

F No. 7(1)/E.Cood-I/2017(Part.III)
Government of India
Ministry of Finance
Department of Expenditure

North Block, New Delhi
Dated 4th January, 2024

OFFICE MEMORANDUM

Sub: Compendium of instructions for Creation, Revival, Continuation, Conversion, Transfer, Up-gradation, Down-gradation and Abolition of posts in Autonomous Bodies under Central Government.

The following compendium of instructions for Creation, Revival, Continuation, Conversion, Transfer, Up-gradation, Down-gradation and Abolition of posts in Autonomous Bodies under Central Government is issued in supersession of all previous instructions/orders.

2. General:

2.1 These instructions shall apply to creation, continuation, revival, conversion, transfer, up-gradation, down-gradation and abolition of posts in Autonomous Bodies under Central Government in supersession of all instructions or advice issued till date.

2.2 Any specific exemption allowed to any Autonomous Body under a Ministry or Department on creation, revival, continuation, conversion, transfer, up-gradation and down-gradation of posts is also withdrawn.

2.3 (a) If delegation of powers for creation, revival, continuation, conversion, transfer, up-gradation and down gradation of posts are required or otherwise available under any Authority, the same shall be brought to the notice of this Department separately for further necessary action.

(b) Autonomous Bodies, which are financially self- sustained or receives marginal/negligible grant from Government of India, seeking exemption from these instructions shall submit proposal to Department of Expenditure clearly bringing out the quantum of grant received from Government of India. However, these Autonomous Bodies shall abide by the Pay Level in Pay Matrix as applicable to equivalent posts/ranks in Central Government/approved by Central Government.

2.4 Proposal for creation, revival, continuation, conversion, transfer, up-gradation, down-gradation and abolition of posts [except where powers are delegated to Administrative Ministries/Departments and FAs vide this order] shall be routed through IFD with the approval of Secretary of Administrative Ministry/Department.

2.5 These instructions shall not be applicable to CPSEs, which may follow the instructions issued by Department of Public Enterprises in this regard.

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2.6 These instructions shall not be applicable to Statutory posts. A post shall be categorised as Statutory, if it is specifically mentioned under the provisions of any Act of Parliament. Post(s) created by Rules/Notification/Executive orders under any of the provisions of a Statute subsequent to notification of the Statute for smooth functioning of the Statutory Body shall not be categorised as Statutory Post(s). These posts shall be subject to the provisions of these instructions.

2.7 The power to create post(s) resides with Cabinet and Department of Expenditure as given hereunder. No proposal for delegation of power to create posts to any Authority shall be included in any Appraisal notes [CEE, EFC, etc], Draft Cabinet Note (DCN) or Bill.

2.8 Proposals for creation of posts as part of a Statute should invariably be brought to the notice of Department of Expenditure through Appraisal Notes/DCN for approval.

3. Creation of posts:

3.1 Creation of posts at SAG and above levels [Pay Levels-14 and above] and Chief Executive of Autonomous Bodies irrespective of pay level shall be submitted to Cabinet.

3.2 Proposals for creation of posts noted at para 3.1 shall be submitted to Cabinet by the Administrative Ministry as per laid down procedure after consultation with nodal Departments including Department of Expenditure.

3.3 All other proposals for creation of posts shall be referred to Department of Expenditure through respective Integrated Financial Division (IFD), with the approval of Secretary of Administrative Ministry/Department.

3.4 In case of multiple proposals, e.g. proposals for different grades in the same Autonomous Body or one or more Autonomous Bodies under the same Ministry/Department, the Administrative Ministry/Department shall submit a consolidated proposal.

3.5 Proposals for creation of posts shall be submitted on file, along with the prescribed checklist issued by this Department (**Annexure- I**). Separate checklist may be prepared for each category of post. Proposals without complete information and without approval of Secretary of Administrative Ministry/Department will not be considered and will be returned to the Administrative Ministry.

