

Chapter-5

Probation/Confirmation

5.1 Probation

The ICAR is following the guidelines issued by the DOP&T mutatis mutandis in the matters relating to Probation on appointments. Salient features of the DOP&T guidelines are as follows:-

- 5.1.1 Instead of treating probation as a formality, the existing powers to discharge probationers should be systematically and vigorously used so that the necessity of dispensing with the services of employees at later stages may arise only rarely.
- 5.1.2 Concentration of attention on the probationer's ability to pass the probationary, or the departmental examination tends to obscure the wider object of probation. In judging the fitness for confirmation of employees selected on the result of a rigorous written examination, passing the probationary or a departmental examination should be an essential, but not the most important part of the qualification for confirmation. There should be a very careful assessment of the outlook, character and aptitude for the kind of work that has to be done in the service before a probationer is confirmed, and only those persons who possess qualities of mind and character needed in the particular service and the constructive outlook in the particular service, and the constructive outlook and human sympathy needed in the public service generally should be confirmed.
- 5.1.3 A probationer should be given an opportunity to work under more than one officer during the period of his probation and reports of his work obtained from each one of those officers. The reports for the whole period may then be considered by a Board of senior officials for determining whether the probationer concerned is fit to be confirmed in service. For this purpose, separate forms of report on the probationers, which should be distinct from usual confidential report forms may be devised for each of the services in consultation with the O & M Division of the Cabinet Secretariat (Department of Personnel)
- 5.1.4 It would be desirable to have uniformity as regards the period of probation in different services and it is therefore recommended that the period of probation should normally be two years, but where there are any special reasons for prescribing a longer or shorter period, a suitable period may be fixed in consultation with the Cabinet Secretariat (Dept. of Personnel).
- 5.1.5 While the normal probation may certainly be extended in suitable cases, it is not desirable that an employee should be kept on probation for years as happened occasionally at present. It is, therefore, suggested that, save for exceptional reasons, probation should not be extended for more than a year and no employee should be kept on probation for more than double the normal period.

5.1.6 The decision whether an employee should be confirmed or his probation extended should be taken soon after the expiry of the initial probationary period, that is ordinarily within six to eight weeks, and communicated to the employee together with the reasons in case of extension. A probationer who is not making satisfactory progress or who shows himself to be inadequate for the service in any way should be informed of his shortcomings well before the expiry of the original probationary period so that he can make special efforts at self-improvement.

5.1.7 Period of probation in various Central Services:

1. Para 1(vii) of Ministry of Home Affairs, O.M. No. 44/1/59-Estt. (A), dated the 15th April, 1959 (General Principles - Order (1) above) stipulates that the fresh entrants as well as those promoted should be kept on probation for a period of two years to judge the potentialities of an officer for a higher service. On review, it has now been decided that -

- (i) Save as provided in Clause (ii) below, direct recruits to a post/service shall be on probation for a period of two years.
- (ii) Direct recruits to posts carrying a pay scale, the minimum of which is Rs. 2,000 (Fourth Pay Commission) or above or to posts for which the maximum age-limit for recruitment is 35 years or above and where no training is involved, shall be on probation for a period of one year only.
- (iii) Persons who are inducted into a new service through promotion shall also be placed on probation for two years; but there will be no probation for a person promoted from one grade to another within the same service, except where the promotion involves a change in the Group of posts in the same service, e.g., promotion from Group 'B' to Group 'A' in which case the probation shall be for two years.
- (iv) Wherever probation includes 'on the job' or 'institutional training' combined with actual performance on the job, probation for a period of two years should be prescribed in the Recruitment Rules.
- (v) In the case of those who are re-employed before the age of superannuation, e.g., Ex-Military personnel, there will be a probation of two years on their appointment/re-employment to civil posts except in respect of cases covered by Clause (ii) above.

5.1.8 There will be no probation in the case of officers appointed to various posts on-

- (a) Contract basis;
- (b) Deputation;
- (c) Tenure basis;
- (d) Re-employment after superannuation; and
- (e) Permanent transfer.



