

# THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) RULES, 1960

## SYNOPSIS

Rules	Page
1. Short title and commencement . . .	11.680
2. Definitions . . .	11.680
3. Employment Exchanges to which vacancies are to be notified . . .	11.680
4. Form and manner of notification of vacancies . . .	11.681
5. Time limit for the notification of vacancies . . .	11.683
6. Submission of returns . . .	11.683
7. Officer for purposes of section 6 . . .	11.683
8. Prosecution under the Act . . .	11.683
FORM ER I.—Quarterly return submitted to the local Employment Exchange for the quarter . . .	11.683
FORM ER II.—Occupational return to be submitted to the local Employment Exchange once in two years . . .	11.685

# THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) RULES, 1960<sup>1</sup>

*In exercise of the powers conferred by section 10 of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (31 of 1959), the Central Government hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section, namely:—*

**1. Short title and commencement.**—(1) These rules may be called the Employment Exchanges (Compulsory Notification of Vacancies) Rules, 1960.

(2) They shall come into force on the 1st day of May, 1960.

**2. Definitions.**—In these rules, unless the context otherwise requires,—

(1) “Act” means the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (31 of 1959);

(2) “Central Employment Exchange” means <sup>2</sup>[any Employment Exchange] established by the Government of India, Ministry of Labour and Employment;

(3) “Director” means the officer-in-charge of the Directorate administering Employment Exchanges in a State or a Union Territory;

(4) Form means a Form appended to these rules;

<sup>3</sup>[(5) “Local Employment Exchange” means—

(a) in the whole of India except the Union territory of Chandigarh that Employment Exchange (other than the Central Employment Exchange) notified in the Official Gazette by the State Government or the Administration of the Union territory as having jurisdiction over the area in which the establishments concerned is situated or over specified classes or categories of establishments or vacancies; and

(b) in the Union territory of Chandigarh that Employment Exchange established either by the Union territory Administration of Chandigarh or by the State Government of Punjab or Haryana notified in the States respective Official Gazette as having jurisdiction over specified clauses or categories of establishments, or vacancies, provided that the employment exchanges established by the State Government of Punjab or Haryana shall not have jurisdiction over—

(i) the public sector offices/establishments other than those belonging to the respective States; and

(ii) private sector establishments.]

(6) “section” means section of the Act.

**3. Employment Exchanges to which vacancies are to be notified.**—(1) The following vacancies, namely:—

1. *Vide* G.S.R. 477, dated 26th April, 1960.

2. Subs. by G.S.R. 1718, dated 18th November, 1976.

3. Subs. by G.S.R. 133, dated 3rd January, 1985.



- <sup>1</sup>[(a) vacancies in posts of a technical and scientific nature carrying a basic pay of <sup>2</sup>[Rs. 1,400] or more per month occurring in establishments in respect of which the Central Government is the appropriate Government under the Act, and]
- (b) vacancies which an employer may desire to be circulated to the Employment Exchanges outside the State or Union Territory in which the establishment is situated,

shall be notified to <sup>3</sup>[such Central Employment Exchange as may be specified by the Central Government, by notification in the Official Gazette, in this behalf].

(2) Vacancies other than those specified in sub-rule (1) shall be notified to the local Employment Exchange concerned.

**4. Form and manner of notification of vacancies.**—<sup>4</sup>[(1) The vacancies shall be notified in writing to the appropriate Employment Exchange on the following format, furnishing as many details as practicable, separately in respect of each type of vacancy:—

#### REQUISITION FORM TO BE USED WHEN CALLING FOR APPLICANTS FROM EMPLOYMENT EXCHANGES

(Separate form to be used for each type of posts)

1. Name, address and telephone  
No. (if any) of the employer
2. Name, designation and telephone  
No. (if any) of the indenting officer
3. Nature of vacancy:
  - (a) Designation of the post (s) to be filled
  - (b) Description of duties
  - (c) Qualifications required

	*For priority categories (applicable for Central Government posts only)	For others
--	---	------------

(i) Essential

.....

