

Key Points/ Important Information Regarding framing of Service/Recruitment Rules

E(G)RR Branch in Railway Board is instrumental in framing/revising/amending the Service Rules (SRs) of Railway Organized Services /Recruitment Rules (RRs) of Gazetted posts of Indian Railways.

2. As per the subjects allocated to Department of Personnel and Training in the Allocation of Business Rules, Ministry of Railways is exempted from approaching Department of Personnel and Training for general questions relating to recruitment, promotion and seniority pertaining to Central Services under the control of Railways. As per the subject allocated to Ministry of Railways in AOB Rules, all matters in respect of Railways including those relating to Railway revenues and expenditure, but excluding Railway Inspectorate and Railway Audit will be handled by Ministry of Railways. This has enabled Ministry of Railways to hold DPCs for higher grade promotions and frame SRs/RRs directly with approval of UPSC.

3. Draft SRs/RRs are formulated in consultation with Cadre Controlling Authorities, various Directorates concerned of Railway Board and Zonal Railways. Guidelines/instructions stipulated by DoP&T, UPSC and Ministry of Railways are followed.

4. Draft SRs/RRs after vetting by Associate Finance/Railway Board are uploaded on the official website for a period of 30 days for obtaining comments of stakeholders on the same, if any. The comments so received are examined and changes in draft RR are made if so required. After obtaining the concurrence of the Chairman & Chief Executive Officer, Railway Board on behalf of the Hon'ble MR the draft RRs/SRs are submitted to UPSC through RRFAMS (Recruitment Rules Formulation, Amendment & Monitoring System) or Single Window System meeting along with supporting documents for their approval. Queries raised by UPSC w.r.t. RRs/SRs, are examined in consultation with the Cadre Controlling Authority concerned or Directorates concerned as the case may be and replies are submitted to UPSC. Subsequently, after UPSC's approval, the English and Hindi versions of SRs/RRs are sent to Ministry of Law & Justice for vetting before publication in the Gazette of India.

5. Guidelines/FAQ of UPSC/DoP&T are available at the following links and also attached below for general guidance.

https://upsc.gov.in/sites/default/files/FAQ-RR-13082019-Engl_0.pdf

https://dopt.gov.in/sites/default/files/AB.14017_13_2013-Estt-RR.pdf

Some of the provisions may not be applicable to M/o Railways in terms of Allocation of Business Rules.

Compendium of Frequently Asked Questions on

Recruitment Rules

DISCLAIMER

This compilation of Frequently Asked Questions (FAQs) has been published for general guidance, information, and assistance of users. The information contained herein is general in nature and is by no means exhaustive, and is not in the nature of legal or statutory opinion, advice, interpretation or authority on the issues involved. The Rules, Procedures, and Guidelines cited may be changed or modified over time, and for any clarification, the respective Rules made by the Competent Authority or orders of the Department of Personnel and Training, Government of India may be referred to. Under no circumstances shall the Union Public Service Commission be liable for any liability, loss, damage, or expense incurred or suffered that is claimed to have resulted from the use of material contained in this compilation, including, without limitation, any error or omission with respect thereto.

1. What are the Constitutional provisions regarding Consultation by Ministries /Departments with UPSC?

Article 320 of the Constitution inter alia provides that the Commission shall be consulted in framing and amendment of Recruitment Rules for various services and posts under the Government of India and Union Territories. Accordingly, Ministries/Departments are required to consult Commission for framing/amendment of RRs for Group 'A' and 'B' posts except those which are exempt from consultation with UPSC under UPSC (Exemption from Consultation) Regulations, 1958, as amended from time to time.

2. Whether RRs notified without consultation of UPSC are valid?

As per constitutional provisions, Ministries/Departments are required to consult Commission for framing/amendment of RRs for all Group 'A' and 'B' posts except those which are exempted from consultation with UPSC under UPSC (Exemption from Consultation) Regulations, 1958, as amended from time to time. In case RRs of any post for which consultation with UPSC is required, are notified without its consultation, they are treated as **Non-est**.

3. What is Recruitment and what are Recruitment Rules?

Recruitment is a process of selection of candidates to a designated post and Recruitment Rules are the provisions prescribed under the Statute, for executing the same. The UPSC is required to advise upon the Recruitment Rules for various Civil Posts which are mandated to it, under the Constitution of India or a specific Act governing a

statutory organization.

4. What is the difference between Recruitment Rules & Service Rules?

Service Rules are framed for defined Organized Service(s) to the Union of India and are comprehensive statutory documents, which include among others the specifications with regard to,

- a. Title and definitions
- b. Authorized strength & grade(s)
- c. Initial constitution and future maintenance
- d. Seniority, qualifying service for promotion, probation & method of recruitment
- e. Liabilities and disqualification
- f. Relaxation provisions
- g. Savings clause

Recruitment Rules are framed for Civil Posts which are not covered by Organized Services. The Recruitment Rules do not contain many Clause(s) of Service Rules of Organized Service(s) and contain a Notification along with a prescribed 13 Columns Schedule. The Schedule contains details of various provisions such as number of posts, Classification, Pay Level, Method of Recruitment, Educational Qualifications for direct recruits etc.

5. What kind of posts are exempt from the purview of mandatory consultation with the UPSC?

Clause 3 of Article 320 of the Constitution of India inter alia stipulates the matters on which UPSC is required to be consulted. Proviso to said

clause provides for making regulations to specify the matters in which either generally, or in any particular class or case or in any particular circumstances, it shall not be necessary to consult Public Service Commission. Accordingly, Government has notified UPSC (Exemption from Consultation) Regulations, 1958, amended from time to time, specifying the services and posts which are exempted from consultation with UPSC in regard to matters specified in Article 320.

6. Whether Statutory Organizations are required to consult UPSC for framing/amendment of Recruitment Rules to posts under their jurisdiction?

In accordance with the mandate assigned under Article 321 of the Constitution, the Organizations, established under an Act of the Parliament, where the requirement of mandatory consultation with the UPSC is specified under a designated Section of that Act, are required to seek the Advice of the UPSC for purpose of framing or amendment of Recruitment Rules to Group A & Group B Civil Posts under their organization(s). Examples of such organizations are :- the New Delhi Municipal Council, Municipal Corporation of Delhi, Employees State Insurance Corporation, Employees Provident Fund Organization, Delhi Jal Board, etc.

7. Whether Recruitment Rules are required to be reviewed periodically?

Recruitment Rules prescribe various specifications relating to classification of post, pay structure, method of recruitment, composition of Departmental Promotion/ Confirmation Committee(s),

essential qualifications & consultation process with the UPSC etc. These are based on extant Guidelines of the DoP&T, which are revised/updated from time to time. The change(s) in the cadre structure and essential qualifications to a given post etc., also require due amendments in the specific column(s) of the Recruitment Rules. DoP&T guidelines accordingly provide that the Recruitment Rules may be reviewed once in every five years, to make necessary amendments as per changed position.

8. Who are the stakeholders and what is the process involved in framing / amendment of RRs?

- a. The proposal for framing or amendment of Recruitment Rules is initiated by the concerned Administrative Ministry with the approval of the Competent Authority. The Competent Authority can delegate the specified power(s).
- b. Consequent upon the said approval, the proposal is required to be submitted to the DoP&T for concurrence.
- c. After the concurrence of the DOP&T to the proposal for framing/amendment of recruitment rules, the proposal is submitted to UPSC for posts/services which come within its purview. Advice of the UPSC is conveyed to the Ministry / Organization concerned.
- d. The Recruitment Rules are then sent by the concerned Ministry to the Ministry of Law & Justice for vetting.

- e. Subsequently, the Recruitment Rules are required to be notified in the Official Gazette of the Government of India.

9. Whether there is any requirement to seek comments of stakeholders before referring the proposal for framing/amendment of Recruitment Rules to DOPT/UPSC.

Before referring any proposal for framing/amendment of Recruitment Rules of a post to DOPT, Ministries/Departments are required to put up proposed Recruitment Rules on their website for 30 days for inviting comments from the stakeholders. Thereafter, taking into account the comments so received, the proposal is to be sent.

10. What is the Single Window System (SWS) for receipt of proposals in the UPSC?

UPSC has introduced a Single Window System (SWS) for discussing and accepting the proposals for framing/ amendment of Recruitment Rules (RRs) brought by concerned Ministry/Department. The Administrative Ministry is required to designate an Officer not below the rank of Under Secretary to bring the proposal under SWS. The Under Secretaries in RR Branch in the Commission are authorized to accept the proposals from Ministries/Departments assigned to them. The proposal is evaluated through a preliminary scrutiny, based upon a pre-defined Check-list, which specifies the documents and information required to be provided along with a proposal. In case the proposal is found to be incomplete, the reasons thereof are recorded on-the-spot and intimated to the Official from the Ministry / Department

concerned for necessary compliance. Proposals complete in all respects are accepted and processed by the Commission.

UPSC has also developed e-appointment system under SWS to schedule the appointment under SWS for bringing the proposal w.e.f 19.02.2018. The web links for this facility are available at <https://upsconline/miscellaneous/eappointment/src/> or <http://www.upsc.gov.in/single-window-system/recruitment-rules-branch>

Further, Ministries/Departments can submit their proposals for framing/amendment of RRs to DoP&T through Recruitment Rules Formulation, Amendment and Monitoring System (RRFAMS) portal. With the development of UPSC module of RRFAMS portal with effect from 03.12.2018, proposals approved by DoP&T on RRFAMS portal move online to the Commission on the portal. The proposals pertaining to Service Rules or concerning UTs and statutory organizations etc., continue to be received under SWS.

11. Whether there is any enabling provision to interact with Ministry/Department in UPSC portal in case any clarification is required on the proposal received online on the portal?

RRFAMS portal includes enabling provision to seek clarification from Department online, if required. Ministry/Department can also upload documents in support of their responses. Further, there is mechanism to call Ministry/Department online for meeting at various levels in UPSC to discuss the proposal. Meeting is scheduled online and minutes of discussion held in the meeting are also conveyed

through portal.

12. What is the Check-list for submitting framing/ amendment proposals to the Commission under SWS or on RRFAMS?

UPSC has devised a Check-list of the points on which necessary information/documents are required to be provided while referring proposals to UPSC. The Check-list is available on the website of UPSC. It is being used for receipt of proposals with effect from 01.05.2015. It contains points relating to methods of recruitment, submission of annexures prescribed under DOPT guidelines, covering notification, educational qualifications, documents relating to creation, merger, re-designation of posts etc. Check list facilitates the Department to furnish complete proposal. The points contained in check-list have been incorporated in RRFAMS portal. Accordingly, while submitting proposals online on RRFAMS portal, Department is required to furnish the relevant information/upload necessary documents on the portal.

