

A-42011/47/2013-Ad.II  
Government of India  
Ministry of Corporate Affairs

New Delhi dated 04.07.2013

**OFFICE MEMORANDUM**

**Subject : Relaxation in OM dt 11.05.2011 and OM dt 27.09.2011 to enable implementation of DOPT instructions (OM dt 16.01.2013) for appointments, on compassionate grounds, for dependent family members of deceased employees of MCA, in Group C posts of Multi Tasking Staff (MTS)**

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Under a cadre restructuring decision, the competent authority in the Ministry of Corporate Affairs, instructed vide **OM number A-12011/26/2011-Ad.II dated 11.05.2011**, that there shall be no direct recruitment in any Group B or Group C post in field offices, except in the four grades of Company Prosecutor, Senior Technical Assistant, Junior Technical Assistant and Rajbhasha posts.

2. Following the OM dated 11-5-2011, while issuing revised recruitment rules of MTS, namely MCA field offices, Group C MTS Recruitment Rules 2011 (notification dated 28-7-2011), another forwarding **OM No. A-12011/18/2011-Ad.II dated 27-9-2011** was issued. In Para 1(f) to (k) of this second OM dated 27-9-2011, it was instructed, that 50% of posts/vacancies in the Group C grade of MTS is to be earmarked for filling up by absorption from company paid staff (engaged upto 27.08.1999) as per existing absorption scheme and remaining 50% stands abolished, in view of restructuring decision dated 11.05.2011.

3. But after above two OMs dt 11-5-2011 and OM dt 27-9-2011, it was felt that operation of these two instructions is closing all options of compassionate appointments for dependant family members of deceased employees as per DOPT rules. Recently, the DOPT in its consolidated instructions (**F.No. 14014/02/2012-Estt. (D) dated 16.01.2013, Para 18 (d)**) also clarified that compassionate

appointment should not be denied or delayed merely on the ground that there is a re-organization in the Ministry/Department/Office.

5. Therefore, these cadre re-structuring instructions (OM dated 11-5-2011 and OM dated 27-9-2011) have been re-considered in view of DOPT instructions (OM dated 16-1-2013) and the competent authority in the Ministry has now decided to relax and modify both the mentioned OM dated 11.05.2011 and OM dated 27.09.2011, to the extent that --- **“while the 50% of direct recruitment vacancies in the grade of MTS shall continue to be earmarked/filled up by absorption from company paid staff (engaged upto 27-8-1999), the remaining 50% of the vacancies in MTS grade shall now be earmarked and utilized for making compassionate appointments subject to the ceiling of 5% vacancies (also see provisions in Para 7 of DOPT OM dt 16-1-2013) and subject to the satisfaction of conditions given in DOPT OM dated 16.01.2013”**.

6. Since, MTS is a Group C post and Regional Director is the competent authority for making appointments to this Group C post (as per DOPT guidelines as well as MCA's OM No. A-12011/4/2003-Ad.III/I dated 19-5-2009), all RDs are now instructed for following time bound action :

(a) identify sanctioned and actual strength of MTS posts in their region as per instructions of competent authorities,

(b) identify vacancies in MTS posts in the region,

(c) divide and earmark, on 50:50 basis, posts/vacancies to be filled up by absorption from company paid staff and posts/vacancies to be filled up by compassionate appointments,


(d) apply the rules of determination/availability of vacancies given in DOPT OM dt 16-1-2013 and arrive at vacancies which can be filled up by compassionate appointment cases,

(e) prepare regional waiting list of cases of compassionate appointments, in chronological order of date of death of employee (and where dependant family members have submitted applications for appointments), and

(f) by following DOPT OM dated 16-1-2013, decide and make appointments.

7. Wherever, court cases related to compassionate appointments are pending, the status of action taken by the RD concerned, in pursuance of DOPT guidelines and MCA instructions from time to time, has to be submitted before the courts and also intimated to Ad.II section on quarterly basis.

