

COUNCIL'S MEETING

NO. 05/2023-24

DATE	:	23RD AUGUST, 2023 (WEDNESDAY)
TIME	:	11-00 A.M.
VENUE	:	3RD FLOOR, COUNCIL ROOM, PALIKA KENDRA, NEW DELHI



NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI



नई दिल्ली नगरपालिका परिषद्
NEW DELHI MUNICIPAL COUNCIL

पालिका केन्द्र, संसद मार्ग, नई दिल्ली-110001
Palika Kendra, Sansad Marg, New Delhi-110001

F.25(1)/CS/1/2023/D- **569**

Dated: **19**.08.2023

MEETING NOTICE

The next meeting of the Council, No.05/2023-24, will be held on Wednesday, 23rd August, 2023, at 11-00 A.M. in 3rd Floor, Council Room, Palika Kendra, New Delhi.

The list of business is enclosed herewith.

You are requested to kindly make it convenient to attend the same.

ankita
19/8/23

(DR. ANKITA CHAKRAVARTY)
Secretary

ALL MEMBERS OF THE COUNCIL

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI.

COUNCIL'S MEETING NO. 05/2023-24 DATED 23.08.2023 AT 11-00 A.M.

Arrangement of Business

ITEM NO.	SUBJECT	PAGE	ANNEXURE
01 (CS)	Confirmation and signing of the minutes of the Council Meeting No. 04/2023-24 held on 27.07.2023.	2	3 - 6
02 (CS)	Contracts/Schemes involving an expenditure of Rs.1 Lac but not exceeding Rs.400 Lacs.	7	8 - 9
03 (CS)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	10	11 - 14
04 (CE C-II)	Conservation & restoration of main Gole Market building as a museum and redevelopment of surrounding area including construction of Service Block & Subway.	15 - 16	166 - 170
05 (Education)	Formulation of Recruitment Rules for the post of TGT (Computer Science) in NDMC Schools.	17 - 18	19 - 28
06 (Personnel)	Framing of Recruitment Regulations (RRs) of various posts in Category 'B' and 'C' for Medical Services Department in New Delhi Municipal Council.	29 - 33	34 - 52
07 (Personnel)	Notification of the RR for the posts of Public Relation Assistant, NDMC.	53 - 55	56 - 65
08 (Personnel)	This is a proposal to: i. Implement and grant of 7 th CPC pay scales with reference to Gazette Notification No. F.13(126)UD/ MB/2014/420 dated 07.04.2016 to all serving/retired NDMC employees who are drawing salary/pension under 6 th DTL w.e.f. 01.01.2016. ii. Grant of DTL pay scales to left out category(Accounts/Audit and Law Department) with effect from 01.04.1998 to 31.12.2015 (along-with arrears) as per recommendation of Anomaly Committee.	66 - 78	79 - 165
	Supplementary documents with respect to Item No. 04 (CE C-II) above.		166 - 170

ITEM NO. 01 (CS)

Confirmation and signing of the minutes of the Council Meeting No. 04/2023-24 held on 27.07.2023 (**See pages 3 - 6**).

COUNCIL'S DECISION

Minutes with respect to Item Nos.01 (CS) to Item No. 10 (Personnel) and Item No. 12 (Personnel) to Item No. 17 (Electric-II) are confirmed. As regards Item No. 11(Personnel), Council members agreed that the decision may be read as under:-

"Resolved by the Council to accord approval to the proposal of the Department as mentioned in para 4 of the agenda."

**NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA: NEW DELHI**

MINUTES OF THE COUNCIL'S MEETING NO. 04/2023-24, ADJOURNED ON 26.07.2023 AND AGAIN HELD ON 27.07.2023 AT 11-00 A.M. ON 3RD FLOOR, COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.

MEETING NO.	: 04/2023-24
DATE	: 27.07.2023
TIME	: 11-00 A.M.
PLACE	: PALIKA KENDRA, NEW DELHI

PRESENT:

- | | | | |
|----|---------------------------|---|--------------------------------|
| 1. | Sh. Amit Yadav | - | Presiding Officer /Chairperson |
| 2. | Sh. Satish Upadhyay | - | Vice Chairperson |
| 3. | Sh. Virender Singh Kadian | - | Member |
| 4. | Sh. Kuljeet Singh Chahal | - | Member |
| 5. | Smt. Vishakha Shailani | - | Member |
| 6. | Sh. Girish Sachdeva | - | Member |
| 7. | Dr. Ankita Chakravarty | - | Secretary, NDMC |

Following Urgent Matters under Regulation 32 of the NDMC (Procedure and Conduct of Business) 1997, were raised by some Members including Condemnation motion on :-

- Water logging on 8th and 9th July, 2023, in various NDMC areas e.g. Bharti Nagar and Golf Links areas due to heavy rain.
- Shortage of supply of potable water by Delhi Jal Board which resulted in shortage of water in NDMC area from 13th to 17th July, 2023.

It was informed that various steps are being taken to address the issues.

ITEM NO.	SUBJECT	DECISION
01 (CS)	Confirmation and signing of the minutes of the Council Meeting No. 03/2023-24 held on 28.06.2023.	Minutes confirmed.
02 (CS)	Contracts/Schemes involving an expenditure of Rs.1 Lac but not exceeding Rs.400 Lacs.	Information noted.
03 (CS)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
04 (Finance)	Re-appropriation of Funds in Budget Estimates 2023-24.	Resolved that the Re-appropriations in Budget Estimates 2023-24 authorized during 1 st Quarter of 2023-24 as detailed in Annexure-

ITEM NO.	SUBJECT	DECISION
		1 of the agenda are approved in terms of Section 56 of the NDMC Act 1994 & Regulation 8 of the NDMC (Budget Estimates) Regulations, 2010.
05 (Public Health)	Intimation regarding quarter-wise expenditure on the PPP Project of Collection & Transportation of garbage from NDMC area to the disposal site for the period October-2022 to December-2022 and January 2023 to March 2023.	Information noted.
06 (Education)	Revival of 03 posts of Principal (Education Department) & 01 post of Vice Principal (Education Department) rendered deemed abolished due to not having filled on regular or ad hoc basis for more than 02 years.	Resolved by the Council to revive the deemed abolished 3 posts of Principal and 01 post of Vice principal in Atal Adarsh Vidyalayas of NDMC. Process may be undertaken by the Deptt. to fill up these posts.
07 (Personnel)	Notification of the RRs for the posts of Junior Assistant of the Secretary's Establishment Branch of NDMC.	Resolved by the Council to accord approval to the proposal of the Department as mentioned in para 4 of the agenda, with following changes to be included appropriately in the Recruitment Rules, i.e. Clerical Assistants and DEOs (Grade-A) appointed on contract basis or ad-hoc basis on or before the 31 st January, 2017, who continue to render service in the Council on the date of commencement of these rules, on the basis of possessing requisite education qualification and experience prescribed for the post and being found fit, shall be deemed to have been appointed under these Rules in the respective grade and they shall be members of the cadre from the date of commencement of these Rules.
08 (Personnel)	Framing of Recruitment Regulations (RRs) of various posts in Category 'B' for Public Health Services Department in New Delhi Municipal Council.	Resolved by the Council to accord approval to the proposal of the Department as mentioned in para 4 of the agenda.
09 (Personnel)	Notification of the RRs for the posts of Director, NDMC.	Resolved by the Council to accord approval to the proposal of the Department as mentioned in para 4 of the agenda.
10 (Personnel)	Framing of Recruitment Rules (RRs) for the post Junior Engineer (Civil) in New Delhi Municipal Council.	Resolved by the Council to accord approval to the Recruitment Rules for the post of Junior Engineer (Civil) as per Annexure-I of the agenda, with following changes to be included appropriately in the Recruitment Rules i.e. Junior Engineers appointed on contract basis or ad-hoc basis on or before

ITEM NO.	SUBJECT	DECISION
		the 31 st January, 2017, who continue to render service in the Council on the date of commencement of these rules, on the basis of possessing requisite education qualification and experience prescribed for the post and being found fit, shall be deemed to have been appointed under these Rules in the respective grade and they shall be members of the cadre from the date of commencement of these Rules.
11 (Personnel)	Redesignation of Post from Legal Advisor to Chief Legal Advisor and notification of the RRs for the posts of Chief Legal Advisor, NDMC.	Deferred.
12 (Personnel)	Amendment in Rule - 5 "Initial Constitution" of the NDMC (Allopathy) Recruitment Regulation notified in Gazette on 31 st May 2007, later amended on 20-26 th May 2022 to absorb deputationists who have completed 3 years or more as on 30.06.2023.	Resolved by the Council to accord approval to the proposal of the Department as mentioned in para 4 of the agenda, with following changes to be included appropriately in the Recruitment Rules by mentioning "All the Officers appointed on deputation and have completed 3 years or more, on the basis of their suitability to be assessed by the Commission and possessing requisite educational qualifications and experience prescribed for the post and being found fit, shall be deemed to have been appointed under these regulations in the respective grades, and they shall be members of the Service from the date of commencement of the amendment to NDMC (Allopathy) Regulations, 2023.
13 (Education)	Formulation of Recruitment Rules for the post of Assistant Teacher (Primary) in NDMC Schools.	Resolved by the Council to accord approval to the proposed RRs for the post of Assistant Teacher (Primary) as mentioned in Annex III of the agenda. The department should take immediate action to fill up the vacant posts and separately obtain the requisite approval and get the same notified in Gazette at the earliest.
14 (Power)	NDMC Solar Policy 2022.	Resolved by the Council to adopt NDMC Draft Solar Policy 2022 as contained in Annexure III of the Agenda. The Council further authorized the Chairperson to make amendments / modifications to the NDMC Solar Policy, 2022, as and when required and such changes shall be apprised to the Council time to time.
15 (Civil-II)	Mechanized housekeeping work in various NDMC buildings. SH: Mechanized housekeeping works in Palika Bazar, Yashwant Place,	Resolved by the Council to accord approval to award the work 'Mechanized House-keeping work in various NDMC buildings. SH: Mechanized housekeeping works in Palika

ITEM NO.	SUBJECT	DECISION
	Chanakya Bhawan, Palika Bhawan, Barat Ghar Building (1st & 2nd Floor) Kidwai Nagar, Local Shopping Centre at East Kidwai Nagar Complex, SBS Place, Inoculation Centre (Mandir Marg), Mohan Singh Place & Palika Place Complex of NDMC area.	Bazar, Yashwant Place, Chanakya Bhawan, Palika Bhawan, Barat Ghar Building (1st & 2nd Floor) Kidwai Nagar, Local Shopping Centre at East Kidwai Nagar Complex, SBS Place, Inoculation Centre (Mandir Marg), Mohan Singh Place & Palika Place Complex of NDMC area" to M/s R.K. Jain & Sons HSPL emerged L-I with tendered value amounting to Rs.6,38,37,242/- which is 33.56% below of the Estimated Cost of Rs.9,60,82,544/- with 33.90% below the justified cost.
16 (Tax)	Regarding Increase of 1% of Transfer Duty on transfer of immovable Properties.	Resolved by the Council to accord approval to the proposal of the Department as mentioned in para 4 of the agenda.
17 (Electric -II)	Transferring of 05 Acre out of 20 Acre land by NDMC to MCD for Solid Waste Management Facility.	<p>The Department proposed a revised resolution namely as under :-</p> <ol style="list-style-type: none"> 1. Consent be given by NDMC to DDA to part with the possession of 5 acre land allotted to NDMC by DDA in Okhla. 2. NDMC to request DDA not to charge any UEI from NDMC as the part possession of the land in Okhla is to be given to MCD for Solid Waste Management Facilities and NDMC is not charging any premium from the MCD. 3. NDMC to communicate the depreciated book value of the structures existing on the 5 acre land in Okhla to MCD / DDA for payment after the same is finalized by the Civil Engineering Department of NDMC. 4. DDA be informed that NDMC will not be liable to pay any ground rent to DDA for this 5 acre land in Okhla after giving consent to DDA to part with the possession of this 5 acre land. <p>The Council, after discussion, approved the revised resolution proposed by the Department.</p>

The Council further resolved that the Departments concerned may initiate further necessary action based on the decisions taken by the Council at the meeting, as noted above, in anticipation of confirmation of the Minutes.

ITEM NO. 02 (CS)CONTRACTS/SCHEMES INVOLVING AN EXPENDITURE OF RS. 1 LAC BUT NOT EXCEEDING RS. 400 LACS.

Section 143 (d) of NDMC Act, 1994 provides that every contract involving an expenditure of Rs.1 lac but not exceeding Rs.400 lacs under clause 143 (c) shall be reported to the Council. In pursuance of these provisions, a list of contracts entered/executed upto July, 2023, have been prepared.

A list of the contracts, entered into for the various schemes, is accordingly laid before the Council for information. (See pages 8 – 9).

COUNCIL'S DECISION

Information noted.

LIST OF CONTRACTS/ SCHEMES INVOLVING AN EXPENDITURE OF Rs. 1.00 LAKH TO RS.400.00 LAKH FOR THE MONTH JULY 2023.

S. No.	Divisional Zone	Name of work	Date of Award	Contracting Agency	Stipulated date of start	Awarded Cost/ Estimated cost	Target date of completion	% age of physical progress	Remarks
1.	BM-II	Sub:- Sanitation expensive. SH:- Providing Housekeeping Services at Ashirwad Old Age Home, Kali Bari Marg.	24.07.2023	M/s Decent Security and management service	27.07.2023	Rs. 4,23,404/-	26.04.2024	1%	Work in Progress
2.	BM-II	Sub:- A/R & M/ O building in BM-II division in 2023-24. SH:- Providing man power (Safai Karmacharies) for day to day cleaning work at Chanakya Bhawan & Yashwant place Complex.	24.07.2023	M/s R. K. Jain & Sons Hospitality service Pvt. Ltd.	27.07.2023	Rs. 6,82,958/-	20.10.2023	12%	Work in Progress
3.	BM-II	Sub:- A/R & M/ O building in BM-II division in 2023-24. SH:- P & F bearcats and Porta cabin at Talkatora Indoor Stadium.	28.07.2023	M/s Swati Associates	27.07.2023	Rs. 7,84,051/-	26.08.2023	05%	Work in Progress
4.	BM-III	Sub:- A/R & M/ O building in BM-III division in 2023-24. SH:- Providing manpower including cleaning material at local shopping complex and recreation centre, East Kidwai Nagar per day to day cleaning work (Part 4).	18.07.2023	M/s R. K. Jain & Sons Hospitality service Pvt. Ltd.	22.07.2023	Rs. 7,00,140/-	16.10.2023	10%	Work in Progress
	BM-III	Sub:- A/R & M/ O building in BM-III division in 2023-24. SH:- Misc. civil work in Flat No. 1/1 Type-V, Palika Nikunj Housing Complex HCM Lane.	18.07.2023	M/s Bharat Constructions	14.07.2023	Rs. 10,40,321/-	13.08.2023	5%	Work in Progress

(Signature)

S. No.	Divisional Zone	Name of work	Date of Award	Contracting Agency	Stipulated date of start	Awarded Cost/ Estimated cost	Target date of completion	% age of physical progress	Remarks
6.	BM-III	Sub:- Improvement to Palika Bazaar. SH:- development of the Terrace Garden at the roof of Palika bazaar. (Composite Civil Electrical & Horticulture work), Connaught Place, New Delhi.	31.07.2023	M/s Devi Constructions	31.07.2023	Rs. 2,75,81,311/-	30.10.2023	0%	Work starts
7.	BM-PK	Sub:- A/R & M/ O building in BM-PK division in 2023-24. SH:- Repairing & Rewinding of pumps at Palika Kendra Building.	14.07.2023	M/s K. Enterprises	24.07.2023	Rs. 3,88,604/-	23.07.2024	10%	Work in Progress

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Official

ITEM NO. 03 (CS)**ACTION TAKEN REPORT ON THE STATUS OF ONGOING SCHEMES/WORKS APPROVED BY THE COUNCIL.**

In the Council Meeting held on 28.8.1998, it was decided that the status of execution of all ongoing schemes/works approved by the Council indicating the value of work, date of award/start of work, stipulated date of completion & the present position thereof be placed before the Council for information.

A report on the status of execution of the ongoing schemes/works awarded upto July, 2023 is placed before the Council for information. **(See pages 11 – 14).**

COUNCIL'S DECISION

Information noted.

**ACTION TAKEN REPORT ON THE STATUS OF PROJECT / ON GOING SCHEMES / WORKS
APPROVED BY THE COUNCIL FOR THE MONTH OF (JULY 2023)**

S.No.	DEPT T/ DIV.	NAME OF WORK	DATE OF A/A & E/S	VALUE OF AWARD (IN LACS)	REF. OF BUDGET	STIPULATED DATE OF COMPLETION	AGENCY	MAJOR ACTIVITIES	DATE OF COMPLE TION OF ACTIVITI -ES AS PER BAR CHART	STAGE OF COMPLETI ON / %AGE OF WORK DONE	REMARKS
	BM-II	Sub:- Up-gradation of playground in various schools of NDMC SH: Preparation of Basket Ball, Volley Ball and other playing courts in NDMC schools	Rs.4,21,83,200/- vide item no.13 (A-36) dt. 02-03-16	Rs. 2,30,60,646/-	82-412-4001 F. Code. 34	13-09-17 (Three Months)	M/s. Advanced Sport Technologies LLP	Up-gradation of play ground	13-09-17 (three Months)	55%	Case under process for closure of the tender. The file is presently in Education Department for finishing status. File no. 70427
	BM-II	Sub:-Mechanized Housekeeping work in various NDMC Buildings SH:- Mechanized cleaning and sweeping work in Various NDMC Buildings i.e. Talkatora Indoor Stadium, Chest & Poly Health Complex, Dharm Marg, CPH Moti Bagh, Palika Maternity Hospital Lodhi Road.	Rs. 9,61,31,000/- Resolution No. 07(A-08) dt. 28.11.2021	Rs. 5,65,25,803/-	220-1104 F. Code. 35	07.09.2025 (36 months)	M/s International Institute of Sulabh System	Mechanized housekeeping work in 1. Talkatora Indoor Stadium 2. Chest & Poly Clinic SBS Marg. Complex, 3. Palika Health Complex, 4. CPH Moti Bagh 5. Palika Maternity Hospital, Lodhi Road	07.09.2025	31%	Work in Progress
	C-III	Sub:- C/o 160 Type-III Flats at Sector -VI pushp Vihar, Saket, New Delhi. (Composite Work).	Approved by Council vide Resolution No. 30/(A-17) Dated 26.12.2020	Rs. 68,49,11,500/-	COA 6/412/40/01 Scheme no 23	01.03.2023	M/s. B.L. Goel & Co	1. Steel reinforcement work of 1 st floor roof slab in Progress. 2. Water proofing of retaining wall with Stone in progress.	01.06.2023	35%	1. Excavation work 90% completed. 2. PCC work under raft 90% completed. 3. Kota Stone water proofing work under raft 95% completed. 4. Kota stone water proofing work at retaining wall on vertical surface 60% completed. 5. Steel reinforcement work up to Pl. 90 % completed.

(Signature)

S.No.	DEPT T/ DIV.	NAME OF WORK	DATE OF A/A & E/S	VALUE OF AWARD (IN LACS)	REF. OF BUDGET	STIPULATED DATE OF COMPLETION	AGENCY	MAJOR ACTIVITIES	DATE OF COMPLETION OF ACTIVITY -ES AS PER BAR CHART	STAGE OF COMPLETION / %AGE OF WORK DONE	REMARKS
								3. Centering and shuttering of 1 st floor in progress.			6. RCC work for raft 80% completed and RCC raft work in community centre is in progress. 7. RCC work for walls, columns up to PL 80% completed. 8. RCC work for ramp beams & slab 80% completed. 9. RCC work for upper basement roof slab and beams 80% completed. 10. Centering and shuttering of 4 th floor roof slab of A & B Block in progress. 11. Steel reinforcement work of 4 th floor roof slab A & B Block in progress. 12. Centering and Shuttering of 4 th floor roof slab of C Block is in progress. 13. Steel reinforcement work of 2 nd floor roof slab of C Block is in progress. 14. Centering and Shuttering of 2 nd floor of roof slab of D & B Block is in progress. 15. Steel reinforcement work of 2 nd floor roof slab of D & E Block is in progress. 16. AAC Block work in ground floor A & B Block is in progress. 17. AAC block work in 1 st floor C Block is in progress. 18. AAC Block work in 1 st floor D & E Block is in progress.