13. What are the common deficiencies observed in the proposals?

The proposals, which are brought for consideration in the SWS or submitted online on RRFAMS Portal, are generally found to have the following deficiencies:-

- a. Approval of the Competent Authority, authorized to approve the draft proposal, is not enclosed
- b. Relevant document(s) required under the Check-list of the SWS are not enclosed
- c. Certificate of Court Case(s) (i.e., the proposal being not subjudice/under consideration of any Court), is not

enclosed

- d. Necessary orders relating to creation/abolition/merger of posts are not enclosed in support of change in no. of posts
- e. Educational qualifications are not commensurate with duties and responsibilities of post.
- f. Ambiguous domain experience in experience clause, which could result in difficulty of interpretation at the time of recruitment.

14. What is the purpose of prescribing 'Qualifying Service' for promotion to the next higher Grade?

Qualifying Service is the minimum residency period prescribed in the Service Rules / Recruitment Rules that an incumbent has to serve in a Grade on a regular basis before being eligible to be promoted to the next higher grade.

15. Whether "equivalence" can be used to prescribe Educational Qualification?

DOP&T guidelines dated 31.12.2010 on framing/amendment/relaxation of Recruitment Rules provide that the Ministries/Departments should clearly specify the educational qualifications and avoid usage of the term 'or equivalent'. Ministries/Departments are required to clearly prescribe an exhaustive list of educational qualifications to match the duties and responsibilities of the post.

16. When is the UPSC associated with the Departmental Promotion

Committee (DPC) for considering promotion to a given post?

UPSC is associated with the DPC in all cases of promotion to Group 'A' posts except where promotion is from Level-10 to Level-11.

17. Is the UPSC required to be associated in the Departmental Confirmation Committee constituted for considering confirmation of officers?

UPSC is not required to be associated with Departmental Confirmation Committee for considering confirmation.

18. What is one time mode of recruitment and under what circumstances it can be considered?

In case of newly created posts, for which Recruitment Rules are not yet framed, and posts for which RR are repealed, and these posts are required to be filled on urgent basis, concerned Ministry/Department can make a reference to UPSC for determination of one-time method of recruitment for filling up the post in the absence of Recruitment Rules. This method of recruitment is available once only and cannot be used again. Department is required to frame Recruitment Rules in the meantime for further filling up of posts. This mode cannot be invoked in cases where Recruitment Rules exist but have become inoperable for any reasons.

19. What is the difference between relaxation in Recruitment Rules and one time mode of recruitment?

Recruitment Rules contain a 'Power to relax' clause as per which relaxation of certain provisions in Recruitment Rules can be resorted to in respect of a class or category of persons. On the other hand, one time mode of recruitment is sought by Ministries/Departments in cases where Recruitment Rules for a post do not exist and there are overriding compulsions for filling up the post in the absence of Recruitment Rules.

20. Whether Ministry/Department can seek review of advice of UPSC, given on framing/amendment of Recruitment Rules?

Ministry/Department can seek review of advice of UPSC before notification, giving detailed justification for the same. In case justification is considered appropriate by the Commission, revised advice is conveyed to the Ministry/Department. However, in case reasons for review are not considered justified by the Commission, Ministry/Department is informed accordingly with the request to notify the Recruitment Rules already advised. Review mechanism is also available on RRFAMS portal in case of online proposals.

21. What happens when a Ministry/Department disagrees with advice of UPSC on framing/amendment of Recruitment Rules?

As stated above, Ministry/Department can seek review of advice of UPSC, if required. However, in case Ministry/Department notifies any recruitment rules at variance with the advice of UPSC,

such cases are treated as non-acceptance of advice of the Commission. Details of such cases of disagreement are mentioned in Annual Report of UPSC.

22. What is the prescribed time-frame within which the Recruitment Rules advised upon by the UPSC, should be Notified by the Ministry/ Department concerned?

The Recruitment Rules should be notified by the Ministry/ Department concerned within ten weeks of the receipt of the Advice of UPSC. Ministries/Departments are also required to furnish a copy of the notified Rules to UPSC for record. In so far as proposals processed online on RRFAMS portal, Ministries are required to upload a copy of notification on RRFAMS portal. Cases, where notified Rules are not received/uploaded, are mentioned in the Annual Report of the UPSC, which is placed before the Parliament.

Note: For detailed guidelines on preparation of proposals for framing/amendment of Recruitment Rules, please see the following documents available on DOPT website:

1. DOPT guidelines on framing/amendment/relaxation of Recruitment Rules issued vide Office Memorandum No. AB.14017/48/2010-Estt.(RR) dated 31.12.2010, available at the link - http://documents.doptcirculars.nic.in/D2/D02est/AB.14017_48_2010-Estt.-RR.pdf

2. DOPT step guide for processing of the proposal for framing/amendment of Recruitment Rules issued vide Office Memorandum No. AB.14017/13/2013-Estt.(RR) dated 31.03.2015, available at the link - http://documents.doptcirculars.nic.in/D2/D02est/AB-14017_13_2013-Estt.RR-31032015.pdf

Joint Secretary (RR)
7th August, 2019

No. AB.14017/48/2010-Estt..(RR)
Government of India
Ministry of Personnel, PG & Pensions
(Department of Personnel & Training)

New Delhi the 31st December, 2010

OFFICE MEMORANDUM

Sub: Revision of guidelines for framing / amendment / relaxation of Recruitment Rules.

The undersigned is directed to state that instructions on framing / amendment of Recruitment Rules were issued in a consolidated form in this Department's OM No. AB.14017/12/87-Estt.(RR) dated 18.3.1988. Subsequently, a number of orders and clarifications have been issued on the subject.

2. The existing instructions have been reviewed in consultation with UPSC and consolidated in the form of **“Guidelines on framing / amendment / relaxation of recruitment rules”**, a copy of which is enclosed. The number and the date of original OM has been referred in the relevant instructions for easy reference to the context. The Guidelines on framing / amendment / relaxation of recruitment rules along with the relevant instructions and existing model RRs are available on the DoPT website www.persmin.nic.in* in the dynamic form of Handbook on Recruitment Rules, 2010.

2. Hindi Version will follow.

(Smita Kumar)
Director (E-I)
Tel: 23092479

*(Link: Circular → Establishment → Recruitment Policies)

To

All Ministries and Departments of the Government of India

OM No. AB.14017/48/2010-Estt..(RR) dated 31st December, 2010

Copv to:-

1. President's Secretariat, New Delhi
2. Vice-President Secretariat, New Delhi
3. The Prime Minister's Office, New Delhi
4. Cabinet Secretariat, New Delhi
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi
6. The Registrar General. the Supreme Court of India, New Delhi
7. The Registrar. Central Administrative Tribunal, Principal Bench, New Delhi
8. The Comptroller and Auditor General of India, New Delhi
9. The Secretary, Union Public Service Commission, New Delhi
10. The Secretary, Staff Selection Commission, New Delhi
- 11 . All the attached offices under the Ministry of Personnel, Public Grievances & Pension
12. National Commission for Scheduled Castes, New Delhi
13. National Commission for Scheduled Tribes, New Delhi
14. National Commission for OBCs, New Delhi
- 15 . Secretary, National Council (JCM), 13, Ferozeshah Road, New Delhi
16. Establishment Officer and AS.
17. All Officers and Sections in the Department of Personnel and Training.
18. Facilitation Centre, DOP&T (20 Copies)
19. NIC (DoP&T) for placing this Office Memorandum on the Website of DoP&T.
20. Establishment Desk (200) copies.

(Smita Kumar)
Director (E-I)
Tel: 23092479

**GUIDELINES ON FRAMING / AMENDMENT / RELAXATION OF
RECRUITMENT RULES**

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GUIDELINES ON FRAMING / AMENDMENT / RELAXATION OF RECRUITMENT RULES

Part- I

General Guidelines

1.1 Introduction of General Principles

As soon as a decision is taken to create a new post / service or to upgrade any post or restructure any Service, action should be taken immediately by the Administrative Ministry / Department concerned to frame Recruitment Rules/ Service Rules therefore.

1.2 Recruitment Rules should be framed for all posts which are likely to last for one year or more. Posts which are created for a lesser duration may be filled on deputation by drawing officers from other offices of the Central Government, holding posts of appropriate level (analogous posts or where necessary, the next-below post with the minimum regular service prescribed for promotion) and possessing necessary qualifications required for the performance of duties attached to the post. Posts in Committees or Commissions set up for a limited duration, may be filled in the manner indicated below:

“The Administrative Ministry / Department concerned with the setting up of the Commission / Committee should make available staff on deputation to the Commission / Committees to the maximum extent possible by drawing persons from within their own Ministry / Department, failing that by circulation on all Secretariat basis and failing both by re-employment of retired pensioners belonging to the same or some other Departments.

If the Sources above are tapped, there should not be any need to resort to direct recruitment through Employment Exchange or otherwise. Where, however, direct recruitment is made, it should be on a clear understanding that their appointment will be co-terminus with the life of the Commission and that they will not have any claim for regular absorption in Government.”

PART-II

PROCEDURE

AUTHORITIES COMPETENT TO APPROVE DRAFT RULES

2.1.1 All recruitment rules including their amendments should be approved at the level of Minister-in-charge, unless the Minister has by general or special order authorized such approval at a lower level(s). The Ministries/ Departments may put up proposals for suitable delegation for approval of the Minister-in-Charge. The following scheme of delegation is suggested:

Posts/ Services	Authority
Groups C	Joint Secretary
Groups A & B posts / Services (excepting those indicated below)	Secretary
Framing of or important amendments to Recruitment Rules for posts of Heads of Departments or Service Rules for Organized Services	Minister

The above is only suggestion and the Ministries / Departments are free to follow a different pattern depending on the local situation.

DELEGATION TO THE MINISTRIES

2.1.2 The Administrative Ministries / Departments are empowered to frame / amend Recruitment Rules in respect of Group 'C' posts keeping in view the guidelines issued by this Department on various aspects. In cases of deviations from the existing guidelines, the concurrence of this Department is to be obtained in cases of framing / amendment of Recruitment Rules even for Group 'C' posts. The Ministries / Departments are competent to relax the Recruitment Rules for Group 'C' posts.

(DOPT OM No. CD.14017/10/85-Estt.(RR) dated 21.3.85 & 5.6.85)

The provisions of the Recruitment Rules governing upper age limit or qualifications for direct recruitment which are generally based on the policy guidelines issued by the Department of Personnel & Training, should not, however, be relaxed without prior concurrence of this Department.

