

of consideration would remain as already prescribed, the DPC, in the aforesaid category of cases, may assess the suitability of employees in the zone of consideration for inclusion in the panel for promotion up to a number which is considered sufficient against the number of vacancies. With regard to the number of employees to be included in the panel, the DPC may also be required to keep in view the instructions issued *vide* Department of Personnel and Training O.M. No. 22011/18/87-Estt. (D), dated 9-4-1996 relating to norms for preparing extended panel for promotion. In respect of the remaining employees, the DPC may put a note in the minutes that "the assessment of the remaining employees in the zone of consideration is considered not necessary as sufficient number of employees with prescribed benchmark have become available".

3. Ministries/Departments are requested to bring these instructions to the notice of all concerned including their Attached/Subordinate Offices.

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G.I., Min. of Per. & Trg., O.M. No. 2/41/97-PIC, dated 9-11-1998

Flexible Complementing Scheme shall apply only to Scientists/ Technologists holding scientific posts and engaged in scientific activities/services - V CPC recommendations, partially accepted

The undersigned is directed to say that in Chapter 51 of its report, the Fifth Central Pay Commission has made a number of recommendations for modifying the existing Flexible Complementing Scheme in operation in Scientific & Technological Departments for *in situ* promotion of scientists/technical personnel, with a view to removing the shortcomings/inadequacies in the Scheme highlighted by the Commission. The recommendations of the Fifth Central Pay Commission in this regard have been examined in consultation with the Secretaries of the Department of Science & Technology and some other major Scientific Departments and the following decisions have been taken:

1. The recommendation of the Pay Commission that the modified Flexible Complementing Scheme proposed by it should be applicable in all the Departments, including the Departments of Space, Atomic Energy and DRDO without any special dispensation for any individual Department, has *not* been accepted. The existing scheme of merit based promotion system covering the Groups 'A', 'B' & 'C' Personnel, as presently applicable in the Department of Atomic Energy, the Department of Space and the DRDO shall continue.

2. The recommendation of the Pay Commission to define "Scientific Administrators" and to exclude them from the benefit of *in situ* promotions under Flexible Complementing Scheme and to bring them under the ambit of "Assured Career Progression Scheme" formulated by the Pay Commission has *not* been accepted. However, it has been decided that the Flexible Complementing Scheme should, as per its original objective, be made applicable *only* to scientists and technologists holding scientific posts in Scientific and Technology Departments and who are engaged in scientific activities and

services. It has also been decided that assessment norms for promotions under the Flexible Complementing Scheme should be rigorous with due emphasis on evaluation of scientific and technical knowledge, so that only the Scientists who have to their credit demonstrable achievements or higher level of technical merit are recommended for promotion under the Flexible Complementing Scheme. For achieving these objectives, the following decisions have been taken:

(a) The criteria for identifying Institutions/Organizations as Scientific and Technological Institutions as well as for defining scientific activities and services, Scientists and Engineers and the scientific posts shall be as prescribed in Annexure-I to this Office Memorandum. The Flexible Complementing Scheme shall *not* be applicable where the criteria specified *vide* this Office Memorandum are not fully met.

(b) A revised assessment procedure as prescribed in Annexure-II to this Office Memorandum shall henceforth be followed by all Scientific Ministries/Departments for considering advancement under FCS.

3. The recommendations of the Pay Commission that the existing disparities in the operation of Flexible Complementing Scheme in various Scientific and Technical Departments in the matter of designation of posts, the number of pay scales and the residency period should be removed and there should be uniformity in this regard has been accepted. Accordingly, all the posts covered under the Flexible Complementing Scheme shall carry the following uniform scales of pay, designations and the minimum residency period linked to performance:—

	Scales of Pay	Designation	Minimum Residency period linked to performance
(a)	Rs. 8,000—13,500	Scientist B	3 years
(b)	Rs. 10,000—15,200	Scientist C	4 years
(c)	Rs. 12,000—16,500	Scientist D	4 years
(d)	Rs. 14,300—18,300	Scientist E	5 years
(e)	Rs. 16,400—20,000	Scientist F	5 years
(f)	Rs. 18,400—22,400	Scientist G	...