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S.No.	DEPT T/ DIV.	NAME OF WORK	DATE OF A/A & E/S	VALUE OF AWARD (IN LACS)	REF. OF BUDGET	STIPULATED DATE OF COMPLETION	AGENCY	MAJOR ACTIVITIES	DATE OF COMPLE TION OF ACTIVITI -ES AS PER BAR CHART	STAGE OF COMPLETI ON / %AGE OF WORK DONE	REMARKS
	C-III	Sub:-Redevelopment of Bapu Samaj Sewa Kendra, P.K. Road, New Delhi	Rs. 38,29,52,6 00/- Dt 15-12- 15	Rs. 26,67,53,489 /-	55/412- 4001	30.10.2023	M/s Confoss Const	Basement, ground & 1 st floor roofs have been casted		15 %	Columns of 2 nd floor have been casted. Centering & Shuttering & Reinforcement work for 2 nd floor roof slab in progress.
	C-II	Sub:-Construction Of Skill Development Centre, Moti Bagh, 01/EE(C-I)/2018-2019	Item No. 05 (A-06) dt.14.05.2 018	Rs. 16,00,79,357 /-	BE 2023-24 Vol-II Page No. 557 Rs. 8.00 Crore	06.09.2019 Extended upto September 2023	M/s A.K. Mehta & Co	1. Total labours deployed at site are 14 nos. at present plaster work and basement shuttering and reinforcement work at 4 th & 5 th floor is in progress. Tentative date of completion is March 2024.	December 2023	Physical progress 45% Financial Progress 43%	Work in progress
	C-II	Sub:-Construction of JPN Library at Mandir Marg, New Delhi 01/EE(Spl.Project)/AB/2 021-2022	Item No. 17 (A-34) dt.03.02.2 018	Rs. 6,81,43,583/-	BE 2023-24 Vol-II Page No. 627 Rs. 1.00 Crore	04.07.2022 Extended up to June 2023.	M/s Confoss Construction	1. The structure work is almost complete. 2. The work of finishing at 1 st floor & 2 nd floor for library shall be taken up after submission of drawing and details for the JPN Library by the consultant. The consultant has been appointed for JPN Library and awarded letter issued on 16.06.2023. 3. The Secretary, NDMC visited road S/c on 24.02.2023.	December 2023	Physical progress 63% Financial Progress 60%	Work in progress

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S.No.	DEPT T/ DIV.	NAME OF WORK	DATE OF A/A & E/S	VALUE OF AWARD (IN LACS)	REF. OF BUDGET	STIPULATED DATE OF COMPLETION	AGENCY	MAJOR ACTIVITIES	DATE OF COMPLE TION OF ACTIVITI -ES AS PER BAR CHART	STAGE OF COMPLETI ON / %AGE OF WORK DONE	REMARKS
								at Udyan Marg enmarked for parking for IPN Library which still to be shifted by road division 4. The Hon'ble Chairman, NDMC visited the site on 21.06.2023 to review the progress of work and directed to schedule the completion of the project. 6. The tentative date of completion is December 2023. Cladding work is in progress.			
C-II		Construction of Additional block in Indira Niketan Working Women Hostel at Brg. Hoshiyar Singh Road, New Delhi. (Composite Work).	24.08.2022	Rs. 8,02,74,132.30/-	BE 2023- 24 Vol-II Page No. 608 Rs. 4.00 Crore	24.10.2023	M/s Confoss Construction	Casting of columns from 1 st to 2 nd floor completing shuttering and reinforcement of 2 nd floor slab is in progress.	October 2023	Physical progress 40% Financial Progress 28%	Work in progress

Official

ITEM NO. 04 (Civil-II)

1. **NAME OF THE SUBJECT/ PROJECT:** Conservation & restoration of main Gole Market building as a museum and redevelopment of surrounding area including construction of Service Block & Subway.

2. **NAME OF THE DEPARTMENT/ DEPARTMENTNS CONCERNED:**

Civil Engineering Department (Zone-II)

3. **BRIEF HISTORY OF THE SUBJECT/PROJECT:**

During the council meeting held on dated 28.06.2023, for Item No. 10 (Civil-II), the following decision was taken by the Council :-

"Resolved by the Council to award the work to the lowest agency i.e. M/S Krishna Builder at their quoted rates of Rs.21,66,96,888.09 which is 18.18% below the estimated cost of Rs.26,48,45,867/- and 17.94% below the justified cost of Rs.26,40,57,491.95, on finalization of theme of the proposed Museum. The members further desired that parking area, design and curations based on theme, comprehensive upliftment of neighbouring areas, engagement of Advisor Museum, for management of the museum be also done concurrently and it should be endeavoured that the project be completed at the earliest."

5. **CURRENT PROGRESS IN COMPLIANCE OF THE ABOVE RESOLUTION :**

The Architect Consultant has informed that the conservation and restoration work is independent of the work of theme of the museum. The work of restoration precedes the working of theme of Museum. In any case, both can run parallel. Therefore, the work of restoration may be started, so that the continuous deterioration of the structure is addressed immediately. The current Monsoon season is also near to its completion, hence it is the prime time to start the conservation & restoration activities. A possible parking space has also been identified and further process of allotment has been initiated with L&DO.

In view of the above, it is proposed to approve the following proposal:-

- (A) Approval for issuance of Award Letter to L-1 agency i.e. M/s Krishna Builder.
 (B) To undertake all restoration and development activities as deemed fit, which are independent of the theme of the museum.

5. **RECOMMENDATIONS:**

- (A) Approval for issuance of award letter to L-1 agency i.e. M/s Krishna Builder.
 (B) To undertake all restoration and development activities as deemed fit, which are independent of the theme of the museum.

6. **DRAFT RESOLUTION:**

Resolved by the Council that:-

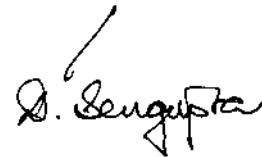
- (A) Approval for issuance of award letter to L-1 agency i.e. M/s Krishna Builder.
- (B) To undertake all restoration and development activities as deemed fit, which are independent of the theme of the museum.

COUNCIL'S DECISION

Council took on record supplementary agenda submitted by the department (Civil Engineering -II) in the prescribed format.

Resolved by the Council to accord approval for issuance of award letter to L-1 agency i.e. M/s Krishna Builder and to undertake all restoration and development activities as deemed fit, which are independent of the theme of the museum.

The Council further resolved that the Departments concerned may initiate further necessary action based on the decisions taken by the Council at the meeting, as noted above, in anticipation of confirmation of the Minutes.



For Secretary
New Delhi Municipal Council
New Delhi.

ITEM NO. 05 (Education)

SN	PARTICULARS	DETAILS
1	Name of the subject	Formulation of Recruitment Rules for the post of TGT (Computer Science) in NDMC Schools.
2	Name of department	Education Department
3	Brief history of the subject	<p>(a) Section 42 of the NDMC Act 1994 (Annex-I) (See page 19) provides Direct Recruitment to category B & C posts may be made by the Government through such agencies as may be prescribed for it.</p> <p>(b) Section 387(2) of NDMC Act 1994 (Annex-II) (See page 20), no regulation made by the Council under this Act shall have effect until it has been approved by the Central Government and published in the official Gazette.</p> <p>(c) The Existing RRs for the post of TGT (Computer Science) available Annex-III (See pages 21 - 26)</p> <p>(d) Due to revision of Pay scales in 7th CPC and various updates it is essential to modify Recruitment Rules.</p>
4	Detailed proposal of the subject	(a) Said Recruitment Rules (RRs) shall be notified by NDMC once the same are approved by the council.
5	Financial implications of the proposed for the post of TGT (Computer Science)	The formulation of RRs in r/o TGT (Computer Science) is an administrative matter and hence, no financial implications are involved.
6	Implementation schedule with timelines for each stage including internal processing	Shall be implemented immediately after having got the approval of council. The Department will separately process of obtaining the requisite approval and getting the RRs notified in the Gazette.
7	Comments of the Finance Department on the subject	No financial implications are involved, being an administrative matter in nature.
8	Comments of the Education Departments on Finance Department	Not applicable
9	Legal Implications of the subject	There is no legal implications are involved being the administrative matter.
10	Comments of Law Department on the subject	No specific legal hurdle is involved at this stage.
11	Comments of the Education Department on the comments of	NA

	Law Department:	
12	Details of previous council resolution on the subject:	NDMC Council Reso. No. 23 (M-02) dated 26.04.2012
13	Recommendation	It is recommended that the Council may accord approval for proposed Recruitment Rules (RRs) for the post of TGT (Computer Science) attached as Annex IV (See pages 27 - 28) and getting the same notified in Gazette after obtaining the requisite approval.
14	Draft resolution:	Resolved by the Council that the proposed RR for the post of TGT (Computer Science) attached as Annex IV is approved. The department should take immediate action to fill up the vacant posts and separately obtain the requisite approval and get the same notified in Gazette at the earliest.

COUNCIL'S DECISION

Resolved by the Council that the proposed RRs for the post of TGT (Computer Science) attached as Annex IV are approved.

The Council further resolved that the Departments concerned may initiate further necessary action based on the decisions taken by the Council at the meeting, as noted above, in anticipation of confirmation of the Minutes.

D. Sengupta

For Secretary
New Delhi Municipal Council
New Delhi.

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Annexure - I

40. Consultation with the Union Public Service Commission.—No appointment to any category A post within the meaning of clause (i) of sub-section (4) of section 34 shall be made except after consultation with the Commission:

Provided that no such consultation with the Commission shall be necessary in regard to the selection for appointment—

- (a) to any acting or temporary post for a period not exceeding one year; or
- (b) to such ministerial posts as may from time to time be specified by the Council in consultation with the Commission when such posts are to be filled by promotion; or
- (c) to a post when at the time of such appointment the person to be appointed thereto is in the service of the Central Government or a State Government in a Group A post;
- (d) to a permanent or temporary post, if the officer or other employee to be appointed is not likely to hold that post for more than one year; or if such officer or other employee is likely to hold the post for more than one year but not more than three years and the Commission advises that the appointment may be made without consulting the Commission; or
- (e) to such other posts, as may, from time to time, be specified by the Central Government in consultation with the Commission.

41. Power of Commission to make regulations and reference to the Central Government in case of difference between the Commission and the Council.—(1) The Commission may make regulations for the following matters, namely:—

- (a) the procedure to be followed by the Commission in advertising posts, inviting applications, scrutinising the same and selecting candidates for interview;
- (b) the procedure to be followed by the Commission for selecting candidates for appointment and by the Council for consultation with the Commission;
- (c) any other matter which is incidental to, or necessary for, the purpose of consultation with the Commission.

(2) In the case of any difference of opinion between the Commission and the Council on any matter, the Council shall refer the matter to the Central Government and the decision of that Government thereon shall be final.

42. Recruitment to category B and category C posts.—The direct recruitment to category B and category C posts may be made by the Government through such agencies as may be prescribed for it.

43. Power of Council to make regulations.—(1) The Council may make regulations to provide for any one or more of the following matters, namely:—

- (a) the tenure of office, salaries and allowances, provident funds, pensions, gratuities, leave of absence and other conditions of service of officers and other employees appointed under this Chapter;
- (b) the powers, duties and functions of Secretary;

(c) the qualifications of candidates for appointment to posts specified in section 33 and to posts dealt with in the Schedule of posts referred to in sub-section (1) of section 34 and the manner of selection for appointments to such posts;

(d) the procedure to be followed in imposing any penalty under sub-section (1) of section 39, suspension pending departmental inquiries before the imposition of such penalty and the authority by whom such suspension may be ordered; the officer or authority to whom an appeal shall lie under sub-section (4) of that section;

(e) any other matter which is incidental to or necessary for, the purpose of regulating the appointment and conditions of service of persons appointed to services and posts under the Council and any other matter for which in the opinion of the Council provisions should be made by regulations.

aforesaid, both Houses agree in making any modification in the rule or bye-laws or both Houses agree that the rule or bye-laws, should not be made, the rule or bye-laws, shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or bye-laws.

387. Supplemental provisions respecting regulations.—(1) Any regulation which may be made by the Council under this Act may be made by the Central Government within one year of the establishment of the Council; and any regulation so made may be altered or rescinded by the Council in the exercise of its powers under this Act.

(2) No regulation made by the Council under this Act shall have effect until it has been approved by the Central Government and published in the Official Gazette.

388. Power to make bye-laws.—(1) Subject to the provisions of this Act, the Council may, in addition to any bye-laws which it is empowered to make by any other provision of this Act, make bye-laws to provide for all or any of the following matters, namely:—

A. Bye-laws relating to taxation

(1) the maintenance of tax books and registers by the Chairperson and the particulars which such books and registers should contain;

(2) the inspection of and the obtaining of copies and extracts from such books and registers and fees, if any, to be charged for the same;

(3) the publication of rates of taxes as determined by the Council from time to time;

(4) the requisition by the Chairperson of information and returns from persons liable to pay taxes;

(5) the notice to be given to the Chairperson by any person who becomes the owner or possessor of a vehicle or animal in respect of which any tax is payable under this Act;

(6) the wearing of badge by the driver of any such vehicle and the display of number plate on such vehicle;

(7) the submission of returns by persons liable to pay any tax under this Act;

(8) the collection by the registrar or sub-registrar of Delhi appointed under the Registration Act, 1908 (16 of 1908) of the additional stamp duty payable to the Council under this Act, the periodical payment of such duty to the Council and the maintenance by such registrar or sub-registrar of separate accounts in relation thereto;

(9) any other matter relating to the levy, assessment, collection, refund or remission of taxes under this Act.

B. Bye-laws relating to water supply, drainage and sewage collection

(1) the power of the Chairperson to close water works for the supply of water, whether for domestic purposes or not, or for gratuitous use and to prohibit the sale and use of water for purpose of business;

(2) the connection of supply pipes for conveying to any premises a supply of water from a municipal water works;

(3) the making and renewing connections with municipal water works;

(4) the power of the Chairperson to take charge of private connections;

(5) the power of the Chairperson to alter the position of connections;

(6) the equitable distribution of water supplied to occupiers;

(7) the size, material, quality, description and position of the pipes and fittings to be used for the purpose of any connection with or any communication from any municipal water works and the stamping of pipes and fittings and fees for such stamping;

ITEM NO. 23 (M-02)

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Annexure - III

1. Name of the subject/ project:

Framing/amendment of Recruitment Regulations for the posts of Computer Lab/IT Assistant, TGT (Computer Science) & Lecturer (Informatics Practices/Computer Science).

2. Name of the department/ departments concerned:

Education Department

3. Brief history of the subject/ project:

(a) In order to introduce computers at school level, a Centrally Sponsored Scheme under the name "CLASS PROJECT" was launched by Govt. of India, which was adopted by Delhi Govt. for its schools. Under the scheme, 5 NDMC schools were taken up. Under this project BBC computers in all 5 schools were supplied by Delhi Govt. through M/s Micro Computer India Pvt. Ltd. The software & 05 teachers were also supplied by the organization. However, the salary for the teachers/instructors was paid by NDMC. This project continued from the year 1991 to 1995.

(b) During the year 1999, an Information Communication Technology (ICT) programme as per CBSE/NCERT guidelines was introduced in NDMC schools. Computer labs in all NDMC Schools have been established by renovating the existing class rooms. Initially, Software from M/s NIIT (Leda Project) and software from M/s Jiva were procured by NDMC. Teachers (TGT's) to teach computer education were hired on contract basis. Since, computer literate professionals were in demand in the market; there was a high attrition rate of teachers due to which continuity of teaching could not be maintained by the department.

(c) Council vide its Resolution No.VII (M-3) dated 19.09.07 permitted outsourcing for leasing of supply, installation & commissioning for new Computer Systems, peripherals & provision of one IT Assistant. Accordingly, agreement was signed with M/s Computer Clinic on 11th December, 2007 for leasing of supply, installation, commissioning of Computer systems and provisions of IT Assistant in 46 NDMC school building for a period of 4 years. After completion of the duration of the project, the hardware/manpower provided by the organization has been withdrawn from the schools.

(d) Council vide its subsequent Resolution No.07 (M-4) dated 16.07.2008 accepted the tender of M/s NIIT Ltd. for the work of "Provision for Leasing of Computer Hardware & connected accessories in 9 NDMC/Navyug Labs and outsourcing of teaching of Computer Science, Informatics Practices at +2 level & awareness cum literacy of Computers in class VI to class X in NDMC/Navyug Schools for a period of four years commencing from the academic year 2008-09. The term of the project would be over by the end of the academic session 2011-12.

(e) The council vide its subsequent Resolution No.16 (I-01) dated 16.06.2010 approved the proposal of IT Department for implementation of 'Education Integration Project' in NDMC Schools through NICSI. The project aims to improve operational efficiencies, ensuring effective utilization of resources and developing appropriate bases for planning future goals.

New Delhi Municipal Council
Palika Kendra, New Delhi

26.04.2012

ATTESTED

R. P. Sati
Director (Education)
Municipal Council

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- (f) The Computer Labs have, thus been created in all Middle, Secondary and Senior Secondary Schools. The new Computer Labs are being created in 22 primary (19 NDMC & 03 Navyug) schools. The renovation of existing classrooms has been taken up by the Engineering Departments through tiling of floors, installing of Air Conditioners and providing requisite furniture etc. The procurement of hardware i.e., Computer, Printer, UPS etc. is being done by IT Department.
- (g) After removal of the computer hardware and pulling out of the IT professionals from the schools on expiry of the contract with the Computer Clinic, the day to day computer related work at school level has virtually stopped. Further, Heads of schools are facing difficulty in sending all communications, data etc. to CBSE on line. The Education Integration Project (EIP) being implemented by the IT Department through M/s NISCI has not yet started functioning. After its initial implementation and stabilization, the project shall be owned by the Education Department. To run this project successfully a computer literate personnel in each school shall be required. Separately, the deptt., in consultation with IT deptt. is in the process of procuring a suitable software to teach computers in all these independent primary schools.
- (h) The following posts have already been created in the Education Department for providing computer education:
- Coordinator (Computers) [re-designated as DEO (Computers)]: 1
 - Lecturer (Informatics Practices/Computer Science) : 7
 - TGT(Computer Science) : 11
- (i) The Recruitment Regulations for the post of DEO (Computers) have been approved by the Council vide Resolution No.05 (M-04) dated 23.12.2011.
- (j) Recruitment Regulations for the post of PGT (Computer Science) have not yet been approved. However, the posts were initially filled up on contract basis as per the draft RRs (Annexure I See page 328) and after decision of the Council to outsource the Computer education in the schools, teachers provided by M/s NIIT are presently teaching the subject in schools.
- (k) Recruitments Regulations for the post of TGT (Computers Science) were approved by the Chairman/Council. The posts were initially filled up on contract basis as per the said RRs (Annexure II See page 329) and after decision of the Council to outsource the Computer education in the schools, teachers provided by M/s NIIT are presently teaching the subject in schools.
4. Detailed proposal on the subject/ project:
- A huge investment in the shape of improvement in physical infrastructure is being made by the Engineering Departments and on computer hardware by the IT Department. In order to effectively utilize the same for the benefit of the student community, it is imperative that a permanent cadre of trained manpower is created at the school level. This is also needed subsequent to withdrawal of manpower provided by M/s Computer Clinic at the school level. This is required for effective communication with the Headquarter. Implementation of the Education Integration Project (EIP) project and in order to provide requisite information/ data to CBSE etc., it is, therefore, proposed to create at least one post of Computer Lab Asstt./IT Assistant in all independent schools. The post is proposed to be created in pay scale of Rs. 5200-20200 plus Grade pay of Rs.2800. The

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Director (Education)
Municipal Council
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proposed financial implication of creation of 40 posts of Computer Lab/IT Assistant is estimated to be about Rs. 1,14,64,800/-.

- b) It is proposed that the permanent cadre for computer teaching at TGT /PGT level be created instead of outsourcing the teaching to private organizations. 10 posts of TGT (Computer Science) in the pay scale of Rs.9300-34800/- plus Grade pay of Rs.4600/- are required to be created [11 posts of TGT (Comp. Sc.) already exist]. The proposed financial implication of creation of 10 posts of TGT (Computer Science) is estimated to be about Rs. 41,70,120/- per annum.
- c) No new posts of Assistant Teachers are proposed to be created. As the Computer Labs are being established in Primary Schools, it is proposed that the existing Assistant Teachers be assigned the work of teaching computer subject at Primary level, after imparting necessary training to them. The teachers, to be trained will be identified and they will be imparted training and compensated suitably.
- d) The creation of the posts would imply that each independent senior secondary school will have a Lecturer, a TGT and a Computer Lab/ IT Assistant, while each independent secondary/ middle school will have a TGT and a Computer Lab/ IT Assistant and each independent primary school will have a Computer Lab/ IT Assistant. The Lab Assistant/ IT Assistant will also provide IT support to the Head of school in addition to be responsible for computer labs.
- e) The RRs for the post of TGT (Computer Science) & Lecturer (Informatics Practices/Computer Science) are prepared on the basis of the qualification prescribed by CBSE for Computer related subjects & are placed at Annexure III and Annexure IV (See pages 330 - 332) respectively. The RRs for the post of Computer Lab/IT Assistant are at Annexure V (See page 333).