FORMATS & FORMS

2.1.3 Recruitment Rules for Groups 'A' & 'B' posts / services as approved by the Administrative Ministry / Department should be referred to the Department of Personnel & Training first for clearance as early as possible, and not later than one month from the date of the creation of posts / Service. This is generally done by referring the file to the administrative Ministry with a self-contained note, accompanied by inter-alia, the following:

- i) Draft Recruitment Rules (for posts other than those in the Organized Services) in the proforma in Annexure I.
- ii) Supporting particulars in Annexure II.
- iii) Recruitment Rules for the feeder posts(s) and the higher post, if any.
- iv) Present sanctioned strength of the post for which rules are being framed as also of the lower and higher posts.

2.2 Model Recruitment Rules for a number of posts framed in consultation with the Union Public Service Commission, have been circulated to all Ministries/ Departments. While framing Recruitment Rules for such posts, the Model Rules should be adhered to.

2.3 In respect of framing of Recruitment Rules for posts which are not covered by any of the Organized Services, the format of a Notification accompanied by the 13 column Schedule as given in Annexure I* shall be used. As for Organized Services, comprehensive Service Rules shall be framed covering, inter alia, the following aspects:-

1. Short Title and Commencement
2. Definitions
3. Constitution
4. Grades, Authorized Strength and its review
5. Members of the Service
6. Initial constitution of the service.
7. Future maintenance of the service
8. Appointments by deputation
9. Seniority
10. Probation
11. Appointment to the service
12. Liability for service in any part of India and other conditions of service.
13. Disqualifications
14. Power to relax
15. Savings
16. Interpretation
17. Repeal

- * The column 6 of the erstwhile schedule related to benefit of added years of service has been deleted in view of instructions issued vide DOP&PW OM No. 7/7/2008-P&PW (F) dated 13.2.2009 in which the benefit of adding years of qualifying service is withdrawn for the purpose of computing pension as well as other related benefits such as gratuity.

CONSULTATION WITH DOPT

2.4 Ordinarily, the draft Recruitment Rules will be returned by the Department of Personnel & Training with their comments, within a month from the date of reference to that Department. If the circumstances of a case require more time for scrutiny / discussion, the administrative Ministry / Department will be informed of the same and where there are many points for clarification, the Ministries may also be requested to discuss the case with the officers of the Department of Personnel & Training.

CONSULTATION WITH UPSC

2.5 After obtaining the concurrence of the Department of Personnel & Training, the Administrative Ministry / Department should refer the draft Recruitment Rules for posts/ services which are within the purview of the UPSC in a self-contained letter to the Commission, along with the information in the prescribed proforma (Annexure II). It should be stated in the letter to the Commission whether the clearance of the Department of Personnel & Training (and also the Department of Pension & Pensioners' Welfare where required) has been obtained in respect of the proposals in question. Where the procedure for consultation with the Commission has been followed and information necessary for consideration of the proposal has been fully given, it should be possible for the Commission to convey their advice ordinarily within 4 to 5 weeks. If the Commission's advice is not received within this time, the administrative Ministry / Department may settle the matter by personal discussion with the officers concerned in the Commission.

PART-III

GUIDELINES ON PREPARING SCHEDULE & NOTIFICATION

A. GENERAL

INITIAL CONSTITUTION

3.1.1. In cases where a new service is formed and the Recruitment Rules are framed for the first time and that there are officers already holding different categories of posts proposed to be included in the service on a regular / long term basis, a suitable 'Initial Constitution' Clause may be inserted in the Notification so as to count the regular service rendered by such officers before the date of notification of the Rules.

CONSIDERATION OF SENIORS

3.1.2 It may so happen that in some cases of promotion, the senior officers would not have completed the required service whereas the juniors would have completed the prescribed eligibility condition for promotion. In such cases, seniors will be left out from consideration for the higher post. To avoid such a situation, following note may be inserted in the recruitment rules/ column in the schedule to the Recruitment Rules.

Note:

“Where juniors who have completed their qualifying/eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/ eligibility service by more than half of such qualifying/ eligibility service or two years, whichever is less, and have successfully completed probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying/ eligibility service.”

(DOPT O.M. No. AB-14017/12/88-Estt. (RR) dated 25.3.1996)

RETENTION OF EXISTING ELIGIBILITY SERVICE

3.1.3 Where the eligibility service for promotion prescribed in the existing rules is being enhanced (to be in conformity with the guidelines issues by this Department) and the change is likely to affect adversely some persons holding the feeder grade posts on regular basis, a note to the effect that the eligibility service shall continue to be the same for persons holding the feeder posts on regular basis on the date of notification of the revised rules, could be included in the revised rules.

CONSIDERATION OF THE INCUMBENTS WHILE UPGRADATION

3.1.4.1 There has been merger of a number of pre-revised scales without any pre-condition for possession of higher qualifications for placement of incumbents in the higher/ upgraded scale, in the revised pay structure recommended by the 6th CPC and accepted by the Government. The procedure for assessment of suitability in such cases may, therefore, be as follows for placement in the upgraded/ merged grade:

(i) Where all posts in one or more pre-revised scales are merged with a higher pre-revised scale and given a common replacement scale/ grade pay/ pay scale, the suitability of the incumbents need not be assessed for granting them the higher replacement scale/ grade pay/ pay scale; there is also no need for the incumbents to complete any minimum eligibility service in the earlier scale of pay. There will be no change in the inter se seniority of the incumbents in the merged grade which shall be decided based on the general instructions on the subject; and

(ii) Where all posts in a particular grade have been granted a higher replacement pay scale/ grade pay, as per upgradation recommended by the 6th CPC, suitability of the incumbents need not be assessed for granting them the higher replacement scale/ grade pay. Here also, there is no need for the incumbents to complete any minimum eligibility service in the earlier scale of pay; and

(iii) Where there is a change in the Group (that is classification of the post) consequent upon the merger or upgradation and where there is no higher responsibility or higher qualification involved, assessment of the suitability will not be necessary before the revised grade is allowed. There will also be no need for the incumbents to complete any minimum eligibility service in the earlier scale of pay. However, suitability of the officer who has been placed in a upgraded/ replacement pay scale which fall in Group 'A' by recommendation/ award of the Pay Commission will continue to be assessed.

3.1.4.2 Assessment of suitability will continue to be necessary in the following situations arising out of cadre reviews, restructuring etc., not covered in the recommendations of the 6th CPC:

(i) where the upgradation involves higher responsibilities and higher eligibility service;

(ii) where the upgradation or merger is part; where the upgraded post will be the promotion grade for the posts left in the lower grade and the normal DPC procedure will apply.

(DOPT OM No. AB 14017/66/2008-Estt (RR) dated 9.3.2009)

REVIEW OF RECRUITMENT RULES

3.1.5 The Recruitment Rules should be reviewed once in 5 years with a view to effecting such change as are necessary to bring them in conformity with the changed position, including additions to or reductions in the strength of the lower and higher level posts.

SAVING CLAUSE

3.1.6 A revised “Saving Clause” as given below may be inserted in the covering Notification.

“Nothing in those rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Ex-servicemen and other special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard”.

B. SCHEDULE

NAME OF POST

3.2 Column 1 (Name of post)

Name of the post may (with sub-title, if any) be clearly specified.

NUMBER OF POST(s)

3.3 Column 2 (Number of posts)

The exact number of posts (with the relevant year in brackets) may be indicated. The number of posts is an integral basis for determining the method of recruitment to any category of posts in as much as the quota of direct recruitment, promotion etc., is to be decided after taking into account the number of posts. Therefore, whenever there is a substantial change in the number of posts, the administrative Ministry should initiate action to review the existing rules, particularly the method of recruitment. The effect of the change in the strength on the method prescribed in the rules for the next higher and lower categories of posts should also be studied. There should be an asterisk and in a foot note below the asterisk, it should be stated “subject to variation dependent on workload”.

CLASSIFICATION

3.4 Column 3 (Classification)

Classification of the post / Service may be shown in the order indicated below:

1. (a) If it is a Service, Central Civil Service Group A, B or C as specified in Rule 4 of the Central Civil Service (Classification, Control and Appeal) Rules (not its nomenclature as Indian Meteorological Service Group A).

(b) If it is a post, General Central Service Group A, B or C as specified in Rule 6 of CCS (CCA) Rules.

(c) All civil posts under the Union shall be classified w.e.f. 9.4.2009 as follows:-

S. No.	Description of Posts	Classification of Posts
1.(a)	A Central Civil post in Cabinet Secretary's Scale (Rs. 90000 – fixed), Apex Scale (Rs. 80000 – fixed) and Higher Administrative Grade plus Scale (Rs. 75500 – 80000); and	Group A

(b)	A Central Civil post in Higher Administrative Grade Scale (Rs. 67000 – annual increment @ 3% - 79000); and A Central Civil post carrying the following grade pays: - Rs. 10000, Rs. 8900 and Rs. 8700 in the scale of pay of Rs. 37400 – 67000 in Pay Band-4 and Rs. 7600, Rs. 6600 and Rs. 5400 in the scale of pay of Rs. 15600-39100 in Pay Band-3.	
2.	A Central Civil post carrying the following grade pays: - Rs. 5400, Rs. 4800, Rs. 4600 and Rs. 4200 in the scale of pay of Rs. 9300-34800 in Pay Band-2.	Group B
3.	A Central Civil post carrying the following grade pays: - Rs. 2800, Rs. 2400, Rs. 2000, Rs. 1900 and Rs. 1800 in the scale of pay of Rs. 5200-20200 in Pay Band-1.	Group C
4.	A Central Civil post carrying the following grade pays: - Rs. 1300, Rs. 1400, Rs. 1600, Rs. 1650 in the scale of pay of Rs. 4440-7440 in –IS Scale.	Group D (till the posts are upgraded)

(DOPT Order S.O. 946(E) dated 9.4.2009 (File No. 11012/7/2008-Estt.A) and Department of Finance G.S.R. No. 527E dated 16.7.2009 (File No. 01/01/2008-IC)

2. Whether Gazetted or Non-Gazetted.
3. Whether Ministerial or Non-Ministerial [FR 9 (17)]

PAY BAND AND GRADE PAY/ PAY SCALE

3.5 Column 4 (Pay Band and Grade Pay/Pay Scale)

The full Pay Band and Grade Pay/Pay Scale should be indicated. Special pay or non-practising allowance (in respect of medical posts), if any, should also be mentioned.

