

## CHAPTER XIX

### RETRENCHMENT PROCEDURE AND RE-DEPLOYMENT OF SURPLUS EMPLOYEES

#### A. RETRENCHMENT PROCEDURE

The general instructions for retrenchment of Central Government Employees in any grade in Central Civil Service/post in Group A, B, C and D become necessary whenever such retrenchment takes place either because of a reduction in the number of posts or reorganisation. These instructions do not apply to the following categories of personnel :

- (a) Group A, B and C employees who on being rendered surplus are to be redeployed through the Surplus Cell of the Department of Personnel & Admn. Reforms in accordance with the provisions of the Ministry of Home Affairs O.M. No. 3/27/65-CS.II dt. 25th Feb., 1966, as amended from time to time.
- (b) Those Group D Employees who on being rendered surplus are to be redeployed through the surplus cell of the Directorate General of Employment and Training in accordance with the provisions of the Ministry of Home Affairs O.M. No. 3/27/65-CS.II dated 25-5-66.
- (c) Organised services where specified instructions exist or in case of those officers where separate instructions of retrenchment have been laid down in consultation with the Deptt. of Personnel & Training.

2. The employees to be retrenched from a particular grade shall be categorised into the following categories for the purpose of determining the order in which they have to be retrenched :—

- (i) Those who are working in the grade in a purely *ad hoc* capacity.
- (ii) Those who are working on temporary loan basis from other Departments.
- (iii) Those who are on deputation to the grade.
- (iv) Those who are purely temporary or officiating in the grade.
- (v) Those who are quasi-permanent in the grade.
- (vi) Those who are permanent in the grade.

3. The retrenchment of employees in each category shall be effected in the following manner :—

- (i) The employees appointed on *ad hoc* basis who hold lien in any other permanent posts or who are declared quasi-permanent against some posts should be reverted to those posts first. After exhausting this group, *ad hoc* employees who hold any other post in temporary capacity and in whose cases administrative liens were kept in those posts at the time of *ad hoc* appointment may be reverted to their regular temporary posts. Lastly, other *ad hoc* employees should be retrenched in the reverse order according to their length of *ad hoc* service in the grade.
- (ii) Officers on temporary loan from other offices and the deputationists should be reverted to their parent Deptts. Since there is no inter-se-seniority among deputationists, the order in which they are to be reverted shall be decided by the office/department where they are working keeping in view the needs of the work of the office/department and the public interest.
- (iii) Temporary employees in the grade should be retrenched in the reverse order of their seniority. If such an employee in the grade had been promoted from a lower post including the one promoted to the grade on *ad hoc* basis he may be reverted to the lower post instead of being retrenched. Their seniority in the lower post may also be determined after counting their service in the higher post as service in the lower post.

- (iv) Quasi permanent employees in the grade should be retrenched in the reverse order of their seniority. If such an employee has been promoted from a lower post he may be reverted to his lower post instead of being retrenched.
- (v) Permanent employees in the grade should be retrenched in the reverse order of their seniority. If such an employee had been reverted to the lower post, he may be reverted to the lower post instead of being retrenched. Persons directly recruited may instead of being retrenched be reverted to a lower post from which appointments are normally made. Their seniority in the lower post may also be determined after counting their services in the higher post as service in the lower post. For the purpose of further retrenchment, the same procedure as in respect of purely temporary employee should be followed.
- (vi) Persons appointed through the UPSC etc. who are given some order of merit by the selection authorities should be retrenched in the reverse order of their merit.

NOTE :—The above order of discharge is not applicable in cases where the whole organisation is wound up and where systematic effort to get the retrenched staff absorbed in other organisations has been initiated. In such cases, the release shall commence in the order of seniority i.e. seniors should be released first for absorption after giving them an option for such absorption. In such cases where the number of officers who volunteer for absorption is more than the number of vacancies available, the officers should be released in the order of their seniority.

4. Except where different rules of seniority have been prescribed in consultation with the Department of Personnel & Administrative Reforms in respect of a particular service/post, seniority for the purpose of these instructions shall be determined in accordance with the general principles of seniority laid down in the Ministry of Home Affairs O.M. No. 9/11/55-RPS dated 22-12-59 read with O.M. No. 9/3/72-Estt(D) dt. 27-2-72.

5. While retrenching employees in accordance with the order of retrenchment prescribed in 3 above an employee belonging to the Scheduled Caste/Scheduled Tribe should not be retrenched so long as the total number of SC/ST employees in the grade is less than the number which should have been in the grade in accordance with percentages of reservations prescribed from time to time for SC/ST candidates in the concerned grade. Such protection will apply in regard to categories (iii), (iv) and (v) mentioned under para 3 and will apply within each such category.

6. An ECO/SSCO should not be retrenched so long as the total number of ECO/SSCO which should have been in the grade in accordance with the percentages of reservations provided for them from time to time and will apply in regard to categories mentioned under para 3 (iii), 3(iv), and 3(v) and will apply within each category.

[Deptt. of Personnel & A.R. OM No. 28011/1/75-Estt(D) dt. 28-8-1978].

#### B. REDEPLOYMENT OF SURPLUS STAFF AND RETRENCHED EMPLOYEES

The Handbook on Redeployment of Surplus Staff and Retrenched Employees of the Central Government, brought out by the Department of Personnel & Training may be consulted.