

No.AB-14017/11/2019-Estt.(RR)(3147397)

Government of India
Ministry of Personnel, P.G. & Pensions
Department of Personnel and Training
Estt(RR) Section

North Block, New Delhi

Dated: July, 2019

OFFICE MEMORANDUM

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Subject: Procedure to be followed in cases of disagreement on Recruitment Rules - regarding.

The undersigned is directed to state that as per extant instructions, the process of framing/amending of Recruitment Rules for a post involves consultation with DoPT, UPSC and thereafter vetting by the Legislative Department. As per established procedure, the Administrative Ministries/Departments frame service rules/recruitment rules or propose amendments thereof, based mainly on the model RRs or instructions issued by DoPT from time to time and refer them to DoP&T for concurrence. After the receipt of concurrence from DoPT, the Ministries/Departments refer proposals to UPSC for advice. After receipt of concurrence of UPSC, with the approval of Competent Authority, RRs are finally notified, after vetting by the legislative Department.

2. UPSC brought certain instances to the notice of this Department, where post the advice of Commission, RRs have been notified incorporating substantial changes in the recruitment rules/service rules (RRs/SRs), without obtaining the concurrence of the Commission, which is not in order. On consideration of the matter, it has been decided that if substantial changes are effected in the RRs after the receipt of advice of UPSC, the same shall be brought to the notice of UPSC by the administrative Ministry for obtaining their advice/concurrence on the same. Non-adherence to this procedure may result in the case being treated as a case of disagreement with the Commission, and therefore administrative Ministries have to take a conscious decision in this regard. Substantial changes referred here are those changes having a bearing on the principles of recruitment, viz., change in the method of recruitment, eligibility criteria etc and does not include vetting changes made by the Legislative Department, spelling or grammatical corrections.

3. In light of the foregoing, all Ministries/Departments are requested to refer the proposals back to UPSC for concurrence in cases where administrative Ministry/Department, after the receipt of advice of the Commission, want to carry out any change/s in the draft RRs/SRs, which is/are substantial in nature. All Ministries/Departments are requested to adhere to these instructions.



(K Prakasham)

Under Secretary to the Government of India

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To
All Ministries/Departments