5. Financial implications of the proposed project/subject:

The financial implications of creation of 10 posts of TGT (Comp. Sc.) and 40 posts of Computer Lab/ IT Assistant are as under:

S. No.	Name of post	No. of posts	Pay scale	Financial implications (In Rs.)	
				Per month	Per annum
1.	TGT (Comp. Sc.)	10	Rs. 9300-34,800/- + GP 4600	3,47,510/-	41,70,120/-
2.	Comp. Lab/ IT Assistant	40	Rs. 5200-20,200/- + GP 2800	9,55,400/-	1,14,64,800/-

R. P. Sati
Director (Education)
Delhi Municipal Council
Palika Kendra, New Delhi

New Delhi Municipal Council
Palika Kendra, New Delhi

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6. Implementation schedule with timeliness for each stage including internal proceedings

The department will initiate action to fill up the posts expeditiously by convening DPC to fill up promotional quota vacancies and sending requisitions to DSSSB for filling up direct recruitment vacancies.

7. Comments of the Finance Department on the subject:

Finance Department has conveyed its no objection for creating 10 posts of TGT (Computer Science) and 40 posts of Computer Lab Assistant/ IT Assistant with the financial implications of Rs. 41,70,120/- and Rs. 1,14,64,800/- respectively subject to approval of the Competent Authority and vetting by the Law department.

8. Comments of the Department on comments of Finance Department

No comments are called for.

9. Final views of Finance Department:

Not required in view of comments of Finance Department at Para 7 above.

10. Legal implication of the subject/project:

It has no legal issues. This department is in the process of finalizing RRs as per DoP&T's guidelines. If it cannot wait, it can go to Council.

11. Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject:

- (i) Resolution no. VII (M-3) dated 19.09.07
- (ii) Resolution no. 07 (M-4) dated 16.07.08
- (iii) Resolution no. 16 (I-01) dated 16.06.10
- (iv) Resolution no. 05 (M-04) dated 23.12.11

12. Comments of the Department on the comments of Law Department:

The computer labs in schools are in the final stages of being set up. Further, the contract with M/s NIIT would be over by August, 2012. The department, in the academic interest of the students is of the view that creation of the posts, framing their RRs and filling up the same need to be expedited, as such the Agendum be placed before the Council. The proposed RRs framed by the Department are as per the guidelines of DoP&T.

13. Final view of Law Department

Views of Law Deptt. are already there that it has no law point & is an administrative decision.

R. P. Sati
Director (Education)
New Delhi Municipal Council
New Delhi

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Palika Kendra, New Delhi

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14. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case:


Not applicable


15. Recommendations:

The proposed Recruitment Regulations for the posts of Computer Lab/IT Assistant, TGT (Computer Science) & Lecturer (Informatics Practices/Computer Science) may be approved.

COUNCIL'S DECISION

Resolved by the Council that the proposed Recruitment Regulations for the posts of Computer Lab/IT Assistant, TGT (Computer Science) & Lecturer (Informatics Practices/Computer Science) are approved.


L. B. Sati
Director (Education)
New Delhi Municipal Council
New Delhi


New Delhi Municipal Council
Palika Kendra, New Delhi

ATTESTED

26.04.2012 &
01.05.2012

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Annexure III

Proposed Recruitment Regulations for the post of TGT (Computer Science)

		Proposed RRs
1.	Name of Post	TGT (Computer Science)
2.	No. of Posts	21* [2012] * subject to variation as per post fixation
3.	Classification	Category 'B' Non ministerial, Non-Gazetted
4.	Scale of pay	Rs. 9300-34800 + 4600 GP
5.	Whether Selection post or non-selection post	Selection
6.	Age limit for direct recruits	Below 32 years (relaxable for SC/ST/OBC/PH/females/Govt. Servants as per Government Rules.)
7.	Educational and other qualifications required for direct recruits	B.Sc. Computer Science/BCA/Bachelor of Information Technology Or Graduate Degree in any subject with Mathematics as a subject and 3 years Diploma in Computer Engineering/IT from an Institution recognized by AICTE/University. Or Graduate Degree in any subject with Mathematics as a subject and at least one year Diploma in Computer Applications from an Institution recognized by AICTE/University. Or 'A' Level from DOEACC And Graduate with Bachelor of Education (B.Ed) or its equivalent.
8.	Whether age and educational qualifications prescribed for direct recruits will apply to promotees	Age: No Qualification: Yes
9.	Period of probation, if any	Two years
10.	Method of Recruitment whether by direct recruitment or by promotion or by deputation/transfer & percentage of the vacancies to be filled by various methods.	By direct recruitment- 25% By Promotion failing which by direct recruitment-- 75%
11.	In case of Recruitment by promotion/by deputation/transfer grades from which promotion/deputation/transfer to be made.	Promotion: From amongst Assistant Teachers having 05 years regular service in the grade and possessing qualifications prescribed for direct recruitment.
12.	If a DPC exists, what is the composition.	DPC comprising of : (i) Secretary, NDMC - Chairman (ii) Director (Education) - Member (iii) Director (Personnel) - Member (iv) Director (Finance) - Member (v) Rep. of SC/ST - Member

L. S. Sati
Director (Education)
New Delhi Municipal Council
New Delhi

New Delhi Municipal Council
Palika Kendra, New Delhi

ATTACHED

26.04.2012

PROPOSED RECRUITMENT RULES FOR THE POST OF TGT (COMPUTER SCIENCE) IN ADARASH ATAL VIDYALAYA, NEW DELHI MUNICIPAL COUNCIL

Sr. No.	Particular	Proposed Revised Recruitment Rules
1	Name of the post	TGT (Computer Science)
2	No. of Posts	*22 [2023] * Subject to variation dependent on workload
3	Classification	Category 'B'
4	Scale of pay	Level 7 (Rs. 44900-142400) in the Pay Matrix
5	Whether selection post or non-selection posts	Non-Selection
6	Age limit for direct recruits	Not exceeding 32 years. (Relaxable for Government Servant up to 05 years in accordance with the instructions or orders issued by Central Govt.) Note- The crucial date for determining dreaming the age limit shall be as advertised by the DSSSB.
7	Educational and other qualifications required for direct recruits	<u>Essential</u> B.Sc. Computer Science/Bachelor's Degree in Computer Application (BCA)/Bachelor of Information Technology from a recognized University; OR Graduate Degree in any subject with Mathematics as a subject and 3 years Diploma in Computer Engineering/IT from an Institution recognized by AICTE/University. OR BE/B.TECH (Computer Science/ Information Technology) from a recognized University; OR Graduation in any subject and 'A' level course from DOEACC Ministry of Information & Communication Technology, Govt. of India Note 1: Qualifications are relaxable at the discretion of the Competent Authority in the case of candidates otherwise well qualified.

		Note 2: The qualification(s) regarding experience is relaxable at the discretion of the Competent Authority in the case of candidates belonging to Scheduled Castes or Scheduled Tribes if at any stage of selection, the Competent Authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them.
8	Whether age and educational Qualification prescribed for direct recruits will apply to promotes	Age- No Qualifications- Yes
9	Period of Probation if any.	Two Year for direct recruits only
10	Method of Recruitment, whether by direct recruitment or by promotion/deputation/ transfer and percentage of the vacancies to be filled by various methods.	(i) By direct recruitment : 25% (ii) By promotion, failing which, by direct recruitment : 75%
11	In case of recruitment by promotion/ deputation/ absorption grades from which promotion/ deputation/ absorption to be made	Promotion from amongst Assistant Teachers in Level 6 (Rs 35400-112400) in the Pay Matrix with 05 years' regular service in the grade and possessing qualifications prescribed for direct recruitment.
12	If a DPC exists, what is its composition	Category 'B' Departmental Promotion Committee (for considering promotion): 1. Secretary , NDMC ---Chairman 2. Director(Education)---Member 3. Director(Finance) --- Member 4. Liaison Officer for SC/ ST --- Member Category 'B' Departmental Confirmation Committee (for considering confirmation): 1. Secretary , NDMC ---Chairman 2. Director(Education)---Member 3. Director(Finance) --- Member
13	Circumstances in which UPSC is to be consulted in making recruitment	Consultation with UPSC is not necessary

ITEM NO. 06 (Personnel)

1	Name of the Subject	Framing of Recruitment Regulations (RRs) of various posts in Category 'B' and 'C' for Medical Services Department in New Delhi Municipal Council.																							
2	Name of the department	Personnel Department - Health Establishment-II.																							
3	Brief History of the subject	<p>i) Section 43(1) of the NDMC Act, 1994 provides that the Council may make regulations in respect of the qualifications of candidates for appointment to posts specified in Section 33 and of Category 'A' and Category 'B' posts included in the Schedule referred to in Section 34(1) of the Act, and the manner of selection for appointment to such posts. (These in common parlance are called "Recruitment Regulations"). (Annexure-I) (See page 34)</p> <p>ii) Section 43(2) of the said Act further provides that no regulations referred to above shall be made except after consultation with the UPSC. (Annexure-II) (See page 35)</p> <p>iii) Section 387(2) of the said Act stipulates that no regulations made by the Council shall have effect until it has been approved by the Central Government and published in the Official Gazette. (Annexure-III) (See page 36)</p>																							
4	Detailed proposal on the subject	<p>The RRs of the following posts (except Sr. No. 1) framed before 1994 and not notified in the official gazette, are required to be framed in accordance with the provisions of NDMC Act and extant instructions of DoP&T. The post of CSSD (Central Sterile Services Department) Technician was created after 1994, but RRs have not been framed so far. Keeping in view, formulation of these RRs of various posts and approval by the Council is an inescapable requirement in NDMC so as to maintain the functional efficiency of Medical Services Department of NDMC. The draft RRs for the following posts have been framed in consultation with Advisor (P) and User Department (Medical Services Department) :-</p> <table border="1"> <thead> <tr> <th>S/No.</th> <th>Name of Post</th> <th>No. of sanctioned post</th> <th>Category</th> <th>Pay scale</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>CSSD (Central Sterile Services Department) Technician Note-1 (Annexure-IV) (See pages 37 - 38)</td> <td>01</td> <td>C</td> <td>Level-4 in the Pay Matrix (Rs. 25500-81100).</td> </tr> <tr> <td>2</td> <td>A.N.M (Auxiliary Nurse Midwife) Note-2 (Annexure-V) (See pages 39 - 42)</td> <td>87</td> <td>C</td> <td>Level-4 in the Pay Matrix (Rs. 25500-81100)</td> </tr> <tr> <td>3</td> <td>Assistant Dietician Note-3 (Annexure-</td> <td>04</td> <td>B</td> <td>Level-6 in the Pay Matrix (Rs.</td> </tr> </tbody> </table>				S/No.	Name of Post	No. of sanctioned post	Category	Pay scale	1	CSSD (Central Sterile Services Department) Technician Note-1 (Annexure-IV) (See pages 37 - 38)	01	C	Level-4 in the Pay Matrix (Rs. 25500-81100).	2	A.N.M (Auxiliary Nurse Midwife) Note-2 (Annexure-V) (See pages 39 - 42)	87	C	Level-4 in the Pay Matrix (Rs. 25500-81100)	3	Assistant Dietician Note-3 (Annexure-	04	B	Level-6 in the Pay Matrix (Rs.
S/No.	Name of Post	No. of sanctioned post	Category	Pay scale																					
1	CSSD (Central Sterile Services Department) Technician Note-1 (Annexure-IV) (See pages 37 - 38)	01	C	Level-4 in the Pay Matrix (Rs. 25500-81100).																					
2	A.N.M (Auxiliary Nurse Midwife) Note-2 (Annexure-V) (See pages 39 - 42)	87	C	Level-4 in the Pay Matrix (Rs. 25500-81100)																					
3	Assistant Dietician Note-3 (Annexure-	04	B	Level-6 in the Pay Matrix (Rs.																					

	VI) (See pages 43 – 45)			35400 – 112400)
4	Medical Social Worker Note-4 (Annexure-VII) (See pages 46 – 48)	01	B	Level-6 in the pay matrix (Rs.35400 – 112400)
5	O.T. Technician Note-5 (Annexure-VIII) (See pages 49 – 50)	06	B	Level-6 in the pay matrix (Rs.35400 – 112400)
6	O.T. Assistant Note-6 (Annexure-IX) (See pages 51 – 52)	09	C	Level-3 in the pay matrix (Rs.21700 – 69100)

Note-1- 01(One) post of CSSD (Central Sterile Services Department) Technician was created for PMH, Lodhi Road, New Delhi in the pay scale of Rs.5200 – 20200 + G.P Rs.2800/- vide O/O.No.521/HE-II/JA-1, dated 26.03.2014. However, the RRs of this post have been framed in the Level-4 (Rs.25500-81100) in the pay matrix as in other medical institutions, namely ESIC Hospital under Min. of Labour, JIPMER, Pondicherry, PGIMER, Chandigarh and MCD Hospitals, Delhi, as there is a need to ensure parity/uniformity in pay scales.

Note-2- As per Budget Book 2003-04, 69 posts of Auxiliary Nurse Midwife (ANM) were available as under:

Page No.	No. of posts	Posted place
188	13	Allopathic Dispensary
189	09	MI Room at Palika Kendra
190	01	Polyclinic
193	46	Maternity & Child Welfare Centre
Total	69	

02 posts created vide Council Reso. No. 27(H-13), dated 17.12.2008 and 04 posts created vide Council Reso.No.16(H-17), dated 11.02.2015. However as per Roster Register, 87 posts have been checked by the Liaison department.

Note-3: As per Budget Book 2003-04 at page No.184, 01(One) post of Assistant Dietician is available in Intensive Care Unit as Dietician. As per O/O.No.1479/S.O.(HE-II)/SA-I, dated 21.05.2019, 01(One) post created in the level-6 in the pay matrix (Rs.35400 – 112400) for Ayush Holistic Centre. As per O/O.No.521/HE-II/JA-1, dated 26.03.2014, 02(Two) posts created as Dietician in the pay scale of Assistant Dietician (Rs.9300 – 34800 + G.P. Rs.4200/-) for PMH. Thus total strength comes to 04 (Four).

Note-4- 01(One) post of Medical Social Worker was created vide Reso.No.21, dated 20.11.1984.

Note-5: As per noting, dated 17.09.1973 (Reso No.17, dated 09.02.1973), 01(One) post of O.T. Technician was created for Moti Bagh Hospital. As per Noting, dated 25.10.1980, 01(One) post of Senior O. T. Technician was sanctioned (Reso.No.17, dated 29.08.1980) for Moti Bagh Hospital. As per noting, dated 05.11.1985, 02(Two) posts of O. T. Technician created for PMH. 02(Two) posts of O. T. Technician created with G.P Rs.2,800/- for PMH vide O/O.No.521/HE-II/JA-1, dated 26.03.2014. Accordingly Total 06(Six) posts of O. T. Technician are available in NDMC and roster has been checked by the Liaison department.

Note-6: - As per noting, dated 25.10.1980, 02(Two) posts of O.T. Assistant were available in Moti Bagh Hospital. As per noting, dated 19.06.1986, 01(One) post of O.T. Assistant was created for PMH on ad-hoc basis for 06 months. As per noting, dated 07.11.1988, 02(Two) posts of O.T. Assistant created vide Reso.No.29, dated 27.09.1988 for Ortho Deptt. in Moti Bagh Hospital. 04 posts of O.T. Assistant created vide O/O.No.521/HE-II/JA-1, dated 26.03.2014 for PMH. Accordingly 09 posts of O. T. Assistant are available in NDMC and roster has been checked by the Liaison Department.

Further, It was felt necessary that the pay scale of feeder grade of Laboratory Technician, namely O.T Assistant, presently in Level-2 should be upgraded to Level-3, as in similarly placed institutions, with corresponding revision in eligibility conditions. More so, as promotion from Level-2 to Level-6 is not feasible. Accordingly the pay level attached to the post needs to be upgraded from existing Pay Level-2 to Pay Level-3, consistent with the pay level of the post in all Government Hospitals in New Delhi (Lady Hardinge Medical College Hospital, Sucheta Kripalani, RML). The draft RRs for the post of O. T. Technician (Level-6) have already finalized where the feeder grade for promotion has been kept as O. T. Assistant in Level-3. The educational qualification has accordingly been upgraded as 12th class with Science Subjects, as against 10th presently. Further, with the reconstituted cadre of Palika Sahayak (Swasthya) incorporating all feeder grades in Level-1, the eligibility conditions for promotion have been suitably redefined. The approval of Chairman, NDMC was obtained on file.

As per DoP&T O.M. dt. 13.10.2015, the draft Recruitment Rules were placed on the NDMC website for 30 days for inviting objections/comments from the stakeholders. **No comments/objections have been received from the stake holders within the stipulated last date for inviting comments/ objections.**

After the approval of the regulations by the Council, Draft RRs for the posts of Category 'B' will be submitted to UPSC for concurrence/approval as required under sub-section (2) of Section 43 of NDMC Act 1994. After concurrence/approval of RRs for the posts of Category 'B' by UPSC, same will be submitted to Central Government (MHA) for approval. RRs for the posts of Category 'C' will be referred to Central Government (MHA) for approval in terms of sub-section (2) of Section 387 of the NDMC Act 1994. Thereafter on completion of all formalities, the same will be referred to Govt.

		of NCT of Delhi for Notification in the Official Gazette.																								
5	Financial implications of the proposed subject	<p>Additional Financial implication is comes only in the case of O. T. Assistant due to up gradation of pay scale from Level-2 to Level-3 is Rs.3,22,056/- per annum worked as under :</p> <p>(A) Level-2 (Rs.19900 – 63200) in the pay matrix :</p> <table><tr><th>Value Cell-1(L-2)</th><th>Value Cell-10 (L-2)</th><th>Average (C1 + C10 divided by 2)</th><th>₹For 9 posts in 12 months</th><th>DA 42%</th><th>Total</th></tr><tr><td>19900</td><td>26000</td><td>22950</td><td>24,78,600</td><td>10,41,012</td><td>3519612</td></tr></table> <p>(B) Level-3 (Rs.21700 – 69100) in the pay matrix:</p> <table><tr><th>Value Cell-1 (L-3)</th><th>Value Cell-10 (L-3)</th><th>Average (C1 +C10 divided by 2)</th><th>₹For 9 posts in 12 months</th><th>DA 42%</th><th>Total</th></tr><tr><td>21700</td><td>28400</td><td>25050</td><td>2705400</td><td>1136268</td><td>3841668</td></tr></table> <p>B (-) A : 3519612 (-) 3841668 = Rs.3,22,056/- per annum.</p>	Value Cell-1(L-2)	Value Cell-10 (L-2)	Average (C1 + C10 divided by 2)	₹For 9 posts in 12 months	DA 42%	Total	19900	26000	22950	24,78,600	10,41,012	3519612	Value Cell-1 (L-3)	Value Cell-10 (L-3)	Average (C1 +C10 divided by 2)	₹For 9 posts in 12 months	DA 42%	Total	21700	28400	25050	2705400	1136268	3841668
Value Cell-1(L-2)	Value Cell-10 (L-2)	Average (C1 + C10 divided by 2)	₹For 9 posts in 12 months	DA 42%	Total																					
19900	26000	22950	24,78,600	10,41,012	3519612																					
Value Cell-1 (L-3)	Value Cell-10 (L-3)	Average (C1 +C10 divided by 2)	₹For 9 posts in 12 months	DA 42%	Total																					
21700	28400	25050	2705400	1136268	3841668																					
6	Implementation schedule with timeliness for each stage including internal processing	<p>After the approval of the regulations by the Council, Draft RRs for the posts of Category 'B' will be submitted to UPSC for concurrence/approval as required under sub-section (2) of Section 43 of NDMC Act 1994. After concurrence/approval of RRs for the posts of Category 'B' by UPSC, same will be submitted to Central Government (MHA) for approval. RRs for the posts of Category 'C' will be referred to Central Government (MHA) for approval in terms of sub-section (2) of Section 387 of the NDMC Act 1994. Thereafter on completion of all formalities, the same will be referred to Govt. of NCT of Delhi for Notification in the Official Gazette.</p>																								
7	Comments of the Finance Department on the subject	<p>The comments of Finance Department:</p> <p>1. Department has forwarded the Draft Agendum (DFA/92642) to Finance Department regarding framing of RRs for various posts of Medical Services Department.</p> <p>2. Department may review the pay scales proposed to the post of OT Technician and OT Assistant Level 6 and 3 respectively. Under Health and Family Welfare Department, GNCT the pay scales approved to OT Technician and OT Assistant are Level 5 and level 2 respectively. Department may link the supporting documents / basis of proposed pay scale.</p> <p>3. Further, Department may ensure and certify that the scales proposed are not higher than the scales provided to the OT Technician and OT Assistant under Central Government as well as Delhi Govt.</p> <p>{This issues with the approval of Director(Finance) }.</p>																								
8	Comments of the Personnel Department on the comments of the Finance Department	<p>The comments of Personnel Department:</p> <p>The position for upgradation of pay scale was already mentioned in the Note#8, department only upgrade the pay scale of O.T. Assistant from Level-2 to Level-3. Further, department is certified that the scales proposed are not higher than the scales provided to</p>																								

		the OT Technician and OT Assistant under Central Government as well as Delhi Govt.
9	Legal implication on the subject	There is no legal implication.
10	Comments of the Law Department on the subject	The comments of Law Department is as under:- <i>"1. The agenda primarily involves Financial and Administrative issues. Administrative issue has been examined by the concerned department. respectively. The department must ensure the concurrence of finance department on financial issues which has been forwarded through File No. (E-138191)</i> <i>2. Having examined the contents of the draft agenda from the legal point of view, it is observed that no specific legal hurdle is involved at this stage.</i> <i>3. Further, the department may ensure the correctness of facts, words and figures mentioned therein are correct and the GFR guidelines & OMs issued by the DoP&T, Gol (as amended up to date) on the subject, if any, has been complied with.</i> <i>4. The concurrence of finance department may also be taken."</i>
11	Comments of the Personnel Department on the comments of the Law Department	No comments.
12	Details of previous Council Resolution, existing law of parliament and Assembly on the subject	Not applicable.
13	Recommendation	The proposal made at para-4 above may be approved.
14	Draft Resolution	

COUNCIL'S DECISION

The agenda Item was withdrawn.

