

## **DELHI ADMINISTRATION SUBORDINATE SERVICE RULES, 1967**

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# **DELHI ADMINISTRATION SUBORDINATE SERVICE RULES, 1967**

In exercise of the powers conferred by the proviso to article 309 of the Constitution read with the Government of India, Ministry of Home Affairs Notification No. F. 271 59-Him. (i), dated 13th July, 1959 and all other powers enabling him in this behalf and with the previous approval of the Government of India, the Administrator of Delhi is pleased to make the following rules, namely :

### PART 1 GENERAL

#### **1. Short title and commencement :-**

- (i) These rules may be called the Delhi Administration Subordinate Service Rules, 1967.
- (ii) They shall come into force with effect from the date of issue of the Notification.

#### **2. Definition :-**

In these rules, unless the context otherwise requires,

(a) "Administrator" means the Administrator appointed under article 239 of the Constitution for the Union Territory of Delhi.

[(b) "appointing authority" in relation to Grade I means the Chief Secretary, and in relation to Grade II, III and IV means the Heads

of Department concerned for the purposes of these rules, as well as the Central Civil Services (Classification, Control and Appeal) Rules, 1966.]

(c) "Chief Secretary" means the Chief Secretary, Delhi Administration.

(d) "Commission" means the Union Public Service Commission.

(e) "cadre" means the group of posts of the four grades of service specified in Schedule I.

(f) "cadre officer" in relation to any grade of the service means a member of the service of that grade who is appointed under rule 5 or rule 6.

(g) "direct recruitment" means recruitment through competitive examination held by the Commission or the Chief Secretary, as the case may be.

(h) "duty post" means any post specified in Schedule I and any other temporary or permanent post declared as duty post by the Administrator from time to time.

(i) "grade" means any of the grades specified in rule 3.

(j) "schedule" means the schedule appended to these rules,

(k) "service" means the Delhi Administration Subordinate Service.

### **3. Constitution of Service and its Classification :-**

[(1) On and from the date of commencement of these rules, there shall be constituted one Central Civil Service, known as the Subordinate Service of the Delhi Administration.]

(2) The Service shall have four grades, namely :

Grade I

Grade II

Grade III

Grade IV

[(3) The posts in Grade I shall be Central Civil posts, Class II Group 'B' (Gazetted) and those in Grades II, III and IV shall be Central Civil posts Group 'C' (Non-Gazetted).]

(4) Members of the service shall, in the normal course, be eligible for appointment to various grades of the service to which they belong and not to the other service.

#### PART 2

#### AUTHORISED STRENGTH OF THE SERVICE

### **4. Strength of the Service :-**

(1) The authorised strength of the four grades of the service [\*\*\*] shall be as in Schedule I.

(2) The Administration may by order create duty posts for such period as may be specified therein.

#### PART 3

#### INITIAL CONSTITUTION OF SERVICE

### **5. Initial appointment of persons in the Service :-**

(1) The appointing authority may, at the commencement of these rules, appoint to the service any person who at such commencement or at the time of temporary addition of posts, holds any of the posts specified in Schedule II or temporary posts so added, in a regular manner in accordance with the method of recruitment prior to the constitution of the service, subject to availability of duty posts in the grade, on the recommendations of the Selection Board constituted under rule 11 for appointment in the service. The Chief Secretary may not however consult the Selection Board in regard to absorption of persons in Grades II, HI and IV (non-Gazetted). The persons not appointed in the service shall continue to work in the posts held by them in a regular manner and corresponding number of duty posts shall be excluded from the cadre. Such persons shall be periodically considered for absorption in the service. The recommendations of the Selection Boards shall be referred to the Commission where consultation with the Commission is necessary.

Explanation. For the purposes of this rule, a person who would have held a post mentioned in Schedule II but for his being on leave or on foreign service or but for his temporary or officiating appointment to an equivalent or higher post, shall be deemed to be holding such a post.

(2) The seniority shall be determined with reference to the date of regular appointment made in a regular manner in accordance with the method of recruitment prior to the constitution of the service to

the post concerned :

Provided that the existing inter-seniority of the person determined/to be determined under the Delhi State Service (Seniority) Rules, 1954 or Delhi Administration (Seniority) Rules, 1965 in different scales of pay in different offices shall not be disturbed :

Provided further that the holders of posts to which promotion is made from lower posts shall be on bloc senior to the incumbents of the latter posts if they are also appointed.

#### PART 4

#### METHOD OF RECRUITMENT

### **6. Method of Recruitment :-**

Save as provided in the rules, appointments to each of the grade shall be made as indicated hereunder

#### (I) Recruitment to Grade I. [

(a) All vacancies in Grade I shall be filled in by promotion of officers of the Grade II having five years regular service in the grade, on the basis of merit-cum-seniority on the recommendations of the Departmental Promotion Committee.

