

(xxvi) Orders of the Ministry of Finance banning creation of Posts viz-a-viz filling in of vacant posts aimed at 10% cut in sanctioned Non-Teaching posts of the University.

Facts of the Case:

Since 1984 the Ministry of Finance had been issuing instructions restricting the creation of posts and the filling in of vacant posts. The restrictions ultimately aimed at achieving a target of 10% cut in the staff strength. Orders of the Ministry of Finance are summed up as under:-

- (a) Posts which were vacant for more than a year but no steps to fill up the post has been taken should be treated as a post stand abolished. If the post is required subsequently, the prescribed procedure for creation of a new post will have to be followed.
- (b) Vacant posts arising out of death, resignation, dismissal, deputation etc., are exempted from the ban.
- (d) Vacant posts due for promotion as per the prevailing recruitment policy are also exempted provided that resultant vacant posts in the lower level due by direct recruitment should be left unfilled.
- (d) Vacant posts due for SC/ST are also exempted from the ban.
- (e) Vacant posts at Group 'D' level chargeable for regularisation of casual labour are also exempted from the ban.

With the various exemptions provided, it is clear that only those posts which remained unattended for a period of one year or more for recruitment since their creation, qualify for cut.

The Ministry of Human Resource Development, issued directions towards 10% cut in posts, in 1993 in the O.P. No. C.21015/3/93-1 F.2 dt. 2.7.1993 (Annexure 'A') - according to which the posts held in abeyance or lying vacant for more than a year as on 30.3.1990 were to be abolished to the extent of 10% of the total posts sanctioned up to the 7th Plan. In pursuance of the direction of the Ministry, the University administration kept the then vacant posts in abeyance to prepare for meeting the cut requirement, if insisted upon. However no cut commitment have been made to the UGC/Ministry as yet.

Recently on the strictures issued by the Ministry of Finance, the UGC in its letter No. F.7-8/99(CFP-11) dt. 31.8.99 (Annexure - B) prohibited the filling in of vacant posts without its approval, until a review of the vacant posts is done by the University in consultation with the UGC.

Points for Considerations by the E.C.

1. Impact of the restrictions on the University.

Orders of the Ministry aiming at a target of 10% cut in the sanctioned posts implies manning the regular work requirement by 90% staff. The ban on creation of posts is adversely felt particularly in the case of the newly created Tura Campus which was staffed by posting the repatriates of erstwhile Nagaland Campus on personal post basis. Serious thought need to be given as to how the regular work requirement can be manned in the Tura Campus when the personal posts become extinct one after another.

The matter is therefore placed before the Council for orders and directions or to maintain a stand in the right perspective in view of the fact that the University is yet to fully accomplish the aims and objectives laid down in the NEHU Act.

2. 10% Cut in Sanctioned Posts:

Should the cut be insisted upon, then out of the current vacant posts/posts kept in abeyance, only a few i.e. those that were left unattended since creation for more than a year, qualifies for cut and the cut as such would compute to only 3%. The cut on these posts have not yet been committed to the UGC because of the fact that there are cases where the regular appointments were made without the respective sanctioned posts charging some cadre's sanctioned post. Unless this stop-gap appropriation is straightened up, it is difficult for the University to work out affordable cuts.

The matter is placed before the Council for consideration and orders towards re-appropriation of the vacant post qualifying for cut, so that the actual extent of cut affordable for commitment to the UGC can be arranged at.

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No. G. 21015/3/93-IF.2
Government of India
Ministry of Human Resource Development
(Department of Education)

New Delhi, the 2nd July, 1993

Subject:- 10% cut in sanctioned posts/salary provisions in respect of autonomous organisations under the Ministry of Human Resource Development.

A number of clarifications have been sought in respect of the implementation of the 10% cut in sanctioned posts/salary provisions in respect of autonomous organisations under the administrative control of Ministry of Human Resource Development. The undersigned is directed to refer to O.M. of even number dated 25.5.93 and 10.6.93 on the subject mentioned above and to clarify further the procedure to be adopted in this regard.

2. The 10% cut will not be applicable on teaching and research posts in academic institutions. It would also not be applicable to Plan posts during the current plan.
3. The cut would be applied on the Non-Plan posts sanctioned upto the end of the Seventh Plan. The cut off date would, therefore, be 31.3.90. However, all such plan posts existing as on 31.3.1990 that subsequently have got transferred to Non-Plan would be treated as Non-Plan posts for the purpose of this cut.
4. The following procedure may be adopted for identifying posts for abolition.

a) The autonomous organisations will furnish the details of the posts both Plan and Non-Plan separately sanctioned upto the end of the Seventh Plan as per para 3 alongwith the list of posts lying vacant as on date indicating the dates for which each post is vacant.

b) Those of the above vacant posts that have been vacant for a period of one year or more are to be abolished right away at least upto 10% of the qualifying posts as per para 3 above. This is required under Ministry of Finance O.M. No. 7(7)E(Coord)/93 dated 3.5.93. While abolishing vacant posts, such posts as are reserved for SC/ST candidates cannot however, be abolished.

c) In case the vacant posts fall short of 10% of the qualifying posts a proportionate cut would be made from the Non-Plan Budget for the current year of the concerned organisation. This would be calculated on the actual expenditure incurred on pay and allowances in 1991-92, 1992-93.

d) If an organisation has already imposed a cut in posts in earlier years, the details of the same should be also furnished. Benefit of the earlier cuts may be extended as per the merits of each case.