.....

(ii) Desirable

.....

.....

(d) Age limits, if any

(e) Whether women are eligible?

4. Number of posts to be filled duration-wise-Duration

Number of posts

(a) Permanent

.....

(b) Temporary:

.....

1. Subs. by G.S.R. 548, dated 16th March, 1968.

2. Subs. by G.S.R. 634, dated 27th July, 1987.

3. Subs. by G.S.R. 1718, dated 18th November, 1976.

4. Subs. by G.S.R. 133, dated 3rd January, 1985.

- (i) Less than 3 months .....  
 (ii) Between 3 months and one year .....  
 (iii) Likely to be continued beyond one year .....
5. Whether there is any obligation or arrangement for giving preference to any category of persons such as Scheduled Caste, Scheduled Tribe, Ex-servicemen and physically handicapped persons in filling up the vacancies and, if so, the number of vacancies to be filled by such categories of persons—

Categories	Total:	Number of vacancies to be filled
		*By priority candidates (applicable to Central Government posts only)
(a) Scheduled Caste	.....	.....
(b) Scheduled Tribe	.....	.....
(c) Ex-servicemen	.....	.....
(d) Physically handicapped	.....	.....
(e) Others.	.....	.....

6. Pay and allowances .....  
 7. Place of work (Name of the town/village and district in which it is situated) .....  
 8. Probable date by which the vacancy will be filled .....  
 9. Particulars regarding interview/test of applicants: .....  
     (a) Date of interview/test: .....  
     (b) Time of interview/test: .....  
     (c) Place of interview/test: .....  
     (d) Name, designation, address and telephone number (if any) of the Officer to whom should report ..... applicants

10. Any other relevant information

\*Certified that while placing this demand, the instructions connected with the orders on communal representation in the services have been strictly followed with due regard to the roster maintained in accordance with these orders (to be given only by all the Central Government Offices/establishments/undertakings, etc., on whom reservation orders are applicable).

Date.....

Signature of the head of Office]

\*Delete if not applicable.

<sup>1</sup>[(2) The vacancies shall be re-notified in writing to the appropriate Employment Exchange if there is any change in the particulars already furnished to the Employment Exchange under sub-rule (1).]



**5. Time limit for the notification of vacancies.**—(1) Vacancies required to be notified to the local Employment Exchange, shall be notified at least <sup>1</sup>[fifteen days] before the date on which applicants will be interviewed or tested where interviews or tests are held, or the date on which vacancies are intended to be filled, if no interviews or tests are held.

<sup>2</sup>[(2) Vacancies required to be notified to the Central Employment Exchange shall be notified, giving at least 60 days, time to the Central Employment Exchange from the date of receipt of the notification to the date of despatch of particulars or applications of the prospective candidates for purpose of appointment or taking interview or test against the vacancies notified.]

<sup>3</sup>[(3) An employer shall furnish to the concerned Employment Exchange, the results of selection within 15 days from the date of selection.]

**6. Submission of returns.**—An Employer shall furnish to the Local Employment Exchange <sup>4</sup>[quarterly returns in Form ERI and biennial returns in Form ER II]. Quarterly returns shall be furnished within thirty days of the due dates, namely, 31st March, 30th June, 30th September and 31st December. Biennial returns shall be furnished within thirty days of the due date as notified in the Official Gazette.

**7. Officer for purposes of section 6.**—The Director is hereby prescribed as the officer who shall exercise the rights referred to in section 6, or authorise any person in writing to exercise those rights.

**8. Prosecution under the Act.**—<sup>5</sup>[The Director of Employment of the State in which the establishment is located] is hereby prescribed as the officer who may institute or sanction the institution of prosecution for an offence under the Act, or authorise any person in writing to institute or sanction the institution of such prosecution.]

