

# ESTABLISHMENT RULES

# METHODS OF RECRUITMENT

- **Promotion;**
- **Direct Recruitment;**
- **Deputation;**
- **Transfer (now absorption);**
- **Re-employment;**
- **Short-term Contract.**

# METHODS OF RECRUITMENT

**Prescription of method depends on:**

- **Nature of duties, qualifications and experience required;**
- **Suitable incentives for maintenance of efficiency;**
- **Direct recruitment at appropriate levels**
- **Proper mix of various methods.**

# RECRUITMENT & CONDITIONS OF SERVICE

ARTICLE 309:

- (1) Act of Parliament or State Legislature to regulate *recruitment and conditions of service*;**
- (2) Till Acts are made, Rules framed by President to regulate *recruitment and conditions of service*.**

# RECRUITMENT & CONDITIONS OF SERVICE

**ARTICLE 310: Tenure of office of persons serving the Union or a State:**

➤ **Pleasure of the President:**

- **Members of Defence Service;**
- **Members of Civil Service, All-India Service;**
- **Holder of civil post;**
- **Any post connected with Defence.**

# RECRUITMENT & CONDITIONS OF SERVICE

**Article 311 – Dismissal, Removal or Reduction in rank of persons employed in civil capacities under the Union or the State.**

- **Security of Service;**
- **Procedure specified;**
- **Principles of Natural Justice incorporated.**

# RECRUITMENT RULES

## **TWO TYPES:**

- 1. Service Rules for Organized Services;**
- 2. Recruitment Rules for posts not included in Organized Services.**

## **SERVICE RULES: COVERAGE:**

- 1. Short Title and Commencement;**
- 2. Definitions;**
- 3. Constitution;**

# SERVICE RULES

- 4. Grades, Authorized Strength;**
- 5. Members of the Service;**
- 6. Initial Constitution of the Service;**
- 7. Future maintenance of the service;**
- 8. Appointment by transfer on deputation**
- 9. Seniority;**
- 10. Probation;**



# SERVICE RULES

- 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.**

# RECRUITMENT RULES

## **13 COLUMNS:**

**Column – 1: Name of Posts;**

**Column – 2 : Number of Posts:**

➤ **Authorized strength: [Ex. 20 (1994)\*]**

**Column – 3 : Classification:**

➤ **Central Civil Service or General Civil Service;**

➤ **Group to which the posts belong;**

➤ **Ministerial or non-Ministerial.**

# RECRUITMENT RULES

**Column 4 – Scale of Pay: Full Scale,  
Special Pay;**

**Column 5 – Whether Selection or non  
Selection post;**

**Column 6 – Age limit for DR;**

**Column 7 – Whether benefit of added  
years of service is admissible under  
Rule 30 of CCS (Pension) Rules, 1972  
(Now Not applicable)**

# RECRUITMENT RULES

**Column 8 – Educational and other qualifications required for direct recruits: Two types –**

- **Essential Qualifications**
  - **Educational qualifications;**
  - **Experience qualifications.**
- **Desirable qualifications.**

**[Relaxations in experience qualifications provided]**

# RECRUITMENT RULES

**Column 9 – Age and educational qualifications prescribed for direct recruits will apply in the case of promotees:**

- **Normally applies to scientific and technical posts;**
- **May be less than direct recruits;**
- **Facilitate acquiring of such quals.**

# RECRUITMENT RULES

**Column 10 – Period of probation;**

**PROBATION:**

- **DR or Promotion in Junior scale to the service – Probation 2 years;**
- **Govt. may extend probation;**
- **Extension intimated along with reasons**
- **Successful completion will lead to confirmation;**

# PROBATION

- **If not for permanent appointment, govt. may discharge or revert the officer to the post held by him prior to his appointment to the service;**
- **Required to undergo training etc. and pass tests or examination prescribed;**
- **Performance during probation is crucial to further retention.**