- 5.1.9 On the expiry of the period of probation, steps should be taken to obtain the assessment reports on the probationer and to-
- (i) confirm the probationer/issue orders regarding satisfactory termination of probation, as the case may be, if the probation has been completed to the satisfaction of the competent authority; or
 - (ii) Extend the period of probation in terms of Para 1 (viii) of the OM dated the 15th April, 1959 or discharge the probationer or terminate the services of the probationer, as the case may be, in accordance with the relevant rules and orders, if the probationer has not completed the period of probation satisfactorily.
- 5.1.10 Decision to confirm or to extend the period of probation should be communicated to the probationer within 2 months.
- 5.1.11 Uniform probation period should be prescribed for both promotees and direct recruits- The period of probation to be prescribed for different posts in the Government have been laid down in this Department's O.M. No. 21011/2/80-Estt.(C), dated the 19th May, 1983. In terms of these instructions in the case of promotions involving a change of Group, for example, from Group 'B' for direct recruits to posts which carry a pay scale the minimum of which is Rs. 5,000 (Fourth Pay Commission) and above or to posts for which the maximum age-limit is 35 years or above, the period of probation is one year where no training is involved and two years where probation includes institutional/on the job training.
- 5.1.12 Probation commences from date of formal selection when already officiating in the post.- A question recently arose as to the date from which the prescribed period of probation should commence in the case of a Government servant who is already holding a post in a temporary or officiating capacity and who is later selected by the Union Public Service Commission for permanent appointment thereto. During the period of officiating prior to formal selection for permanent appointment to a post, the officer concerned merely carries on the duties of the post and his work and conduct is not particularly watched with a view to eventual confirmation. It is reasonable, therefore, that after formal selection for a post and before confirmation therein, there should be a specific period of probation during which the work of the officer could be carefully watched and his suitability for confirmation decided on the basis thereof. It has accordingly been decided, after careful consideration, that the period of probation in such cases should commence from the date of formal selection by the Union Public Service Commission of an officer for a post and not from the date from which he began to officiate in that post prior to such selection.
- (G.I, M.H.A. O.M. No. 44/2/51-Ests., dated the 17th March, 1951.)**
- 5.1.13 Model provisions on probation for including in Recruitment Rules for Organized Services
- (i). Every officer on appointment to the Service, either by direct recruitment or by promotion in junior Scale shall be on probation for a period of two years:
 - (ii) Provided that the Controlling Authority may extend the period of probation in accordance with the instructions issued by Government from time to time:



- (iii) Provided further that any decision for extension of a probation period shall be taken ordinarily within eight weeks after the expiry of the previous probationary period and communicated in writing to the concerned officer together with the reasons for doing so within the said period.
- (iv). On completion of the period of probation or any extension thereof, officers shall if considered fit for permanent appointment, be retained in their appointments on regular basis and be confirmed in due course against the available substantive vacancies, as the case may be.
- (v). If, during the period of probation or any extension thereof, as the case may be Government is of the opinion that an officer is not fit for permanent appointment, Government may discharge or revert the officer to the post held by him prior to his appointment in the Service, as the case may be.
- (vi). During the period of probation, or any extension thereof, candidates may be required by Government to undergo such courses of training and instructions and to pass examinations and tests (including examination in Hindi) as Government may deem fit, as a condition of satisfactory service.

5.1.14 Probation should not be extended as a matter of course. In case an official is considered unfit for the post on which he is placed on probation, his reversion/termination should be considered. Cases of probation of official should be reviewed every six months. In case the result of review of performance of an official is found indifferent, he should be warned of the consequences, i.e. termination of his services/reversion to the post from which he is promoted. Such a warning should be issued at least six months in advance after which the performance of the official concerned should be continuously kept under observation. It may be emphasized that after entry by an official in a grade, the stress is 'on Probation' and not on confirmation. This should be brought home to the new entrants.

[G.I. Dept. of Posts. Lr. NO. 35-1/89-SPB II, dated the 16th June, 1991.]

5.2 Guidelines specific to various services in ICAR on probation

5.2.1 Agricultural Research Service:-

Candidates appointed to the Service either by selection through competitive examination, by promotion or otherwise, shall be on probation for a period of two years provided that the Controlling Authority may, for counting the said period of two years, at its discretion, count any period of service in posts of equivalent or higher responsibility.

(Rule 14 of the A.R.S. Rules)

5.2.2 Composition of the Committee for clearance of probation/confirmation in respect of ARS Scientists.



The Competent Authority of the Council has approved the following Committee for the purpose of clearance of probation period and confirmation in service in all cases of scientists working in ICAR Institutes:

1	Director or his nominee	Chairman
2	One Senior Officer not lower in Status than Principal Scientist nominated by Director,.	Member
3	An outside Expert nominated by Director	Member
4	An officer not lower in status than Officer under consideration belonging to SC/ST nominated by Director.	Member
5	Chief Admn. Officer/Sr. Admn. Officer/Admn. Officer (in the absence of these officers any officer of equivalent status)	Member Secretary

(ICAR No. 1-2/95-Per.IV dated 4th April 1995)

- 5.2.3 The Controlling Authority may extend the period of probation referred to in sub-para 5.2.1 above.
- 5.2.4 If on the expiry of the period of probation referred to in sub para 5.2.1 above or of the extended period under sub para 5.2.2 as the case may be , the Controlling Authority is of the opinion that a scientist is not fit for permanent appointment, or if at any time during probation or extension, is satisfied that he will not be fit for permanent appointment on the expiry of such period of probation or extension, the scientist may be discharged or reverted to his substantive post or subjected to such orders as may be passed by the Controlling Authority

(Rule 14 of the A.R.S. Rules)

5.3 Technical Services:-

Persons appointed to the respective grades of the Service by direct recruitment shall be on probation for a period of two years provided the Appointing Authority may, for counting the said period of two years, at its discretion, count any period of service in posts of equivalent or higher responsibility.

