

Government of Nagaland
Department of Personnel and Administrative Reforms
(Personnel 'A' Branch)

OFFICE MEMORANDUM

NO. PAR-2/3/77 (Pt)

Dated, Kohima, the 4th October'2004.

Subject:-Promotion to Higher Post with Retrospective effect.

A few cases have come to the notice of the Government where promotions to higher posts were given by various Department of the Government with retrospective effect.

2. Under F.R. 17 (1), an officer shall begin to draw the pay and allowances attached to his post with effect from the date when he assumes the duties of that post. Thus, unless an officer actually holds charge of the higher post on the crucial date from which promotion is made effective, the officer does not become entitled to the pay of the higher post merely because an order has been issued at a later date giving a retrospective date. In view of this, it is irregular to make orders of promotion effective from retrospective date unless there was written directive from the competent authority on that (retrospective) date requiring that officer to take over full charge of the higher post.

3. The undersigned is, therefore, directed to impress upon all the Administrative Departments/ Head of the Departments of the Government to ensure that such practice of giving promotion with retrospective effect should be discontinued forthwith, unless it is necessary to restore the seniority of that person on account of wrong supersession by a junior officer, and based on the rulings given by DPC or a Court of law.

4. The receipt of this O.M. may kindly be acknowledged.

Sd/- (LALTHARA)

Addl. Chief Secretary to the Govt. of Nagaland

Dated, Kohima, the 4th October'2004.

NO. PAR-2/3/77 (Pt)

Copy to:-

1. The Special Secretary to the Governor of Nagaland, Raj Bhavan, Kohima.
2. The Addl. Chief Secretary to the Chief Minister, Nagaland, Kohima.
3. The PS to Speaker/Deputy Speaker, Nagaland Legislative Assembly, Kohima.
4. The PS to all Ministers, Nagaland, Kohima.
5. The PPS to Chief Secretary, Nagaland, Kohima.
6. All Additional Chief Secretaries/Principal Secretaries/Commissioners & Secretaries/Secretaries/Additional Secretaries to the Govt. of Nagaland.
7. The Secretary, Nagaland Legislative Assembly/NPSC/Vigilance Commission.
8. The Resident Representative, Nagaland House, New Delhi/D.R.C. Nagaland Houses, Kolkata/Guwahati/A.R.C. Nagaland House, Shillong.
9. The Accountant General, Nagaland, Kohima.
10. All Heads of Departments.
11. All Deputy Commissioners/Addl. Deputy Commissioners.
12. The Publisher, Nagaland Gazette, to publish in the official Gazette.

(T.LIMSONG)

Additional Secretary to the Govt. of Nagaland.