

Retrospective promotions of those who had
been superseded earlier -

GOVERNMENT OF MAHARASHTRA
General Administration Department,
Circular Memorandum No. SRV-1064-D,
Sachivalaya, Bombay - 32 (BR), 25th February, 1965
Phalgun 6, 1886

CIRCULAR MEMORANDUM OF GOVERNMENT

A question has been raised whether in cases in which Government servants who are superseded for promotion to higher posts are later promoted on the orders of higher authorities who consider the supersession unjustified and who having powers to set aside the orders of supersession do so, their promotion should be effective from the date on which they are actually promoted or from the date they would have been promoted had they not been wrongly superseded. Government has considered this question and decided that in such cases the Government servants concerned should be deemed to have been promoted to higher posts from the date from which they would have been promoted to higher posts from the date from which they would have been promoted but for their wrongly supersession i.e. from the date from which their juniors who were promoted by superseding them started to officiate in such posts and they should be allowed pay in such posts as if they were promoted on the dates on which their juniors were promoted and also paid arrears of pay and allowances from such dates.

2. Orders in paragraph 1 above apply also to the cases of persons who are superseded for promotion to gazetted posts within the purview of the Public Service Commission ordered by Government but are later promoted when their earlier supersession is considered in consultation with the Commission unjustified.

3. Pending cases should be regulated in accordance with these orders in paragraphs 1 and 2 above and arrears of pay and allowances should be paid to the persons concerned provided that where the arrears relate to any period prior to the 1st May, 1960 the payment is restricted to the period after that date i.e. after the 1st May 1960.

4. This Circular memorandum issues with the concurrence of the Finance Department vide that Department un-official reference No. 581/V, dated the 2nd February 1965.

By order and in the name of the Government of Maharashtra,

sd/-

K.P. Nadkarni,

Deputy Secretary to the Govt. of Maharashtra

To,

The Secretary to the Governor

The Private Secretary to Chief Minister,

* The Prothonotary and Senior Master, High Court, Bombay

* The Registrar, High Court (Appellate Side), Bombay

The Accountant General, Maharashtra, Bombay

The Senior Deputy Accountant General, Nagpur

The Pay and Accounts Officer, Bombay

The Resident Audit Officer, Bombay

The Finance Department

All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat

All other Departments of the Secretariat

* By letter