- 5.3.1 The Appointing Authority may extend the period of probation specified in Sub para 5.3 above.

(Rule 11 of the Technical Service Rules)

- 5.3.2 Composition of the Committee for clearance of probation/confirmation in respect of Technical personnel.



Technician to Technical Assistant.

(i)	ICAR Headquarters	1. Deputy-Secretary	Chairman
		2. One Sr. Officer not lower in status than Under-Secretary, nominated by Deputy Secretary (A)	Member
		3. An officer not lower in status than Under Secretary, belonging to SC/ST community, nominated by Deputy Secretary (A)	Member
		4. Outside expert, nominated by Deputy Secretary (A)	Member
		5. Under Secretary (Tech.)	Member Secretary
(ii)	ICAR Research Institutes	1. Joint Director/Head of Divisions/Senior Officer, not lower in status than S-3, nominated by Director	Chairman
		2. CAO/SAO/any other officer of equivalent status nominated by Director	Member
		3. An Outside expert, nominated by Director	Member
		4. An officer not lower in status than officers under consideration, belonging to SC/ST community, nominated by Director	Member
		5. AO/AO (in the absence of these officers, an officer of equivalent status, nominated by Director)	Member Secretary.

Senior Technical Assistant to Senior Technical Officer.

(i)	ICAR Headquarter	1. Director (P)/Director(F) (as per the category of post)	Chairman
		2. One Sr. Officer not lower in status than Deputy-Secretary to Govt. of India/ Dy. Secretary , ICAR nominat3d by Secretary, ICAR	Member
		3. An outside expert nominated by Secretary, ICAR	Member
		4 An Officer not lower in status than officers under consideration belonging to SC/ST community, nominated by Secretary, ICAR.	Member
		5. Deputy Secretary(A) /Under Secretary (Tech.) nominated by Secretary, ICAR	Member Secretary
(ii)	ICAR Research Institutes	1. Joint Director /Head of Division/Senior Officer not lower in status than S-3, nominated by Director	Chairman
		2. CAO/SAO/any other officer of equivalent status, nominated by Director	Member
		3. An outside expert, nominated by Director	Member



		4. An officer not lower in status than officer under consideration belonging to SC/ST community, nominated by Director	Member
		5. AO/AO in the absence of these officers an officer of equivalent status, nominated by Director	Member Secretary

Assistant Chief Technical Officer to Chief Technical Officer.

(i)	ICAR Headquarters	1. Secretary, ICAR or his nominee	Chairman
		2. Director (P)/Dir (Fin) as per category of post)	Member
		3. An Outside expert, nominated by Secretary, ICAR	Member
		4. An officer not lower in status than officers under consideration belonging to SC/ST community nominated by Secretary, ICAR	Member
		5. Deputy Secretary/Under Secretary concerned, nominated by the Secretary, ICAR	Member Secretary
(ii)	ICAR Research Institute	1. Director or his/her nominee	Chairman
		2. One senior officer not lower in status than S-3 nominated by Director	Member
		3. An outside expert, nominated by Director	Member
		4. An officer not lower in status than officers under consideration belonging to SC/ST community, nominated by Director	Member
		5. CAO/SAO/AO (in the absence of these officers, any officer of equivalent status.)	Member Secretary

Note: Such of the technical personnel as are promoted to the next higher grade on the basis of five yearly assessment of performance under Technical Service Rules of the ICAR are not to be put on probation.

(ICAR letter No. 7(13)/81-Per.III dated 7 May 1981)

5.3.3 Administrative and Supporting Service:

The period of probation is two years.

5.3.4 Extension of probation:

Probation is not normally to be extended for more than a year and no employee should be kept on probation for more than double the normal period, save in exceptional cases.

(ICAR letter No. 2-72/66-Reord. (Admn.) dt. 11-2-1969)

5.3.5 Reduction in the period of probation:

Where the service rendered in a post on ad-hoc basis has been quite satisfactory, the period of probation of two years that may be fixed on appointment to the same post on regular basis may be reduced uniformly to the extent of the actual period of ad-hoc appointment in the post or one year whichever is less.

5.3.6 Screening of the probationary period:

A decision on the period of probation of an officer should be taken within six to eight weeks after the expiry of the probationary period. It is, therefore, essential that the screening of the probationary period is done immediately after completion of the probationary period and the cases are submitted to the competent authority for the purpose within 15 days of the expiry of the probationary period.

(ICAR letter No. 2-72/66-Reorog (Admn) dt. 11-2-1969)

CONFIRMATION

General – Confirmation will be made only once in the service of an official which will be in the entry grade. Confirmation is delinked from the availability of permanent vacancy in the grade. In other words, an officer who has successfully completed the probation may be considered for confirmation.

Confirmation in the grade to which initially recruited – (i) As at present, the appointee should satisfactorily complete the probation, (ii) The case will be placed before the Departmental Promotion Committee for confirmation (iii) A specific order of confirmation will be issued when the case is cleared from all angles.

Detailed instructions of the DOPT relating to Confirmation are given in **Appendix-XI**.