3.6 The authority competent to approve creation of post(s) shall be as below:

Level of Post	Approving Authority
Posts equivalent to SAG and above levels [Pay Level-14 and above] and all Chief Executive Posts of Autonomous Bodies irrespective of Pay Level.	Cabinet
Posts below SAG level [Below Pay Level-14]	Department of Expenditure

4. Creation of Supernumerary posts:

4.1 The Competent Authority for creation of posts and procedure in respect of supernumerary posts shall be the same as for regular posts given at para 3 above.

4.2 Supernumerary post(s) shall be personal to the officer(s) for whom it is created and for a limited period to be specified in the order itself. It shall stand abolished as soon as the officer(s) for whom it is created, vacates it on account of retirement/promotion/ accommodation against a regular post/or any other reason.

4.3 Administrative Ministries/Departments under intimation to concerned Financial Advisors shall maintain a record of the supernumerary posts, the particulars of the individuals who hold liens against them and the progressive abolition of such posts as and when the holders of the posts vacate them.

5. Abolition and Revival of posts:

5.1 A post lying vacant for more than 5 years from the date of creation or date of falling vacant, shall stand abolished.

5.2 In cases where

- (i) the recruitment process has been initiated within 4 years of the creation/arising of vacancy and is underway but appointment orders have not been issued within the period of 5 years, or
- (ii) there are specific Court directions requiring the filling of a post, or
- (iii) filling of posts was delayed due to Court orders on finalization of seniority lists/filling of the posts etc., or
- (iv) promotion posts under reservation quota could not be filled due to non-availability of eligible candidates in the feeder grade, or
- (v) posts are essential for functioning of the institute and for which matching savings can be provided by the organization by surrendering live posts without compromising the hierarchy of the Cadre or affecting the promotional channels of the feeder grades in the same hierarchy,

the posts may be revived with prior approval of Department of Expenditure.

5.3 In cases, where the organisation is prevented from filling the vacancy due to circumstances specified in para 5.2 and where sufficient justification exists for continuation of the post, proposals for revival shall be submitted to Department of Expenditure through Integrated Finance Division (IFD) along with a detailed chronology of events indicating the circumstances which led to non-filling of the vacancy and functional justification for revival with the approval of Secretary of Administrative Ministry/Department as per prescribed checklist (**Annexure-II**). Revival would be considered only in the circumstances mentioned in para 5.2.

5.4 Statutory posts are not covered under these instructions. Only the posts mentioned in Statute may be considered Statutory, not their support staff (see para 2.6).

5.5 Once a post is deemed to be abolished (unless covered under para 5.2) it shall not be filled, except by creating it *de novo* by following the procedure under para 3.

5.6 A list of abolished posts shall be submitted to the Department of Expenditure annually through the Financial Advisor concerned.

5.7 Categorisation of vacant posts:

Type of Post	Category	Action required
Statutory Posts	Do not fall under abolition category	Revival not required
Post vacant for less than 5 years	Live	Revival not required
Post vacant for 5 years or more	Abolished	The posts are deemed to be abolished whether or not abolition order is issued by the Administrative Ministry/Department. In cases covered by para 5.2, posts may be revived with the approval of Department of Expenditure.

5.8 The Authority competent to approve revival of post(s) in cases under para 5.2 shall be as below:

Level of Post	Approving Authority
All posts	Department of Expenditure

6. Continuation of temporary posts:

6.1 Continuation of temporary posts would be considered subject to continuation of the temporary body/scheme/project for which the posts were initially sanctioned.

6.2 Proposals for continuation of temporary posts up to Selection Grade [Pay Level-12], shall be considered by the Administrative Secretary in consultation with the FA subject to the condition that the purpose for which the temporary post is created, i.e a temporary organisation, a scheme, a project, etc. is further approved by the Competent Authority for continuation. In case of difference of opinion, the proposal shall be submitted to Department of Expenditure with documents supporting creation of such post(s) and approval of Competent Authority for continuation of the temporary body, scheme, project or purpose for which the post is created.