SELECTION OR NON-SELECTION

3.6 Column 5 (Whether selection post or non-selection post)

When promotion is proposed to be made on the basis of merit, the word “Selection” may be used and when promotion is to be made on the basis of seniority subject to the rejection of the unfit, the word “Non-Selection” may be used. In the case of direct recruitment or deputation or absorption, the entry should be “Not Applicable”. In the case of composite method of recruitment (i.e. Promotion / deputation), the words “Not Applicable” may be used.

(DOPT OM No. 35034/7/97-Estt. (D) dated 8.2.2002)

AGE LIMIT FOR DIRECT RECRUITS

3.7.1 Column 6: (Age for direct recruits)

This column may be filled by any one of the methods indicated below:-

(a) “Not exceeding.....years”.
(Where only the maximum age-limit is intended to be prescribed.

(b) “Betweenandyears”

(DP&AR OM No. 2/66/71-Estt.(D) dated 6.9.75)

RELAXATION FOR DEPARTMENTAL CANDIDATES

3.7.2 A provision may be made in the rules for relaxation of the upper age-limit for departmental candidates upto 40 years for appointment by direct recruitment to Groups C posts. Provision on age-relaxation in favour of Government servants for appointment by direct recruitment to Groups A and B posts may be made by inserting the following note:

“(Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Central Government)”

CRUCIAL DATE FOR CALCULATION OF THE AGE LIMIT

3.7.3 In the case of recruitment through the UPSC and the Staff Selection Commission, the crucial date for determining the age-limit shall be as advertised by the UPSC / SSC. In the case of other recruitment, the following Note may be inserted according to the requirements:

Note: The crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Ladakh Division of J&K State, Lahaul & Spiti district and Pangi Sub Division of Chamba district of Himachal Pradesh, Andaman & Nicobar Islands or Lakshadweep).

UPPER AGE LIMIT

3.7.4.1 The upper age limits for different posts depend upon the nature of duties, educational qualifications and experience requirements. Broadly, the following criteria may be followed:

	Posts	Age Limits
(i)	Posts having Grade Pay more than Grade Pay Rs. 7600	Preferably below 50 years *
(ii)	Posts having Grade Pay Rs. 7600	50 years
(iii)	Posts having Grade Pay Rs. 6600	40 years
(iv)	Posts having Grade Pay Rs. 5400	35 years
(v)	Posts having Grade Pay Rs. 4200, 4600 & 4800	30 years
(vi)	Posts having Grade Pay Rs. 1800, 1900, 2000, 2400 & 2800	Between 18 and 25 years.

* Ministries may examine the age limit requirement at the time of framing of RRs and incorporate specific age limit in accordance with Para 3.7.1.

3.7.4.2 The upper age limit for recruitment by the method of Direct Open Competitive Examination to the Central Civil Services and Civil post on the date of commencement of the Central Civil Services and Civil posts (Upper age – limit for Direct Recruitment) Rules 1998, shall be increased by two years.

The above said rules shall not apply to recruitment to Para Military Forces, namely, Assam Rifles, Border Security Force, Central Industrial Security Force, Central Reserve Police Force and Indo-Tibetan Border Police.

Note: - “Direct Open Competitive Examination” for the purpose of these rules shall mean direct recruitment by Open Competitive Examination conducted by the Union Public Service Commission or any other authority under the Central Government and it shall not include recruitment through Limited Departmental Examination or through short listing or by interview or by contract or by absorption or deputation.

(DOPT Notification No. G.S.R. 758(E) dated 21.12.1998 (File No.15012/6/98-Estt. (D))

EDUCATIONAL AND OTHER QUALIFICATIONS REQUIRED FOR DIRECT RECRUITS

3.8.1 Column 7: (Educational and other qualifications required for direct recruits).

The minimum educational qualifications and experience required for direct recruitment may be indicated as precisely as possible, if necessary, these may be divided into two parts, viz., “Essential Qualifications” and “Desirable Qualifications”. These requirements vary from post to post depending upon the scale of pay and the nature of duties. But they should be determined, as far as possible, keeping in view the provisions in the approved Recruitment Rules for similar posts and higher and lower posts in the same hierarchy.

The Ministries/ Departments may clearly specify the educational qualifications and thereby, avoid usage of the term 'or equivalent'. They are also instructed to clearly prescribe an exhaustive list of educational qualifications so as to match the duties and responsibilities of the post.

The experience prescribed by the Ministries/ Departments must be clear and quantified while also clearly bringing out the specific areas in which the experience is required so as to match the duties and responsibilities of the post.

PRESCRIBING CLASS OR DIVISION

3.8.2 Prescribing Class or Division:

Prescribing First or Second Class/ Division in respect of an educational qualification e.g. Degree may be avoided. A simple Degree / Master's Degree may be prescribed as there is difference in the assessment by various Universities / Boards and there may not also be any uniformity in the percentage of marks for deciding a Class / Division. It should, however, be ensured that qualifications and experience prescribed should be the minimum required for the post. The mere fact that persons with higher qualifications are available should not be the ground for stepping up the minimum required qualification / experience.

RELAXATION CLAUSE

3.8.3 The relaxation clause on the following lines may also be incorporated below the essential qualifications:

Note 1: Qualifications are relaxable at the discretion of the UPSC / SSC / Competent Authority in the case of candidates otherwise well qualified.

Note 2: The qualification(s) regarding experience is relaxable at the discretion of the Union Public Service Commission / Staff Selection Commission / Competent Authority in the case of candidates belonging to Scheduled Castes or Scheduled Tribes if at any stage of selection the UPSC / Staff Selection Commission / Competent Authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them.

(DP&AR OM No. 14034/5/82-Estt.(D) dated 5.11.83)

TYPING KNOWLEDGE

3.8.4 In respect of Group 'C' posts, if the Ministries / Departments consider typing knowledge as essential, the skill tests shall only be conducted only on computers and typing speed of 35 words per minute in English or 30 words per minute in Hindi (Time allowed – 10 minutes) may be provided as an 'essential' qualification.

(DOP&T OM No. CD.14017/26/85-Estt.(RR) dated 1.7.85, OM No. AB-14017/20/2008 – Estt. (RR) dated 17.5.2010) & Notification No. AB 14017/32/2009-Estt.(RR) dated 04th August, 2010

AGE/ EDUCATIONAL QUALIFICATION FOR PROMOTEES

3.9 Column: 8 (whether age / education qualifications prescribed for direct recruits will apply in the case of promotees)

It should precisely be stated whether age and educational qualifications prescribed for direct recruits should also apply in the case of promotees. Unless there are any specific grounds, the age limit prescribed for direct recruits are not insisted upon in the case of promotees. Regarding educational qualifications, these are not generally insisted upon in the case of promotion to posts of non-technical nature; but for scientific and technical posts, these should be insisted upon, in the interest of administrative efficiency, at least in the case of senior Group A posts in the Pay Band-3 Grade Pay Rs. 6600 and above. Sometimes the qualifications for junior Group A posts and Group B posts may not be insisted upon in full but only the basic qualification in the discipline may be insisted upon. For example, if a degree in Civil Engineering is the qualification prescribed for direct recruits, the promotees may be required to possess at least a Diploma in Civil Engineering. In such cases, the entry under this column may be edited as "Educational Qualifications: No, but must possess at least".

PROBATION

3.10.1 Column 9 (Period of probation)

In the case of Organized Services, the following standard provision may be inserted in the Recruitment Rules.

PROBATION

1. 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.

Provided that the Controlling Authority may extend the period of probation in accordance with the instructions issued by the Government from time to time.

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 so doing within the said period.

2. 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 the due course against the available substantive vacancies, as the case may be.

3. 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.

4. 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 to satisfactory completion of the probation.

5. As regards other matters relating to probation, the members of the Service will be governed by the instructions issued by the Government in this regard from time to time.

(DP&AR OM No. AB.14017/5/83-Estt.(RR) dated 7.5.84)

3.10.2 In the case of other posts, the period of probation, may be prescribed on the following lines:

S. No.	Method of appointment	Period of probation
1.	Promotion from one grade to another but within the same group of posts e.g. from Group 'C' to Group 'C'	No probation
2.	Promotion from one Group to another e.g. Group B to Group A	2 years or the period of probation prescribed for the direct recruitment to the post, if any
3.	(i) For direct recruitment to posts except clause (ii) below (ii) For direct recruitment to posts carrying a Grade Pay of Rs. 7600 or above or to the posts to which the maximum age limit is 35 years or above and where no training is involved; Note: Training includes 'on the job' or 'Institution training'	2 years 1 year
4.	Officers re-employed before the age of superannuation.	2 years
5.	Appointment on contract basis, tenure basis, re-employment after superannuation and absorption	No probation

(DOP&T OM No. 21011/2/80-Estt (C) dated 19.5.1983)

METHODS OF RECRUITMENT

3.11.1 Column 10: (Method of recruitment, whether by direct recruitment or by promotion or by deputation / absorption and percentage of the vacancies to be filled by various methods).

The different methods of recruitment, viz:

- (a) Promotion
- (b) Direct Recruitment
- (c) Deputation
- (d) Absorption
- (e) Re-employment
- (f) Short-term contract

And the percentage of vacancies to be filled by each method that may be prescribed for a particular post or Service depend on a judicious blending of several considerations, e.g.,

- (i) the nature of duties, qualifications and experience required;
- (ii) the availability of suitable personnel possessing, the requisite qualifications and experience within a cadre.
- (iii) The need for ensuring that suitable incentives exist for the maintenance of an adequate standard of efficiency in the cadre;
- (iv) Consideration of the question whether, having regard to the role to be performed by a specified cadre or Service, it is necessary to provide for direct intake of officers at an appropriate level with a view to injecting fresh knowledge and experience that may not be normally available in a particular Service or Department etc.
- (v) The proper mix of the six methods of recruitment mentioned at (a) to (f) above.

PROMOTION

3.11.2 Promotion may be kept as a method of recruitment depending upon the availability of the field of consideration. Care should be taken to see that the base for promotion is strong, i.e., the departmental candidates are fully qualified for the responsibilities of the higher post and the field is also adequate, i.e., normally the feeder grade should range from 3 to 5 times the number of sanctioned posts in the higher grade, in case the post in the higher grade is to be filled on Selection basis. For posts which are to be filled by non-selection, it is not necessary that the feeder grades should consist three times of posts in the higher grade. For computing the base for promotion and determining the ratio of higher grade to the feeder grade, the number of sanctioned posts in the two grades (and not the number of vacancies at any one point of time) should be taken into consideration.

3.11.3 The need for mandatory training before promotion may be considered by Ministries/ Department, where necessary, for incorporating suitable provision for training while prescribing eligibility service for promotion under Column 11.