The Council further resolved that the Departments concerned may initiate further necessary action based on the decisions taken by the Council at the meeting, as noted above, in anticipation of confirmation of the Minutes.

A. Sengupta.

**For Secretary
New Delhi Municipal Council
New Delhi.**

40. Consultation with the Union Public Service Commission.—No appointment to any category A post within the meaning of clause (i) of sub-section (4) of section 34 shall be made except after consultation with the Commission:

Provided that no such consultation with the Commission shall be necessary in regard to the selection for appointment—

- (a) to any acting or temporary post for a period not exceeding one year; or
- (b) to such ministerial posts as may from time to time be specified by the Council in consultation with the Commission when such posts are to be filled by promotion; or
- (c) to a post when at the time of such appointment the person to be appointed thereto is in the service of the Central Government or a State Government in a Group A post;
- (d) to a permanent or temporary post, if the officer or other employee to be appointed is not likely to hold that post for more than one year; or if such officer or other employee is likely to hold the post for more than one year but not more than three years and the Commission advises that the appointment may be made without consulting the Commission; or
- (e) to such other posts, as may, from time to time, be specified by the Central Government in consultation with the Commission.

41. Power of Commission to make regulations and reference to the Central Government in case of difference between the Commission and the Council.—(1) The Commission may make regulations for the following matters, namely:—

- (a) the procedure to be followed by the Commission in advertising posts, inviting applications, scrutinising the same and selecting candidates for interview;
 - (b) the procedure to be followed by the Commission for selecting candidates for appointment and by the Council for consultation with the Commission;
 - (c) any other matter which is incidental to, or necessary for, the purpose of consultation with the Commission.
- (2) In the case of any difference of opinion between the Commission and the Council on any matter, the Council shall refer the matter to the Central Government and the decision of that Government thereon shall be final.

42. Recruitment to category B and category C posts.—The direct recruitment to category B and category C posts may be made by the Government through such agencies as may be prescribed for it.

43. Power of Council to make regulations.—(1) The Council may make regulations to provide for any one or more of the following matters, namely:—

- (a) the tenure of office, salaries and allowances, provident funds, pensions, gratuities, leave of absence and other conditions of service of officers and other employees appointed under this Chapter;
- (b) the powers, duties and functions of Secretary;
- (c) the qualifications of candidates for appointment to posts specified in section 33 and to posts dealt with in the Schedule of posts referred to in sub-section (1) of section 34 and the manner of selection for appointments to such posts;
- (d) the procedure to be followed in imposing any penalty under sub-section (1) of section 39, suspension pending departmental inquiries before the imposition of such penalty and the authority by whom such suspension may be ordered; the officer or authority to whom an appeal shall lie under sub-section (4) of that section;
- (e) any other matter which is incidental to or necessary for, the purpose of regulating the appointment and conditions of service of persons appointed to services and posts under the Council and any other matter for which in the opinion of the Council provisions should be made by regulations.

(2) No regulation under clause (c) of sub-section (1) shall be made except after consultation with the Commission.

CHAPTER VII

REVENUE AND EXPENDITURE

The New Delhi Municipal Fund

44. Constitution of the New Delhi Municipal Fund.—(1) Save as otherwise provided in this Act—

(a) all funds which immediately before the establishment of the Council vested in the New Delhi Municipal Committee;

(b) all moneys received by or on behalf of the Council under the provisions of this Act or of any other law for the time being in force, or under any contract;

(c) all proceeds of the disposal of property by, or on behalf of, the Council;

(d) all rents accruing from any property of the Council;

(e) all moneys raised by any tax, rate or cess levied for the purposes of this Act;

(f) all fees collected and all fines levied under this Act or under any rule, regulation or bye-law made thereunder;

(g) all moneys received by or on behalf of the Council from the Government or Central Government or any individual or association of individuals by way of grant or gift or deposit;

(h) all interests and profits arising from any investment of, or from any transaction in connection with, any money belonging to the Council, including loans advanced under this Act; and

(i) all moneys received by or on behalf of the Council from any other source whatsoever, shall form one Fund to be entitled "the Municipal Fund of New Delhi" (hereafter in this Act referred to as "the New Delhi Municipal Fund").

(2) The New Delhi Municipal Fund shall be held by the Council in trust for the purposes of this Act subject to the provisions herein contained and a General Account relating to all moneys received by or on behalf of the Council shall be maintained.

45. New Delhi Municipal Fund to be kept in the State Bank of India.—All moneys payable to the credit of the New Delhi Municipal Fund in the General Account shall be received by the Chairperson and shall be forthwith paid into the State Bank of India to the credit of the said Account which shall be entitled "The General Account of the New Delhi Municipal Fund".

46. Operation of the Accounts.—(1) Save as otherwise provided in this Act no payment shall be made by the State Bank of India out of the New Delhi Municipal Fund except on a cheque signed by both—

(a) the Financial Adviser or an officer subordinate to him authorised by the Chairperson in this behalf; and

(b) the Chairperson or the Secretary or an officer subordinate to the Chairperson authorised by him in this behalf.

(2) Payment of any sum due by the Council in excess of five hundred rupees shall be made by means of a cheque signed in accordance with sub-section (1) and not in any other way.

(3) Payments not covered by sub-section (2) may be made in cash.

47. Payments not to be made unless covered by a budget-grant.—No payment of any sum out of the New Delhi Municipal Fund shall be made unless the expenditure of the same is covered by a current budget-grant and a sufficient balance of such budget-grant is still available notwithstanding any reduction or transfer thereof which may have been made under the provisions of this Act:

Provided that this section shall not apply to payments made in the following classes of cases, namely:—

(a) refund of taxes and other moneys which are authorised under this Act;

aforesaid, both Houses agree in making any modification in the rule or bye-laws or both Houses agree that the rule or bye-laws, should not be made, the rule or bye-laws, shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or bye-laws.

387. Supplemental provisions respecting regulations.—(1) Any regulation which may be made by the Council under this Act may be made by the Central Government within one year of the establishment of the Council; and any regulation so made may be altered or rescinded by the Council in the exercise of its powers under this Act.

(2) No regulation made by the Council under this Act shall have effect until it has been approved by the Central Government and published in the Official Gazette.

388. Power to make bye-laws.—(1) Subject to the provisions of this Act, the Council may, in addition to any bye-laws which it is empowered to make by any other provision of this Act, make bye-laws to provide for all or any of the following matters, namely:—

A. Bye-laws relating to taxation

- (1) the maintenance of tax books and registers by the Chairperson and the particulars which such books and registers should contain;
- (2) the inspection of and the obtaining of copies and extracts from such books and registers and fees, if any, to be charged for the same;
- (3) the publication of rates of taxes as determined by the Council from time to time;
- (4) the requisition by the Chairperson of information and returns from persons liable to pay taxes;
- (5) the notice to be given to the Chairperson by any person who becomes the owner or possessor of a vehicle or animal in respect of which any tax is payable under this Act;
- (6) the wearing of badge by the driver of any such vehicle and the display of number plate on such vehicle;
- (7) the submission of returns by persons liable to pay any tax under this Act;
- (8) the collection by the registrar or sub-registrar of Delhi appointed under the Registration Act, 1908 (16 of 1908) of the additional stamp duty payable to the Council under this Act, the periodical payment of such duty to the Council and the maintenance by such registrar or sub-registrar of separate accounts in relation thereto;
- (9) any other matter relating to the levy, assessment, collection, refund or remission of taxes under this Act.

B. Bye-laws relating to water supply, drainage and sewage collection

- (1) the power of the Chairperson to close water works for the supply of water, whether for domestic purposes or not, or for gratuitous use and to prohibit the sale and use of water for purpose of business;
- (2) the connection of supply pipes for conveying to any premises a supply of water from a municipal water works;
- (3) the making and renewing connections with municipal water works;
- (4) the power of the Chairperson to take charge of private connections;
- (5) the power of the Chairperson to alter the position of connections;
- (6) the equitable distribution of water supplied to occupiers;
- (7) the size, material, quality, description and position of the pipes and fittings to be used for the purpose of any connection with or any communication from any municipal water works and the stamping of pipes and fittings and fees for such stamping;

ANNEXURE-IV

ANNEXURE-I

SCHEDULE DRAFT RECRUITMENT RULES FOR THE POST OF CSSD (CENTRAL STERILE SERVICES DEPARTMENT) TECHNICIAN IN NEW DELHI MUNICIPAL COUNCIL (NDMC)

Name of Post.	Number of Post.	Classification.	Level in the pay matrix.	Whether selection for post or non-selection post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.
1	2	3	4	5	6	7
CSSD (Central Sterile Services Department) Technician.	*01(2023) *Subject to variation dependent on workload.	Category 'C'.	Level-4 (Rs 25500-81,100) in Pay Matrix	Non-Selection	Not applicable	Not Applicable

Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation, if any.	Method of recruitment, whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods.	In case of recruitment by promotion/deputation/absorption from which grades to be made.	If by Departmental Promotion Committee exists what is its composition.	Circumstances in which Union Public Service Commission to be consulted in making recruitment.
8	9	10	11	12	13

File No. 42069/502/2023 (Estt. Part (Computer No. 819027))
 11/20/2023/11 (Estt.)-II

Not applicable.	Not applicable.	Promotion, failing which, by deputation.	<u>Promotion</u> Promotion of CSSD Attendant in Level 1 (Rs 18,000-56,900) with 11 years of regular service in the grade <u>Deputation</u> Officers in the organizations under Central/State Government or U.Ts a) Holding the post of CSSD (MS)/ MoH or Technician in Level 4 (Rs 25500-81,100) in Pay Matrix on regular basis; or b) Holding the post of CSSD Assistant in Level 2 (Rs 19,900-63,200) in Pay Matrix with 8 years' regular service in the grade; or c) Holding the post of CSSD Attendant in Level 1 (Rs 18,000-56,900) with 11 years of regular service in the grade;	Category 'C'. Departmental Promotion Committee (for considering promotion): 1. Director (Personnel), NDMC: Chairman; 2. Director (MS)/ MoH or senior most Doctor of Allopathy Cadre, NDMC: Member; 3. Joint Director/Deputy Director (Health), NDMC: Member. 4. Liaison Officer (SC/ST), NDMC: Member	Consultation with Union Public Service Commission is not necessary.
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ANNEXURE-V

ANNEXURE-I

SCHEDULE

DRAFT RECRUITMENT RULES FOR THE POST OF AUXILIARY NURSE MIDWIFE (ANM) IN NEW DELHI MUNICIPAL COUNCIL (NDMC).

Name of Post.	Number. of Post.	Classification.	Pay Band and Grade Pay/Pay Scale.	Whether Selection post or non selection post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.
1	2	3	4	5	6	7
Auxiliary Nurse Midwife (ANM).	*87(2023) *Subject to variation dependent on workload.	Category 'C'.	Level 4 (Rs.25500-81100) in the Pay Matrix	Not applicable.	Between 18 to 27 years. (The upper age limit is relaxable up to 40 years in case of serving departmental candidates in accordance with the instructions/orders issued by the Central Government. Note: The crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim,	Essential: (i) Senior School Certificate Examination (12 th class) or equivalent from a recognized Board/University; (ii) Diploma or Certificate course in Auxiliary Nurse & Midwife (ANM) from a recognized institution; (iii) Registered as Auxiliary Nurse Midwife with any State Nursing Council Desirable: Experience and training in family welfare. Note-1: Qualifications are relaxable at the discretion of the competent authority in case of candidates otherwise well qualified. Note-2: The qualification(s) regarding experience is/are relaxable at discretion of the competent authority in the case of candidates belonging to SCs and STs, if, at any stage of selection, the competent authority is of the opinion of candidates from these communities possessing the requisite experience are not likely to be available to fill the vacancies reserved for them.

File No. 420442969/502/2023 (Estt. Part) (Contd. No. 8199027)
 11/20/2023/11 (Estt.)-II

					Lahaul & Spiti district and Pangi Sub Division of Chamba district of Himachal Pradesh, Union Territories of Andaman & Nicobar Islands, Lakshadweep and Ladakh).	
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Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation, if any.	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods.	In case of recruitment by promotion/deputation/absorption and grades from which promotion/deputation/absorption to be made.	If Departmental Promotion Committee exists what is its composition.	Circumstances in which Union Public Service Commission to be consulted in making recruitment.
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8	9	10	11	12	13
Not applicable.	Two years. Note: Direct recruits would be required to incumbent being successfully away on deputation complete or long illness or mandatory study leave or induction under other circumstances for a duration of one year or more may be filled on deputation basis by the from officials of competent Central/State Government / Union Territories: (i) Holding analogous posts on regular basis in the parent cadre/ department; and (ii) Possessing the qualifications and experience prescribed for direct recruits under Column (7). (Period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or departments of the Central/State/Union Territory Governments shall ordinarily not exceed 3 years. The maximum age limit for	100% by Direct Recruitment. Note: Vacancies caused by the incumbent being away on deputation complete or long illness or mandatory study leave or induction under other circumstances for a duration of one year or more may be filled on deputation basis by the from officials of competent Central/State Government / Union Territories: (i) Holding analogous posts on regular basis in the parent cadre/ department; and (ii) Possessing the qualifications and experience prescribed for direct recruits under Column (7). (Period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or departments of the Central/State/Union Territory Governments shall ordinarily not exceed 3 years. The maximum age limit for	Not applicable.	Category 'C'. Departmental Confirmation Committee (for considering confirmation): 1. Director (Personnel), NDMC: Chairman; 2. Director (MS)/ MoH or Senior Most Doctor of Allopathy Cadre, NDMC: Member; 3. Joint Director /Deputy Director (Health), NDMC: Member.	Consultation with Union Public Service Commission is not necessary.

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File No. 420147669/2023 (Estt. Part (Computer No. 819027))
11/20/2023/II (Estt.)-II

	appointment by deputation shall be not exceeding 56 years on the closing date of receipt of applications).		
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File No. 42042069/5022023 (Estt. Part) (Competent No. 819027)
11/2015/2023/II (Estt.)-III

ANNEXURE-VI

ANNEXURE-I

SCHEDULE

DRAFT RECRUITMENT RULES FOR THE POST OF ASSISTANT DIETICIAN IN NEW DELHI MUNICIPAL COUNCIL (NDMC)

Name of Post.	Number of post.	Classification.	Level in the pay matrix.	Whether Selection post or non-selection post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.
1	2	3	4	5	6	7
Assistant Dietician	04 (Four) (2023) * Subject to variation dependent on workload.	Category 'B'.	Level 6 (Rs.35400-112400) in the Pay Matrix	Not applicable	Not exceeding 32 years. (Relaxable for Government servants up to 5 years in accordance with thea recognized University or instructions or orders issued by the Central Government).	Essential: (i) B.Sc. Food and Nutrition or Food Science and Nutrition or Home Science or Home Economics or Clinical Nutrition and Dietetics or Food and Nutrition to 5 years in Dietetics or Dietetics and Food Service management from a from with thea recognized University or Institute; (ii) Post Graduate Diploma in Dietetics from a recognized University or Institute; (iii) One year practical experience in Dietetics in 100 bedded hospital or organization under the Central State Government or autonomous or statutory body or Public Sector Undertaking or University or recognized research institute. Note-1: The crucial date for determining the age limit or closing date for receipt of applications from candidates except for the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura, Sikkim, Lahaul & Spiti district and Pangi Sub Division Note-1: Qualifications are relaxable at the discretion of the Competent Authority in case of candidates otherwise well qualified. Note-2: The qualification(s) regarding experience is/are relaxable at the discretion of the Competent Authority for reasons to be recorded in writing in case of candidates belonging to Scheduled Caste/Scheduled Tribes, if any stage of selection, the Competent Authority is of the opinion that sufficient number of candidate from these communities possessing the requisite experience are not likely to be available to fill up the posts

File No. 420142669/532/2023 (Estt. Part (Confidential No. 819) 027)
 11/20/2023/H (ESTT.-II)

					Chamba District of Himachal Pradesh, Union Territory of Andaman & Nicobar Island, Lakshadweep and Ladakh.	reserved for them.
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Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation, if any.	Method of recruitment whether by direct recruitment or by promotion/absorption or deputation/and percentage of the vacancies to be filled by various methods.	In case of recruitment by promotion/absorption or deputation/ from which promotion/ deputation/ absorption to be made.	If a Departmental Promotion Committee exists what is its composition.	Circumstances in which Union Public Service Commission to be consulted in making recruitment.
8	9	10	11	12	13
Not applicable.	Two years. Note: Direct recruits would be required to successfully complete a mandatory induction training of at least two weeks duration, as prescribed by the competent authority, for completion of probation.	100% by Direct Recruitment. Note: Vacancies caused by the incumbent being away on deputation or long illness or study leave or under other circumstances for a duration of one year or more may be filled on basis from officials of Central/State Government / Union Territories:	Not applicable.	Category 'B'. Departmental Confirmation Committee (for considering Confirmation) 1. Director (Personnel), NDMC; Chairman; 2. Director (MS)/MoH or Senior Most Doctor of Allopathy Cadre, NDMC; Member; 3. Joint Director /Deputy Director (Health), NDMC; Member.	Consultation with Union Public Service Commission is not necessary.

		<p>(i) Holding analogous posts on regular basis in the parent cadre/ department;</p> <p>and</p> <p>(ii) Possessing the qualifications and experience prescribed for direct recruits under Column (7).</p> <p>(Period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or departments of the Central/State/ Union Territory Governments shall ordinarily not exceed 3 years. The maximum age-limit for appointment by deputation shall be not exceeding 56 years on the closing date of receipt of applications).</p>			
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File No. Me420442069/502/2023 (Estt. Part (C) Contn. No. 8199027)
11/27/2023/HH (ESTT.-II)

ANNEXURE-VII

ANNEXURE-I

SCHEDULE

DRAFT RECRUITMENT RULES FOR THE POST OF MEDICAL SOCIAL WORKER IN NEW DELHI MUNICIPAL COUNCIL (NDMC).

