

संख्या/No. A-12013/1/99-AD.II

दूरभाष नं.

Telephone No. 338 9785

भारत सरकार
GOVERNMENT OF INDIA
विधि, न्याय और कम्पनी कार्य मंत्रालय
MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS
कम्पनी कार्य विभाग
DEPARTMENT OF COMPANY AFFAIRS

(M)

पंचवी मंजिल, 'ए' खण्ड, शास्त्री भवन
5TH FLOOR, 'A' WING, SHASTRI BHAWAN
डा. राजेन्द्र प्रसाद रोड, नई दिल्ली-110001
DR. RAJENDRA PRASAD ROAD, NEW DELHI-110001

दिनांक Dated.....01.10.1999...

To

The Regional Director,
Department of Company Affairs,
Mumbai/Calcutta/Chennai/Kanpur.

Subj:

Absorption of Company Paid Staff of the Offices of Official Liquidators against Group 'C' posts in the subordinate offices of the Department of Company Affairs on the lines of scheme devised in 1978 - Supreme Court's Judgement - regarding.

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Sir,

I am directed to refer to the Hon'ble Supreme Court's Judgement dated 27.08.99 (copy enclosed) on the subject mentioned above and to say that further action in the matter of absorption of the Company Paid Staff in regular Government service 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:
- Who were in position as on 27.08.99, and
 - Who possess the requisite educational qualifications laid down in the recruitment rules for the post 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.

The Company Paid Staff can be absorbed against only 50% of the existing and future vacancies in your region in Group 'C' posts which, as per recruitment rules, fall under direct recruitment

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quota. For instance, there is hundred per cent direct recruitment to the posts of Lower Division Clerks; accordingly, 50% of the existing and future vacancies of Lower Division Clerks in your region can be utilised for absorbing the Company Paid Staff. Further, the posts of Upper Division Clerks, as per recruitment rules, are to be filled up entirely by promotion; therefore, there can be no possibility of absorbing Company Paid Staff in the grade of Upper Division Clerks. In the case of Junior Technical Assistants 50% of the vacancies, according to the recruitment rules, are to be filled up by promotion and the remaining 50% by direct recruitment. In this case, therefore, 25% of the vacancies in the grade of Junior Technical Assistants can be utilised for absorbing Company Paid Staff. The proportion of vacancies in other Group 'C' grades may similarly be worked out.

(ii)

The Company Paid Staff, who were in position on 27.08.99, will be screened by a Selection Committee consisting of the following:-

- (1) Regional Director - Chairman
- (2) Representative of the Staff Selection Commission - Member
- (3) Official Liquidator of the office the Company Paid Staff of which is to be screened - Member

The Staff Selection Commission is also being requested to nominate different representatives for the different regions. The place, date and time of holding meeting(s) of the Selection Committee may be finalised in consultation with them.

As in the scheme of 1978, there will be no test or examination for the purpose of assessing the suitability of the Company Paid Staff. The selection Committee will make its recommendations on the basis of the qualification, experience etc. and personal interview of the candidates.

Immediate steps may please be taken for selection of eligible members of Company Paid Staff for absorption against the existing vacancies in different grades and also the anticipated vacancies upto 31.12.2000 next. Applications may be invited indicating separately the existing vacancies and the vacancies which may occur by 31.12.2000 and making it clear that the question of absorbing the persons recommended for the anticipated vacancies will arise only if the vacancies actually occur by 31.12.2000, and that mere recommendation of the Selection Committee will not confer any right of any Company Paid Staff for being appointed in Government service.

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3. A quarterly report beginning with the quarter ended 31.12.99 may be sent to the Headquarters indicating the extent to which the Company Paid Staff has been absorbed in regular Government service.

Yours faithfully



(D.P. SAINI)
UNDER SECRETARY TO THE GOVT. OF INDIA

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