In order to give immediate effect to the decision contained in this para, an umbrella Notification has been issued *vide* G.S.R. No., 660 (E), dated 9-11-1998.

4. The recommendation of the Fifth Central Pay Commission for introducing a 'cooling off' period of 3 years before an officer is considered for the Flexible Complementing Scheme on the second occasion at the same level has *not* been accepted. The recommendation for disqualification of the candidate permanently from the Flexible Complementing Scheme (FCS) in case of

failure to qualify thrice at the same level, etc., has also *not* been accepted. Therefore, the existing system of assessing the officer every year would continue.

5. It has further been decided that in order to extend the benefit of *in situ* promotions under the Flexible Complementing Scheme to other Scientific Organizations that are demanding the extension of FCS in their case, the Administrative Ministry of such institutions shall satisfy itself that such institutions are Scientific and Technical Institutions and the officers are Scientists holding scientific posts and are involved in scientific and technical activities as defined in the Annexure-I to this Office Memorandum and make its recommendations to the Department of Science & Technology. On receipt of such a request the Department of Science & Technology shall set up a Committee, including the representatives of the Department of Personnel & Training and of the Department of Expenditure as well as Eminent Scientists relevant to the discipline, for examining the proposal referred by the Administrative Ministry concerned. A final decision on the proposal of an administrative Ministry for extension of FCS to other Scientific Organizations shall be taken based on the recommendations of this Committee. Since it is not necessary that all the pay scales under the Flexible Complementing Scheme should be applicable in all the Scientific Organizations, as the size of the organization may not justify introduction of the entire group of scales, the Committee, while making its recommendation, would take a specific view as to the number of scales that should be operated in the organizations as well as the appropriate residency period for ensuring an even pace of promotion. However, the progression under Flexible Complementing Scheme will only be as per scales indicated in Para. 3 of this Office Memorandum.

6. It is requested that all the Ministries/Departments, where the Flexible Complementing Scheme is in operation, may initiate action for review of the provisions of the Flexible Complementing Scheme and amend the provisions of the relevant Recruitment Rules, so that the Scheme is brought in conformity with the decisions/guidelines being conveyed *vide* this Office Memorandum. Results of the review may also be conveyed to the Department of Science & Technology, the nodal department for operation of the Flexible Complementing Scheme. Action for extension of the Flexible Complementing Scheme to other Scientific Organizations, where the same is not in operation at present, may be taken in accordance with the decision contained in Para. 5 of this Office Memorandum.

7. The relevant provisions of Department of Science & Technology, Office Memorandum No. A. 42014/2/86-Admn. 1 (A), dated the 28th May, 1986 stand amended to the extent the provisions of this Office Memorandum are at variance with the provisions of the said Office Memorandum.

ANNEXURE - I

Criteria for identifying Institutions/Organizations as Scientific & Technical Institutions and definition of Activities and Services, Scientists & Engineers and Scientific Posts

- (i) The institutions referred to as S & T would be characterized by pursuit of excellence;
- (ii) They should be engaged in research, design, development or programme implementation (including review, analysis, promotion and aspects of science policy, etc.) which would cover a broad spectrum of pure and applied research, but the essential feature would be *innovative character* and spirit of enquiry that permeates their overall functioning;
- (iii) The scientific culture is characterized by a few salient aspects, namely the persons involved are highly qualified and skilled technical personnel, involved in creative and innovative activity, they are willing to be judged on the basis of merit and competence rather than on the basis of seniority and a hierarchical structure.
- (iv) The criteria could cover the aims and objectives of the Institution/Organization, qualifications of the personnel qualitative requirements for performance of various types of activities, etc.