Name of Post.	Number. of Post.	Classification.	Pay Band and Grade Pay/Pay Scale.	Whether Selection post or non selection post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.
1	2	3	4	5	6	7
Medical Social Worker.	*01(2023) *Subject to variation dependent on workload.	Category 'B'.	Level-6 (Rs.35400-112400) in the Pay Matrix	Not applicable.	Not exceeding 32 years of age. (Relaxable for Government servants up to 05 years in accordance with the instructions/ orders issued by the Central Government).	<u>Essential:</u> (i) Master Degree in Sociology or Social Work with specialization in Medical Social Work from a recognized University/ Institution; (ii) Two years' experience of Medical Social Work in a Welfare Or Health Agency preferably dealing with Medical/ Public Health Services. <u>Desirable:</u> Experience or qualification or training, in medical social work dealing with TB and other chronic respiratory diseases. Note: The crucial date for determining the age-limit shall be the closing date for receipt of applications from candidates in India (and not the closing date prescribed for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Tripura,

File No. 42042069/2023 (Estt. Part (Computer No. 8139) 27)
1122155/2023/HI (Estt.)-II

					Sikkim, Lahaul & Spiti district and Pangi Sub Division of Chamba district of Himachal Pradesh, Union Territories of Andaman & Nicobar Islands, Lakshadweep and Ladakh).
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Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/absorption and grades from which promotion/deputation/absorption to be made	If a Departmental Promotion Committee exists what is its composition	Circumstances in which Union Public Service Commission to be consulted in making recruitment
8	9	10	11	12	13
Not applicable.	Two years. Note: Direct recruits would be required to complete a mandatory induction training of at least two weeks duration, as prescribed by the competent authority, for completion of probation.	100% by direct recruitment. Note: Vacancies caused by the incumbent being away on deputation or long illness or study leave or other circumstances for a duration of one year or more may be filled on deputation basis from officials of Central/State Government / Union Territories: (i) Holding analogous posts on regular basis in the parent cadre/department; and	Not applicable.	Category 'B' Departmental Confirmation Committee (for considering confirmation) 1. Director (Personnel), NDMC: Chairman; 2. Director(MS)/MoH or Senior Most Doctor of Allopathy Cadre, NDMC: Member; 3. Joint Director /Deputy Director (Health), NDMC: Member.	Consultation with Union Public Service Commission is not necessary.

	<p>(ii) Possessing the qualifications and experience prescribed for direct recruits under Column (7).</p> <p>(Period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or departments of the Central/State/Union Territory Governments shall ordinarily not exceed 3 years. The maximum age-limit for appointment by deputation shall be not exceeding 56 years on the closing date of receipt of applications).</p>			
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ANNEXURE-VIII

SCHEDULE

ANNEXURE-I

DRAFT RECRUITMENT RULES FOR THE POST OF O.T. TECHNICIAN IN NEW DELHI MUNICIPAL COUNCIL (NDMC)

Name of post.	Number of post.	Classification.	Level in the Pay Matrix.	Whether Selection for direct post or Non Selection post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.
1	2	3	4	5	6	7
Operation Theatre(O.T.) Technician.	*06(2023) *Subject to variation dependent on workload.	Category 'B'.	Level-6 (Rs. 35400-112400) in the Pay Matrix.	Non-Selection.	Not applicable.	Not applicable.
Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotes.	Period of probation, if any.	Method of recruitment, whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to be filled by various methods.	In case of recruitment by promotion/deputation/absorption which promotion/deputation/absorption to be made.	If a Departmental Promotion Committee exists what is its composition.	Circumstances in which Union Public Service Commission to be consulted in making recruitment.	
8	9	10	11	12	13	
Not applicable.	Two Years being promotion from Category 'C' to Category 'B'..	100% by Promotion.	Promotion from amongst Operation Theatre (OT) Assistants in Level 3 (Rs.21700-69100) in the Pay Matrix with 10 years' regular service in the grade	Category 'B'. Departmental Promotion Committee (for considering Promotion): 1. Director (Personnel), NDMC; Chairman; 2.	Consultation with Union Public Service Commission is not necessary.	
Note: Where						

			<p> juniors who have completed their qualifying/eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than half of such qualifying/eligibility service or two years, whichever is less, and have successfully completed probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying/eligibility service. </p>	<p> Director(MS)/MoH or Senior Most Doctor of Allopathy Cadre, NDMC: Member; 3. Joint Director /Deputy Director (Health), NDMC: Member; 4. Liaison Officer (SC/ST), NDMC : Member. </p>
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ANNEXURE-IX

ANNEXURE-I

SCHEDULE DRAFT RECRUITMENT RULES FOR THE POST OF O.T ASSISTANT IN NEW DELHI MUNICIPAL COUNCIL (NDMC)

Name of Post.	Number of Post	Classification.	Level in the Pay Matrix.	Whether Selection Post or Non Selection Post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.
1	2	3	4	5	6	7
O.T. Assistant	*09(2023) *Subject to variation dependent on workload.	Category 'C'	Level-3 (21700-69100) in the Pay Matrix	Non-Selection	Between 18 years to 27 years. Note 1: The upper age limit is relaxable up to 40 years in case of departmental candidates and Government servants in accordance with the instructions/orders issued by the Central Government. Note 2: The age-limit shall be advertised by the DSSSB.	<u>Essential:</u> (i) 12 th Class pass with Science subjects (Physics, Chemistry and Biology) from a recognized Board/University with One year experience in Operation Theatre of 50 bedded Hospital. Note-1: Qualifications are relaxation at the discretion of the competent authority in case of candidates otherwise well qualified. Note-2: The qualification(s) are regarding experience is/are relaxable at the discretion of the competent authority in the case of candidates belonging to Scheduled Castes / Scheduled Tribes, if , at any stage of selection, the competent authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill the vacancies reserved for them.

Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption and percentage of the vacancies to	In case of recruitment by promotion/deputation/absorption grades from which promotion/deputation/absorption to be made	If a Departmental Promotion Committee exists what is its composition	Circum-stances in which Union Public Service Commission to be consulted in making recruitment
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File No. 42042069/502/2023 (Estt. Part (C) (Contd. No. 819027))
 11/20/2023/HH (ESTT.-II)

8	9	10	11	12	13
Age : No Educational Qualification and experience: As per Col. No.7.	Two years for direct recruits. Note: Direct recruits would be required to successfully complete a mandatory induction training of at least two weeks duration, as prescribed by the competent authority, for completion of probation.	Promotion, failing which, by Direct Recruitment.	Promotion from amongst Palika Sahayak (Swasthya) in Level-1 (Rs 18000- 39900) in the Pay Matrix with: (i) 6 years regular service in the grade; (ii) Educational qualifications as prescribed for direct recruits in col. 7; (iii) 3 years experience in Operation Theatre in hospitals under NDMC	Category 'C'. Departmental Confirmation Committee (for considering confirmation): 1. Director (Personnel), NDMC: Chairman; 2. Director(MS)/MoH or Senior Most Doctor of Allopathy Cadre, NDMC: Member; 3. Joint Director / Deputy Director (Health), NDMC: Member. Departmental Promotion Committee (for considering promotion): 1. Director (Personnel), NDMC: Chairman; 2. Director(MS)/MoH or Senior Most Doctor of Allopathy Cadre, NDMC: Member; 3. Joint Director / Deputy Director (Health), NDMC: Member; 4. Liaison Officer (SC/ST): Member.	Consultation with Union Public Service Commission is not ne

ITEM NO. 07 (Personnel)

1.	Name of the subject / project	Notification of the RRs for the posts of Public Relation Assistant, NDMC.
2.	Name of the department/ departments concerned	Personnel Department (Secretary Establishment Branch)
3.	Brief history of the subject / project	<p>1. The existing Recruitment Rules for the Post of Public Relation Assistant was Notified on 12.05.2008. (Annexure-I) (See page 56).</p> <p>2. As per existing RRs the sanction strength of the post of Public Relation Assistant was 02 (Two).</p> <p>3. Section 387(2) of the said Act stipulates that no regulations made by the Council shall have effect until it has been approved by the Central Government and published in the Official Gazette.</p> <p>4. The RRs for the post of Public Relation Assistant are required to be framed in accordance with the provisions of NDMC Act, 1994 and extant instructions of DoP&T.</p>
4.	Detailed proposal on the subject	<p>1. Recently, Department re-framed the draft Recruitment Rules for the post of Public Relation Assistant on the basis of Delhi Government as well as Central Government and as per DoP&T OM dated 13.10.2015, (Annexure-II) (See pages 57 - 62) the same was placed on the NDMC website to invite objection, if any, from the stakeholders.</p> <p>2. Further, as per existing RRs the pay Band and Grade Pay of the Public Relation Assistant was Rs.4500-7000 (under 5th CPC) and pay scale now proposed in the draft RRs in the Pay Level-5 (Rs.29200-92300) as per 7th CPC.</p> <p>3. In response of our Circular dated No A-42011/405/2023-Secy - Estt. Dated 06 Jun 2023, no objection has been received.</p> <p>4. The Council may approve the proposal for framing/amendment of Recruitment Rules for the post of Public Relation Assistant (Annexure-III) (See pages 63 - 65).</p> <p>5. After approval of the Council, the proposal will be submitted to Ministry of Home Affairs for their concurrence and approval. After approval of M.H.A. the same shall be sent to Delhi Government for Notification in Delhi Gazette.</p>
5.	Financial implications of the proposed project/subject	There are no additional financial implications.
6.	Implementation schedule with timeliness for each stage including	After approval of the Council, the proposal will be submitted to Ministry of Home Affairs for their concurrence and approval. After approval of M.H.A. the same shall be sent to Delhi Government for Notification in Delhi Gazette.

	internal processing	
7.	Comments of the Finance Department on the subject	<p>The comments of Finance Department</p> <p>Department has forwarded the draft Agenda at Note-27 (DFA 93261) for notification of RRs for the posts of Public Relation Assistant (DFA 85860). Advisor (RR) at Note - 7 has examined the Draft RRs at DFA 85860 and has submitted that no change from the existing RRs except pay scale. Further necessary standard additions have been made in terms of extant instructions of DoPT. Associate Finance (Estt.) at Note - 33 has checked the Draft Agenda at Note # 27 and Draft Schedule in the draft section for the post of Public Relation Assistant in Level 5 as per 7th CPC and found in order. Department has submitted that with the approval of Chairman, NDMC at Note - 10, Circular vide no. A-42011/405/2023/Secy-Estt. Dated 06.06.2023 for obtaining comments from stakeholders was uploaded on NDMC website. There is no objection received from stakeholders of NDMC. Department is advised to add the contents of Column 6 in Column 4 of the draft agenda too. It is further advised that in future the cases may be processed in the complete promotional hierarchy of a particular cadre. As no financial implications are involved, being administrative in nature, Finance Department has no objection to place the draft Agendum DFA 93261 before Council subject to approval of Chairman, NDMC. While submitting the proposal, Department may certify and ensure the following:</p> <p>No cadre restructuring is required. Proposed RRs are framed as per the extant Rules and Regulations of DoPT. No new post is proposed to be created in excess of sanctioned strength in the instant proposal. Correctness of data, facts and information submitted. Final comments of Finance Department are mentioned in Column 7."</p>
8.	Comments of Personnel Department on the comments of Finance Department	<p>Comments of Personnel Department on the comments of Finance Department.</p> <ol style="list-style-type: none"> There is no cadre restructuring. Proposed RRs are framed as per the extant Rules and Regulations of DoPT. There is no new post proposed in excess of sanctioned strength in the instant proposal. Provided data, facts and information is correct.
9.	Legal implication of the subject/project	There is no legal implication.
10.	Comments of the Law Department on the subject/project	<p>The comments of Law Department...</p> <p>"1. The draft agenda has been forwarded to the Law department for seeking comments. The agenda primarily involves Financial</p>

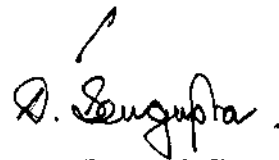
		and Administrative issues. 2. Having examined the contents of the draft agenda from the legal point of view, it is observed that no specific legal hurdle is involved at this stage. However, the department is suggested to examine the administrative issues, if any and concurrence of finance department on financial issues may also be taken. 3. Further, the department may ensure the correctness of facts, words and figures mentioned therein are correct and the GFR guidelines, OMs issued by the DoP&T, Gol (as amended up to date) and any other guidelines on the applicable subject, if any, has been complied with."
11.	Comments of Personnel Department on the comments of Law Department	No Comments.
12.	Details of the previous Council Resolution, existing law of Parliament and assembly on the subject.	Council Resolution No. 15(H-2) dated 21.09.2008
13.	Recommendation	The proposal of Para -4 may be approved.
14.	Draft Resolution	Resolved by the Council that approval is granted to the Recruitment Rules for the post of Public Relation Assistant as per Annexure-III

COUNCIL'S DECISION

Deferred.

Personnel Department to revisit the Educational Qualifications in the proposed RRs of Public Relation Assistant to suit the current requirements of the Department.

The Council further resolved that the Departments concerned may initiate further necessary action based on the decisions taken by the Council at the meeting, as noted above, in anticipation of confirmation of the Minutes.


 For Secretary
 New Delhi Municipal Council
 New Delhi.

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6/11/23 Annexure-I

RECRUITMENT RULES FOR THE POST OF PUBLIC RELATION ASSISTANT

01.	Name of the Post	Public Relation Assistant
02.	Number of Posts	02
03.	Classification	Category 'C'
04.	Scale of Pay	Rs. 4500-7000 (Vth CPC)
05.	Whether selection post or non selection post	Not applicable
06.	Age limits for direct recruitment	Not exceeding 30 years. Relaxable for government servants and employees of NDMC upto 5 years in accordance with the instructions or orders issued by the Central Govt.
07.	Whether benefit of added years of service admissible	N.A
08.	Educational & other qualifications required for direct recruits	<p>Essential:-</p> <p>Graduation in Journalism from the recognized University with sound knowledge of English and Hindi</p> <p>Desirable:-</p> <p>iv) Knowledge of basics of computer. v) Knowledge of printing work. vi) 2 years experience in the field of Journalism and public relation work.</p>
09.	Period of probation, if any.	Two Years
10.	Whether age & educational qualifications prescribed for direct recruits will apply in the case of promotees.	N.A.
11.	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer & percentage of the vacancies by filled by various method	Direct Recruitment
12.	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/ transfer to be made.	N.A.
13.	If a DPC exists what is its composition	N.A.
14.	Circumstances in which UPSC to be consulted in making recruitment	Consultation with UPSC not necessary.

Res. 15 (H-2) dt 21.9.2008

1. The President's Secretariat, New Delhi.
2. The Prime Minister's Office, New Delhi.
3. The Cabinet Secretariat, New Delhi.
4. The Rajya Sabha Secretariat, New Delhi.
5. The Lok Sabha Secretariat, New Delhi.
6. The Comptroller and Auditor General of India, New Delhi.
7. The Union Public Service Commission, New Delhi.
8. The Staff Selection Commission, New Delhi.
9. All Attached Offices under the Ministry of Personnel, Public Grievances and Pensions.
10. Establishment Officer and Secretary, ACC
11. All Officers and Sections in the Department of Personnel
12. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi
13. All Staff Members of National Council (JCM)
14. All Staff Members of the Departmental Council (JCM),
15. Ministry of Personnel, PG and Pensions
16. Establishment (RR Division) (20 copies)
17. NIC for uploading on the Department's website.

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NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA: NEW DELHI
SECRETARY'S ESTABLISHMENT

Subject : Proposal for framing / amendment in Recruitment Rules for the post of Public Relation Assistant in NDMC.

The present proposal for amendment of RRs for the post of Public Relation Assistant has been formulated in accordance with 7th CPC pay scale.

2. The draft RRs for the post of Public Relation Assistant, attached herewith at Annexure-I, is uploaded on the web site on NDMC in terms of Do&PT's O.M. No. AB-14017/61/2008-Estt.(RR) dated 13.10.2015 for comments, if any; from the stakeholders and as well as from the User Department i.e. Secretary's Establishment, before taking up the proposal with the Council, UPSC and other agencies for finalizing the Recruitment Rules.

3. The comments may be furnished urgently so as to reach, Section Officer (Secy' Estb.), Room No. 4008, Palika Kendra, New Delhi or through e-office within 30 days from the date of issue of this circular.

Signed by Satish Kumar

Date: 06-06-2023 15:33:00

(Satish Kumar)

Jt. Director (Estt.)

Copy for kind information to :-

- i. PS to Chairman, NDMC
- ii. PA to Secretary, NDMC
- iii. PA to Director (P)
- iv. Dy. Director (IT) - with the request to upload this circular on the website of NDMC.

NEW DELHI MUNICIPAL COUNCIL
(Secretary's Establishment)
NOTIFICATION
Delhi, dated the _____ 2023.

No.....(E):- In exercise of the powers conferred by clause (c) of sub-section (1) of Section 43 of the New Delhi Municipal Council Act, 1994 (44 of 1994) and after consultation/approval with/of Government of

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India(MHA) in terms of sub-section (2) of Section 387 of the said Act, the New Delhi Municipal Council hereby makes the following Recruitment Rules for regulating the method of recruitment to the post of Public Relation Assistant in the New Delhi Municipal Council, namely:-

1. Short title and commencement,---

(1) These rules may be called the New Delhi Municipal Council Public Relation Assistant Recruitment Rules 2023.

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

2. Application,--- These rules shall apply to the posts mentioned in column (1) of the Schedule annexed to these rules.

3. Number of Posts, classification and Pay Band and Grade Pay or Pay Scale,--- The number of the said post, its classification and pay band and grade pay scale attached thereto shall be as specified in columns (2) to (4) of the Schedule annexed to these rules.

4. Method of recruitment, age-limit, qualification etc.,--- The method of recruitment, age-limit, qualifications and other matters relating to the said post shall be as specified in columns (5) to (13) of the Schedule annexed to these rules.

5. 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 said post;

Provided that the New Delhi Municipal Council 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.

6. Power to relax,--- Where the New Delhi Municipal Council is of the opinion that it is necessary or expedient to do so, it may, by order, and for reasons to be recorded in writing and with the approval of the Central Government relax any of the provisions of these rules with respect to any class or category of persons.

7. 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, Ex-servicemen and other special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard.

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ANNEXURE-I

**DRAFT RECRUITMENT RULES FOR THE POST OF PUBLIC RELATION ASSISTANT IN NEW DELHI
MUNICIPAL COUNCIL (NDMC)**

SCHEDULE

Name of Post	No. of Post	Classification	Level in the Pay Matrix	Whether Selection Post or Non Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
Public Relation Assistant	02* (2023) *Subject to variation dependent on workload	Category 'C'	Level-5 (Rs. 29200-92300) in the Pay Matrix	Not Applicable	Age limit between 18-27 years Note:1- Upper age limit is relaxable for departmental candidate upto 40 years in accordance with the instructions or orders issued by the Central Government from time to time. Note:2- The crucial date for determining the age-limit shall be as advertised by DSSSB	<u>Essential</u> Graduation in Journalism from a recognized University with sound knowledge of English and Hindi. <u>Desirable:</u> (i) Working knowledge of computers. (ii) Knowledge of printing work. (iii) 2 years experience in the field of journalism and public relation work. Note 1: Qualifications are relaxable at the discretion of the competent authority

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						<p>ity in case of candidates otherwise well qualified.</p> <p>Note 2. The qualification(s) regarding experience is relaxable at the discretion of the Competent Authority in the case of candidates belonging to Scheduled Castes or Scheduled Tribes if at any stage of selection, the Competent Authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them.</p>
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Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption	In case of recruitment by promotion/deputation/absorption grades from which promotion/deputation/absorption to be made	If Departmental Promotion Committee exists what is its composition	Circumstances in which Union Public Service Commission to be consulted in making recruitment
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8	9	10	11	12	13
Not applicable	<p data-bbox="443 499 610 531">Two Years</p> <p data-bbox="443 590 610 1188">Note: Direct recruits would be required to successfully complete a mandatory induction training of at least two weeks duration, as prescribed by the competent authority, for completion of probation.</p>	<p data-bbox="626 499 756 573">and percentage of the vacancies to be filled by various methods</p> <p data-bbox="626 499 756 573">Direct Recruitment</p>	Not applicable	<p data-bbox="1016 499 1162 751">Category 'C' Departmental Confirmation Committee (for considering confirmation):</p> <p data-bbox="1016 800 1162 915">(i) Director (P), NDMC – Chairman;</p> <p data-bbox="1016 926 1162 1041">(ii) Joint Director (Concerned Estt.) - Member;</p> <p data-bbox="1016 1094 1162 1251">(iii) Joint Director (From Personnel Deptt.) - Member</p> <p data-bbox="1016 1304 1162 1419">(iv) Liaison Officer (SC/ST) – Member</p>	<p data-bbox="1187 499 1308 667">Consultation with UPSC not necessary.</p>

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ANNEXURE-I

**DRAFT RECRUITMENT RULES FOR THE POST OF PUBLIC RELATION ASSISTANT IN NEW DELHI
MUNICIPAL COUNCIL (NDMC)**

SCHEDULE

Name of Post	No. of Post	Classification	Level in the Pay Matrix	Whether Selection Post or Non Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
Public Relation Assistant	02* (2023) *Subject to variation dependent on workload	Category 'C'	Level-5 (Rs. 29200-92300) in the Pay Matrix	Not Applicable	Age limit between 18-27 years Note:1- Upper age limit is relaxable for departmental candidate upto 40 years in accordance with the instructions or orders issued by the Central Government from time to time. Note:2- The crucial date for determining the age-limit shall be as advertised by DSSSB	<u>Essential</u> Graduation in Journalism from a recognized University with sound knowledge of English and Hindi. <u>Desirable:</u> (i) Working knowledge of computers. (ii) Knowledge of printing work. (iii) 2 years experience in the field of journalism and public relation work. Note 1: Qualifications are relaxable at the discretion of the competent authority

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						<p>ity in case of candidates otherwise well qualified.</p> <p>Note 2. The qualification(s) regarding experience is relaxable at the discretion of the Competent Authority in the case of candidates belonging to Scheduled Castes or Scheduled Tribes if at any stage of selection, the Competent Authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancy reserved for them.</p>
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Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/absorption	In case of recruitment by promotion/deputation/absorption grades from which promotion/deputation/absorption to be made	If Departmental Promotion Committee exists what is its composition	Circumstances in which Union Public Service Commission to be consulted in making recruitment
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		and percentage of the vacancies to be filled by various methods			
8	9	10	11	12	13
Not applicable	Two Years Note: Direct recruits would be required to successfully complete a mandatory induction training of at least two weeks duration, as prescribed by the competent authority, for completion of probation.	Direct Recruitment	Not applicable	Category 'C' Departmental Confirmation Committee (for considering confirmation): (i) Director (P), NDMC – Chairman; (ii) Joint Director (Concerned Estt.) - Member; (iii) Joint Director (From Personnel Deptt.) -Member (iv) Liaison Officer (SC/ST) – Member	Consultation with UPSC not necessary.