6.3 For continuation of posts, except as mentioned in sub para 6.2 above, the proposal may be referred to Department of Expenditure through IFD, with the approval of concerned Secretary. Administrative Ministry/Department shall provide necessary supporting documents showing approval of Competent Authority for continuation the temporary body/scheme/project/purpose for which the posts were initially sanctioned.

6.4 For continuation of posts in the Apex Level (L-17), Department of Expenditure will examine and put up the proposal to the Committee of Secretaries comprising Secretary (Exp), Secretary (DoP&T) and Cabinet Secretary.

6.5 The Authority competent to approve Continuation of temporary post(s) shall be as below:

Level of Post	Approving Authority
Up to Selection Grade [Pay Level-12]	Secretary of Administrative Ministry/ Department in consultation with the Financial Advisor
All posts above Selection Grade (Pay Level-12) and below Apex Level [Below Pay Level-17]	Department of Expenditure
Apex Level, [Pay Level-17]	CoS [Secretary (DoE), Secretary, DoP&T and Cabinet Secretary]

7. Transfer of Posts:

7.1 A post sanctioned for a specific purpose shall not be diverted for another purpose at the same or a different station.

7.2 In case there is any necessity for transfer of post(s) due to transfer of functions for which the post is created, or the specific function ceases to exist, then in such cases the Administrative Ministry/Department shall submit a proposal along with detailed justification routed through their IFD and with the approval of Administrative Secretary, to the Department of Expenditure.

7.3 The Authority competent to approve transfer of post(s) shall be as below:

Level of Post	Approving Authority
All Posts	Department of Expenditure

8. Conversion of Temporary Posts to Permanent:

8.1 A temporary post is created with the approval of the Competent Authority for a specific purpose and with a specific tenure. Thus, if the purpose for which the post is created, i.e a temporary organisation, a scheme, a project, etc. is further approved by the Competent Authority to continue permanently or without a sunset clause, then the post may be converted to permanent.

8.2 Proposal for conversion of a temporary post to permanent one up to Selection Grade [Pay Level-12], shall be considered by the Administrative Secretary in consultation with the Financial Advisor. In case of difference of opinion, the proposal shall be submitted to Department of Expenditure with documents supporting creation of such post(s) and approval of Competent Authority for continuation without sunset clause of the temporary body, scheme or project for which the post is created.



8.3 Proposal for conversion of temporary post to permanent one above Selection Grade [Pay Level-12] shall be submitted to Department of Expenditure with the approval of Secretary of the Administrative Ministry/Department along with documents supporting creation of such post(s) and approval of Competent Authority for continuation without sunset clause of the temporary body, scheme or project for which the post is created.

8.4 The Authority competent to approve conversion of post(s) shall be as below:

Level of Post	Approving Authority
Up to Selection Grade [Pay Level-12]	Secretary of Administrative Ministry/Department in consultation with the Financial Advisor
Above Selection Grade and below Apex Level [Above Pay Level-12 but below Pay Level-17]	Department of Expenditure
Apex Level [Pay Level-17]	CoS [Secretary (DoE), Secretary, DoP&T and Cabinet Secretary]

9. Up-gradation including temporary up-gradation of posts:

9.1 Occasions may arise when a post may be required to be up-graded on functional requirement or otherwise on permanent basis or temporary basis for a specific period.

9.2 Up-gradation of a post is equivalent to creation.

9.3 The procedure for permanent up-gradation shall be the same as for creation of posts given at para 3 of these instructions.

9.4 The procedure for temporary up-gradation of post (s) of SAG and above Level [Pay Level-14 and above] shall be as per the First Schedule of Transaction of Business Rules, 1961.

9.5 Proposals for temporary up-gradation of post(s) other than those covered under Transaction of Business Rules, 1961 shall be submitted to Department of Expenditure in the same manner as for creation of posts (see para 3.4).

