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No. 14024/2/96-Estt(D)-  
Government of India  
Ministry of Personnel, P.G. & Pensions  
Department of Personnel & Training  
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New Delhi-110001.  
May 18, 1998

OFFICE MEMORANDUM

Subject:- Recruitment of staff through Employment Exchanges.

The undersigned is directed to invite a reference to this Department's Office Memorandum No. 14024/2/77-Estt(D) dt.13.4.1977. These instructions, inter-alia, provide that all vacancies arising under Central Government offices/establishments (Including quasi-Government institutions and statutory organisations) irrespective of the nature and duration ( other than those filled through UPSC), are not only to be notified to, but also to be filled through the Employment Exchanges alone and other permissible sources of recruitment can be tapped only if the Employment Exchange concerned issues a Non-availability Certificate. There can be no departure from this recruitment procedure unless a different arrangement in this regard has been previously agreed to in consultation with this Department and the Ministry of Labour (Directorate General, Employment & Training). Similar instructions are also in force requiring vacancies against posts carrying a basic salary of less than Rs. 500/- per month in Central Public Sector Undertakings to be filled only through Employment Exchanges.

2. The Scheme of Employment Exchange Procedure came under the judicial scrutiny of the Supreme Court in the matter of Excise Superintendent, Malkapatnam, Krishan District, Andhra Pradesh v/s. K.B.N.Visweshwara Rao & Ors (1996 (6) SCALE 676). The Supreme Court, inter-alia, directed as follows:-

" It should be mandatory for the requisitioning authority/establishment to intimate the employment exchange and employment exchange should sponsor the names of the candidates to the requisitioning Departments for selection strictly according to seniority and reservation, as per requisition. In addition, the appropriate Department or undertaking or establishment, should call for the names by publication in the newspapers having wider circulation and also display on their office notice boards or announce on radio, television and employment news bulletins

and then consider the cases of all the candidates who have applied."

3. Accordingly, it is clarified that in addition to notifying the vacancies for the relevant categories (excluding those filled through the Union Public Service Commission / the Staff Selection Commission) to the Employment Exchange, the requisitioning authority / establishment may keeping in view administrative / budgetary convenience, arrange for the publication of the recruitment notice for such categories in the "Employment News" published by the Publications Division of the Ministry of Information and Broadcasting, Government of India and then consider the cases of all the candidates who have applied. In addition to the above, such recruitment notices should be displayed on the office notice boards also for wider publicity.

4. These orders will take effect from the date of issue and will not apply to such cases where process of recruitment through employment exchanges / open advertisement has been initiated before the said date.

5. All Ministries / Departments are requested to strictly adhere to the aforesaid instructions and also bring to the notice of their attached and sub-ordinate offices for information and compliance.

*Harinder Singh*  
(HARINDER SINGH)  
JOINT SECRETARY

To:-

All Ministries/Departments of Government of India

Copy to:-

- 1) The Director General, Employment and Training-  
Ministry of Labour, Rafi Marg, New Delhi.
- 2) The Burea of Public Enterprises, New Delhi.
- 3) Lok Sabha Secretariat.
- 4) Rajya Sabha Secretariat.
- 5) Union Public Service Commission
- 6) Staff Selection Commission
- 7) Chief Secretaries, All State Governments
- 8) All Union Territory Governments/  
Administrations
- 9) All attached & Subordinate Offices of the  
Department of Personnel & Training
- 10) The Editor, Employment News, East Block-IV,  
Level 5-7, R.K. Puram, New Delhi 110066