ITEM NO. 08 (Personnel)

1	Name of the subject	<p>This is a proposal to:</p> <p>iii. Implement and grant of 7th CPC pay scales with reference to Gazette Notification No. F.13(126)UD/ MB/2014/420 dated 07.04.2016 to all serving/retired NDMC employees who are drawing salary/pension under 6th DTL w.e.f. 01.01.2016.</p> <p>iv. Grant of DTL pay scales to left out category(Accounts/Audit and Law Department) with effect from 01.04.1998 to 31.12.2015 (along-with arrears) as per recommendation of Anomaly Committee.</p>
2	Name of the Department	Personnel Department.
3	Brief history of the subject	<p>3(a) Proposal for implementation of 7th CPC pay scale with reference to Gazette Notification No. F.13(126)UD/MB/2014/ 420 dated 07.04.2016 to all serving/retired NDMC employees who are drawing salary/pension under 6th DTL w.e.f. 01.01.2016</p> <p>3.1 Presently, many NDMC employees are paid pay & allowances and pensionary benefits in terms of 6th DTL pay scales.</p> <p>3.2 Vide Gazette Notification No. F.13(126)UD/MB/2014/420 dated 07.04.2016 (ANNEXURE-I) (See pages 79 - 81), the New Delhi Municipal Council (Conditions of Services of Municipal Officers) Regulation, 2016 has come into force.</p> <p>Para 4 of this Notification stipulates as under:-</p> <p>"4. Application of certain rules:- The following rules as amended from time to time, including orders issued there under by the Central Government, in so far as the provisions of such rules or orders are not inconsistent with the provisions of the Act or rules or regulations made thereunder, shall apply to the municipal officers, namely:-</p> <p>i. the Fundamental Rules and Supplementary Rules (including Travelling Allowance Rules);</p> <p style="text-align: center;">x x x x x x x</p> <p style="text-align: center;">x x x x x x x</p> <p>x. the Central Civil Service (Revised Pay) Rules, 2008</p> <p style="text-align: center;">x x x x x x x "</p> <p>3.3 With the notification of the aforesaid regulations, the pay/pension of all the employees in NDMC, including those drawing DTL scales, is to be regulated in terms of Central Civil Service (Revised Pay) Rules, 2016 w.e.f. 01.01.2016 [as the Central Civil Service (Revised Pay) Rules, 2016 were made applicable w.e.f. 01.01.2016 vide Gazette Notification G.S.R. 721(E). F. No. 1-2/2016-IC dated 25.7.2016].</p> <p>3.4 However, the continuation of DTL scales for employees of NDMC</p>

was considered by the Council vide Item No. 24 (H-09) dated 16.10.2017, vide Item No. 31 (H-13) dated 03.02.2018 and vide Item No. 22 (H-08) dated 23.08.2018. The Council approved on 23.08.2018 to forward a proposal to Ministry of Home Affairs for consideration of continuation of DTL Pay Scales in NDMC (**ANNEXURE-II**) (See pages 82 - 108).

3.5 Accordingly, the NDMC vide letter No. 42011/41/2018-Secy. Estt. dated 10.09.2018 (**ANNEXURE-III**) (See pages 109 - 113) requested the Ministry of Home Affairs to approve the amendment in aforesaid Regulation Para-No. 4(x) of NDMC (Conditions of Service of Municipal Officers) Regulation, 2016 for continuation of DTL Pay Scale in NDMC.

4. Pending decision on the proposal of NDMC dated 10.09.2018 for continuation of DTL Pay Scale in Ministry of Home Affairs, NDMC released interim lump sum payment towards arrears of revised pay w.e.f. 01.01.2016 onwards in two instalments to all the employees who were getting their pay under 6th DTL pay scale vide Office Order No. SO(E)/6302/SA-III dated 18.10.2016 and D-233/PA/Dir(P)/2017 dated 05.09.2017 (**Annexure-IV & V**) (See pages 114 - 116). The detail is as under:-

Category	1 st Instalment	2 nd Instalment
A	Rs.40000/-	Rs.120000/-
B	Rs.35000/-	Rs.80000/-
C	Rs.30000/-	Rs.65000/-
D	Rs.20000/-	Rs.50000/-

Moreover, NDMC also granted Interim Relief @ 2.57 by multiplying the pay in the pay band plus grade pay as on 31.12.2015 rounded off the next multiple of ten, vide Office Order No. A-42011/15/2017-Secy. Estt. dated 13.01.2018 to the employees of NDMC under DTL Scale (**Annexure-VI**) (See pages 117 - 118)

5. The proposal of NDMC Council for DTL continuation was rejected by the Ministry of Home Affairs vide letter F.No.14011/10/2008 Delhi-II dated 27.09.2022 (**Annexure-VII**). (See page 119)

6. However, despite rejection of the Ministry of Home Affairs to continue DTL pay scales, the implementation of the 7th CPC is still pending. On account of non-implementation of the 7th CPC the following serious issues have arisen:

(i) Litigations have been filed in Court/CAT by individuals and Unions to finalize the issue of 7th CPC and issue orders for non-recovery of DTL Interim Benefit already paid;

(ii) Terminal benefits like Leave Encashment, Gratuity/DCRG, Pension/Family Pension and Commutation of Pension etc. remains unsettled in respect of employees Retired/Expired after 01.01.2016;

(iii) Cases of financial upgradation under MACP remains unsettled. Further, TBPS under DTL beyond 31.12.2015 is not being allowed;

7. Once the proposal to grant 7th CPC w.e.f. 01.01.2016 is

		<p>implemented, the above pending issues will be addressed once and for all.</p> <p><u>3(b) Grant of DTL pay scales to left out category (Accounts/Audit and Law Department) with effect from 01.04.1998 to 31.12.2015 (along-with arrears) as per recommendation of Anomaly Committee:-</u></p> <ol style="list-style-type: none"> Rita Kumar Committee had earlier considered the case of 311 left out categories to grant DTL pay scales w.e.f. 01.04.1998. While the proposal was submitted to the Council, it recommended [vide resolution no. 36(H-03) dated 27.06.2016] that 64 left out categories (mentioned in Annexure-II) which, <i>inter alia</i>, included the posts of Accounts, Audit and Law Department be considered by Anomaly Committee. Accordingly, Anomaly Committee considered the 64 left out categories. The recommendations of the committee is annexed as Annexure-VIII. (See pages 120 - 144) However, the recommendations of Anomaly Committee were partially approved by the Council. The suggestions of the Anomaly Committee in r/o Accounts/Audit (Table-II A), Law Department (Table-II B) and Social Education Department (Table-III) were not approved. Subsequently, the recommendations of the Anomaly Committee for Social Education Department was placed again before the Council and the same has been approved vide resolution no. 14(Pers.) dated 25.05.2022 (Annexure-IX. (See pages 145 - 148)) It is proposed that the DTL Scale may be granted to Accounts, Audit and Law Department (w.e.f. 01.04.1998 to 31.12.2015), as per recommendations of the Anomaly Committee mentioned at Table-II A and Table-II B. This is necessary to avoid future litigation as well as resentment amongst the officers/staff of Audit, Accounts and Law Departments.
4	Detailed proposal on the subject	<p><u>4(a) Implementation of 7th CPC pay scale with reference to Gazette Notification No. F.13(126)UD/MB/2014/420 dated 07.04.2016 to all serving/retired NDMC employees who are drawing salary/ pension under 6th DTL w.e.f. 01.01.2016:-</u></p> <p><u>A. DATE OF IMPLEMENTATION TO BE 01.01.2016</u></p> <p>The chronological sequence of events till publishing of the Delhi Gazette Notification dated 07.04.2016 is as under: -</p> <ol style="list-style-type: none"> NDMC passed a Resolution No. 28 (C-35) dated 17.10.2007 (Annexure-X. (See pages 149 - 152)) approving the Regulations under Section 43 (1) (a) of Act, for regulating condition of Service of Municipal Officers. It was resolved by the Council <i>vide</i> the said Resolution that all its employees would be governed by the Rules & Regulations applicable to an employee of Central Government. Thereafter, Draft Notification titled "<i>New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2007</i>" to bring into effect that all employees of NDMC would be governed by the Rules/Regulations applicable to employee of Central Government was drafted. The Central Civil Services (Revised Pay) Rules mentioned at Rule No. 4 (x) reads as "<i>Central Civil Services (Revised Pay) Rules,</i>

	<p>1997". The year mentioned in the title reads as 2007 considering that the regulations would be notified in the 2007 whereas at Rule No. 4 (x) it has been mentioned as "<i>Central Civil Services (Revised Pay) Rules, 1997</i>"; considering that these Rules were in force in the year 2007.</p> <p>iii) The Central Government (Ministry of Home Affairs) approved the initial Draft Notification prepared by NDMC as required under Section 387 (2) on 20.05.2010 (Annexure-XI) (See pages 153 - 156). It may clearly be noted that the title of the Regulations reads as "<i>New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2010</i>" and the Central Civil Services (Revised Pay) Rules mentioned at Rule No. 4 (x) reads as "<i>Central Civil Services (Revised Pay) Rules, 2008</i>". The year mentioned in the title reads as 2010 considering that the regulations would be notified in the 2010 whereas in Rule No. 4 (x) it has been mentioned as "<i>Central Civil Services (Revised Pay) Rules, 2008</i>", considering that these Rules were in force in 2010.</p> <p>iv) Hence, it is clear that the intent is to implement the Central Civil Services (Revised Pay) Rules as is applicable on the date of implementation of the Notification.</p> <p>v) There was a delay in obtaining approval and subsequent notification of the regulations. The Draft Notification was finally approved by Chairman, NDMC only on 23.09.2014 and the Draft Notification was sent to Urban Development Department, Govt. of NCT of Delhi vide letter No. 2315 to 16/Vig/Imp/TO(C-III)/DD-I/2014 dated 30.09.2014 for notification.</p> <p>vi) The Notification could be notified in the official Gazette of Government of NCT of Delhi only on 07.04.2016 vide No. F. 13(126)UD/MB/2014/420 (Annexure-I) (See pages 79 - 81). It may clearly be noted that the title of the Regulations reads as "<i>New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016</i>" and the Central Civil Services (Revised Pay) Rules mentioned at Rule No. 4 (x) reads as "<i>Central Civil Services (Revised Pay) Rules, 2008</i>".</p> <p>vii) Here again, the year mentioned in the title reads as 2016 considering that the regulations would be notified in the year 2016 whereas at Rule No. 4 (x) it has been mentioned as "<i>Central Civil Services (Revised Pay) Rules, 2008</i>", considering that this Civil Services (Revised Pay) Rules was in force in 2016.</p> <p>viii) Further, it is noticed from the Initial Draft Notification (<i>drafted in the year 2007</i>) and the Final Notification (<i>Notified on 07.04.2016</i>) that there is no change in the nomenclature and the year with regard to all other applicable rules except for the Central Civil Services (Revised Pay) Rules (<i>the other rules that remains unchanged are (i) the Fundamental Rules and Supplementary Rules (including Travelling Allowance Rules); (ii) the Central Civil Services (Leave) Rules, 1972; (iii) the Central Civil Services (Pension) rules, 1972; (iv) the Central Civil Services (Commutation of Pension) Rules, 1981; (v) the payment of Arrears of Pension (Nomination) Rules, 1983; (vi) the General Provident Fund (Central Rules), 1960; (vii) the Central Civil Services (Conduct) Rules, 1964; (viii) the Central Civil Services (Classification, Control and Appeal) Rules, 1965; (ix) the Central Civil Services (Leave Travel</i></p>
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Concession) Rules, 1998; (xi) the Central Civil Services (Temporary Service) Rules, 1965).

ix) Thus, except for the year mentioned in the Central Civil Services (Revised Pay) Rules in which the year has been changed from 1997 to 2008 only on account of applicability of this rule on the proposed date for its notification, all other rules mentioned therein the initial draft Notification and also in the Final Notification remains unchanged.

x) Hence, there should neither be any iota of doubt nor any scope of misinterpretation that the very purpose of changing the year of the "Central Civil Services (Revised Pay) Rules" from 1997 (*i.e. at the time of initial drafting*) to 2008 (*i.e. when notified*) is to ensure that the application of the prevailing rules applicable as on the date of notification.

xi) Therefore, the applicable "Central Civil Services (Revised Pay) Rules" on 07.04.2016 is to be considered for implementation of the "New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016".

xii) After notification of the "Central Civil Services (Revised Pay) Rules, 2016" on 25.07.2016, the pay and allowances of Central Government employees is governed by this rule with effect from 01.01.2016.

xiii) The date of notification of the "New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016" is 07.04.2016 and on this date actually the "Central Civil Services (Revised Pay) Rules, 2016" was under implementation that too with effect from 01.01.2016. Hence, the "Central Civil Services (Revised Pay) Rules, 2016" is automatically applicable with effect from 01.01.2016 for all purposes and is to be also considered for the NDMC employees drawing pay under DTL pay scales.

xiv) The above points indicate the fact that had the "New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016" was notified after the Notification bearing number G.S.R. 721(E). F. No. 1-2/2016-IC dated 25.7.2016 *vide* which the Central Civil Services (Revised Pay) Rules, 2016 is being implemented w.e.f. 01.01.2016, then the "Central Civil Services (Revised Pay) Rules, 2016" would have been mentioned therein instead of "Central Civil Services (Revised Pay) Rules, 2008".

xv) Hence, for all purposes the 7th CPC notified on 25.07.2016 and implemented from 01.01.2016 is *mutatis mutandis* to be applied and taken into consideration for the purpose of implementation of Gazette of Government of NCT of Delhi No. F. 13(126)UD/MB/2014/420 dated 07.04.2016 (Annexure-I) (See pages 79 - 81). Therefore, it is proposed that the 7th CPC be implemented w.e.f. 01.01.2016.

B. Waiving-off of financial losses of NDMC on account of delay in Notification of the "New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations."

i) It is a matter of record that the Central Government (Ministry of Home Affairs) approved the initial Draft Notification viz., "New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations" as required under Section 387 (2) on 20.05.2010.

(Annexure-XI) (See pages 153 – 156).

ii) However, there was a considerable delay in obtaining approval and subsequent notification of the regulations. The Draft Notification was finally approved by Chairman, NDMC only on 23.09.2014 and the Draft Notification was sent to Urban Development Department, Govt. of NCT of Delhi vide letter No. 2315 to 16/Vig/Imp/TO(C-III)/DD-I/2014 dated 30.09.2014 for notification.

iii) The Notification could be notified in the Official Gazette of Government of NCT of Delhi only on 07.04.2016 vide No. F. 13(126)UD/MB/2014/420 (Annexure-I) (See pages 79 – 81).

iv) Had the notification approved by the Ministry of Home Affairs in the year 2010 could have been notified in the same year, then the "Central Civil Services (Revised Pay) Rules, 2008" would have been applicable to NDMC employees that too from 01.01.2006.

v) Now, on account of the delay in Notification, it is proposed to adopt 7th CPC and fixation of pay as per *Central Civil Services (Revised Pay) Rules, 2016* effective from 01.01.2016.

vi) Non-implementation with effect from 01.01.2006 on account of the delay in the notification has put extra financial burden on NDMC, which needs to be waived off on account of the following reasons: -

a) The officers/staff of NDMC is not directly responsible for the delay in the Notification.

b) Fixation of pay from the year 01.01.2006 by adopting the 6th CPC may lead to recovery which would make the situation more administratively complex and lead to legal litigations.

c) Further, Hon'ble Supreme Court in the case of State of Punjab & Ors Vs Rafiq Masih (White Washer) etc. in CA No.11527 of 2014 {arising out of SLP(C) No.11684 of 2012} observed that it is not possible to postulate all situations of hardship which would govern employees on the issue of recovery, where payments have mistakenly been made by the employer, in excess of their entitlement. The Hon'ble Supreme Court summarized the following few situations, wherein recoveries by the employers would be impermissible in law:- (i) Recovery from employees belonging to Class-III and Class-IV service (or Group 'C' and Group 'D' service). (ii) Recovery from retired employees, or employees who are due to retire within one year, of the order of recovery. (iii) Recovery from employees, when the excess payment has been made for a period in excess of five years, before the order of recovery is issued. (iv) Recovery in cases where an employee has wrongfully been required to discharge duties of a higher post, and has been paid accordingly, even though he should have rightfully been required to work against an inferior post. (v) In any other case, where the Court arrives at the conclusion, that recovery if made from the employee, would be iniquitous or harsh or arbitrary to such an extent, as would far outweigh the equitable balance of the employer's right to recover.

(d) In view of the aforesaid Supreme Court Judgement recovery is not suggested.

vii) Therefore, condoning and waiving off the financial burden on account of the delay in notification needs to be considered and approved by the Council.

C. PAY AS ON 31.12.2015 UNDER 6TH DTL TO BE CONSIDERED AND PROTECTED FOR THE PURPOSE OF CONVERSION TO 7TH CPC FROM 01.01.2016

i) The "Central Civil Services (Revised Pay) Rules, 2016" is designed only for employees of Central Government/organizations where Central Civil Services (Revised Pay) Rules, 2008 was in implementation.

ii) It is also an established fact that the pay and allowances drawn under erstwhile CPC is taken for conversion into new CPC. However, certain class of employees of NDMC are drawing pay and allowances under DTL since 1971. Therefore, conversion from erstwhile CPC to new CPC would be herculean administrative task and if implemented, it would lead to many legal implications.

(iii) It is also a matter of record that DTL pay was taken into consideration for the purpose of converting it to CPC the case of nurses. Hence, conversion of pay as on 31.12.2015 from 6th CPC to 7th CPC is not feasible as NDMC employees were drawing pay under DTL on 31.12.2015. Therefore, DTL pay on 31.12.2015 needs to be taken into consideration for converting pay and allowances under 7th CPC.

iv) Considering that we are moving from DTL scale to CPC scale, on account of the Notification dated 07.04.2016, there is no other option available but to consider and protect the pay under 6th DTL pay as on 31.12.2015, for transition to 7th CPC.