Enclosed = 5 pages

  
A  
27/1/13  
(RK Pandey)

Under Secretary to the Government of India

**All Regional Directors**

Copy to : EG Cell for placing this OM, along with MCA's letter dated 19-5-2009, MCA's OM dated 11-5-2011, MCA's OM dated 27-9-2011, DOPT's OM dated 16-1-2013

Annexure II 9/12  
Annex - A

No.:A-12011/26/2011-Ad.II  
Government of India  
Ministry of Corporate Affairs

5<sup>th</sup> Floor, A-Wing, Shastri Bhavan  
New Delhi dated the 11 May, 2011

OFFICE MEMORANDUM

**Subject: Restructuring of Group 'B'/'C' posts in field offices of MCA- Reg.**

The undersigned is directed to refer to above subject and to say that, in view of increased computerization, thrust towards e-governance/e-administration, on-line filings, concept of paperless office and the changing needs of the Ministry, the competent authority has decided for the following :

- (a) To stop direct recruitment in all Group B/C posts of MCA field offices, except the posts of Company Prosecutors, Senior Technical Assistants, Junior Technical Assistants and Official Language Posts.
- (b) Proportionate creation of posts at the higher levels so that the promotional avenues of existing staff become better than the present status.
- (c) A separate order regarding existing scheme of company paid staff will be issued, if required, as per the policy notified by MCA in pursuance to Hon'ble SC orders.

(R.K.Pandey)

Under Secretary to the Govt. of India

To  
All field, attached, headquarter offices of MCA.

*[Faint handwritten text, possibly a signature or initials]*

*[Handwritten signature]*  
8/8/11

Ann-B

New Delhi, dated 27th September, 2011

**Office Memorandum**

**Subject : Circulation of Notification dated 28-7-2011 regarding revised RRs of Multi Tasking Staff (MTS) 'Group C post' in Pay Band - 1 + Grade Pay of 1800 (earlier Group D) along with related instructions.**

In continuation of restructuring instructions issued vide OM No. A-12011/26/2011-Ad.II dated 11-5-2011, OM No. A-42011/66/2010-Ad.II dated 10-6-2011, OM No. A-12011/26/2011-Ad.II dated 25-7-2011 and OM NoA-42011/66/2010-Ad.II dated 14-9-2011 (**Annexure G**), the undersigned is directed to convey the following decisions of competent authority :

- (a) That all service conditions of MTS shall be regulated as per revised RRs contained in Notification dated 28-7-2011 (copy enclosed as **Annexure A**).
- (b) That all relevant instructions of the nodal agency, the DOPT, related to MTS are also enclosed as **Annexure B, Annexure C, Annexure D and Annexure E** for guidance of field offices.
- (c) That the duties and responsibilities of MTS, shall include all the duties and responsibilities which were performed by incumbents of erstwhile Group D posts and which are now coming under the re-classified Group C post of MTS. It is reiterated in **Annexure F**.
- (d) That in view of notification containing their re-classification, they will be also be required to submit their APARs from 2011-2012 onwards.
- (e) That respective RDs shall organize trainings for skill development of all incumbents of this re-designated post of MTS, for efficient discharge of duties by MTS staff and for smooth functioning of their offices.
- (f) That in the revised RRs of MTS, as per DOPT guidelines, the method of recruitment has been fixed at 100% by direct recruitment by SSC from open market.

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(g) That out of this 100% direct recruitment, in view of this Ministry's existing scheme for regularisation of company paid staff (CPS), 50% of DR vacancies, is earmarked for absorption of company paid staff (CPS) till the time all CPS (engaged till 27-8-1999) get regularised, after following the procedure. The Memo dated 14-9-2011 (**Annexure G**), under which CPS can only be regularised in Group C post of MTS has to be strictly followed by all RD offices. This Memo dated 14-9-2011 supercedes all previous instructions related to types of posts in which CPS can be regularised.

(h) That the remaining 50% of DR vacancies, which are earmarked/left for filling by direct recruitment by SSC, **stands abolished**, subject to approval of M/O Finance for matching creation at higher levels. The exact number of abolished posts, office and region wise will be intimated, after receipt of information from all RD offices as per Ministry's letter of even number dated 28-7-2011. **RD offices are requested to send the information in respect of their region urgently.**

(i) That MTS cadre shall be a 'dying cadre', which means that this cadre will be maintained only till the time, existing incumbents get promotion to higher grades and/or till the time CPS (engaged upto 27-8-1999) are left for absorption in this grade.

