

MINISTRY OF HOME AFFAIRS

New Delhi, the 9th October, 1995

G.S.R. 536.—In exercise of the powers conferred by the proviso to article 309 of the of the Constitution, and in supersession of the Delhi and Andaman and Nicobar Islands, Police Service Rules, 1971, except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules, namely:—

1. Short titles and commencement.—(1) These rules may be called the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service Rules, 1995.

(2) They shall come into force on the date of their publication in the Official Gazette.

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

- (a) "Appointing Authority" in relation to any grade means the authority empowered under the Central Civil Services (Classification, Control and Appeal) Rules, 1965, to make appointments to that Grade;
- (b) "Administrator" means the Administrator appointed under article 239 of the Constitution for the Union Territories of Delhi (and designated as Lieutenant Governor under article 239AA of the Constitution, in case of the National Capital Territory of Delhi), Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli, as the case may be;
- (c) "Appointed Day" means the date on which these rules shall come into force;
- (d) "Cadre" means the group of posts in the grade as specified in rule 3 thereof;
- (e) "Cadre Controlling Authority" means the Government of India in the Ministry of Home Affairs;
- (f) "Commission" means the Union Public Service Commission;
- (g) "Departmental Promotion Committee" means a Committee constituted to consider promotion and confirmation in any grade;
- (h) "Duty Post" means any post included in Schedule-I;

(i) "Government" means the Government of India;

(j) "Grade" means any of the grades specified in rules 3;

(k) "Schedule" means a Schedule appended to these rules;

(l) "Service" means the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service, constituted under rule 3; and

(m) "Scheduled Castes" and "Scheduled Tribes" shall have the same meaning as assigned to them by clauses (24) and (25) respectively of article 366 of the Constitution.

3. Constitution of the Service and its classification.—(1) There shall be constituted a service known as the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli, Police Service consisting of persons appointed to the Service under rules 6 and 7.

(2) The Service shall have 2 Grades as specified in Schedule I.

(3) The posts in Grade I (Selection Grade) shall be Central Civil Group A posts and those in Grade II shall be Central Civil Group B posts.

4. Grade, Strength and its review.—(1) The duty posts included in the various grades, their number and scales of pay on the date of commencement of these rules shall be as specified in Schedule-I:—

Twenty percent of the sanctioned strength of the posts in the service shall be in the Grade-I (Selection Grade).

(2) Notwithstanding anything contained in sub-rule (1), the Government may,—

- (a) from time to time, make temporary additions or alterations to the duty posts in various grades specified in Schedule-I;
- (b) in consultation with the Commission, include in the Service such posts as can be deemed to be equivalent to the posts included in the Service in status, grade, pay scale and professional content or exclude from the Service a duty post already included in the Service; and
- (c) on the recommendation of the Commission appoint the regular incumbent of the post which has been included in the Service as a duty post to the appropriate

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grade of the service and fix his seniority in consultation with the Commission taking into account the regular service rendered in the analogous grade. The suitability of the regular incumbent of the post which has been included in the service as a duty post is assessed by the Commission for inclusion in the service.

(3) Notwithstanding anything contained in sub-rules 2(b) and 2(c), in case any regular incumbent of the post which has been encadred in the service is not found suitable for appointment to the service under sub-rule 2(c) he will continue to hold the post and for the purpose the post shall be treated to have been excluded from the service till it is held by such incumbent. The suitability of such person for induction in the service shall be reviewed every year.

5. Member of the Service.—(1) The following persons shall be members of the Service :—

- (a) persons appointed to duty posts under rule 6 and
- (b) persons appointed to duty posts under rule 7.

(2) A person appointed under clause (a) of sub-rule (1) shall, on such appointment, be deemed to be the member of the service in the appropriate grade applicable to him in Schedule-I.

(3) A person appointed under clause (b) of sub-rule (1) shall be the member of the service in the appropriate grade applicable to him in Schedule-I from the date of such appointment.

6. Initial constitution of Service.—(1) All existing officers holding duty posts on regular basis in Grade 1 and Grade II of Delhi, Andaman and Nicobar Islands Police Service shall be members of the service in the respective grades.

(2) All the existing officers of Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Administration holding posts, on regular basis which have been encadred in the Service shall continue to be in their respective posts and grades as existed before commencement of these rules till they become members of the service after their suitability has been assessed by the Commission. In case they are assessed suitable they shall be deemed to have been appointed to the appropriate grade from the date(s) of their regular appointment to such grades. In case any officer is not found suitable for appointment to the Service, the encadred post held by him/her regularly shall be treated as ex-cadre till he/her indicated into the service or vacates the post and his/her case shall be reviewed every year.

(3) The regular continuous service of officers referred to in sub-rule (1) and (2) before the com-

mencement of these rules shall count for the purpose of probation, qualifying service for promotion confirmation and pension in the service.

(4) To the extent the Controlling Authority is not able to fill authorised regular strength of various grades in accordance with the provisions of this rule, the same shall be filled in accordance with the provisions of rules 7 and 8.

