

No. AB. 14017/ 6/2004-Estt. (RR)  
Government of India  
Ministry of Personnel, PG and Pensions  
Department of Personnel and Training  
New Delhi

Dated the 8<sup>th</sup> March, 2004

OFFICE MEMORANDUM

Subject:- Notification of Recruitment Rules- amendment to para 5  
relating to power to relax

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As the Ministries/Departments are aware, Recruitment Rules (RRs) for Group A and B posts (other than posts exempted from the purview of UPSC) can be notified only after these are concurred in by the Union Public Service Commission. In accordance with the guidelines issued by this Department, the Commission has certain discretionary powers to relax educational qualifications/extent of experience prescribed in the RRs while making direct recruitments. Despite the above, para 5 of the covering notification on RRs on "power to relax" does not specifically incorporate that concurrence of the Commission shall be obtained before the Central Government resorts to relax any of the provisions in the Recruitment Rules. The exact proviso to be incorporated as para 5 of the covering notification has been examined in consultation with the UPSC and it has been decided that the proviso may be as below:-

"Where the Central Government is of the opinion that it is necessary or expedient to do so, it may, by order and for reasons to be recorded in writing, and in consultation with Union Public Service Commission relax any of the provisions of the rules with respect to any class or category of persons".

2. All Ministries/Departments are requested to ensure that the proviso as above is incorporated as para 5 in the covering notification of all RRs which are notified with the concurrence of the Commission.

( S.J. Kumar )

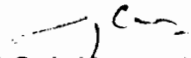
Under Secretary to the Government of India  
Tel. 2309 4254

To

All Ministries/Departments of the Government of India

Copy to:

1. The President's Secretariat, New Delhi.
2. The Prime Minister's Office, New Delhi.
3. The Cabinet Secretariat, New Delhi.
4. The Rajya Sabha Secretariat, New Delhi.
5. The Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Union Public Service Commission, New Delhi.
8. The Staff Selection Commission, New Delhi.
9. All Attached Offices under the Ministry of Personnel, Public Grievances and Pensions.
10. Establishment Officer and Secretary, ACC (10 copies).
11. All Officers and Sections in the Department of Personnel necessary action
12. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
13. All Staff Members of National Council (JCM)
14. All Staff Members of the Departmental Council (JCM), Ministry of Personnel, PG and Pensions
15. Establishment (RR Division) (200 copies)

  
( S.J. Kumar )

Under Secretary to the Government of India