



LABOUR (G) DEPARTMENT

No. 39483/G2/87/LBR., Trivandrum
5th January 1988

CIRCULAR

Sub: Direct recruitment by Public Sector Undertakings- Violation of Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 and Government directions- Avoidance of-Instructions issued.

- Ref: 1. Govt.Circular No. SD 4-77757/61/PD dated, 28th January 1962.
2. Govt. Circular No. 27956/G2/81/LBR, dated , 27th April 1984.
3. Govt. Circular No. 11555/BPE/85/Plg., dated, 13th June 1985.
4. Govt. Circular No. 16025/BPE/85/Plg., date, 5th June 1986.

The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 insist that every establishment inn the Public Sector shall, before filling any vacancy in any employment in that establishment, notify the vacancy to the Employment Exchange concerned Government have, in the reference Ist cited, issued instructions requiring strict adherence to the prescribed procedure of recruitment through Employment Exchanges. In the reference 2nd cited, the Chief executives of Public Sector Undertakings and establishments in which Government have controlling interest have been direct3d to scrupulously comply with the Employment Exchanges (CNV) Act, 1959 and related instructions. The Government Circular 3er3 cited for bids filling of vacancies including managerial and technical posts through newspaper advertisement s without obtaining non availability certificates form Employment exchanges. A procedure was prescribed in the circular 4th cited, to enable the Employment Department to monitor public sector vacancies notified to employment Exchanges to furnish panels of candidates or report noon-availability within 4 to 6 weeks.

2. The Director of Employment has now brought to the notice of Government instances where the provisions of the above Act and Government Circulars have been violated by some of the Government establishments /Undertakings/Boards/Companies/Corporations.

3. Government have considered the matter and they direct all the Chief executives of Government establishments/Undertakings/boards/Companies/Corporations that the services of Employment Exchanges should be utilized for filling up vacancies coming outside the Purview of the Public Service Commission. They are also informed that the experience gained by persons in appointments secured in violation of the above instructions under Public sector Establishment will not be taken into account for giving weight age in the matter of sponsoring candidates. They are also cautioned that violation of the above directions will be viewed seriously and will lead to prosecution under the Act. The Chief Executives will be personally responsible to ensure strict compliance with the statutory requirements in this regard.

S. NARAYANASWAMY
Chief Secretary