7. Further maintenance of the service.—(1) The vacancies in any of the grades referred to in Schedule I after the initial constitution under rule 6, shall be filled in the manner hereinafter provided in this rule.

(2) (a) Fifty percent of the vacancies in Grade II of the Service shall be filled by direct recruitment on the basis of the Civil Services Examination conducted by the Commission: and

(b) Fifty per cent of the vacancies in Grade II of the Service shall be filled by selection from officers holding posts mentioned in Schedule II with three years regular service in the grade on the basis of the recommendation of the appropriate committee specified in Schedule-IV.

Note : The eligibility list for promotion shall be prepared with reference to the date of completion of the qualifying service in the respective grade or post. If the crucial date for one or more officers coming from different source is one and the same, the officer senior in age will be placed higher in the eligibility list.

(3) All the vacancies in the grade of Selection Grade shall be filled by promotion from amongst the officers in the Grade II with minimum qualifying service as specified in Schedule III.

(4) The induction or promotion to grade II shall be made selection on merit in consultation with the Commission. The promotion to Grade I shall be made in order of seniority subject to rejection of the unfit in consultation with the Commission. The screening of the eligibility for appointment to Grade-I of the Service shall be done by the Departmental Promotion Committee concerned before the list alongwith the relevant records is sent for Commission's consideration. The Commission, if consider necessary, may make appropriate changes in the list.

(5) The selection in each case under sub-rule (4) shall be on the recommendations of the Departmental Promotion Committee constituted in accordance with Schedule IV.

(6) If any officer appointed to grade II in the service is considered for the purpose of promotion to grade I, all persons senior to him in the grade shall also be considered notwithstanding that they do not fulfil the prescribed eligibility service, if the shortfall is not more than one year and provided they have successfully completed their probation period.

8. Filling of Duty posts by deputation.—Notwithstanding anything contained in rule 7, where the Government is of the opinion that it is necessary for expedient to do so, it may, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, fill a duty post in any grade by transfer on deputation including short term contract for a period not exceeding three years which may in special circumstances be extended upto five years. The qualification, experience and the eligibility service required for appointment to any grade of the service under these rules shall be decided by the Government in consultation with the Commission on each occasion.

9. Seniority.—(i) The relative seniority of members of the Service appointed to a grade of the service, at the time of initial constitution of the Service under rule 6, shall be as obtaining on the date of commencement of these rules :

Provided that if the seniority of any such member has not been specifically determined on the said date, the same shall be as determined on the basis of the rules governing the fixation of seniority as were applicable to the members of the Service prior to the commencement of these rules.

(2) The seniority of persons recruited to the Service after the initial constitution shall be determined in accordance with the general instructions issued by the Government in the matter from time to time.

10. Probation.—(1) Every officer on appointment to Grade II of the Service either by direct recruitment or by promotion shall be on probation for a period of two years.

Provided that the Controlling Authority may extend the period of probation in accordance with the instructions issued by the Government from time to time in this regard.

(2) On completion of the period of probation or any extension thereof, directly recruited officers shall, if considered fit for permanent appointment, be confirmed in terms of the extant orders of the Government.

(3) If, during the period of probation, or any extension thereof, as the case may be, Government

is of the opinion that an officer is not fit for permanent appointment, Government may discharge the officer or revert him to the post held by his appointment in the Service, as the case may be.

(4) During the period of probation or any extension thereof an officer may be required by Government to undergo such courses of training or to pass such examination or tests (including examination in Hindi) as the Government may deem fit, as condition for satisfactory completion of probation.

(5) As regards other matters relating to probation, the member of the Service shall be governed by the orders or instructions issued by the Government from time to time in this regard.

11. Appointment to the Service.—All appointments to the Service shall be made by the Appointing Authority to Grade I or Grade II of the Service and not against any specific post included in the Service.

12. Posting.—Every member of the Service allocated to an Administration shall, unless he is appointed to the Ex-cadre post, or is otherwise not available for holding a duty post owing to the exigencies of the Public Service, be posted against a duty post under the Administration by the Administrator concerned.

13. Allocation of members of the Service.—The Central Government shall allocate a member of the Service to the Administrations of the Union Territories of the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli for being posted under the respective Administration.

14. Disqualification.—No person—

(a) who has entered into or contracted a marriage with a person having a spouse living, or

(b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the Service :

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

15. Other conditions of service.—The conditions of the service of members of the Service in respect of matters for which no specific provision has been made in these rules, shall be the same as are applicable, from time to time, to officers of equivalent rank of the Central Government.

16. Power to relax.—Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, and in consultation with the Commission, relax any of the provisions of these rules with respect to any class or category of persons.

17. Saving.—Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for the Scheduled

Castes, the Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Government from time to time in this regard.

18. Interpretation.—If any question arises relating to the interpretation of these rules, it shall be decided by the Government in consultation with the Commission.

SCHEDULE-I

[See rule 4(1)]

Name, number and scale of pay of duty posts in the various grades in the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service.

