

No. 22011/3/75-Estt(D)
Government of India
Ministry of Home Affairs
Department of Personnel & A.R.

New Delhi-110001 dt. 29 Oct. 1975.

OFFICE MEMORANDUM

Subject:-Adhoc appointments do not bestow any claim on the person for regular appointment-instructions regarding.

As the Ministries/Departments etc. are aware, according to para 8 of the Annexure to the Ministry of Home Affairs Office Memorandum No.9/11/55-RPS, dated the 22nd December, 1959, persons appointed on adhoc basis to a grade are to be replaced by persons approved for regular appointment by direct recruited, promotion or transfer, as the case may be, and until they are replaced, such persons will be shown in the order of their adhoc appointments and below persons regularly appointed to that grade. The "General Principle (8)" of the Explanatory Memorandum annexed to the aforesaid OM also clarified that while the seniority of persons appointed on adhoc basis would be determined as indicated above, the seniority list should clearly show that such persons are not eligible for promotion or confirmation. The above provisions imply that the persons appointed on ad-hoc basis are not entitled to any seniority in the grade concerned and that their ad-hoc appointment does not entitle them to any claim for promotion, confirmation etc. in the grade.

2. Instances have, however, come to the notice of this Department that where adhoc appointments are made by the Ministries/Departments, in the exigencies of the situation for various reasons, the relevant appointment orders issued to the persons concerned do not at times stipulate the fact that the appointment is on adhoc basis and that such appointment would not confer any right on the persons concerned to claim regular appointment to the grade. It has also been noticed that such appointments are continued for a long time, which leads to representations from the adhoc appointees for regular appointment in the grade and for counting their adhoc service towards regular service for the purpose of seniority, eligibility for promotion to higher grade etc. It has, therefore, been decided that whenever an appointment is made on adhoc basis, the fact that the appointment is adhoc and that such an appointment will not bestow on the person a claim for regular appointment, should

be clearly spelt out in the orders of appointment. It should also be made clear that the service rendered on ad-hoc basis in the grade concerned would not count for the purpose of seniority in that grade and for eligibility for promotion to next higher grade.

3. Attention of the Ministries/Departments in this connection is also invited to Regulation 4(1) of the UPSC (Exemption from Consultation) Regulations which is applicable in the case of ad-hoc appointments to class I and Class II posts. Ministries/Departments are requested to ensure strict compliance with the requirements of the said regulation in such cases.

4. It is also impressed upon the Ministries/Departments that they should ensure that ad-hoc appointments are not continued for an indefinite period and that early steps are taken, so that the persons appointed on ad-hoc basis are replaced by persons approved for regular appointment in accordance with the provisions of the relevant recruitment rules, after following the prescribed procedure for making such regular appointments as early as possible. It is also requested that Ministries/Departments should take urgent steps to review all ad-hoc appointments continuing as such on the date of issue of these instructions and bring the position to the notice of higher authorities in the Ministries/Departments indicating the date from which such ad-hoc appointments are continuing and the reasons why regular appointments could not be made as also the steps being taken to make regular appointments to the posts.

Sd/-

(S. KRISHNAN)

Director

To

All Ministries/Departments of the Government of India (*with usual number of spare copies) (including attached and subordinate offices) under the Department of Personnel & A.R.

All Union Territory Governments Administrations
The Union Public Service Commission.

All regular sections of Department of Personnel & A.R.

Sd/-

(Shiv Kumar Verma)

Under Secretary to the Govt. of India