DIRECT RECRUITMENT

3.11.4 If direct recruitment is the only method of recruitment, it may so happen that the Ministries / Departments may not be able to fill up the vacancies caused by the incumbents being away for a duration of one year or more due to proceeding on deputation, study leave etc. In order to avoid such a contingency, the following "Note" may be inserted:

Note: "Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for a duration of one year or more may be filled on deputation basis from officers of Central Government.

- (a) (i) holding analogous posts on regular basis; or
- (ii) with years regular service in posts in the Pay Band Grade Pay Rs.....; and
- (b) Possessing the qualifications and experience prescribed for direct recruits under Col. 7”.

(DOP&T OM No. 14017/8/84-Estt.(RR) dated 19.6.86)

ABSORPTION

3.11.5 “Absorption” may be kept as a method of recruitment when it is possible to get the services of suitable officers having the requisite qualifications and experience within the Central Government Departments and State Governments. “Short-term contract” is also a form of deputation and this applies to officers from non-Government bodies, e.g. Universities, recognized Research Institutions, Public Undertakings, etc. for teaching, research, scientific and technical posts. This method may be included in the rules if it is considered desirable that the above noted non-Government bodies are also tapped. In the case of isolated posts, it will be desirable to keep the method of recruitment of deputation / short-term contract, as, otherwise, the incumbents of the such posts, if directly recruited, will not have any avenue of promotion. In fact, it may be worthwhile to bring such posts into an organized cadre / service rather than fill them by deputation from outside for limited periods from time to time. Care should always be taken to ensure that the officers holding posts, other than in an Organized Service, have enough prospects for advancement in their own line. For this purpose, the administrative Ministry / Department should bring together all such isolated posts requiring similar educational qualifications, experience involving similar functions etc. into different groups to provide enough channels of promotion.

ABSORPTION AND DEPUTATION

3.11.6 “Absorption” and “deputation” are not synonymous and there is a substantial difference between “absorption” and “deputation”. Under the provision “absorption”, the officer who will come, may be permanently absorbed in the post / grade. Such an “absorption” can be effected only in the “case of officers from the Central / State Government. Under “deputation including short-term contract”, an officer from outside can come for a limited period, by the end of which will have to revert to his parent cadre.

COMPOSITE METHOD OF RECRUITMENT

3.11.7 In cases where the method of promotion is by ‘selection’ and the field of promotion or feeder grade consists of only one post, the method of recruitment by “deputation (including short-term contract) / promotion” is prescribed so that the

departmental officer is considered along with outsiders. If the departmental candidate is selected for appointment to the post; it is to be treated as having been filled by promotion; otherwise, the post is to be filled by deputation / short-term contract for the prescribed period of deputation / short-term contract at the end of which the departmental officer will again be afforded an opportunity to be considered for appointment to the post.

QUOTA FOR FEEDER GRADES

3.11.8 In cases where there are two or more feeder grades, a separate percentage for promotion may be prescribed to each of the feeder grade.

FIELDS OF SELECTION

3.12.1 Column 11: (Grade from which recruitment by promotion/ deputation/ absorption/ short-term contract/ re-employment is to be made)

The fields of selection under the various methods should be clearly specified. If promotion is kept as a method of recruitment, it is also necessary to lay down the number of years of qualifying service before the persons in the field become eligible for promotion. Only regular, and not ad hoc, period of service is taken into account for purposes of computing this service. With a view to making the position clear, the field may be specified as “with _____ years’ service in the grade rendered after appointment thereto on a regular basis”. The field for “deputation/ short-term contract/ absorption should, as far as possible, consist of officers holding analogous posts on regular basis but may be widened to include officers working in the next lower grade also with the qualifying service on regular basis normally prescribed for promotion.

In some cases, different periods of qualifying services in the respective grade post on account of different scales of pay are prescribed for promotion in the Recruitment Rules. In order to facilitate preparation of an eligibility list for promotion, in cases where no separate quotas for each different grade have been prescribed, a “Note” as under may be added:

“NOTE: - The eligibility list for promotion shall be prepared with reference to the date of completion by the officers of the prescribed qualifying service in the respective grade/post.”

QUALIFYING SERVICE FOR PROMOTION

3.12.2 The qualifying service for promotion from one grade to another is necessary so that there is no premature promotion or undue jump in pay and also to ensure that the officer has sufficient opportunity to demonstrate his competence/potential for holding the higher post.

The period of qualifying service varies from post to post depending upon the scale of pay and the experience, required for manning the higher post. Broadly, the following qualifying service for promotion from one grade to another may be followed as a guide:

Field of Promotion		
From Grade Pay (in Rs)	To Grade Pay (in Rs)	Qualifying Service (in years)
1800	1900	3 years
1900	2000	3 years
1900	2400	8 years
2000	2400	5 years
2400	2800	5 years
2400	4200	10 years
2800	4200	6 years
4200	4600	5 years
4200	4800	6 years
4200	5400	8 years
4200	6600	10 years
4600	4800	2 years
4600	5400	3 years
4600	6600	7 years
4800	5400	2 years
4800	6600	6 years
5400	6600	5 years
6600	7600	5 years
6600	8700	10 years
7600	8700	5 years
7600	8900	6 years
8700	8900	2 years
8700	10000	3 years
8900	10000	2 years
10000	HAG	3 years
HAG	HAG + Scale	1 year
HAG	Apex Scale	2 years
HAG + Scale	Apex Scale	1 year

(DOPT OM No. AB 14017/61/2008-Estt. (RR) dated 24.3.2009 and dated 12.3.2010)

DEPUTATION

3.12.3 In cases where 'deputation/short-term contract' has been prescribed as a method of recruitment, the following provision may be made in respect of the period of deputation:

“(The period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization/department of the Central Government shall ordinarily not exceed----- years)”.

(DOPT OM No. AB.14017/21/85-Estt. (RR) dated 28.2.86)

The period of deputation for a particular grade or cadre is dependent upon the pay scale of the post to which deputation is being made. For the top level i.e. for posts having Grade Pay of Rs. 8700 or above, the period prescribed is '5 years', for the Middle Management Level i.e. for posts having Grade Pay of Rs. 6600 or above but below Rs. 8700/-, the period is '4 years and for all other lower levels it is normally '3 years'. However, the Ministries/Departments, depending upon their requirements, the field of availability and the qualifications prescribed, should decide the period of deputation in consultation with the Department of Personnel and Training and the Union Public Service Commission.

3.12.4.1 For the purpose of determining the period of deputation, the posts may be broadly divided into the following 3 categories:-

- (i) posts where deputation allowance is admissible and the personnel are drawn from an identical grade or a grade below but with the requisite qualifications and experience to man such posts;
- (ii) posts which are manned by officers on deputation from various Services and have fixed tenure such as 3 years for Under Secretary, 4 years for Deputy Secretary and 5 years for Director/Joint Secretary in Central Secretariat; and
- (iii) Isolated ex-cadre posts and specialized technical posts for which persons are drawn from all fields on the basis of deputation, absorption, direct recruitment and in some cases on promotion depending upon the availability of suitable persons for these posts.

3.12.4.2. So far as posts (i) are concerned, the period of deputation for them may be prescribed as 3 years.

In respect of category (ii) the period of deputation may be prescribed in accordance with the tenure fixed for such posts.

The posts which fall in category (iii) viz., the posts which are in the highly specialized fields like, agriculture, irrigation, power, health planning etc. where too frequent replacements would affect continuity in the organization as well as render the accumulative wealth of experience redundant, the period of deputation for such posts may be prescribed as 5 years.

Besides, in some cases, the personnel are given specialized training in short spurts over a period to make them capable of handling the job adequately. In such cases also the period of deputation may be prescribed as 5 years.

3.12.4.3 With a view to remove any ambiguity regarding determination of eligibility for absorption/ deputation, the following guidelines may be followed: -

(i) In the case of a vacancy already existing at the time of issue of the communication inviting nominations, the eligibility may be determined with reference to the last date prescribed for receipt of nominations in the Ministry/ Department/ Organization responsible for making appointment to the post i.e. originating Ministry etc.

(ii) In the case where a vacancy is anticipated, the crucial date for determining eligibility should be the date on which the vacancy is expected to arise.

(DOPT OM No. AB-14017/11/86-Estt. (RR) dated 22.1.1987)

PROVISION FOR ARMED FORCES PERSONNEL

3.12.4.4 In respect of Groups 'A' & 'B' posts which are required to be filled by 'deputation' only of Government servants belonging to more than one service, a provision should be made in the recruitment rules whereby the Armed Forces Personnel due to retire or to be transferred to reserve within a period of one year and having requisite experience and qualifications can also be considered for appointment to such posts.

(AB.14017/13/85-Estt.(RR) dated 31.5.85)

3.12.4.5 All the Ministries/ Departments should examine and identify the posts in which military experience either in general or in specific fields or posts would be of distinct advantage, and incorporate necessary provisions in the recruitment rules for lateral induction of Armed Forces Personnel. In respect of Groups 'A' & 'B' posts which are required to be filled by 'deputation' only of Government servants belonging to more than one service, a provision should be made in the Recruitment Rules whereby the Armed Forces Personnel due to retire or to be transferred to reserve within a period of one year and having requisite experience and qualifications can also be considered for appointment to such posts. With a view to ensuring that this decision is implemented, the Ministries were called upon to make suitable amendment to the respective recruitment rules.

In order to have uniformity in amending the Rules it has been decided, in consultation with the UPSC, that the necessary provisions for lateral induction of the Armed Forces Personnel will be incorporated in the recruitment rules as given below:

In Col. 10: (Method of recruitment):

“For Ex-Servicemen
Deputation/ re-employment”

In Col. 11: “For Ex-Servicemen

Deputation/ re-employment: -

The Armed Forces Personnel due to retire or who are to be transferred to reserve within a period of one year and having the requisite experience and qualifications prescribed shall also be considered. Such persons would be given deputation terms upto the date on which they are due for release from the Armed Forces; thereafter they may be continued on re-employment.”

(DOPT OM No. AB.14017/13/85-Estt.(RR) dated 1.5.1986)

DEPARTMENTAL PROMOTION COMMITTEE

3.13.1 Column 12: (if a DPC exists, what is the composition)

When promotion is kept as a method of recruitment, the detailed composition of the Departmental Promotion Committee may be indicated. In all cases, the minimum number of officers to be included in the DPC should be 3 and as far as possible the departments may avoid various alternative designations of officers which may cause confusion. In the case of promotion to Group ‘A’ posts, the Union Public Service Commission shall also be associated; this position may be made clear as follows:

GROUP ‘A’ DPC

According to requirement in each case:-

- | | |
|---|-------------------|
| (i) Chairman or Member of the UPSC | - Chairman |
| (ii) | - Member |
| (iii) | - Member |
| (iv) | - Member |

The total strength of DPC including Chairman need not necessarily be an odd number, as the decision is to be taken as a joint one.