Scientific Activities and Services:

Scientific activities and services covered for considering the applicability of the Flexible Complementing Scheme are as under:—

- (a) *Fundamental/basic research*.— Original investigation to gain new scientific knowledge, not necessarily directed towards any specific practical aim or application.
- (b) *Applied Research*.— Original investigation to gain new Scientific or Technical knowledge directed towards a specific practical aims or objective.
- (c) *Experimental/Development*.—Use of scientific knowledge directed towards producing new or substantially improved materials, devices, products, processes, systems or services.
- (d) S & T activities which are directly linked to R & D in terms of promoting the scientific activities and services.

Scientists and Engineers: Persons,

- (a) who possess academic qualification of at least Master's Degree in Natural/Agricultural Sciences or Bachelor's Degree in Engineering/Technology/Medicine, and
- (b) working in those capacities, use or create Scientific knowledge and Engineering and Technological principles, i.e., persons with Scientific or Technological Training who are engaged in professional work on S & T activities, high level administrators and personnel who plan, direct or co-ordinate the execution of S & T activities;

Scientific Post is the one, the incumbent of which is a 'Scientist or Engineer' defined above in a Scientific Institution/Organization declared as 'Scientific Department' as defined and is engaged in the generation, advancement,

dissemination and application of Scientific and Technical knowledge in the S & T activities.

ANNEXURE - II

Criteria for considering promotions under Flexible Complementing Scheme

(a) All officers will be first screened on the basis of gradings in the Annual Confidential Reports (ACRs) for consideration for promotion; the ACRs should be assessed on a 10-point scale giving 10 marks for "outstanding", 8 marks for "very good", 6 marks for "good", 4 marks for "average" and 0 for "poor" and only those officers who satisfy the minimum residency period linked to their performance as indicated in the table below be screened in.

	Number of years in the grade					
	3	4	5	6	7	8
	Minimum percentage for eligibility					
Scientist B to Scientist C	90%	80%	70%	65%	60%	...
Scientist C to Scientist D	...	90%	80%	75%	70%	60%
Scientist D to Scientist E	...	90%	80%	75%	70%	60%
Scientist E to Scientist F	90%	80%	75%	70%
Scientist F to Scientist G	90%	80%	75%	70%

Exceptionally meritorious candidates with all outstanding gradings may be granted relaxation in the residency period, the relaxation being not more than one year on any single occasion. Such a relaxation will be limited to a maximum of two occasions in their entire career.

(b) As the procedure adopted for assessment of CRs in various Scientific Departments differ at present, it has been decided that an external member, from Departments of Atomic Energy, Space or DRDO who have developed over the years a fine tuned system of screening in meritorious Scientists may be co-opted in the selection process, till such time a system gets established in other Scientific Departments. The position will, however, be reviewed after 5 years from the date of issue of this Office Memorandum.

(c) All officers who are screened-in will be called for an interview. The performance in the interview will also be graded similarly on a 10-point scale

and the eligibility for promotion will be based on the same norms as in the above Table.

(d) Field experience in research and development and/or experience in implementation of such scientific projects is compulsory for promotion of scientists recruited to the posts in the Secretariat of the Scientific Ministries/Departments to higher grades under Flexible Complementing Scheme (FCS). Field experience of at least 2 years and 5 years respectively will be essential for promotion to Scientist 'F' and Scientist 'G' grades respectively. However, during the transitional period, Committee may relax this requirement in case of meritorious candidate.

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G.I., Dept. of Per. & Trg., Notfn. No. 2/41/97-PIC, dated 9-11-1998

Regulation of *in situ* promotion under F.C.S. to Scientists/Technologists holding scientific posts and engaged in Scientific activities and services

¹G.S.R. 660 (E).— In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the *in situ* promotion under Flexible Complementing Scheme applicable to Scientific and Technical Group 'A' posts in the Department of Science and Technology, the Department of Scientific and Industrial Research, the Ministry of Non-conventional Energy Sources, the Department of Ocean Development, the Ministry of Environment, Forests and Wild Life, the Department of Bio-Technology and the Department of Electronics; namely:—

1. Short title and commencement:

(1) These rules may be called the Scientific and Technical Group 'A' (Gazetted) posts in the Department of Science and Technology, the Department of Scientific and Industrial Research, the Ministry of Non-conventional Energy Sources, the Department of Ocean Development, the Ministry of Environment, Forests and Wild Life, the Department of Bio-Technology and the Department of Electronics (*In situ* Promotion under Flexible Complementing Scheme) Rules, 1998.