9.6 The Authority competent to approve permanent up-gradation of post(s) shall be as below:

Level of Post	Approving Authority
SAG and above level [Pay Level-14 and above]	Cabinet
Below SAG level [Below Pay Level-14]	Department of Expenditure

9.7 The Authority competent to approve temporary up-gradation of post(s) shall be as below:

Level of Post	Approving Authority
SAG and above level [Pay Level-14 and above]	Appointment Committee of Cabinet (ACC) (As per Transaction of Business Rules, 1961)
Below SAG level [Below Pay Level-14]	Department of Expenditure

10. Down-gradation of posts including temporary down-gradation:

10.1 Occasions may arise when a post may be required to be down-graded on functional requirement or otherwise on permanent basis or temporary basis for a specific period.

10.2 Proposal for permanent down-gradation of posts of SAG and above level [Pay Level-14 and above] shall be submitted to Cabinet.

10.3 Proposal for permanent down-gradation of posts below SAG Level [below Pay Level-14] shall be submitted to Department of Expenditure with the approval of the Administrative Secretary and Financial Advisor along with justification.

10.4 The Authority competent to approve permanent down-gradation of post(s) shall be as below:

Level of Post	Approving Authority
SAG and above level [Pay Level-14 and above]	Cabinet
Below SAG level [Below Pay Level-14]	Department of Expenditure

10.5 Temporary down-gradation of posts:

10.5.1 Process for temporary down-gradation of a post of the level of SAG and above [Pay Level-14 and above] shall be as per the First Schedule of Transaction of Business Rules, 1961.

10.5.2 Post(s) may be temporarily downgraded to immediate lower-level posts in the same hierarchy.

10.5.3 The Ministry/Department competent to make appointment to posts in Group 'B' & 'C' cadre may make appointments in immediate lower posts in the same hierarchy [temporarily downgrading a post(s) to the immediate lower level in the hierarchy] to the extent of vacancies left unfilled in the higher post.

10.5.4 Down-gradation of a higher-level post to a lower-level post in the hierarchy shall be a temporary arrangement and to be exercised only when candidates in feeder grade are not eligible for promotion.

10.5.5 Temporary down-gradation of posts is to be done only in Promotional quota posts; Direct Recruitment quota posts shall not be downgraded.

10.5.6 The total number of sanctioned posts in the feeder grade and in the higher grade in a cadre should not exceed the combined sanctioned strength of two grades, where such operations of posts at lower level are considered.

10.5.7 The number of posts required for temporary down-gradation may be calculated by the Administrative Ministry as per organizational requirement and tenure of such down-gradation may be decided keeping in view availability of personnel for filling such posts on promotion.

10.5.8 Temporary down-gradation shall be confined within the same Group.

10.5.9 Orders of temporary down-gradation of any post should be self-explanatory and should have an in-built clause of simultaneous up-gradation of post as and when incumbent is eligible for promotion to the higher level (after following due procedure for promotion).

10.5.10 The exercise shall be done with the approval of Administrative Secretary in consultation with the Financial Advisor.

10.5.11. Proposals for temporary down-gradation of posts, wherever the Administrative Ministry/Department is not competent, shall be submitted to Department of Expenditure with the approval of Administrative Secretary in consultation with the Financial Adviser.

10.6 The Authority competent to approve temporary down-gradation of post(s) shall be as below:

Level of Post	Approving Authority
SAG level and above [Pay Level-14 and above]	Appointments Committee of the Cabinet(ACC) (As per the First Schedule of the Transaction of Business Rules, 1961)
Below SAG level [Pay Level-14]	Department of Expenditure
Post in Group 'B' & 'C' cadres where Ministry/Department is Competent Authority to make appointment.	Administrative Secretary in consultation with the Financial Advisor

11. The power to relax any of the provisions of these guidelines shall lie with the Department of Expenditure.



(B.K. Manthan)
Director

To

1. Secretaries of all Ministries/Departments of Government of India.
2. Financial Advisers of all Ministries/Departments of Government of India.