The composition of DPC should be clear, firm and include minimum 3 members including the Chairman. Whenever alternative members are proposed in

the composition of DPC, such members are to be associated only in the absence of the former.

(DP&AR OM NO. 14017/1/75-Estt. (D) Cell dated 27.11.75)

3.13.2 Members included in DPCs for Groups 'A' & 'B' posts should be officers who are at least one step above the post in which the promotion/confirmation is to be made. In respect of DPCs for Group 'C' posts, the Chairman of the DPC should be an officer of a sufficiently high level and one of the Members of the DPC should be an officer from a Department not connected with the one in which promotions are considered. The other Member should be an officer of the Department familiar with the work of the persons whose suitability is to be assessed.

3.13.3 Endeavour should also be made to nominate SC/ST officers on the DPC constituted for various posts/services. However, the Recruitment Rules need not indicate the SC/ST officer as a DPC Member as inclusion of such an officer is covered by executive instructions.

3.13.4 The UPSC need not be associated in respect of posts where the promotion is based on non-selection.

3.13.5 The DPC consists of Chairman and Members only. The term "Member Secretary" should not, therefore, be used. In some cases, in accordance with provisions of the Recruitment Rules, the appointment to a post is required to be made only by deputation (including short-term contract) or re-employment. In such cases, the selection is not to be made by a DPC. The composition of the DPC need not, therefore, be indicated and the entry shown as "Not applicable".

3.13.6 The Union Public Service Commission is now not required to be associated with DPCs for considering cases of confirmation of Group "A" and "B" officers. It would be necessary to indicate separately the composition of the DPC for considering cases of confirmation in the case of appointment by promotion/direct recruitment/absorption. In such cases, the heading may read as "Group 'A' or Group 'B' DPC (for considering cases of confirmation)" and composition of the DPC mentioned thereunder.

CONSULTATION WITH UPSC

3.14 Column 13: (circumstances in which UPSC to be consulted in making recruitment)

The circumstances in which the Union Public Service Commission are to be consulted in making recruitment to the posts within their purview should be clearly indicated. Cases in which the Commission are to be consulted are illustrated below:-

- (i) Direct Recruitment

(ii) Re-employment

(iii) In all cases of 'absorption', the Commission shall be consulted. Such consultation is necessary because permanent arrangements are being made without resorting to the method of open recruitment and the Commission would ensure that the post has been circulated widely as per the provisions of the rules and the best person is selected.

(iv) When the composite method of recruitment is prescribed i.e. the departmental candidate is to be considered along with outsiders, the selection shall be made by the Commission only.

(v) For purpose of promotion from Group 'A' post to another Group 'A' post, consultation with the Commission is not necessary as per UPSC (Exemption from Consultation) Regulations, 1958. But, as the DPC for considering promotions within Group 'A' posts shall be presided over by Chairman/Member of the Commission, necessary provisions may be made in the DPC Col. (i.e. Col.12).

(vi) The Ministries/ Department are advised that if there are overriding compulsions for filling any Group A or Group B post in the absence of Recruitment Rules, then they may make reference to UPSC for determination of method of recruitment as a onetime measure for filling up of a post on regular basis.

DOPT OM No. AB-14017/79/2006-Estt.(RR) dated 6th September, 2007 and OM No. 39021/5/83-Estt. (B) dated 9th July, 1985

(vii) When the field of deputation for Group 'A' posts consists of Central Group 'A' officers only, consultation with the Commission for selection of an officer is not necessary. If the field for consideration includes State Government Officers or Group 'A' & 'B' officers of the Central Government simultaneously, selection for the post shall be done through the UPSC. When the field for consideration is made more broad-based and consists of not only Central/State Government officers but also officers from non-Government institutions, the selection shall always be done through the Commission. This is tantamount to direct recruitment and the Commission would ensure that the post has been circulated to all the authorities held down in the field and the best person is selected.

(viii) Any relaxation or amendment of the provisions of the Recruitment Rules.

(ix) Exemption from Consultation with UPSC is governed by the UPSC (Exemption from Consultation) Regulations, 1958 as amended from time to time and the Central Civil Services and Civil Posts (Consultation with Union Public Commission) Rules, 1999 as amended.

PART IV

AMENDMENTS AND RELAXATIONS

4.1 Amendment proposals should be sent to this Department and UPSC in the format as given in Annexure-III. The reasons for making amendments should be clearly indicated. A copy of the Recruitment Rules in which amendments are made should always be enclosed, duly referenced and flagged.

4.2 All Recruitment Rules should contain a “Power to relax” clause in the covering notification or in the body itself (in the case of organized services).

4.3 Relaxation of Recruitment Rules is to be resorted to in respect of a class or category of persons. Relaxation should not be resorted to in respect of an individual except in cases where an individual can be treated as a Class or Category of persons.

4.4 Relaxation of rules is to be resorted to on rare occasions. Such a relaxation should not be a regular feature.

4.5 Before resorting to relaxation of Recruitment Rules, the Ministries/Departments should explore the feasibility of filling up a post by other methods of recruitment provided in the rules. In the case of ‘deputation’, the vacancies should have been circulated in the employment News before consideration of relaxation.

4.6 Relaxation proposals should be sent to this Department in Annexure-IV after obtaining the approval of at least Joint Secretary level officer in the Ministry/Department concerned.

PART- V

FOLLOW UP

5.1 In case the provisions of the final Recruitment Rules as approved by the Commission are at variance with the draft rules as concurred in by the Department of Personnel and Training, the changes should be brought to the notice of the Department of Personnel & Training.

5.2 TIME LIMIT FOR NOTIFICATION

The Recruitment Rules or amendment(s) thereto as finally approved by the Union Public Service Commission are required to be notified within a period of 10 weeks from the date of receipt of their advice letter. This time limit should be strictly adhered to.

5.3 LAYING ON THE TABLE OF BOTH THE HOUSES

Although the Recruitment Rules are statutory in nature, the copies of the notification of the same need not be placed on the Table of both the Houses of Parliament (CSL 14017/2/81-Estt. (RR) as Article 309 of the Constitution, under which these are framed, does not prescribe this is being done.

5.4 PUBLICATION IN THE EMPLOYMENT NEWS

In order to have adequate number of officers for posts which are to be filled by 'deputation', the vacancy circulars should invariably be published in the 'Employment News'. This will be in addition to the normal method of circulation to various Ministries/Departments and other agencies mentioned in the Recruitment Rules. The minimum time allowed for receipt of nominations should be 2 months. In a few cases where there are compelling reasons to fill the vacancy on urgent basis, a shorter time limit, which should not be less than 6 weeks may be prescribed with the approval of the Joint Secretary concerned. When a reference is made to UPSC for selection on 'deputation', the Ministries/Departments should enclose a certification to the effect that the vacancy circular has been dispatched to all the agencies prescribed in the rules and that the gist of the Circular has appeared in the Employment News.

5.5 REPORTS & QUARTERLY RETURNS

Quarterly returns in respect of the recruitment rules for service should be sent in time to the Department of Personnel & Training and the Union Public Service Commission (for Group 'A' & 'B' posts) to enable them to keep a watch on the progress made in finalizing the recruitment rules.

(D.P. & A.R. O.M. No. 2/24/74-Estt. (D) dated 17-10-74)

5.6 INFORMATIONAL AIDS

In order to facilitate framing of draft recruitment rules, the Ministries/ Departments are requested to make use of the following materials:

- (i) Handbook on Recruitment Rules.
- (ii) Instructions on probation and Constitution of DPCs.
- (iii) UPSC (Exemption from consultation) Regulations, 1958
- (iv) Model Recruitment Rules issued by the Department of Personnel & Training in respect of various categories of posts.

ANNEXURE I

RECRUITMENT RULES FOR IN THE MINISTRY OF

SCHEDULE

Name of post	Number of post	Classification	Pay Band and Grade Pay/ Pay Scale	Whether Selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
	*Number (year) * Subject to variation dependent on workload					

* Subject to variation dependent on workload. The year in which the indicated number exists should be given within brackets.

Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ deputation/ absorption grades from which promotion/ deputation/ absorption to be made	If a Departmental Promotion Committee exists what is its composition	Circumstances in which Union Public Service Commission to be consulted in making recruitment
8	9	10	11	12	13

ANNEXURE II

Form to be filled by the Ministry/Department while forwarding proposals to the Department of Personnel & Training and the Union Public Service Commission for framing Recruitment Rules for posts.

1	(a) Name of the posts	
	(b) Name of the Ministry/Department	
	(c) Number of posts	
	(d) Scale of pay	
	(e) Class and service to which the posts belong	
	(f) Ministerial or non-Ministerial)of F.R.9 (17)	
2.	Appointing Authority	
3.	Duties of the post in detail	
4.	Describe briefly the method(s) adopted for filling the posts hitherto.	
5.	Methods of recruitment proposed-	
6.	If promotion is proposed as a method of recruitment-	
	(a) Designation and number of the posts proposed to be included in the field of promotion.	
	(b)Number of years of qualifying service proposed to be fixed before persons in the field become eligible for promotion (As per extant GOI instructions)	
	(c) Percentage of vacancies in the grade proposed to be filled by promotion.	
	(d) Have Recruitment Rules been framed for the post proposed in the field of promotion? If framed in consultation with the Commission, please quote Commission's reference No. If consultation with the Commission was not required please attach a copy of rules framed. A copy of the rules should be sent DOPT along with the proposal.	
	(e) If Recruitment Rules were not framed for the posts in the field of promotion;	
	(i) Please indicate briefly the method of recruitment actually adopted for filling the posts. Please also state the percentage of vacancies filled by each of the methods.	
	(ii)Please state briefly the educational qualifications possessed by the persons in the field of promotion.	
	(iii) In case the feeder posts are filled by promotion, the Recruitment Rules for the still lower posts including the lowest post to which direct recruitment is one of the methods of recruitment may be furnished.	