# RECRUITMENT RULES

## **Column 11 – Method of recruitment:**

- **Whether by DR or by promotion or by deputation/transfer; and**
- **Percentage of the vacancies to be filled by various methods;**
- **Depends on various factors and also nature of the hierarchy.**



# RECRUITMENT RULES

**Column 12 – Grade from which recruitment by promotion/deputation/transfer/short-term contract/re-employment is to be made:**

- **Feeder Grade defined;**
- **Qualifying service prescribed by DOPT;**
- **Qualifications and Experience indicated**

# RECRUITMENT RULES

**Column 13 – If DPC exists, what is the composition:**

**- DPC is required to:**

➤ **Make promotion;**

➤ **Removal from probation;**

➤ **Confirmation.**

**- Chairman and Members prescribed.**

# RECRUITMENT RULES

**Column 14 – Circumstances in which UPSC to be consulted in making recruitment.**

# PROBATION

- **Assessment of aptitude & ability for the post;**
- **For a fixed period of time;**
- **Probation complete on completion of the prescribed period;**
- **Steps to obtain assessment reports before the completion;**
- **Conduct DPC;**

# PROBATION

- **DPC to assess:**
  - **Whether the person has completed probation satisfactorily; or**
  - **Whether there is necessity to extend the period of probation (Not more than the prescribed period of probation);**
- **Placed before the DPC again;**

# PROBATION

➤ **DPC to assess:**

- **Whether period of probation completed satisfactorily; or**
- **Discharge for unsatisfactory performance;**

# CONFIRMATION

- **Regular Govt. servant is eligible for confirmation after completion of probation satisfactorily;**
- **One time confirmation at the initial entry level;**

## **PROCESS:**

- **Satisfactory completion of probation;**
- **Decided by DPC;**
- **Requires specific order for confirmation;**

# CONFIRMATION

## CONSEQUENCES:

- **Lien – right /title to hold a regular post;**
- **When holder of a post returns, junior most person has to be reverted to the lower grade.**
- **No effect on seniority;**



# SENIORITY

## **1. DIRECT RECRUITMENT:**

- **Relative seniority determined by the order of merit;**
- **Persons appointed as a result of earlier selection senior to those, granted extension beyond 9 months or offer of appointment revived after cancellation;**
- **Such persons will be junior to those who have already joined the posts.**

# SENIORITY

## 2. PROMOTION:

- **Seniority is in the order recommended by DPC for promotion;**
- **Persons appointed on the basis of earlier select list senior to those appointed from the subsequent select list.**

# SENIORITY

## **3. SENIORITY WHEN QUOTA OF PROMOTION AND DR PRESCRIBED IN RR:**

- **Drawn on the basis of rotation of quota amongst promotees and DR;**
- **Unfilled DR quota are added below the next year's rotation.**

# DPC

## **COMPOSITION:**

- **Consists of Chairman & Members of appropriate rank;**
- **Either meets or decide by circulation;**
- **SC/ST/Minority/Woman members if the number of posts is more than 10;**
- **All efforts made to associate above if the number is less than 10;**

# DPC

**Purpose: To consider –**

- **Candidates for promotion;**
- **Candidates for confirmation;**
- **Clearance of probation.**

**Crucial date for eligibility:**

- **1<sup>st</sup> of January irrespective of period of writing ACR;**

# DPC

## **Calculation of vacancies:**

- **Financial year-wise if the ACR are written financial year-wise;**
- **Calendar year-wise if ACR are written calendar year-wise;**
- **Regular vacancies for more than one year are to be taken up for preparation of select list.**

# DPC

## **Validity of a panel:**

- **Date of commencement of a panel will be the date on which DPC meets;**
- **For selection posts, panel valid for one year;**
- **Cease to be in force after one year and six months; or**
- **When a fresh panel is prepared whichever is earlier;**

# AD HOC APPOINTMENTS

CIRCUMSTANCES – No ad hoc appts.