(b) Notwithstanding anything contained in sub-rule (a), (i) Stenographers in the scale of Rs. 425-700 who have been appointed in a regular manner in accordance with the recruitment rules, and have five years regular service in the grade shall also be eligible to be considered for promotion to Grade I of the service; and (ii) Technical Assistant, Horticultural Assistant, Plant Protection-cum-Locust Assistant, Horticultural Research Assistant, Extension Officer (Agriculture), Seed Development Assistant and Supervisor/Demonstrator in the scale of Rs. 425-700 in the Development Commissioner's office who have been appointed in a regular manner in accordance with the recruitment rules and have five years regular service in the grade shall also be eligible to be considered for promotion to Grade I of the service on the basis of method of selection prescribed above.

#### (II) Recruitment to Grade II.

##### (1)

(a)  $33 \frac{1}{3}$  % of the vacancies shall be filled by direct recruitment on the basis of competitive examination to be held in such manner

as may be prescribed by the Chief Secretary from time to time. The educational qualifications for appointment shall be as under : Educational Qualifications. Degree of recognised University in Arts, Commerce, Science, or Agriculture. Age Limit. Between 18-25 years (Relaxable in case of Schedule Caste/Tribes and other special categories in accordance with the Rules and in case of Government servants in accordance with the Government of India orders on the subject).

(b) 66 2/3% % of the vacancies in Grade II shall be filled in by promotion of officers of Grade III, having at least three years regular service in the grade on the basis of seniority-cum-merit subject to rejection or unfit on the recommendations of the Departmental Promotion Committee.

(c) Notwithstanding anything contained in sub-rules (a) and (b), the Stenographers in the scale of Rs. 330-560 and the trained Kanungos in the scale of Rs. 330-560, who have been appointed in regular manner in accordance with the recruitment rules and have three years regular service in grade shall be eligible to be considered for promotion to Grade II. of the service.

(d) Henceforth, the vacancies in Grade II shall be filled in the following manner :

1st vacancy	By promotion
2nd vacancy	By promotion
3rd vacancy	By direct recruitment

(2) Substantive appointment to the grade shall be made in the order of seniority of temporary cadre officers of the grade on the recommendations of the Departmental Promotion Committee except when, for reasons to be recorded in writing, a temporary cadre officer is not considered fit for such appointment in his turn.

[(III) Recruitment to Grade III.

(1) All vacancies in Grade III shall be filled in by promotion of officials of Grade IV having three years regular service in the grade on the basis of seniority-cum-merit subject to rejection or unfit on the recommendations of the Departmental Promotion Committee.]

(2) Substantive appointment to the grade shall be made in the order of seniority of temporary cadre officers of the grade on the

recommendations of the Departmental Promotion Committee except when for reasons to be recorded in writing, a temporary cadre officer is not considered fit for such appointment in his turn.

[Recruitment to Grade IV. (1) 90% of the vacancies shall be filled in by direct recruitment by open competitive examination to be held in such manner as may be prescribed by the Chief Secretary from time to time by separate orders and 10% of the vacancies in any calendar year, in Grade IV by promotion from Class IV (Group 'B') employees having put in at least five years regular service in the class, in the manner specified in sub-clause (2-A). Unfilled vacancies would not be carried over to the next year.]

[(2) Minimum educational qualifications and age limit for direct recruitment :

(i) Matric or equivalent qualification.

(ii) Speed of 30 w.p.m. in typewriting in English or 25 w.p.m. in Hindi subject to orders which are issued from time to time relaxable for the physically handicapped persons who are otherwise qualified to hold the aforesaid post and who are certified as being unable to type on account of physical disability by the Medical Board attached to the Special Employment Exchange for the handicapped or by the Staff Surgeon until such a Board is set up by the Directorate of Employment and Training. When vacancies are filled by open competitive examination, the candidates shall be required to attain proficiency in

[(2-A) Selection would be made by promotion on the basis of seniority subject to rejection of unfit from such class IV employees who possess qualification of Matric or equivalent and having put in five years regular service in the class. The candidates selected by this method shall be required to pass a test in type-writing at the speed of 30 w.p.m. in English or 25 w.p.m. in Hindi during the period of probation unless exempted by the Administration of Delhi.

(3) Substantive appointment to the grade shall be made in the order of seniority of temporary cadre officers of the grade on the recommendations of the Departmental Promotion Committee except when, for reasons to be recorded in writing a temporary cadre officer is not considered fit for such appointment in his turn.

(4) Drawing up of selection list The Departmental Promotion Committee shall draw up a panel which should not exceed the

number of clear vacancies by one-third thereof.

