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No.A-42011/60/2008 -AD.II
GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS

5th Floor, "A" Wing, Shastri Bhawan,
New Delhi- 110 001.

Dated:- 1st May, 2009

To

The Regional Director,
Ministry of Corporate Affairs,
Mumbai/Kolkata/Chennai/Noida.

Subj: Absorption of Company Paid Staff of the Offices of Official Liquidators against Group 'D' posts in the subordinate offices of the Ministry of Corporate Affairs in pursuance of the Judgement dated 4.11.2008 of the Supreme Court - regarding.

Sir,

I am directed to refer to the judgement dated 04.11.2008 of the Hon'ble Supreme Court of India (copy enclosed) on the subject mentioned above and to say that further action in the matter of absorption of the Company Paid Staff against Group 'D' posts in your Region may please be taken on the following lines:-

(i) Only such Company Paid Staff of the offices of the Official Liquidators shall be eligible for regular absorption against Group 'D' posts:-

- (a) Who were in position as on 27.08.99, and
- (b) Who possess the requisite educational qualifications laid down in the recruitment rules for Group 'D' posts against which they are to be absorbed.

The Regional Directors, in their capacity as Heads of Departments, may consider the relaxation of age limits in deserving cases in accordance with the general instructions existing in this regard.

(ii) The Company Paid Staff can be absorbed against the vacant posts in your region in Group 'D' posts which, as per recruitment rules, fall under direct recruitment quota.

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(iii) The Company Paid Staff, who were in position as on 27.08.09, shall be screened by a Selection Committee consisting of the following:

- (a) Regional Director - Chairman
- (b) Representative of the Employment Exchange - Member
- (c) Official Liquidator of the office the Company Paid Staff of which is to be screened - Member

The concerned Employment Exchange may be requested to nominate their representative for your Region. The place, date and time of holding meeting(s) of the Selection Committee may be finalised in consultation with them.

(iv) The Selection Committee will make its recommendations on the basis of the qualification, experience etc. and personal interview of the candidates.

1. Immediate steps may please be taken for selection of eligible members of Company Paid Staff for absorption against the vacant posts in different grades in Group 'D' posts.

2. After their absorption in Group 'D' posts, the Company Paid Staff who possess the minimum qualifications of matriculation will be placed in PB-I Pay Band and who do not possess the minimum qualification of matriculation will be placed in -IS Pay Band, as per the recommendations of the Sixth Pay Commission.

3. A quarterly report beginning with the quarter ending 30.06.2009 may be sent to the Headquarters indicating the extent to which the Company Paid Staff has been absorbed in regular Government service.

4. A copy of this letter is being endorsed to the Director General, Employment and Training, Ministry of Labour also.

5. This issues with the concurrence of the Department of Expenditure vide their FD. No. 1063 JS (Pers) / 09 dated 30.04.2009.

J. S. Gupta
Under Secretary to the Govt. of India
Tel. No. 2338 9587

A-12011/60/2008-Ad.II

Dated:-

along with a copy of judgement dated 4.11.2008 of the Hon'ble Supreme Court of India is forwarded to:

1. The Director General, Employment and Training, Ministry of Labour, Shram Shakti Bhawan, New Delhi, with a request to nominate the representatives of the Employment Exchange of Delhi, Kolkata, Chennai and Mumbai and to direct them to attend the meetings of Selection Committees constituted for absorption of Company Paid Staff against Group 'D' posts.
2. The Secretary, Department of Personnel and Training, North Block, New Delhi.
3. The Secretary, Ministry of Finance (Department of Expenditure), North Block, New Delhi.
4. I/D, MCA, Shastri Bhawan, New Delhi.


(J. S. Gupta)

Under Secretary to the Govt. of India
Tel. No. 2338 9287