Checklist for Creation of Posts

S.No.	Particulars
Details of Post	
1	Name/ Designation of the post
2	No. of post(s)
3	Pay Level of the post in Pay Matrix (7 th CPC)
4	Nature of Post (Scientific/ Technical/ Admin/ Faculty/ others)
5	Duties and responsibilities of the post
6	Functional justification for creation
7a.	Does this post exist with same level of pay in the organization? If no, how the level of pay & nomenclature of the post has been derived.
7b.	Does the same scale of pay exist in analogous organization?
8	How the work is being managed in the absence of the post (If the proposal is for existing organization)
9	Mode of recruitment as per RRs (enclose copy of RRs) (in case of existing organization for which the post(s) is proposed). Promotion/DR/Deputation/ Any Other mode
10	Whether it is a new or existing organization?
11	Whether the concurrence of Cadre Controlling Authority has been obtained (in case of cadre posts) ?
12	In case of Group 'A' post of Organized Gr 'A' Cadre, prior approval of DoPT is required. Whether approval of DoPT is obtained?
13	No. of existing posts along with Pay Level in the grades where post(s) is proposed to be created.
14	Hierarchy of the cadre in which the post(s) proposed to be created.
15	Whether any norms exist for the proposed posts. If yes, copy of the norms may be provided?
16	Possibility of outsourcing or appointing persons on contract for the work for which post(s) is proposed.
17	Financial implications
18	Possibility of providing matching savings (Specific posts with level of pay) <i>(FA may certify that posts offered for matching savings are live and not surrendered earlier or abolished)</i>
19	Recruitment Plan of the proposed posts may be provided.
Organization Details	
1	Name of the organization
2	Hierarchy of different Cadres in the organization
3	Status of Organization (HQ of Ministry or Department/ Attached Office/ Subordinate Office/ Satutory Body/ Autonomous Institution)
4	Detailed sanctioned strength of organization (category wise) with level of pay and vacancy position (with date of vacancy) as per format enclosed (SS/PIP/Vacancy).
5	Any other relevant information

Signature of Financial Advisor

Signature of concerned JS

Format

Sl. No.	Name of the Post & Designation	Sanctioned Strength	Person in Position	Vacancy Position (Date-wise)

Checklist for Revival of posts

Sl. No.	Particulars
1	Name / Designation of the post
2	No. of posts to be revived
3	Pay Level of the post in Pay Matrix (7 th CPC)
4	Date of vacancy (for each post)
5	Mode of Recruitment as per RRs (enclose copy of RRs Promotion / DR / Deputation / Any other
6	Duties and Responsibilities of the post
7	Functional justification of revival of the post (each posts separately)
8	Efforts made to fill up the post, since date of vacancy (in chronological order with relevant documents)
9	How the work is being managed in the absence of the post and why this arrangement cannot be continued?
10	Possibility of outsourcing / keeping personnel on contract for the work
11	Hierarch of the Cadre to which the posts belongs
12	Whether any court case is / was pending in any Court / CAT
13	Concurrence of Secretary and FA may be obtained before referring the proposal to DoE
14	Details of posts with level of pay proposed to be surrendered under para 5.2 (v) of the guidelines
Organization details	
1	Name of the Department / Organization
2	Hierarchy of different cadres in the organization
3	Status of Organization (HQ of Ministry or Department / Attached Office / Subordinate Office / Statutory Body / Autonomous Body)
4	Detailed sanctioned strength of organization (category wise) with level of pay and vacancy position (with date of vacancy) / person-in position
5	Any other information

Signature of concerned JS**Signature of Financial Advisor**

Format

Sl. No.	Name of the Post & Designation	Sanctioned Strength	Person in Position	Vacancy Position (Date-wise)