- **Absence of recruitment rules;**
- **Revision of recruitment rules**
  - ***No ad hoc appointments;***
  - ***As per existing recruitment rules.***
- **Revision of seniority list;**
  - ***No ad hoc appointments;***
  - ***As per the existing seniority list.***



# AD HOC APPOINTMENTS

- **Shortage of DR quota;**
- **Posts kept vacant;**
- **Try alternative methods;**

**CIRCUMSTANCES- can make ad hoc app**

- **Court orders;**
- **To fill DR quota if no alternative provisions in RR;**
- **Short term vacancies.**

# AD HOC APPOINTMENTS

## CONDITIONS:

- **Limited to 1 year;**
- **For extension approval of DOPT;**
- **If by promotion:**
  - **By seniority cum fitness;**
  - **Proper screening;**
  - **Fulfill eligibility conditions;**

# AD HOC APPOINTMENTS

- **If by direct recruitment:**
  - **Through Employment Exchanges;**
  - **Fulfill conditions of educational qualifications, experience, age etc. as in the RR**

# MODIFIED ASSURED CAREER PROGRESSION SCHEME

- **Modified as per 6<sup>th</sup> CPC;**
- **3 financial up-gradations at intervals of 10, 20 & 30 years of continuous regular service;**
- **Applicable to Group 'A', 'B' & 'C' posts;**
- **Not applicable to Gr. 'A' organized service, casual, ad hoc employees & those appointed on contract basis;**

# **MODIFIED ASSURED CAREER PROGRESSION SCHEME**

- **Decided by screening committee –  
Chairperson and 2 members;**
- **Recommendations placed before  
Secretary if in Ministry/Department;**
- **Other cases, to HOD;**
- **Screening in January and July 1<sup>st</sup> week  
for April-Sept. & Oct-March respectively**

# RETRENCHMENT

- **Applicable Gr. 'A', 'B', 'C' & 'D' posts in case of reduction of in the number of posts or re-organization;**
- **Not applicable to employees declared surplus who are to be re-deployed through Surplus Cell;**
- **Not applicable to Organized Services where separate instructions exist.**

# RETRENCHMENT

- **Retrenchment from a particular grade shall be retrenched in the following order:**
  - i. Those working in purely ad hoc basis;**
  - ii. On temporary loan form other Depts.**
  - iii. On deputation;**
  - iv. On quasi-permanent basis;**
  - v. On permanent basis;**

# RESIGNATION

- **Acceptance by Appointing authority;**
- **In writing to the competent authority;**
- **Either with immediate effect or from a specified date;**
- **Clear and unconditional;**
- **Resignation should be normally accepted;**



# RESIGNATION

- **Acceptance may not be given:**
  - **Till alternative arrangements made;**
  - **In case of suspension for a grave misconduct;**
- **Effective from the date of acceptance;**
- **Can be withdrawn before acceptance;**
- **Technical resignation permitted;**
- **Forfeiture of service & other benefits on resignation.**

# RETIREMENT

- **Employment after retirement – Group A**
  - **No commercial employment within 1 year of retirement without permission;**
  - **If done, cut in pension considered;**
- **Retired Engineers of gazetted rank Gr. A and B cannot work as contractors, if within 1 year, should obtain permission**
- **Group B officers should intimate if employment is within 2 years.**

# RE-EMPLOYMENT

- **Distinction between 'Extension' and 'Re-employment:**
  - **Continuation in the same cadre post is extension;**
  - **Retention in different post in exceptional circumstances is re-employment;**
  - **Continuation of a deputationist in all cases is re-employment.**

# TERMINATION

- **Termination of temporary employees as per CCS (Temporary Service Rules, '65;**
- **Notice either by Govt. or the employee;**
- **Period of notice 1 month;**
- **If termination is forthwith, employee entitle to 1 month's pay + allowances;**
- **Notice to employee served in person;**
- **If not practicable, sent by registered post A/D;**

# TERMINATION

- **Standard proforma for termination of service;**
- **No forfeiture of pay & allowance in lieu of notice;**
- **Reasons not required for termination;**
- **Payment of cash equivalent of leave salary.**