(a) Grade of the service and scales of pay :

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|--|-----------------|
| 1. Selection Grade (Grade I) (Group A) | Rs. 3000—4500/- |
| 2. Grade II (Group B) | Rs. 2000—3500/- |

(b) Sanctioned strength :

1. Specific posts under Government of the National Capital Territory of Delhi.	255
2. Specific posts under Andaman and Nicobar Islands Administration.	10
3. Specific post under Lakshadweep Administration.	1
4. Post under Daman and Diu Administration.	2
5. Posts under Dadra and Nagar Haveli.	1
6. Deputation, Leave and Training Reserve.	86
Total	255

(c) Reserve :

1. Deputation reserve twelve percent of 269	32
2. Leave reserve ten percent of 269	27
3. Training reserve ten percent of 269	27
Total	86

SCHEDULE II

(see rule 7)

Post-grade service eligible for induction into

Grade-II

Inspectors of Delhi Police, Andaman and Nicobar Islands Police Force, Lakshadweep Police, Daman and Diu Police and Dadra and Nagar Haveli Police.

SCHEDULE-II

[See rule 7(3)]

Selection Grade.	By promotion in the order or seniority subject to rejection of unfit.	An officer with a minimum eight years of regular service in Grade II shall be eligible for appointment to the Selection grade.
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SCHEDULE-IV
(see rule 7)

Sl.No. Grade	Composition of the Departmental Promotion Committee
(1) Grade-I (Selection Grade)	<p>(i) Additional Secretary in charge of the Union Territory Division in the Ministry of Home Affairs—Chairman.</p> <p>(ii) Chief Secretary, Government of the National Capital Territory of Delhi—Member.</p> <p>(iii) Chief Secretary, the Andaman and Nicobar Administration—Member.</p> <p>(iv) Administrator, Lakshadweep—Member.</p> <p>(v) Administrator, Daman and Diu and Dadar and Nagar Haveli—Member.</p> <p>(vi) Commissioner of Police, Delhi—Member.</p>
(2) Grade II	<p>Departmental Promotion Committee (for promotion/induction) :—</p> <p>(i) Chairman/Member of Union Public Service Commission—Chairman.</p> <p>(ii) Joint Secretary, Ministry of Home Affairs—Members.</p> <p>(iii) Chief Secretary, Government of the National Capital Territory of Delhi—Member.</p> <p>(iv) Chief Secretary, The Andaman and Nicobar Islands—Member.</p> <p>(v) Administrator, Lakshadweep—Member.</p> <p>(vi) Administrator, Daman and Diu and Dadra and Nagar Haveli—Member.</p> <p>(vii) Commissioner of Police, Delhi—Member.</p> <p>Departmental Promotion Committee (for confirmation of Direct recruits) :—</p> <p>(i) Additional Secretary in the charge of Union Territory Division in the Ministry of Home Affairs—Chairman.</p> <p>(ii) Chief Secretary, Government of the National Capital Territory of Delhi—Member.</p> <p>(iii) Chief Secretary, the Andaman and Nicobar Administration—Member.</p> <p>(iv) Administrator, Lakshadweep—Member.</p> <p>(v) Administrator, Daman and Diu and Dadra and Nagar Haveli—Member.</p> <p>(vi) Commissioner of Police, Delhi—Member.</p>

NOTE : 1

The absence of a Member other than Chairman or a Member of the Union Public Service Commission shall not invalidate the proceedings of the Departmental Promotion Committee if more than half the Members including the Chairman of the Committee had attended its meetings.

NOTE : 2

The proceedings of the Departmental Promotion Committee relating to confirmation of a direct recruit to the Grade II of the Service shall be sent to the Commission for approval. If however, these are not approved by the Commission a fresh meeting of the Departmental Promotion Committee to be presided over by the Chairman or a Member of the Union Public Service Commission shall be held.

[No. 14012/3/84-UTS(Pt. II)]
RAJEEVA R. SHAH, Jt. Secy.

कामिक लोक शिकायत तथा पेंशन मंत्रालय

(कामिक और प्रशिक्षण विभाग)

नई दिल्ली, 15 नवम्बर, 1995

सा. का. नि. 537—प्रखिल भारतीय सेवा अधिनियम, 1951 (1951 का 61) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार हिमाचल प्रदेश सरकार के परामर्श से भारतीय वन सेवा (संवर्ग संख्या का निर्धारण) विनियमावली, 1966 में और भागे संशोधन के लिए निम्नलिखित विनियम बनाती है; अर्थात्:—

1. (1) इन विनियमों का नाम भारतीय वन सेवा (संवर्ग संख्या का निर्धारण) प्राठवां संशोधन विनियमावली, 1995 होगा।

(2) ये सरकारी राजपत्र में प्रकाशन की तारीख से प्रवृत्त होंगे।

2. भारतीय वन सेवा (संवर्ग पद संख्या का निर्धारण) विनियमावली, 1966 की अनुसूची में "हिमाचल प्रदेश" शीर्षक