(2) They shall come into force on the date of their publication in the Official gazette. (*Published on 9-11-1998*).

2. Application:

These rules shall apply to all the Scientific and Technical Group 'A' (Gazetted) posts in the Department of Science and Technology, the Department of Scientific and Industrial Research, the Ministry of Non-conventional Energy Sources, the Department of Ocean Development, the Ministry of Environment, Forests and Wild Life, the Department of Bio-Technology and the

¹ This notification is the enclosure to G.I., Dept. of Per & Trg., O.M. No. 2/41/97-PIC, dated 9-11-1998, published at Sl. No. 18 of *SwamysnewS, January, 1999*.

Department of Electronics governed by the Recruitment Rules/Instructions specified in the Scheduled annexed to these rules.

3. *In situ* promotion under Flexible Complementing Scheme:

Notwithstanding anything contained in the Recruitment Rules or instructions specified in the Schedule annexed to these rules, the following provisions shall apply in the matter of *in situ* promotions for Scientific and Technical Group 'A' (Gazetted) posts in the Department of Science and Technology, the Department of Scientific and Industrial Research, the Ministry of Non-conventional Energy Sources, the Department of Ocean Development, the Ministry of Environment, Forests and Wild Life, the Department of Bio-Technology and the Department of Electronics under the Flexible Complementing Scheme, namely:—

(a) The scales of pay to which the Flexible Complementing Scheme shall apply, the minimum residency period linked to performance for *in situ* promotion to the next higher grade and the uniform designations of the scientific and technical posts covered by the Flexible Complementing Scheme shall be as given in the Table below:—

TABLE

Designation (1)	Scale of Pay (2)	Minimum Residency period linked to performance (3)
Scientist B	Rs. 8,000-275-13,500	3 Years
Scientist C	Rs. 10,000-325-15,200	4 Years
Scientist D	Rs. 12,000-375-16,500	4 Years
Scientist E	Rs. 14,300-400-18,300	5 Years
Scientist F	Rs. 16,400-450-20,000	5 Years
Scientist G	Rs. 18,400-500-22,400	...

(b) No person other than a person possessing the essential educational qualification of atleast a Master's Degree in Natural/Agricultural Sciences or a Bachelor's Degree in Engineering or Technology or Medicine, shall be eligible for *in situ* promotion under the Flexible Complementing Scheme.

THE SCHEDULE
(See Rules 2 & 3)

Sl. No.	Name of Ministry/Department	Short title of the Recruitment Rules/Instructions
1.	Ministry of Science and Technology (Department of Science and Technology and Department of Scientific and Industrial Research)	The Department of Science and Technology Group 'A' Gazetted Posts (Non-Ministerial, Scientific and Technical) Rules, 1984.

Sl. No.	Name of Ministry/Department	Short title of the Recruitment Rules/Instructions
2.	Department of Bio-Technology	The Department of Bio-Technology Group 'A' Gazetted Posts (Non-Ministerial, Scientific and Technical) Recruitment Rules, 1989.
3.	Department of Electronics and the National Informatics Centre, Planning Commission	Personnel Policy and Practices for Group 'A' Scientific and Technical Officers/Posts in the Department of Electronics/ Electronics Commission – (O.M. No. A-12018/1/81-PP, dated 11-8-1981, as amended from time to time).
4.	Ministry of Environment, Forests and Wild Life	The Department of Environment, Forests and Wild Life Scientific Group 'A' Posts Rules, 1987.
5.	Ministry of Non-Conventional Energy Sources	The Department of Non-Conventional Energy Sources Group 'A' Gazetted Posts (Non-Ministerial, Scientific and Technical) Rules, 1988.
6.	Department of Ocean Development	The Department of Ocean Development Recruitment (Group 'A' posts) Rules, 1996.