

F.No. A-42011/66/2010-Ad.II
Government of India
Ministry of Corporate Affairs

New Delhi, dated 14th September 2011

Memorandum

Subject : Instructions regarding absorption of company paid staff (engaged upto 27-8-1999) as regular government staff and also regarding implementation of MCA's OM No.A-42011/66/2010-Ad.II dated 10-6-2011

The question of regularisation of company paid staff, had been re-considered in view of Hon'ble Supreme Court judgments dated 27-8-1999 and dated 4-11-2008, existing MCA instructions, the re-classification of post issued by DOPT's OM dated 9-4-2009 and various instructions of DOPT for recruitment of Central Government staff only through UPSC/SSC at all levels. After consideration of all relevant laws, rules, judgments, instructions, clarifications on the subject, the competent authority in the Ministry, has approved the following **for compliance with immediate effect:**


(a) **Absorption of company paid staff (engaged upto 27-8-1999) shall be done only in the 'Group C' post of 'Multi Tasking Staff' (MTS) (Pay Band 1 plus Grade Pay of 1800).**

(b) **On their regularisation they shall be posted out of the region.** After screening, in RD office, strictly as per laid down procedure, the names of finally selected candidates will be sent to the Ministry. The Ministry will decide about their postings keeping in view the vacancies in field offices. After a decision regarding 'place of posting on regularisation' is communicated by the Ministry, the appointment-cum-posting orders shall be issued by Regional Director.

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2. **As an interim measure**, all Regional Directors and Official Liquidators are instructed to submit alternate plan for hiring/outsourcing of staff (to discharge the work presently done by company paid staff) and therefore, **the time limit of 3 months given in Ministry's OM dated 10-6-2011, for phasing out of all company paid staff (engaged after 27-8-1999), stands extended for another 3 months, that is till 10-12-2011.**

3. The concerned Regional Directors and Official Liquidators, shall be held personally responsible, if any instance of non-compliance of above instructions comes to the notice of Ministry.


14/09/11
(R K Pandey)

Under Secretary to the Government of India
Telefax : 23383507

To,

1. All 6 Regional Directors
2. All Official Liquidators (through respective RDs)
3. MCA website (for placing in Employees Corner/New appointments)