed for direct recruitment to grade T-3 in Category II will be placed in T-3 grade only on completion of 10 years of combined service in grade T-2 and T-I-3 as on 3.2.2000 or thereafter.</p>
3	<p>It may be clarified as to whether the service rendered in T-I-3 grade would be counted for computing 10/5 years service for further assessment to T-4 grade or the service rendered in T-II-3 (renamed as T-3 grade) of Category II would only be counted.</p>	<p>As per the instructions contained in Council's letter No. 14-3/94-Estt.IV dated 10.1.96, the service rendered in T-I-3 for the purpose of counting of five years of service for grant of merit promotion / advance increment from T-II-3 to T-4 shall not be counted for the purpose of computation of prescribed years of service. It is thus clarified that the service rendered by the technical personnel in grade T-II-3 (now T-3 w.e.f. 3.2.2000) will be counted for computation of five years of prescribed service for merit promotion to T-4 grade or advance increment.</p>

S. No	Points for clarification	Clarifications of the Council
4	The Technical Staff who do not possess the minimum essential qualification for direct recruitment in Category I as per the revised TSR. Whether such Technical Staff can be promoted under 33 1/3% promotion quota as per existing service rules and also whether the provision of relaxation in essential qualifications would continue to exist for promotion quota of Category I under revised TSR.	As per the Council's Notification No. 18-1/97-Estt.IV dated 3.2.2000, the 33.3% promotion quota will be operative only in Category I at the level of T-1 subject to fulfilment of the qualifications/experience as laid down for T-1 grade of Category I. There is no provision in the Council's Notification dated 3.2.2000 of any relaxation for promotion of Supporting Staff to T-1 grade of Category I.
5	Whether the assessment of T-5 staff in position shall be sent to the Council for approval after implementation of the revised TSRs	The instructions contained in Council's letter No. 14-3/94-Estt.IV (Vol.II) dated 3.1.97 may be followed, while considering the cases of technical personnel of grade T-5 for their merit promotion to T-6 grade by removal of Category Bar from Category II to Category III, by the Directors of the Institutes being the appointing authority.
6	Some of the Technical Staff have completed 5 years of service in grade T-2 as on 31.12.99 and they were due to get assessment promotion to T-I-3 grade w.e.f. 1.1.2000. Whether such employees will be given assessment promotion as per the existing (pre-revised) TSR	The cases of technical personnel who have completed 5 years of service in grade T-2 prior to 3.2.2000 are to be considered for merit promotion/ advance increments in T-1-3 grade of Category I from due date.
7	Whether the provisions of study leave rule will be applicable under revised TSRs	Rule 14 of the Technical Service Rules is applicable to all technical employees for grant of Study Leave.
8	The T-II-3 personnel who are holding T-II-3 posts after removal of Category Bar (on completion of 10 years service in Category I, T-I-3) and do not possess the essential qualification for Category II. Whether such Technical Staff can be assessed for T-4 grade of Category II in the relevant field.	The service rendered in T-II-3 (now T-3) grade of Category II is only to be counted for purpose of computation of 5 years of service for assessment benefit to T-4 grade irrespective of qualifications as per provisions contained under the Technical Service Rules and also the Instructions contained in para 2(i) of Council's Notification dated 3.2.2000.

S. No	Points for clarification	Clarifications of the Council
9	Whether the Technical Staff completed 5 years of service before 3.2.2000, the date of effect of Council's modified TSRs, can be assessed as per the pre-revised TSRs	The cases of such technical staff can be considered and decided as per the provisions contained in Council's pre-modified TSR.
10	There is no mention under revised TSRs about assessment promotion of T-5 to T-6 Technical Staff. Whether they may be assessed through DPC as applicable in the case of promotion of Technical Staff or through assessment committee as prescribed in Hand Book of TSR for Category III	As per the provisions contained under Technical Service Rules as well as the instructions contained in Council's Notification dated 3.2.2000, the cases of technical personnel of Grade T-5 of Category II for merit promotion to grade T-6 by removal of Category Bar of Category III are to be considered by the Assessment Committee, to be constituted for the relevant functional group with the approval of ASRB for Category III. Such cases are not to be considered by the DPC.
11	Whether the format of 5 Yearly Assessment form may be used for 10/7 Yearly Assessment or a separate performa for 10/7 Yearly Assessment will be used.	The assessment proforma as prescribed in Appendix III of the Hand Book of Technical Service Rules for Category I, Category II and Category III are to be used for assessment promotion.
12	The Technical Staff like Drivers (T-1-3) having 'Nil' academic qualification and could not be considered for their placement to T-II-3 grade w.e.f. 1.1.95 and now got T-3 grade as per revised TSR w.e.f. 3.2.2000. Whether such Technical Staff will also become eligible for their assessment/ promotion from T-3 to T-4 grade irrespective of their qualifications or otherwise. It may also be clarified as to whether the Drivers on having assessed for T-5 grade will be given the designation of T-5 (T.O.) as applicable to others.	The assessment promotion of technical personnel from grade T-3 to T-4 and T-4 to T-5 is to be regulated after 5 years of interval irrespective of qualification. As a result of merit promotion to T-5 grade, such technical personnel may also be given the designation of "T-5 (Tech. Officer)".

Hindi version of this letter will follow.

Yours faithfully,


(R.R. PARWANA)
DEPUTY SECRETARY(E)