#### PART 5

#### DIRECT RECRUITMENT

#### **7. Competitive Examination. :-**

A competitive examination for direct recruitment to the service shall be held at such intervals as the Chief Secretary may determine from time to time. The dates on which and the places at which the examination is to be held shall be fixed by the Chief Secretary.

#### **8. Physical Fitness :-**

No candidate shall be appointed to the respective cadre unless he is declared after such medical examination as the Central Government may prescribe to be free from any mental or physical defect likely to interfere with the discharge of the service, unless he has already been examined by the competent medical authority at the time of his initial appointment and declared fit.

#### **9. Inclusion in the list not to confer right to appointment :-**

The inclusion of a candidate's name in the approved lists shall confer no right to appointment unless the Chief Secretary is satisfied after such enquiry, as he may consider necessary, that the candidate is suitable in all respects for appointment to the respective grades and an actual offer of appointment is made to the candidate.

#### **10. Subject to the provisions of these rules :-**

the candidates included in the approved lists shall be appointed to the grade in order of merit.

#### PART 6

#### RECRUITMENT BY SELECTION

#### **11. Constitution of Departmental promotion Committee/Selection Board :-**

Recruitment under rule 6 shall be made on the recommendations of the

#### **12. Condition of Eligibility and Procedure for Selection :-**

(1) The Committee shall consider from time to time the case of officers eligible under rule 6 who have served in the respective grade in accordance with the provisions contained therein after taking into account the actual vacancies at the time of selection and those likely to occur during a year.



(2) The names of persons included in the list shall be arranged in order of preference.

(3) The list so prepared shall be forwarded by the Committee to the Chief Secretary for approval who will obtain the approval of the Commission where consultation with the Commission is necessary.

#### PART 7

#### APPOINTMENTS, PROBATION, TRAINING ETC

### **13. Appointment :-**

All appointments to the service shall be made to Grade I, II, III, and IV of the service on the basis of the combined lists prepared in accordance with rule 5, rule 6 and rule 12 and not against any specified list included in the service. The Chief Secretary shall allocate the persons borne on the lists to various offices of the Administration.

### **14. Disqualification :-**

(a) No person who has more than one wife living or who, having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to the service, and

(b) No woman whose marriage is void by reason of her husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to the service :

Provided that the Chief Secretary may, if satisfied that there are special grounds for so doing, exempt any person from the operation of this rule.

### **15. Special provision for the members of Scheduled Castes and Scheduled Tribes :-**

Appointments to the service under rule 6 shall be subject to orders regarding special representation in the service for Scheduled Castes and Scheduled Tribes issued by the Government of India from time to time.

### **16. Period of probation trial :-**

(1) Every person appointed under rule 5 or rule 6 or any grade of the service shall be on probation/trial for a period of two years. A person appointed against temporary strength of the grade shall have no claim for substantive appointment in the grade on

completion of trial period successfully.

(2) The Chief Secretary may in the case of any person extend or reduce the period of probation, but the total period of extension of probation/trial shall not, save where it is necessary by reasons of any departmental or legal proceedings pending against the officer, exceed twice the period specified as probation/trial period.

(3) A person on probation/trial shall be liable to be discharged from the grade of the service at any time without assigning any reason provided that if he holds a lien on any permanent post under the Delhi Administration or lower grade of the service, he shall be liable to be reverted to that post/grade.

### **17. Training :-**

A person who is appointed under rule 5 or rule 6 shall undergo such training and pass within two years of his/her appointment such departmental examination as the Chief Secretary may, from time to time, prescribe :

Provided that the Chief Secretary may exempt, subject to such conditions as he may impose, any person or class of persons either wholly or partly from such training or departmental examination.

### **PART 8**

#### **OFFICIATING APPOINTMENTS**

### **18. Selection for officiating appointments :-**

If, at any time, the Chief Secretary is of the opinion that the number of officers available in the list referred to in rule 6 for appointment to duty posts is not adequate having regard to the vacancies in such posts, he may direct the Committee to consider the case of officers who have officiated for a period of two years in the lower grade and prepare a separate list of officers selected. The selection for inclusion in the list shall be based on merit and suitability, in all respects for officiating appointments to duty posts with due regard to seniority.

### **19. Officiating appointment to duty posts of the service :-**

(1) If a member of the Service is not available for holding a duty post, the post may be filled on an officiating basis :

(a) by the appointment of an officer included in the list referred to in rule 12, or

(b) if no such officer is available by the appointment of an officer included in the list prepared under rule 18.

(2) Where the exigencies of the situation so demand, the Chief Secretary may, for reasons to be recorded in writing, appoint a person holding analogous or similar post under the Central or State Government on deputation for a period not exceeding four years : Provided further that such appointments to a post in Grade I shall be made only in consultation with the Commission.

