

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

1. Short title and commencement.â€”

(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.â€”In these rules, unless the context otherwise requires,â€”

(1) â€œActâ€ means the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (31 of 1959);

(2) â€œCentral Employment Exchangeâ€ means 1[any Employment Exchange] established by the Government of India, Ministry of Labour and Employment;

(3) â€œDirectorâ€ 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; 2[(5) â€œLocal Employment Exchangeâ€ meansâ€”

(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 overâ€”

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

(ii) private sector establishments.]

(6) â€œsectionâ€ means section of the Act.

3. Employment Exchanges to which vacancies are to be notified.â€”

(1) The following vacancies, namely:â€” 1[(a) vacancies in posts of a technical and scientific nature carrying a basic pay of 2[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 3[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.

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5. Time limit for the notification of vacancies.â€”

(1) Vacancies required to be notified to the local Employment Exchange, shall be notified at least 1[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. 2[(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.] 3[(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.â€”An Employer shall furnish to the Local Employment Exchange 1[quarterly returns in Form ER1 and biennial returns in Form ER11]. 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.â€”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.â€”1[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.]