<sup>1</sup>[FORM ER I

**QUARTERLY RETURN SUBMITTED TO THE LOCAL EMPLOYMENT EXCHANGE FOR THE QUARTER ENDING.....**

The following information is required under the Employment Exchanges (Compulsory Notification of Vacancies) Rules, 1960 to assist in evaluating trends in employment and for action to correct imbalances between labour supply and demand.

Name and address of the employer	.....
whether } Head Office	.....
} Branch Office	.....
Nature of business/principal activity	.....
1. (a) Employment	

Total numbers of persons including working proprietors/partners/commission agents/contingent paid and contractual workers, on the pay rolls of the establishment excluding part time workers and apprentices. (The figures should include every person whose wage or salary is paid by the establishment).

1. Subs. by G.S.R. 236, dated 9th January, 1982.
2. Subs. by G.S.R. 133, dated 3rd January, 1985.
3. Ins. by G.S.R. 236, dated 9th January, 1982.
4. Subs. by G.S.R. 450, dated 7th March, 1963.
5. Subs. by G.S.R. 548, dated 16 March, 1968.

	On the last working day of the previous quarter	On the last working day of the quarter under report
Men		
Women		
Total		

(b) Please indicate the main reasons for any increase or decrease in employment if the increase or decrease is more than 5 per cent during the quarter.....

**Note.**—Establishments are reminded of their obligation under the Employment Exchanges (Compulsory Notification of Vacancies) Act for notifying to Employment Exchanges details of vacancies specified under the Act, before they are filled.

2. Vacancies: Vacancies carrying total emoluments of Rs. 60 or over per month and of over 3 months' duration.

2. (a) Number of vacancies occurred and notified during the quarter and the number filled during the quarter.

Number of vacancies which come within the purview of the Act				
Occurred	Notified		Filled	Source (describe the source from which filled)
	Local Employment Exchange	Central Employment Exchange		
1	2	3	4	5

2 (b) Reasons for not notifying all vacancies occurred during the quarter under report *vide*

2(a) above.....

3. Manpower shortages

Vacancies/posts unfilled because of shortage of suitable applicants.

Name of the occupation or designation of the posts	Number of unfilled vacancies/posts		
	essential qualification prescribed	essential experience	experience not necessary
1	2	3	4

Please list any other occupations for which this establishment had recently any difficulty in obtaining suitable applicants.

.....  
Signature of employer



To  
The Employment Exchange,  
.....  
.....

**Note.**—This return shall relate to quarters ending 31st March/30th June/30th September and 31st December and shall be rendered to the local employment exchange within 30 days after the end of the quarter concerned.]

**<sup>1</sup>FORM ER II**

**OCCUPATIONAL RETURN TO BE SUBMITTED TO THE LOCAL EMPLOYMENT EXCHANGE ONCE IN TWO YEARS (ON A DATE TO BE SPECIFIED BY NOTIFICATION IN THE OFFICIAL GAZETTE)**

[Vide the Employment Exchanges (Compulsory Notification of Vacancies) Rules, 1960].

Name and address of the employer:

Nature of business:

(Please describe what the establishment makes or does as its principal activity).

1. Total number of persons on the pay rolls of the establishment on (specified date).....

(This figure should include every person whose wage or salary is paid by the establishment).

2. Occupational classification of all employers as given in item 1 above.

(Please give below the number of employees in each occupation separately).

Occupation	Number of employees			
	Men	Women	Total	
Use exact terms such as engineer (mechanical); teacher (domestic /science); officer on special duty (actuary); assistant director (metal-lurgist); scientific assistant (chemist); research officer (economist); instructor (carpenter); supervisor (tailor); fitter (internal combustion engine); inspector (sanitary); superintendent (office); apprentice (electrician).				Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next calendar year due to retirement, expansion or re-organisation.
(1)	(2)	(3)	(4)	(5)
.....				
.....				

Total

Dated: .....

.....  
Signature of employer

To

The Employment Exchange,

(Please fill in here the address of your local Employment Exchange)

**Note.**—Total of Column (4) under item 2 should correspond to the figure given against item 1.]