5. The information sought in para 4(a) above is of a minimal nature and should be easily available with each autonomous organisation. Release of the next instalment of the Plan meant for each Organisation would be possible only after receipt of the above information.

6. The Bureau Heads are requested to take urgent steps to obtain the requisite information from autonomous organisations under their control and refer the proposals of IFD along with their comments/recommendations.

7. F. A. has seen and approved.

(Sd/- Seema Khorana Patra)
Deputy Financial Adviser

All Bureau Heads of the
Department of Education.

Copy to:-

1. PS to DS
2. PS to
3. DS (IFC)
4. AFA(YA & Sports)
5. All DO and SOs in IF Division,
6. All AFs in IF Division.

BAHADUR SHAH ZAFAR MARG
NEW DELHI - 110 002

Dr. R.P. GANGURDE
SECRETARY

D.O. No. F.7-8/99(CPP-II)

31st August 1999.

Dear Sir/Madam,

The Department of Expenditure, Ministry of Finance has circulated an Office Memorandum No. 7(3)/E/(Coord)/99 dated 5th August, 1999, with a direction that the following austerity Measures shall be implemented with immediate effect by all the Institutes/University and the colleges affiliated to it.

All these measures are MANDATORY and are required to be implemented COMPULSORILY, with immediate effect. The Vice-Chancellors/Registrars will be held personally responsible for non compliance of these measure in universities and Principals in case of Colleges.

(1) Ban on creation of Plan and Non-Plan posts

The existing ban on creation of Non-Plan posts will continue and should be strictly enforced. Any unavoidable proposals for the creation of plan posts including Group 'B', 'C' and 'D' posts shall continue to be referred to the University Grants Commission for approval.

(2) Ban on filling up of vacant posts

Every University/College shall undertake a review of all the posts, which are lying vacant in the Universities and in the affiliated Colleges and subordinate offices, etc., in consultation with the University Grants Commission. Financial Advisers will ensure that the review is completed in a time bound manner and full details of vacant posts in their respective Universities etc., are available. TILL THE REVIEW IS COMPLETED, NO VACANT POSTS SHALL BE FILLED UP EXCEPT WITH THE APPROVAL OF THE UNIVERSITY GRANTS COMMISSION.

(3) Purchase of new Vehicles

Purchase of new vehicles is banned until further orders. Exceptions will be allowed only for meeting the operational requirement of Defence, Central Para Military Forces etc.

(4) Foreign Travel.

Foreign travel funded by the Government of India, unless it is absolutely unavoidable, shall not be undertaken till the end of the current financial year.

The Universities are requested to bring this to the notice of all the Colleges affiliated to it, for strict compliance.

Please acknowledge the receipt of this communication.

With regards.

Yours sincerely

The Registrar,
North-Eastern Hill University,
P.O. NEHU Campus,
Mawkynoh Umshing,
Shillong - 793 022.

Sd/- R.P.GANGURDE

- (xv) Technical resignation in respect of Dr. GD Sharma,
Reader, Department of Botany.

EC:104:99:6:2: (xv): The Council considered the technical resignation tendered by Dr. GD Sharma, Reader, Department of Botany w.e.f. 29.5.96 (A.N.) and RESOLVED to accept the same.

- (xvi) Orders of the Ministry of Finance banning creation of posts viz-a-viz filling in of vacant posts aimed at 10% cut in sanctioned Non-Teaching posts of the University.

EC:104:99:6:2: (xvi): This item was read along with item No.6:7: (i).

6:3- Leave / Deputation.

- (i) Earned Leave in respect of Dr. Vinod Singh, ISOS & B
NEHU, Shillong.

EC:104:99:6:3: (i) : The Council considered the period of absence of Dr. Vinod Singh, Reader, ISOS & BP w.e.f. 6th April to 20th June, 1998 and RESOLVED that he may be granted Earned Leave for the period.

6:6- Service condition / Financial & Other Benefits.

- (i) Change of wording in Deeds of Agreement.

EC:104:99:6:6: (i): The Council considered the change or wording in the Deed of Agreement with the Government of Mizoram on the taking over of the Pachhunga University College and RESOLVED to substitute the words "on deputation with the University without deputation allowance" to "on duty".

- (ii) Remittance of Pensionary / Contributory Provident
Fund during EOL period in respect of Dr. E. Laitflang.

EC:104:99:6:6: (ii): The Council considered the remittance of LS & PC in respect of Dr. E. Laitflang, Reader in Political Science during the period of her lien and RESOLVED that she may be asked to remit the pension contribution.