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	(f) (i) Is the promotion to be made on selection or non-selection basis?	
	(ii) Reasons for the proposal (i) above.	
	(g) If a DPC exists, what is its composition.	
	(h) Indicate if the feeder posts are having promotion channels other than the one under consideration.	
7.	If promotion is not proposed as a method, please state why it is not considered desirable/possible/necessary.	
8.	If direct recruitment is proposed as a method of recruitment please state	
	(a) The percentage of vacancies proposed to be filled by direct recruitment.	
	(b) Indicate if there are any promotional avenues for the direct recruits?	
	(c) (i) Age for direct recruits (As per extant GOI instructions) (ii) Is age relaxation for Government servants?	
	(d) Educational and other qualifications required for direct recruits. (it may please be noted that the essential qualifications prescribed are relaxable at Commission's discretion in case of candidates otherwise well-qualified Essential Desirable (e) Whether essential qualification to be prescribed are in accordance with any Act(s)? If so please quote the relevant Act(s) under which it is necessary and also supply relevant extracts from the Act(s) (f) Has the post been advertised by the Commission in the past? If so, please quote Commission's reference No.	
9.	If direct recruitment is not proposed as a method, please state why it is not considered desirable/possible/necessary.	
10.	(i) If promotion and direct recruitment are both proposed as methods of recruitment, will the educational qualifications proposed for direct recruits apply in case of promotion?	

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	(ii) If not, to what extent are the educational qualifications proposed to be relaxed in case of promotions.	
11.	(a) Is deputation/absorption proposed as a method of recruitment? If so, please state the reasons for the proposal. Please state clearly whether deputation or absorption or both are proposed.	
	(b) The percentage of vacancies proposed to be filled by this method.	
	(c) The period to which deputation will be limited.	
	(d) The names of the posts of grades or services etc. from which deputation/ absorption is proposed	
12	(a) If any of the methods proposed fails, by what methods are such vacancies proposed to be filled.	
	(b) Whether the Recruitment Rules relate to a post which has been upgraded from Group 'C' to Group 'B' or Group 'B' to Group 'A' or within the same group? If so, whether the necessary provisions for initial constitution has been proposed.	
	(c) Whether the Recruitment Rules relate to a post which is proposed to be downgraded? If so, whether necessary safeguards have been suggested in respect of the existing incumbents of that post?	
13.	(a) Special circumstances, if any, other than those covered by the rules, in which the Commission may be required to be consulted.	
	(b) Whether the Department of Personnel and Training have concurred in the proposal?	
14	If these proposals are being sent in response to any reference from the Commission, please quote Commission's reference No.	
15.	Name, address and telephone number of the Ministry's representatives with whom whose proposals may be discussed if necessary, for clarification/ early decision.	

Signature of the Officer sending the proposals
Telephone No. _____

Place:

Date:

ANNEXURE III

Form to be filled by the Ministry/Department while forwarding proposals to the Department of Personnel and Training and the Union Public Service Commission for amendment of approved Recruitment Rules.

1. (a) Name of the Post:
(b) Name of the Ministry/Deptt.:
2. Reference No. in which Commission's advice on Recruitment Rules was conveyed.
3. Date of notification of the original rules and subsequent amendments (copy of the original rules & subsequent amendments should be enclosed, duly flagged and reference:

Column No. of the Schedule	Provisions in the approved/ existing rules	Revised provisions proposed	Reasons for the revision proposed

2. Name, addresses and telephone numbers of the Ministry's representatives with whom these proposals may be discussed, if necessary, for clarification/early decision.

Signature of the Officer sending the proposals
Telephone No.-----

Place:

Date:

ANNEXURE IV

Form to be filled by the Ministry/Department while forwarding proposals to the Department of Personnel and Training and the Union Public Service Commission for relaxation of Recruitment Rules.

1	(a) Name of the post. (b) Name of the Ministry/Department. (c) Scale of pay (d) Class and service to which the post belongs to: (e) Is the promotion to be made on selection or non-selection basis.	
2.	Updated copy of the Recruitment Rules with covering notification.	
3.	Have the alternative methods of recruitment been tried by the Department. If so, indicate the results.	
4.	In the case of direct recruitment, is it necessary to revise the qualifications if the method of recruitment has failed more than once?	
5.	In the case of 'deputation' it may be indicated whether the vacancies were circulated through Employment News as required by the Department of Personnel and Training OM No. 14017/17/83 dated 22.5.86	
6.	Seniority List of officers who are to be considered for relaxation, to be attached.	
7.	In case probation period is prescribed for the officers under consideration, please indicate whether the officers have satisfactorily completed the probation period.	
8.	The number of years of ad hoc service (in the feeder grade) put in by the officers whose case is being considered for relaxation, with details	
9.	The reasons for making ad hoc appointments referred to in item 8 above, may be indicated: (a) Delay in DPC (b) Pending Court cases (c) Finalization of Recruitment Rules (d) Any other reasons.	

Contd../-

10	In case of Organized Services, the number of years of total Group 'A' Service (only regular service) may be indicated.	
11.	In the case of Organized services, it may be indicated whether the proposals is a result of cadre review of the Service.	
12	Has the proposal been approved by Secretary/Joint Secretary level officer in the Ministry/Department.	
13.	Name, address and telephone number of the Ministry's representative with whom the proposals may be discussed, if necessary, for clarification/early decision.	

Place:

Signature of the Officer sending the proposals

Date:

Telephone No. _____

No. AB.14017/13/2013-Estt. (RR) (1349)

**Government of India
Ministry of Personnel, PG & Pensions
(Department of Personnel & Training)
North Block, New Delhi**

FAQs on Recruitment Rules

1. What are Recruitment Rules?

Ans. Recruitment Rules are rules notified under proviso to Article 309 or any specific statutes for post(s) prescribing inter alia the method of recruitment and eligibility for such recruitment. It contains notification part having substantive rules and schedule part (as per prescribed Annexure-I). Recruitment Rules are subordinate legislation and so, they are statutory in nature.

2. What are Service Rules?

Ans. Service Rules are Recruitment Rules for any of the Organized Central Services covering many aspects including constitution of the Service, seniority, probation and other conditions of service.

3. Whether Recruitment Rules are applicable retrospectively?

Ans. The legal position is that the posts are to be filled up as per the eligibility conditions prescribed in the Recruitment Rules in force at the time of occurrence of vacancies unless the Recruitment Rules are amended retrospectively. The practice has however been to give effect to the Recruitment Rules prospectively.

4. Why are Recruitment Rules framed?

Ans. As soon as decision is taken to create a new post/ service to upgrade any post or re-structure any service, the Recruitment Rules/ Service Rules are framed. Any post is filled up as per the provisions of the Recruitment Rules/ Service Rules.

5. Why are Recruitment Rules amended?

Ans. Revision in the Recruitment Rules is made by way of amendment to incorporate changes due to implementation of Central Pay Commission Report, modification of orders/ instructions on the subject, creation/ abolition of posts etc. during the intervening period.

6. How Recruitment Rules are framed/ amended?

Ans. Recruitment Rules for Group 'A' & 'B' posts/ service are framed/ amended by the administrative Ministry/Department in consultation with Department of Personnel & Training, Union Public Service Commission and Ministry of Law (Legislative Department) and approval of competent authority in the Ministry/ Department to be obtained.

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7. Why and how are Recruitment Rules relaxed?

Ans. The power to relax clause in the Recruitment Rules/ Service Rules provides the authority to relax the rules in respect of class or category of person. The administrative Ministry/ Department may resort to relaxation of the rules in consultation with Department of Personnel & Training and Union Public Service Commission.

8. Who is competent authority to frame/amend the Recruitment Rules?

Ans. All Recruitment Rules including their amendments should be approved at the level of Minister-in-charge, unless the Minister has by general or special order delegated such approval at a lower level(s).

9. Who is competent authority to frame/amend the Recruitment Rules of Group 'C' posts?

Ans. Administrative Ministries/ Departments are empowered to frame/ amend the Recruitment Rules in respect of Group 'C' posts keeping in view the guidelines/ Model Recruitment Rules issued by this Department on various aspects. In case of deviation from existing guidelines/ Model Recruitment Rules, the concurrence of Department of Personnel & Training is to be obtained.

10. Who is competent authority to relax the Recruitment Rules of Group 'C' posts?

Ans. The Ministries/ Departments are competent to relax the Recruitment Rules for Group 'C' posts. The provisions governing upper age limit or qualifications for direct recruitment should not however be relaxed without prior concurrence of Department of Personnel & Training.

11. What is the format/ procedure to send the proposal for consultation with Department of Personnel & Training for framing/amendment of Recruitment Rules?

Ans. Proposal for framing/ amendment of Recruitment Rules for Group 'A' & Group 'B' posts (except Service Rules) is sent to Department of Personnel & Training, first, on-line under Recruitment Rules Framing Amendment and Monitoring System (RRFAMS) of the on-line services of Department of Personnel & Training. After approval of on-line Recruitment Rules in Department of Personnel & Training, the proposal is referred by the Administrative Ministry/ Department in a file with a self-contained note accompanied inter alia the following: -

- (i) Check-list for sending proposal to Department of Personnel & Training.
- (ii) Copy of the report of freezed on-line Recruitment Rules.
- (iii) Draft Recruitment Rules including notification and Schedule 1 (for posts other than those in the Organized Services) in the proforma in Annexure I

- (iv) Supporting particulars in Annexure II (for framing of Recruitment Rules)/ Annexure-III (for amendment of Recruitment Rules), as prescribed in Department of Personnel & Training OM No. AB.14017/48/2010-Estt. (RR) dated 31.12.2010.
- (v) Recruitment Rules for the feeder posts(s) and the higher post, if any.
- (vi) Present sanctioned strength of the post for which rules are being framed/ amended as also of the lower and higher posts.

12. What are model Recruitment Rules?

Ans. Model Recruitment Rules for a number of common categories of posts have been framed in consultation with Union Public Service Commission, wherever required. While framing/ amending Recruitment Rules for such posts, the model rules should be adhered to.

13. What is procedure for consultation with Union Public Service Commission?

Ans. After obtaining the concurrence of the Department of Personnel & Training, the Administrative Ministry / Department should refer the draft Recruitment Rules for posts/ services which are within the purview of the Union Public Service Commission in a self-contained letter to the Commission, along with the information in the prescribed proforma (Check list, Annexure II/ Annexure-III etc.). It should be stated in the letter to the Commission whether the clearance of the Department of Personnel & Training (and also the Department of Pension & Pensioners' Welfare were required) has been obtained in respect of the proposals in question.

14. What is initial constitution clause in Recruitment Rules?

Ans. In cases where a new service is formed and the Recruitment Rules are framed for the first time and that there are officers already holding different categories of posts proposed to be included in the service on a regular / long term basis, a suitable 'Initial Constitution' Clause may be inserted in the Notification so as to count the regular service rendered by such officers before the date of notification of the Rules.