D. AREA OF CONCERN NOT COVERED UNDER THE PRESENT PROPOSAL FOR WHICH APPROVAL IS BEING SOUGHT BY THE COUNCIL OR WHICH ARE FOUND TO BE NOT IN CONSONANCE WITH CPC PROVISIONS

Any other area of concern not covered under the present proposal for which approval is being sought by the Council or which are not in consonance with 7th CPC or is in deviation from 7th CPC will be brought to Council attention and thereafter inputs of Establishment Department regarding process of implementation will be added, which will be carried out as per Section 18(b) of NDMC Act, 1994 (Annexure-XIII) (See page 165) read with Rule 5(2) of Gazette Notification dated 07.04.2016(Annexure-I) (See pages 79 - 81).

E. MODALITIES OF IMPLEMENTATION

While implementing 7th CPC w.e.f. 01.01.2016, the following methodology shall be adopted:

- i. The pay (Pay in Pay Band plus Grade Pay) in the pre-revised structure as on 31st day of December 2015 under 6th DTL scales shall be multiplied by a factor of 2.57. The figure so arrived at is to be located in the Level, as per similarly placed designation in Central Government in 7th CPC;
- ii. If in the level there is an identical cell to that of the figure arrived after applying the said multiplying factor exists, then that cell shall be the revised pay. Otherwise, next higher cell in the Level shall be the revised pay of the employee;
- iii. Subsequent increments in the Level shall be at the immediate next Cell in the Level;
- iv. The dates for grant shall be on 1st January and 1st July every year as envisaged in the 7th CPC;
- v. Henceforth, all allowances will be governed as per the 7th CPC. However, past settled cases of LTC, TA/DA on Tour shall not be reviewed;

		<p>vi. Municipal accommodations already in occupation shall be continued but fresh allotment / changes shall be as per entitlement under CPC. However, request for fresh/change of Municipal Accommodation will be considered according to eligibility, as per 7th CPC pay level;</p> <p>vii. Level at 7th CPC shall be decided based on the substantive post being held by the staff/officer. However, in case of staff/officer who have been granted the Time Bound Promotional Scale (TBPS) up to 31.12.2015 shall be regulated by adopting the following methodology: -</p> <p>a. Pay as on 31.12.2015 shall be protected;</p> <p>b. Pay shall be placed in the corresponding level of the pay band for which the substantive post is being held by taking into account that pay band and level what the officers/staff would have got in terms of ACP/MACP scheme;</p> <p>(viii) Any anomaly/grievances arising on account of conversion of 6th DTL pay as on 31.12.2015 to 7th CPC pay from 01.01.2016 will be referred by Personnel Department to Anomaly Committee to be constituted subsequently as per the composition given below</p> <p>(a) Financial Advisor-Chairman (b) Director (Personnel)-Member (c) Director (Accounts)-Member (d) Director (Education)-Member (e) Director (Welfare) -Member</p> <p>The recommendations of the Committee shall be placed before Chairman, NDMC for taking final decision.</p> <p>4(b) Grant of DTL pay scales to left out category (Accounts/Audit and Law Department) with effect from 01.04.1998 to 31.12.2015 (along-with arrears) as per the existing recommendation of Anomaly Committee:</p> <p>It is proposed that the DTL pay scales may be granted to left over category (Accounts/Audit and Law Department) with effect from 01.04.1998 to 31.12.2015, as per recommendation of Anomaly Committee mentioned at Table-II A and Table-II B. This would avoid any future litigation and above all ensure that there is no resentment amongst the officers/staff of Audit, Accounts and Law Departments.</p>
5	Financial implications of the proposed subject	<p>Financial implications have occurred on the following accounts:</p> <p>a. implication regarding payment arising due to all levels of employees moving to 7th CPC w.e.f. 01.01.2016.</p> <p>b. the implication of granting DTL scale to the left-out category i.e. Accounts/Audit and Law Department.</p> <p>c. The condoning of recovery of any arrears arising due to delay in notification of the "New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations from any employee from pay and allowances paid prior to 31.12.2015.</p> <p>Financial implications have not been quantified exactly. However, it is</p>

		estimated that the total expenditure on account of (a) and (b) above would be approximately Rs. 230 crores. Proposal for waiving off of financial implication on account of condoning the delay in notifying the "New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations has been placed for approval at 4(a)(B)above.
6	Implementation schedule with timeliness for each stage including internal processing.	Immediate after the approval of Council.
7	Comments of the Finance Department on the subject	<p style="text-align: center;"><u>Comments of FD dated 22.07.2023</u></p> <p>Comments of Financial Department are reproduced as under: -</p> <p>The proposal of personnel department on the subject matter has been received at 6.45 PM on 21.7.2023 and would normally require an elaborate examination. However, considering that the proposal is to be taken to the Council meeting to be held on 26.7.2023, the interim observations at this stage are as follows:</p> <ol style="list-style-type: none"> 1. Delhi Gazette Notification dated 7.4.2016 clearly stipulates applicability of "the CCS(Revised Pay) Rules, 2008" which are applicable from 01.01.2006 whereas the proposal of personnel department from 1.1.2016 (i.e. CCS(Revised Pay) Rules, 2016) in operation. It is also observed that some of the recommendations are not strictly in conformity to the provisions of CCS(Revised Pay) Rules, 2016 e.g. CCS(Revised Pay) Rules, 2016 prescribes the pay as on 31.12.2015 in 6th CPC, whereas, the proposal is to use the pay as on 31.12.2015 of 6th DTL which is dissimilar to CPC fundamental rules. FD has already noted few area of concern in this regard while advising on earlier proposal on the subject in e-file no. 56580. 2. The department should also bring on record the justification for migration of DTL Scales to CPC w.e.f. 01.01.2016 since the provisions stipulated in Gazette notification CCS(Revised Pay) Rules, 2008 indicates implementation w.e.f. 1.1.2006. 3. The department should confirm that the proposal is in consonance with CPC provisions otherwise list out deviations, if any. 4. NDMC is currently following DTL scales which are different from CPC and would, therefore, necessitate rank wise/post wise pay levels under 7th CPC. 5. The department has also not worked out the financial effect of the proposal which may be adhered. 6. It is observed that the employees who are in DTL scale currently will be placed in corresponding levels in CPC, though the new recruits in CPC will not be able to achieve those cells in normal course. Department should ensure that the same does not have any legal implications including the cases of new recruits who have been appointed in DTL Scales. 7. So far as proposal in para-4(b) of the draft agenda for grant of DTL pay scales to the left-out categories is concerned, it is observed that the same proposal had been considered by the

Council vide meeting held on 28.08.2017 and was resolved to be "decided separately". Since no additional input appears to have been taken into consideration, it would be appropriate that the matter be brought to the consideration of the Anomalies Committee already constituted vide resolution dated 27.06.2016.

8. The proposal may be brought for consideration of the competent authority, subject to above.

This issues with the approval of F.A.

Comments of FD dated 18.08.2023

Comments of Financial Department are reproduced as under: -

2. As regard to 1(i) the inconsistencies/ discrepancies in the draft agendum has been observed as under:-

In para 4A(xv) the date of implementation of CPC has been mentioned as 7.4.2016.

In para 4E(i) it is mentioned that "*.....the figure so arrived at is to be located in the level (as per the corresponding Level in CPC)*". This needs to be reviewed considering the formulation made in presentation before the Council members.

In para 5 under title "Financial implication of proposal subject", the last sentence of the comment is incomplete.

Considering the limited time available, the department may go through the complete agendum and remove further discrepancies, if any left.

3. In para 4D of draft agendum, the department has mentioned that "*Area of concern..... with CPC provisions*". Since the notification dated 07.04.2016 implements the provisions of 7th CPC, any deviation from the same should be brought to the consideration of the Council through an agenda.

4. Since the staff of FD are also the beneficiaries of the proposal mentioned at para no.1(ii) above, FD recuses itself from making any comment thereupon.

In view of above, the department may place the proposal seeking approval of the appropriate competent authority. These concern of FD as well as comments of the department may be placed at para 7 & 8 of draft agendum, respectively.

This issues with the approval of the F.A. NDMC.

8	Comments of the Department on the comments of Finance	Comments with regards to observations of FD dated 22.07.2023 are annexed at Annexure-XII (See pages 157 – 164) . Comments with regards on observations of FD dated 18.08.2023 are as
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Department	<p>under:-</p> <p>2(i) In para 4A(xv) the date of implementation of CPC has been mentioned as 7.4.2016.</p> <p>It was mentioned "Hence, for all purposes the 7th CPC is mutatis-mutandis applicable on 07.04.2016". The intention was to conclude that the Central Civil Services (Revised Pay) Rules, 2016 notified on 25.07.2016 was to be taken into consideration for the purpose of conversion of the pay of the NDMC employees to CPC. Since, the 7th CPC notified on 25.07.2016 is applicable w.e.f. 01.01.2016, the same would be taken into consideration for the conversion of DTL pay to CPC pay.</p> <p>However, to bring about more clarity Para 4(a)A.xv now has been changed to read as:-</p> <p><i>"Hence, for all purposes the 7th CPC notified on 25.07.2016 and implemented from 01.01.2016 is mutatis mutandis to be applied and taken into consideration for the purpose of implementation of Gazette of Government of NCT of Delhi No. F. 13(126)UD/MB/2014/420 dated 07.04.2016 (Annexure-I). Therefore, it is proposed that the 7th CPC be implemented w.e.f. 01.01.2016".</i></p> <p>2(ii) In para 4E(i) it is mentioned that <i>".....the figure so arrived at is to be located in the level (as per the corresponding Level in CPC)"</i>. This needs to be reviewed considering the formulation made in presentation before the Council members.</p> <p>Modified as per Finance Department opinion. This now reads as:- <i>"The pay (Pay in Pay Band plus Grade Pay) in the pre-revised structure as on 31st day of December, 2015 under 6th DTL scales shall be multiplied by a factor of 2.57. The figure so arrived at is to be located in the Level, as per similarly placed designation in Central Government in 7th CPC"</i></p> <p>2(iii) In para 5 under title "Financial implication of proposal subject", the last sentence of the comment is incomplete.</p> <p>Para 5 now stands completed to read as:</p> <p>"Financial implications have occurred on the following accounts:</p> <ol style="list-style-type: none"> a. implication regarding payment arising due to all levels of employees moving to 7th CPC w.e.f. 01.01.2016. b. the implication of granting DTL scale to the left-out category i.e. Accounts/Audit and Law Department. c. The condoning of recovery of any arrears arising due to delay in notification of the "New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations from any employee from pay and allowances paid prior to 31.12.2015. <p>Financial implications have not been quantified exactly. However, it is estimated that the total expenditure on account of (a) and (b) above would be approximately Rs. 230 crores.</p> <p>Proposal for waiving off of financial implication on account of condoning the delay in notifying the "New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations has been placed for approval at 4(a)(B) above.</p>
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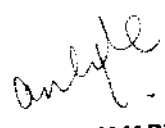
		<p>3 In para 4D of draft agendum, the department has mentioned that "Area of concern..... with CPC provisions". Since the notification dated 07.04.2016 implements the provisions of 7th CPC, any deviation from the same should be brought to the consideration of the Council through an agenda.</p> <p>The proposal has been modified as under:- Any other area of concern not covered under the present proposal for which approval is being sought by the Council or which are not in consonance with 7th CPC or is in deviation from 7th CPC will be brought to Council attention and thereafter inputs of Establishment Department will be added regarding process of implementation which will be carried out as per Section 18(b) of NDMC Act, 1994 read with Rule 5(2) of Gazette Notification dated 07.04.2016.</p> <p>4 Since the staff of FD are also the beneficiaries of the proposal mentioned at para no.1(ii) above, FD recuses itself from making any comment thereupon.</p> <p>The base of the proposal is on the recommendations of the Anomaly Committee (partly implemented after approval of the Council). The recommendations to be approved and implemented pertains to Accounts/Audit (Table-II A) and Law Department (Table-II B). After this is also implemented all employees recommended by the Anomaly Committee would be covered and benefit of DTL granted.</p> <p>It is further stated that Law Department which is also a beneficiary of the proposal has vetted the agenda without any comments in this regard. Therefore, Law Department is in agreement to the proposal.</p> <p>In so far as comment of FD that staff of FD are also the beneficiaries of the proposal mentioned at para no.1(ii) above and FD recuses itself from making any comment thereupon is concerned, it is stated that issues raised by Finance Department with regard to para no. 1 (ii) above while file was initially submitted in the first time to Associate Finance & Finance Department on 18.07.2023 and 21.07.2023 respectively, have already been addressed. Further, several rounds of discussions were held in this regard.</p>
9	Legal implications on the subject	Number of litigations on account of non-implementation of 7 th CPC and pensionary benefits under the 7 th CPC will be resolved.

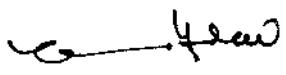
10	Comments of the Law Department on the subject	The comments of Law Department are reproduced as under: <ol style="list-style-type: none"> 1. The case is regarding the proposal(s) on the above mentioned subject. 2. The agenda primarily involves Financial and Administrative issues. Administrative issue has been examined by the concerned department. 3. Having examined the contents of the draft agenda from the legal point of view, it is observed that no legal hurdle is involved at this stage. However the the department must ensure the concurrence of finance department on financial issues. 4. Further, the department may ensure the correctness of facts, words and figures mentioned therein are correct and the GFR guidelines & OMs issued by the DoP&T, GoI (as amended up to date) on the subject, if any, has been complied with.
11	Comments of the Personnel Department on the comments of Law Department	No comments
12	Details of the previous Council resolution, existing law of Parliament and Assembly on the subject	Resolution No. 24 (H-09) dated 16.10.2017 Resolution No. 31 (H-13) dated 03.02.2018 Resolution No. 06 (H-01) dated 04.04.2018 Resolution No. 41 (H-12) dated 26.12.2020 Resolution No. 26 (H-09) dated 28.11.2021
13	Recommendations	Proposal as mentioned at Para-4 above may be approved.
14	Draft Decision	

COUNCIL'S DECISION

Members discussed in detail the agenda item. It was discussed that the implementation of 7th CPC pay scale has been pending for a long period of time which has led to delay in release of pensionary benefits to retired employees, inability of the Personnel Deptt. to grant MACP / TBPS benefits, etc. Members also noted that as per agenda, there is a provision of Anomaly Committee. In the overall interest of the organization and to ensure that in future, NDMC is in line with Government of India policy with regard to pay fixation, the Council resolved to accord approval to the proposal of the Department as mentioned in para 4 of the agenda.

The Council further resolved that the Departments concerned may initiate further necessary action based on the decisions taken by the Council at the meeting, as noted above, in anticipation of confirmation of the Minutes.


(ANKITA CHAKRAVARTY)
SECRETARY


(AMIT YADAV)
CHAIRPERSON / PRESIDING OFFICER

Now, therefore, in exercise of the powers conferred upon the Election Commission under the proviso to Section 715 of the Delhi Municipal Corporation Act, 1957 as amended by DMC (Amendment) Act, 2011 read with the provisions of Rules 27 of the Delhi Municipal Corporation (Preparation of Electoral Rolls) Rules, 1975, I, Rakesh Mehta, State Election Commissioner of the National Capital Territory of Delhi, hereby direct that the electoral rolls of such Assembly Constituencies, for the time being in force, as relating to the above-mentioned wards of the three Municipal Corporations of Delhi, shown against each, shall be the electoral rolls for the said Municipal wards, for the purposes of the ensuing bye-elections to the said Wards as indicated above, to be held on 15th May, 2016.

RAKESH MEHTA, State Election Commissioner

शहरी विकास विभाग

अधिसूचनाएं

नई दिल्ली, 17 अप्रैल, 2016

- फा.सं. 13(126)/यूटी/एमसी/2014/420.—नई दिल्ली नगर पालिका परिषद् अधिनियम, 1994 (1994 का 44) की धारा 387 की उपधारा (2) के साथ यदित धारा 43 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए नई दिल्ली नगर पालिका परिषद्, केन्द्रीय सरकार के अनुमोदन से एतद्वारा नगर पालिका के अधिकारियों की सेवा शर्तों को विनियमित करने के लिये निम्नलिखित विनियम बनाती है, अर्थात् :-
- संक्षिप्त शीर्षक एवं प्रारंभ. — (1) इन विनियमों को नई दिल्ली नगर पालिका परिषद् (नगर पालिका के अधिकारियों की सेवा शर्तों) विनियम, 2016 कहा जाएगा।
 - ये शासकीय राजपत्र में इनके प्रकाशन की तिथि से प्रगामी होंगे।
 - परिभाषा. — (1) इन विनियमों में, जब तक संदर्भ से अन्यथा अपेक्षित न हो:
 - (क) "अधिनियम" का अर्थ नई दिल्ली नगर पालिका परिषद् अधिनियम, 1994 (1994 का 44) से है,
 - (ख) "श्रेणी-क", "श्रेणी-ख", "श्रेणी-ग", "श्रेणी-घ" पदों का अर्थ अधिनियम की धारा 34 की उपधारा (4) में यथाविनिर्दिष्ट पद से है,
 - (ग) "नगर पालिका अधिकारी" में अधिनियम के अध्याय-VI के अन्तर्गत नई दिल्ली नगर पालिका परिषद् के लिए नियुक्त कोई नगर पालिका अधिकारी अथवा अन्य नगर पालिका कर्मचारी सम्मिलित है,
 - (घ) "धारा" का अर्थ अधिनियम की धारा से है,
 - (ङ) "सेवा नियम" का अर्थ विनियम 4 में सदर्भित नियमों से है।
 - अधिनियम में तथा इन विनियमों में प्रयोग किए गए शब्दों तथा अव्यक्तियों का अर्थ, जब तक संदर्भ से अन्यथा अपेक्षित न हो, वही होगा जो अधिनियम में उनके लिए दिया गया है।
 - किन्तु पर लागू होंगे :- जब तक अधिनियम या इन विनियमों में उपबन्धित न हो तब तक ये विनियम उन सभी नगर पालिका अधिकारियों पर लागू होंगे, जिनके वेतन तथा गते धारा 44 की उपधारा (1) में सदर्भित नई दिल्ली नगर परिषद् निधि के "सामान्य (जनरल) खाते" से प्रभावित हैं।
 - शर्त यह है कि किसी व्यक्ति के संबंध में जिसके संबंध में इन विनियमों के अन्तर्गत मामले आते हैं, तत्समय प्रयुक्त किसी विधि द्वारा अथवा उसके अधीन बनाए गए विशेष उपबंध, उन व्यक्तियों पर लागू होंगे और उक्त उपबंध के अन्तर्गत न होने वाले विषयों के संबंध में ये विनियम लागू होंगे।
 - कुछ नियमों का अनुप्रयोग. — समय-समय पर तथा संशोधित निम्नलिखित नियम, जिनमें केन्द्रीय सरकार द्वारा इसके अन्तर्गत जारी आदेश सम्मिलित हैं, ऐसे नियमों या आदेशों के उपबंध जब तक अधिनियम या इसके अन्तर्गत बनाए गए नियमों या विनियमों के उपबंधों के प्रतिकूल या असंगत न हों, नगर पालिका अधिकारियों पर लागू होंगे, अर्थात् :-
 - (i) मूलभूत नियम तथा अनुसूचक नियमावली (यात्रा तथा नियमों सहित);
 - (ii) केन्द्रीय सिविल सेवा (अवकाश) नियमावली, 1972;
 - (iii) केन्द्रीय सिविल सेवा (पेंशन) नियमावली, 1972;
 - (iv) केन्द्रीय सिविल सेवा (पेंशन विनियम) नियमावली, 1981;
 - (v) पेंशन बकाया भुगतान (नामांकित), नियमावली, 1983;
 - (vi) सामान्य श्रवण निधि (केन्द्रीय नियमावली), 1960;
 - (vii) केन्द्रीय सिविल सेवा (आवरण) नियमावली, 1964;
 - (viii) केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण तथा अपील) नियमावली, 1965;

- (ix) केन्द्रीय सिविल सेवा (अवकाश यात्रा छूट), नियमावली, 1988
- (x) केन्द्रीय सिविल सेवा (संशोधित वेतन), नियमावली, 2008; तथा
- (xi) केन्द्रीय सिविल सेवा (परदाई सेवा), नियमावली, 1965
5. नगर पालिका अधिकारियों की सेवा शर्तें :- (1) केन्द्रीय सरकार की सेवा में सरकारी सेवकों पर लागू सेवा नियम, जहाँ तक नगर पालिका अधिकारियों की सेवा शर्तों को विनियमित करते हैं, अशोधनों सहित कि "किसी सरकारी सेवक", "भारत की समेकित निधि", "सिविल सर्जन" और "चिकित्सा समिति" के लिये सेवा नियमों के किसी संदर्भ में क्रमशः "किसी नगर पालिका अधिकारी", "नई दिल्ली नगर पालिका निधि", "स्वास्थ्य चिकित्सा अधिकारी" तथा "चिकित्सा बोर्ड" के किसी संदर्भ के अर्थ में मान लिया जाएगा।
- (2) सेवा नियमावली के अन्तर्गत प्रयोज्य कोई शक्ति (सेवा नियमावली बनाने की शक्ति के अतिरिक्त) -
- (क) राष्ट्रपति द्वारा, अध्यक्ष द्वारा प्रयोग की जाएगी।
- (ख) विभागाध्यक्ष द्वारा, सचिव द्वारा अथवा आदेश द्वारा निर्दिष्ट अध्यक्ष के रूप में ऐसे अन्य नगर पालिका अधिकारी द्वारा प्रयोग की जाएगी।
- (ग) कार्यालयाध्यक्ष द्वारा, निदेशक (कार्मिक) द्वारा अथवा आदेश द्वारा निर्दिष्ट अध्यक्ष के रूप में ऐसे अन्य नगर पालिका अधिकारी द्वारा प्रयोग की जाएगी।

राष्ट्रीय राजधानी क्षेत्र, दिल्ली के उपराज्यपाल
के आदेश से तथा उनके नाम पर,
संजीव मनकोटिया, उप सचिव (एमबी)

URBAN DEVELOPMENT DEPARTMENT

NOTIFICATIONS

New Delhi, the 7th April, 2016

No. F. 13(126)UD/MB/2014/420.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 43, read with sub-section (2) of section 387, of the New Delhi Municipal Council Act, 1994 (44 of 1994), the New Delhi Municipal Council, with the approval of the Central Government, hereby makes the following regulations regulating the conditions of service of municipal officers, namely: -

1. Short title and commencement.— (1) These regulations may be called the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016.