(j) That, except for filling up of 50% of the DR vacancies by CPS, no further regular recruitment will be done in MTS grade. The work/duties/services related to such unfilled MTS vacancies has to be outsourced by field offices, as per guidelines of competent authority on outsourcing of services.

(k) That all the RDs are instructed to amend their 'post based rosters for direct recruitment in MTS (earlier Group D)', deleting all the points/posts earmarked for filling by direct recruitment from open market through SSC.

  
27-9-11

(R K Pandey)

Under Secretary to the Government of India

1. All RDs
2. E.Gov.Cell --- for placing in Employees Corner (under both recruitment rules and reorganization of offices/posts)

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~~Page 2 of 23~~

Ann-C

North Block,  
New Delhi  
Dated the 16<sup>th</sup> January, 2013

OFFICE MEMORANDUM

Subject:- **Consolidated Instructions on compassionate appointment** –  
regarding.

The undersigned is directed to invite attention to this Department's O.M. No.14014/6/94-Estt(D) dated 09.10.1998 vide which Scheme for "**Compassionate Appointment under Central Government**" was issued. Subsequently a number of instructions on compassionate appointments under the Central Government have been issued. The content of important/relevant O.Ms and orders on the subject have been further consolidated for the facility of reference and guidance and are being made available on this Department's website [www.persmin.nic.in](http://www.persmin.nic.in) in the dynamic form (OMs & Orders>Establishment>(A) Administration (III) Concessions in appointment (a) compassionate appointment). This may be brought to the notice of all concerned for information, guidance and necessary action.

2. Hindi version will follow.

*Virender Singh*  
16/1/2013

(Virender Singh)  
Under Secretary to the Government of India  
Tel. No. 2309 3804

To,  
All Ministries/Departments of Government of India

Copy to:

1. President's Secretariat, New Delhi
2. Vice-President's Secretariat, New Delhi
3. The Prime Minister's Office, New Delhi
4. Cabinet Secretariat, New Delhi
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi
6. The Registrar General, the Supreme Court of India, New Delhi.
7. The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi.

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Sl. No. 2875

No. A.12011/4/2003-Ad.III/I  
Government of India  
Ministry of Corporate Affairs

195  
ANN-D

'A' Wing, 5<sup>th</sup> Floor, Shastri Bhavan,  
Dr. R.P.Road, New Delhi-110001  
Dated the 19<sup>th</sup> May, 2009

To  
All Regional Directors  
Ministry of Corporate Affairs.

Sub: Compassionate Appointment - regarding

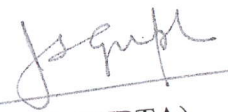
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Sir,

I am directed to inform you that a meeting of Screening Committee on compassionate appointment in this Ministry was held on 11<sup>th</sup> May 2009 to consider the requests received from family members of deceased employees of this Ministry (HQ) and field offices. The recommendations of the Screening Committee were considered and the following decisions were taken with the approval of the Competent Authority:

- i. All cases of compassionate appointment, which have exceeded three years gestation period have been closed ( list of cases enclosed) ;
  - ii. The cases of compassionate appointment of Late Shri S. Krishna Babu (17.08.2006) and Shri R.V.Unnikrishnanan ( 19.01.2007), pertaining to field offices , be kept under consideration for a further period of one year or till they complete the gestation period, whichever is earlier. The Concerned Regional Director will review these cases as per guidelines of Department of Personnel & Training in the matter.
  - iii. All requests for compassionate appointment pertaining to field offices henceforth be considered/disposed off by the concerned Regional Director at his level. For this, Screening Committee be constituted for each Region by the concerned Regional Director and all requests pertaining to field offices be considered in terms of guidelines of Department of Personnel & Training in the matter.
2. Henceforth, no request for compassionate appointment pertaining to field office be forwarded to this Ministry and the same be considered by the concerned Regional Director in accordance with Rules/instructions on the subject.

Yours faithfully,



(J.S.GUPTA)

Under Secretary to the Govt. of India

Issued  
20/5/09

Copy along with a Copy of cases which have been closed to Admn.II Section for information and necessary action.

Ashish Kumar  
20/5/09

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