15. Whether reservation, relaxation of age limit and other concessions for special categories of persons are applicable in Recruitment Rules?

Ans. These concessions in recruitments are made applicable by inserting the following 'Saving Clause' in the covering notification of the Recruitment Rules:-

"Nothing in those rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Ex-servicemen and other special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard".

16. What is the schedule in Recruitment Rules?

Ans. The schedule of Recruitment Rules of post(s) is a 13 columns table as per prescribed Annexure-I (vide OM No. AB-14017/48/2010-Estt. (RR) dated 31.12.2010) containing details of the post(s) along with method of recruitment and eligibility criteria. The prescribed schedule is used for post(s) which are not covered by any organized service.

17. What is notification part of Recruitment Rules?

Ans. Notification of Recruitment Rules contains the substantive rules which include the provisions related to title, date of commencement, enabling provision for applicability of schedule, disqualification clause, power to relax clause, saving clause and any other rule specific to a post viz. initial constitution clause, liability for all-India Service etc.

18. What are the upper age limits prescribed for Direct Recruitment?

Ans. The upper age limits for different posts depend upon the nature of duties, educational qualifications and experience requirements as prescribed in this Department OM No. AB-14017/48/2010-Estt (RR) dated 31.12.2010 (Para 3.7.4.1 & 3.7.4.2).

19. What are relaxations available for upper age limit in direct Recruitment Rules?

Ans. A provision is prescribed in the recruitment rules for relaxation of the upper age-limit for departmental candidates up to 40 years for appointment by direct recruitment to Groups C posts and for Government servants up to 5 years for direct recruitment to Groups A and B posts:

20. How to calculate crucial date for age limit?

Ans. In the case of recruitment through the Union Public Service Commission and the Staff Selection Commission, the crucial date for determining the age-limit shall be as advertised by the UPSC / SSC. In the case of other recruitment, the crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam etc.).

21. How is the educational and other qualification required for direct recruit fixed?

Ans. The minimum educational qualifications and experience required for direct recruitment may be indicated as precisely as possible and if necessary, into two parts, viz., "Essential Qualifications" and "Desirable Qualifications" taking into account the pay band/ grade pay and the nature of duties, and the provisions in the approved Recruitment Rules for similar higher and lower posts in the same hierarchy.

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22. Whether the educational qualifications prescribed for direct recruits are applicable to promotees?

Ans. The educational qualifications are not generally insisted upon in the case of promotion to posts of non-technical nature; but for scientific and technical posts, these should be insisted upon, in the interest of administrative efficiency, at least in the case of senior Group A posts in the Pay Band-3 Grade Pay Rs. 6600 and above. Sometimes the qualifications for junior Group A posts and Group B posts may not be insisted upon in full but only the basic qualification in the discipline may be insisted upon.

23. Whether any age limit prescribed for promotion?

Ans. Unless there are any specific grounds, the age limit prescribed for direct recruits are not insisted upon in the case of promotees.

24. When probation for appointment to a post/service in Central Government is prescribed? What is the duration of probation?

Ans. The probation is prescribed when there is direct recruitment, promotion from one Group to another e.g. Group B to Group A or officers re-employed before the age of superannuation. There will be no probation for promotion from one grade to another but within the same group of posts e.g. from Group 'C' to Group 'C' and for appointment on contract basis, tenure basis, re-employment after superannuation and absorption. The period of probation is as prescribed in this Department OM No. AB-14017/48/2010-Estt (RR) dated 31.12.2010 (Para 3.10.1 & 3.10.2).

25. What are the methods of recruitments?

Ans. The different methods of recruitment are:

- (a) Promotion
- (b) Direct Recruitment
- (c) Deputation
- (d) Absorption
- (e) Re-employment
- (f) Short-term contract

26. How is the method of recruitment or percentage of vacancies to be filled by various methods of recruitment decided?

Ans. The percentage of vacancies to be filled by each method that may be prescribed for a particular post or Service depend on a judicious blending of several considerations, e.g.,

- (i) the nature of duties, qualifications and experience required;
- (ii) the availability of suitable personnel possessing, the requisite qualifications and experience within a cadre.

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- (iii) The need for ensuring that suitable incentives exist for the maintenance of an adequate standard of efficiency in the cadre;
- (iv) Consideration of the question whether, having regard to the role to be performed by a specified cadre or Service, it is necessary to provide for direct intake of officers at an appropriate level with a view to injecting fresh knowledge and experience that may not be normally available in a particular Service or Department etc.
- (v) The proper mix of the six methods of recruitment i.e. (a) promotion (b) direct recruitment (c) deputation (d) absorption (e) re-employment (f) short-term contract (mentioned at (a) to (f) above).

27. What is promotion?

Ans. Promotion is method of recruitment from feeder grade post(s) to higher post in the hierarchy as per the provisions of the Recruitment Rules. If promotion is kept as a method of recruitment, it is also necessary to lay down the number of years of qualifying service before the persons in the field become eligible for promotion. Only regular, and not ad hoc, period of service is taken into account for purposes of computing this service.

28. What is Direct Recruitment?

Ans. Direct recruitment is the recruitment which is open to all candidates, eligible as per the provisions regarding age, educational qualification/ experience etc. as prescribed in Recruitment Rules.

29. What is Deputation?

Ans. Deputation is a method of recruitment where officers of Central Government Departments or State/ UT Governments from outside are appointed to post(s) in Central Government for a limited period, by the end of which they will have to return to their parent cadres. In case of isolated post, it is desirable to keep the method of recruitment of deputation/ short term contract as otherwise the incumbents of such posts, if directly recruited, will not have any avenue of promotion/ career progression.

30. What is short term contract?

Ans. Short term contract is also a form of deputation where officers from non-Government bodies e.g. universities, research institutions, public sector undertakings for teaching, research, scientific and technical post(s) can come to Central Government posts.

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31. Whether absorption and Deputation are synonymous? What is absorption?

Ans. Absorption and deputation are not synonymous. There is a substantial difference between absorption and deputation. Under the provision absorption, the officer, who initially comes on deputation, may be permanently absorbed in the post/ grade if recruitment rules prescribe for absorption as mode of recruitment. Such absorption can be effected only in the case of officers who are on deputation from the Central / State Government.

32. What is composite method of recruitment?

Ans. In cases where the field of promotion or feeder grade consists of only one post, the method of recruitment by "deputation (including short-term contract) / promotion" is prescribed so that the eligible departmental officer is considered along with outsiders. If the departmental candidate is selected for appointment to the post; it is to be treated as having been filled by promotion; otherwise, the post is to be filled by deputation / short-term contract for the prescribed period of deputation / short-term contract at the end of which the departmental officer will again be afforded an opportunity to be considered for appointment to the post.

33. How is field of deputation decided?

Ans. The field for "deputation/ short-term contract/ absorption should, as far as possible, consist of officers holding analogous posts on regular basis but may be widened to include officers working in the next lower grade also with the qualifying service on regular basis normally prescribed for promotion.

34. How is the period of qualifying service for promotion decided?

Ans. The qualifying service for promotion from one grade to another is necessary so that there is no premature promotion or undue jump in pay and also to ensure that the officer has sufficient opportunity to demonstrate his competence/potential for holding the higher post. The period of qualifying service varies from post to post depending upon the scale of pay and the experience, required for manning the higher post. Broadly, the following qualifying service to be followed is prescribed in this Department OM No. AB-14017/48/2010-Estt (RR) dated 31.12.2010 (para 3.12.2).

35. What is the maximum age limit for Deputation?

Ans. The maximum age limit for appointment on deputation (including short term contract) or absorption shall be not exceeding 56 years as on the closing date of receipt of applications.

36. What is the crucial date for determination of eligibility of absorption/ deputation?

Ans. The guidelines for crucial date for determination of eligibility for absorption/ deputation are as follows: -

(i) In the case of a vacancy already existing at the time of issue of the communication inviting nominations, the eligibility may be determined with reference to the last date prescribed for receipt of nominations in the Ministry/ Department/ Organization responsible for making appointment to the post i.e. originating Ministry etc.

(ii) In the case where a vacancy is anticipated, the crucial date for determining eligibility should be the date on which the vacancy is expected to arise.

37. How is Departmental Committee formed?

Ans. When promotion is kept as a method of recruitment, the detailed composition of the Departmental Promotion Committee, with minimum 3 officers, may be indicated. In the case of promotion to Group 'A' posts, the Union Public Service Commission shall also be associated. The total strength of DPC including Chairman need not necessarily be an odd number, as the decision is to be taken as a joint one.

38. What are the circumstances in which Union Public Service Commission is to be consulted for recruitment?

Ans. UPSC is required to consult in case of recruitment to all Central Civil Services and Central Civil Posts. Exemption from Consultation with Union Public Service Commission is governed by the Union Public Service Commission (Exemption from Consultation) Regulations, 1958 as amended from time to time and the Central Civil Services and Civil Posts (Consultation with Union Public Commission) Rules, 1999 as amended. Some of the circumstances in which the Union Public Service Commission are to be consulted in making recruitment to the posts are illustrated below:-

- (i) Direct Recruitment,
- (ii) Re-employment,
- (iii) Absorption,
- (iv) Composite method of recruitment (i.e. where the departmental candidate is to be considered along with outsiders),
- (v) In case of deputation – (a) if the field for consideration includes State Government Officers or Group 'A' & 'B' officers of the Central Government simultaneously and (b) if the field for consideration consists of not only Central/State Government officers but also officers from non-Government institutions
- (vi) Any relaxation or amendment of the provisions of the Recruitment Rules.

39. Whether recruitment to a post can be made in absence of recruitment rules of a post?

Ans. If there are overriding compulsions for filling any Group A or Group B post in the absence of Recruitment Rules, then the Ministries/ Department may make reference to Union Public Service Commission for determination of method of recruitment as a onetime measure for filling up of a post on regular basis.

40. What are the limits for notification of Recruitment Rules?

Ans. The Recruitment Rules or amendment(s) thereto as finally approved by the Union Public Service Commission are required to be notified within a period of 10 weeks from the date of receipt of their advice letter. This time limit should be strictly adhered to.

41. What needs to be done in case where posts are transferred to some other Ministries/Departments?

Ans. The Ministry/Departments concerned should mutually agree for transfer of the posts and the same should be concurred by Department of Expenditure. Thereafter, the existing RR needs to be de-notified in consultation of Department of Personnel & Training, Union Public Service Commission and Ministry of Law. Suitable recruitment rules in the transferred Department may be framed/ amended following due procedure.