(3) Notwithstanding anything contained in these rules, where appointment to a duty post is to be made purely as a local arrangement for a period not exceeding three months, such appointment may be made by the Chief Secretary from persons who are eligible for inclusion in the list under rule 12 or rule 18.

**20. Transfer of members of the service :-**

The Chief Secretary may transfer the cadre officers from one office to another office within the service from time to time.

**21. Allocation of duty posts :-**

The Chief Secretary shall allocate such number of duty posts to various offices of the Administration as may be deemed necessary by him from time to time.

**PART 9**

**MISCELLANEOUS**

**22. Posting of Cadre Officers :-**

Every cadre officer shall, unless he is on leave or otherwise not available for holding a duty post, be posted, against a duty post of the appropriate grade in the service.

**23. Interchangeability within the service :-**

The Chief Secretary may transfer a cadre officer from one service to another and may also make regulations in this behalf under rule 28. The cadre officer so transferred to the other service shall continue to retain his position in the service to which he originally belongs.

**24. Duty post to be held by Cadre Officers :-**

Every duty post in the cadre shall be held by a cadre officer of the appropriate grade or an officer appointed to officiate under Part VIII of these rules.

**25. Security from the persons handling cash :-**

Any person appointed to any of the grades, whose duties require him to handle cash and stores, may be required to furnish security/fidelity bond of an amount to be determined by the Head of Department.

## **26. Seniority :-**

(1) The inter-se seniority of officers belonging to various services of grades i.e., Ministerial and Executive appointed under rule 6 prior to the date of promulgation of these-rules, shall vis-a-vis be determined on the basis of their continuous length of service (date of initial appointment) in their respective grade i.e. Grades I, II, in and IV. In case of equal length of service, older in age will rank senior to younger one:

Provided that the persons belonging to the same grade shall be ranked inter-se in order of their relative seniority in the present grade, as the case may be. Provided further that the following principles will be followed for fixation of relative seniority of the officers appointed to various grades under rule 6 prior to the date of promulgation of these rules.

(a) Direct recruits shall be assigned seniority from the date of appointment with due regard to their position in the merit list.

(b) Departmental Test category candidates shall be given seniority from the date of appointment subject to their position in the merit list.

(c) Promoted officials shall be given seniority from the date of their appointment if they have been selected by regularly constituted Departmental Promotion Committee and have held the appointment continuously thereafter and there was no adverse entry in their Confidential Reports at the time of

(2) The inter-se seniority of the members of the service appointed to any grade of service by direct recruitment or by promotion as the case may be in a substantive or in a temporary capacity on or after the date of promulgation of these rules shall be determined in accordance with the principles of determination of inter-se seniority of direct recruits and promotees as laid down in the Delhi Administration (Seniority) Rules, 1965.]

## **27. Pay and Allowances :-**

(i) The scales of pay attached to the Service shall be as follows :

1. Grade I Rs. 550-25-750-EB-30-900
2. Grade II Rs. 425-15-500-EB-15-560-20-700.
3. Grade HI Rs. 330-10-380-EB-12-500-EB-15-560
4. Grade IV -Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.]

(ii) A person appointed by direct recruitment shall, on appointment to the service, draw pay at the minimum of the time scale. The pay and increments in the case of other persons appointed to the Service shall be regulated in accordance with the Fundamental Rules except that no additional benefit will be admissible to the individuals working on the scales which are being upgraded. The pay of the individual working on scales which being down-graded to bring them to the scales which are prescribed for relevant grade under these rules shall, however, be protected under FR. 27 by the Administrator.

(iii) Dearness and other allowances shall be determined in accordance with the rules/ orders issued by the Government of India from time to time on the subject for Central Government servants.

### **28. Regulations :-**

The Chief Secretary shall be in overall control of the Section and Service and may make regulations or issue instructions not inconsistent with these rules, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to these rules. Notwithstanding what has been stated above, the Chief Secretary may at his discretion delegate such of his powers as may be necessary to any of his subordinate officers so specified.

### **29. Residuary Matters :-**

In regard to matters not specifically covered by these rules or by regulations or orders issued thereunder or by special orders, the members of the service shall be governed by the rules, regulations and orders applicable to corresponding officers of the Central Civil Service in general.

### **30. Interpretation :-**

If any question arises as to the interpretation of these rules, the same shall be decided by the Administrator.

#### **PART 10**

#### **TRANSITIONAL ARRANGEMENTS**

### **31. Transitional Provision :-**

(1) On and from the commencement of these rules and until persons are appointed to hold duty posts in accordance with the provisions of these rules, such posts may continue to be held by officers appointed thereto as if these rules have not come into force.

(2) This rule shall cease to be in force after a period of three years from the date of such commencement.

### **32. Power to relax :-**

Where the Administrator is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any clause or category of persons or posts.

Provided that no order in respect of any class or category of persons/posts in Grade I shall be made except after consultation with the Commission.