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

2. Definitions.— (1) In these regulations, unless the context otherwise requires, -

- (a) "Act" means the New Delhi Municipal Council Act, 1994 (44 of 1994);
- (b) "Category-A", "Category-B", "Category-C" and "Category-D" posts means the post as specified in sub-section (4) of section 34 of the Act;
- (c) "municipal officer" includes a municipal officer or other municipal employee appointed to the New Delhi Municipal Council under Chapter VI of the Act;
- (d) 'section' means a section of the Act;
- (e) 'service rule' means the rules referred to in regulation 4.

(2) Words and expressions used in the Act and also in these regulations shall, unless the context otherwise requires have the meanings assigned to them in the Act.

3. To whom applicable.— Unless otherwise provided in the Act or these regulations, these regulations shall apply to all municipal officers whose pay and allowances are chargeable to the 'General Account' of the New Delhi Municipal Fund, referred to in sub-section (1) of section 44:

Provided that in regard to any person for whom in respect of matters covered by these regulations, special provision is made by or under any law for the time being in force, that special provision will apply and in respect of matters not covered by the said provision, these regulations shall apply.

4. Application of certain rules.— The following rules, as amended from time to time, including orders issued there under by the Central Government, in so far as the provisions of such rules or orders are not inconsistent with the provisions of the Act or rules or regulations made there under, shall apply to the municipal officers, namely:-

- (i) the Fundamental Rules and Supplementary Rules (including Travelling Allowance Rules);
- (ii) the Central Civil Services (Leave) Rules, 1972;
- (iii) the Central Civil Services (Pension) Rules, 1972;
- (iv) the Central Civil Services (Commutation of Pension) Rules, 1981;
- (v) the Payment of Arrears of Pension (Nomination) Rules, 1983;
- (vi) the General Provident Fund (Central Rules), 1960;
- (vii) the Central Civil Service (Conduct) Rules, 1964;
- (viii) the Central Civil Services (Classification, Control and Appeal) Rules, 1965;
- (ix) the Central Civil Services (Leave Travel Concessions) Rules, 1988;
- (x) the Central Civil Services (Revised Pay) Rules, 2008; and
- (xi) the Central Civil Services (Temporary Service) Rules, 1965.

5. Conditions of service of municipal officers. (1) The service rules applicable to the Government servants in the service of the Central Government shall, as far as may be, regulate the conditions of service of municipal officers, subject to the modifications that any reference in those service rules to a "Government servant", "the Consolidated Fund of India", "the Civil Surgeon" and "the Medical Committee" shall be construed as a reference respectively to a "municipal officer", "the New Delhi Municipal Fund", "the Medical Officer of Health" and "the Medical Board".

(2) Any power under the service rules (other than the power to make service rules) exercisable—

- (a) by the President, shall be exercised by the Chairperson;
- (b) by the Head of Department, shall be exercised by the Secretary or such other municipal officer as the Chairperson may, by order, specify; and
- (c) by the Head of Office, shall be exercised by the Director (Personnel) or such other municipal officer as the Chairperson may, by order, specify.

By Order and in the Name of the Lt. Governor
of the National Capital Territory of Delhi,
SANJEEV MANKOTIA, Dy. Secy. (M.B.)

नई दिल्ली, 7 अप्रैल, 2016

सं. फा. 16(521)/शावि०/डब्ल्यू. /2015/481-दिल्ली जल बोर्ड अधिनियम, 1998 (1998 का दिल्ली अधिनियम संख्या 4) की धारा 7 तथा 51 के साथ पठित धारा 109 की उपधारा (2) के खंड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा सक्षम प्राधिकारी की दिनांक 30.1.2015 के आदेशों के अनुसार अनुमोदित तथा दिनांक 07.07.2015 के पत्र सं० 3/24(4)/2015-आरआर के अनुसार संघ लोक सेवा आयोग द्वारा दी गई सहमति से तथा दिनांक 29.08.2003 की अधिसूचना संख्या फा० 16(388)/शावि०/जल/2003/7913 द्वारा अधिसूचित मुख्य जल विश्लेषक भर्ती तथा पदोन्नति विनियमों के अधिक्रमण में, ऐसे अधिक्रमण से पूर्व की गई बातें या हटाई जाने वाली बातों को छोड़कर दिल्ली जल बोर्ड में मुख्य जल विश्लेषक के पद की भर्ती पद्धति संबंधी दिल्ली जल बोर्ड द्वारा बनाए गए विनियम इसके द्वारा प्रकाशित किए जाते हैं, अर्थात् :-

1. सहाय्य शीर्षक तथा प्रारंभ :- (1) इन विनियमों को दिल्ली जल बोर्ड मुख्य जल विश्लेषक के पद की भर्ती विनियम, 2016 कहा जाये।
2. पदों की संख्या, वर्गीकरण तथा पे बैंड एवं ग्रेड पे/वेतनमान :- उक्त पदों की संख्या, इसका वर्गीकरण तथा उसके साथ संलग्न पे बैंड एवं ग्रेड पे/वेतनमान इन विनियमों के साथ संलग्न अनुसूची के कॉलम 2 से 4 में यथाविनिर्दिष्ट होंगे।
3. भर्ती पद्धति, आयु सीमा, अन्य योग्यताएं :- उक्त पद की भर्ती पद्धति, आयु सीमा, योग्यताएं तथा उससे संबंधित अन्य मामले उक्त अनुसूची के कॉलम 5 से 13 में यथाविनिर्दिष्ट होंगे।
4. अयोग्यता :- कोई भी व्यक्ति
 - (क) जिसने किसी ऐसे व्यक्ति से विवाह किया है जिसका जीवित पति/पत्नी है; या
 - (ख) जिसने जीवित पत्नी/पति के रहते हुए किसी अन्य व्यक्ति के साथ विवाह या विवाह का अनुबंध किया है, वह उक्त पद पर नियुक्ति के लिये अयोग्य होगा।

ITEM NO. 22 (H-08)

- 1 Name of the subject/project
Continuation of DTL pay scales in NDMC - approval of note to be submitted to Ministry of Home Affairs for consideration.
- 2 Name of the department/departments concerned
Personnel Department

3 Brief history of the subject/project
In continuation of Council's Agenda Item No. 06(H-01) dated 16.10.2018 and item No. 31(H-13) dated 03.02.2018, the issue of continuation of DTL pay scales in NDMC was considered in the Council meeting held on 04.04.2018, minutes of which were confirmed in the meeting held on 28.05.2018. In the meeting held on 04.04.2018, the Council vide resolution No. 06(H-01) dated 04.04.2018 w.r.t. continuation of DTL pay scales in NDMC - approval of note to be submitted to Ministry of Home Affairs for consideration, resolved as under:

"The Council considered the note at Annexure-I of the Preamble proposed by the Department for sending it to MHA, and the Presiding Officer and Sh. B.S. Bhati observed that the note prepared by the Personnel Department will not fructify into the decision of the Council for continuance of DTL pay scales to NDMC employees.

Accordingly, the Council resolved to constitute a committee consisting of following members to prepare a note, while also taking into account the Department's note at Annexure I of the Preamble, to be sent for consideration of the Ministry of Home Affairs, Government of India in the matter:

- i. Shri B.S. Bhati - in Chair
- ii. Shri Surender Singh - Member
- iii. Dr. Anita Arya - Member
- iv. Shri A R Ansari - Member
- v. Director (P-I) - Convener

The committee shall submit the note to be sent to the MHA in the matter for consideration of the Council.

It is further resolved by the Council that the department may intimate further necessary action in anticipation of confirmation of the minutes by the Council."

- 4 Minutes dated 17.07.2018 of the Committee constituted by the Council

4.1 The meeting of the Committee constituted vide Resolution No. 06 (H-01) dated 04.04.2018 was held on 17.07.2018 in which Shri B. S. Bhati, Member; Shri Surender Singh, Member; Dr. Anita Arya, Member and Shri A. R. Ansari, Member were present. The issue of continuation of DTL was discussed in detail and the Committee minuted its recommendations vide minutes dated 17.07.2018 (Annexure I, See pages 604 - 605) as under:

At the outset, Director(P) submitted before the Committee that any Note on continuation of DTL pay scale should clearly indicate the proposal and have details of historical background, statutory provisions in NDMC Act, NDMC Regulations dated 07.04.2016, type of pay scale(s) in operation in NDMC, manpower study report, developments which have taken place after 07.04.2016 like directions of DERC and Constitution of Electric Supply and Distribution Business Unit (EDBSU within NDMC), financial implications of the proposal etc. Thereafter each member expressed his views on the continuation of DTL pay scale in NDMC. All the members were unanimous in their recommendation on continuation of DTL pay scale in NDMC.

2. Director(P) specifically submitted that the issue of continuation of DTL pay scale have been deliberated in the Council meeting held on 16.10.2017, 03.02.2018 and 04.04.2018 and the Council had unanimously approved its continuation in NDMC. In the meeting held on 04.04.2018 the Council has constituted this Committee for suggesting changes in the Note of Personnel Department to be submitted to Ministry of Home Affairs for amendment in the Notification dated 07.04.2016 for continuation of DTL pay scales in NDMC. Shri B. S. Bhati submitted that the functioning of NDMC is different from that of Central Government and the Note may be positively drafted for continuation of DTL pay scale which have been allowed to NDMC employees after continuous struggle. Shri B. S. Bhati submitted that after approval of Resolution for framing of Regulations in 2007, a number of development like CAT/ High Court/ Supreme Court judgment, implementation of 6th CPC, grant of DTL pay scales to different categories of employees by the Council. consideration of Bharat Bhushan Committee Report by the Council etc. had taken place. Even after approval of the draft Resolution by the Ministry of Home Affairs, the proposal was submitted to the Council vide Resolution No. 10(H-02) dated 25.06.2012 for information and the Council had resolved to defer the same. Thereafter the draft regulation were never submitted to the Council and had been notified without its approval.

3. Shri B. S. Bhati also submitted that the implication of DTL pay scale has been exaggerated as in CPC pay scale there is wide gap between the different grade pay like 1900, 2400, 2800, 4200, 4800, etc whereas in DTL pay scale the gap is only of Rs.100 like 2000, 2200, 2400, 2800, 2900, 3100, 3200, 3300, 3600, 3800 etc. While submitting to the Ministry this fact may be appropriately incorporated.

4. While calculating the cost of expenditure on Establishment, the earning from Electricity and Water should not be separated i.e. the Establishment expenditure should be calculated on the total earning of NDMC and attempt should be made to enhance the revenue of NDMC by recovery of pending dues. The Committee observed that continuation of DTL pay scales beyond 07.04.2016 would have minimal impact as all the employees are already drawing DTL pay scales. The Committee requested Personnel Department to revise the Note with positive connotation so that the proposal for continuation of DTL pay scale is approved by the Ministry.

4.2 Based on the recommendation of the Committee, para Nos. 5.6.1, 5.6.5.1.2 and 5.6.6 of the draft note to be submitted to the Ministry of Home Affairs have been revised, and para Nos. 5.6.5.1.5 and 5.6.5.1.6 of the draft note to be submitted to the Ministry of Home Affairs have been deleted. The revised draft note to be submitted to the Ministry of Home Affairs is annexed to this agenda as Annexure II (See pages 606 - 668).

5 Detailed proposal on the subject

The draft note to be forwarded to Ministry of Home Affairs for consideration annexed herewith as Annexure-II (See pages 606 - 668) to the agenda note is submitted for approval of the Council, after which the same will be sent to the Ministry of Home Affairs for its approval.

6 Implementation schedule with timeliness for each stage including internal processing

The decision of the Council will be submitted to Ministry of Home Affairs in terms of Section 43(1)(a) read with Section 387(2) of NDMC Act 1994.

7 Comments of the Finance Department on the subject

The instant case was earlier also seen in the Finance Department at NP-5 to 6 and NP-10 on dated 24.01.2018 and 26.03.2018 and placed before the Council by the Personnel Department at NP-13. The Council vide item No. 06(H-01) dated 04.04.2018 constituted a committee comprising Shri B.S. Bhati- Member (in Chair), Shri Surender - Member, Dr. Anita Arya - Member, Shri A.R. Ansari- Member, and Director (P-I) convener;

to decide the matter for consideration of Council. The Personnel Department at NP 14 has stated that "In continuation of decision taken in the Council meeting dated 28.05.2018 and suggestions given by Shri B.S. Bhati, Member, draft agenda/note to be submitted to the Council in the next meeting has been attempted.

Being an administrative matter and in view of the proposal of the department that the draft agendum has been attempted in continuation of the decision taken by the Council and suggestion by Sh. B.S. Bhati, Member, FD is of the view that the proposed draft agendum may be placed before the Council for consideration bringing on record the following:

1. Ensure that suggestions of the committee chaired by Sh. B.S. Bhati, Member, and constituted as per the Council's decision have been incorporated in the draft agendum and note for the MHA and the facts have been verified.
2. That proposed grade pays are appropriately considered as per corresponding PB and under Scales. (Ref. Para 5.6.5.1.3, 5.6.5.1.4 and 5.6.6 Note for MHA.
3. Department may ensure the correctness of the data and information mentioned at Para -5.6.1, 5.6.5.1.2 and 5.6.5.1.3, 5.6.5.1.4 and 5.6.6 Note for MHA.
4. Department may ensure that the details of Grade Pay under DTL pay scales will not lead to any hierarchical anomaly.
5. It has been seen that the %age of establishment expenditure in para 5.6.6 in the note for MHA has been considered against the Net revenue after deducting E&W Expenses from the total revenue of the corresponding year instead of considering Gross income. The department may review the same as to bring on record the realistic data of the Estb. Expenditure against the Gross Revenue.
6. The correctness of the Grade Pay shown at para 5.6.5.13 of Note for MHA may be ensured.
7. The Department may be verify the legal position w.r.t. the reservation in promotion (para 5.6.7.2) in view of the latest Court judgment.
8. The department may review whether the contents of para 5.6.7.1 and 5.6.7.2 of Note for MHA are required to be incorporated in the draft note as the case deals with continuation of DTL Scales in NDMC.
9. Note for MHA has been marked as Annexure-II. But, no Annexure-I has been found added with the proposed draft agendum.
10. The case may be shown to Law Department and draft agendum may be got vetted by them.

8. Comments of Personnel Department on comments of Finance Department
The seriatim comments on the observation of Department of Finance is as under:

1. Draft Notes is as per suggestion of the Committee chaired by Shri B.S. Bhati
2. The proposed Grade pay are as per available records
3. The data at Para-5.6.1, 5.6.5.1.2, 5.6.5.1.3, 5.6.5.1.4 and 5.6.6 of Note for MHA is as per record made available by Finance Department.
4. The observation is hypothetical in nature without referring to any para of the draft Note and therefore no comments can be provided by Personnel Department at this stage.
5. The % of Establishment expenditure calculated on the basis of Gross revenue would be as under:

Year	Total Revenue (In Rs. Crores)	Establishment Expenditure (in Rs. Crores)	Percentage of Estt. Expenditure vis-a-vis Net Income of NDMC (in %)
2013-14	2382.41	753.03	31.61%
2014-15	2737.28	986.21	36.03%
2015-16	2920.65	1120.74	38.37%
2016-17	2996.11	1206.75	40.28%

2017-18	3128.72	1271.87	40.65%
2018-19 (upto June 2018)	775.76	415.49	53.56%

6. The Grade pay has been corrected in para 5.6.5.1.3.
 7. Department will follow legal position on reservation in service as issued by Government of India from time to time.
 8. Para 5.6.7.1 and 5.6.7.2 indicates the consequential changes on grant of DTL as per provision of Section 40 of the NDMC Act, 1994 and instructions on reservation.
 9. Annexure I of the Agenda item is minutes of meeting dated 17.07.2018.
 10. Comments of Law Department incorporated separately at S.No. 11.
- 9 Legal implication of the subject/project
No legal implication involved.
- 10 Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject.
- Resolution No 28(C-35) dated 17.10.2007
Resolution No. 21(H-03) dated 22.07.2009
Resolution No. 10(H-02) dated 25.06.2012
Resolution No. 7(H-06) dated 31.01.2013
Resolution No. 15/2013-14 dated 26.02.2014
Resolution No. 36(H-03) dated 27.06.2016
Resolution No. 28(H-05) dated 25.07.2016
Resolution No. 05(H-07) dated 17.08.2016.
Resolution No. 02(H-08) dated 05.09.2016
Resolution No. 01(H-04) dated 28.08.2017
Resolution No. 07(H-06) dated 22.09.2017
Resolution No. 24(H-09) dated 16.10.2017
Resolution No. 31(H-13) dated 03.02.2018 (yet not confirmed)
Resolution No. 06(H-01) dated 04.04.2018
- 11 Comments of the Law Department on the subject/project
Perused. The proposed draft agendum attempted to be put up before the Council seemingly is prepared on the suggestions given by Mr. B.S.Bhati, Member Council. In this context, the Law Deptt opines that the implementation of the same has to be strictly within the four corners of the decision of Hon'ble Supreme Court dated 16.07.2008 in R.L. Gautam & Ors. Vs NDMC & Ors. (Supra) and the catena of other decisions on the subject. The Law Deptt opines the suggestions in the Agendum should be consonance with the *ratio decidendi* laid down by law in respect of rationalization of pay scales of employees by removing all kinds of anomalies and in a just and equitable manner and to that extent, the Law Deptt has no objection so far.
- 12 Comments of Personnel Department on comments of the Law Department
The DTL pay scales have been extended to all categories of employees in NDMC except for those working in Medical Department and Teachers in the Education Department.
- 13 Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.
No vigilance angle involved. Proposal relates to policy for regulating the salary of NDMC employees.

14 Recommendation

Keeping in view the provision of NDMC Act 1994 and the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016, the salary of all the employees is to be regulated in terms of CPC (Revised Pay) Rules, 2016 as amended from time to time. In case, the Council decides to continue with DTL pay scales, a draft Note to be sent to the Ministry of Home Affairs is enclosed as Annexure -II (See pages 606 - 668). for consideration of the Council.

15 Council's Resolution

The Council resolved to approve the proposal in para 5 of the Agenda Note.

COUNCIL'S DECISION

The Council deliberated on the matter in detail wherein Sh. B. S. Bhati asked to delete/add the following paras from the Note to be sent to the Ministry of Home Affairs (i.e. Annexure II to the Preamble):

"1. The following third last row in Table in Para 2 be deleted:

30.04.2009: The Bharat Bhusan Committee submitted its report on 30.04.2009 recommended the 6th CPC Scales to all NDMC employees w.e.f. 01.01.2006. The recommendations of Bharat Bhusan Committee recommended 6th CPC are as under:

*"...
5.5.6 The combined reading of provisions of section 34,36, 42 and 43 of the NDMC Act, 1994, the Central Civil Services [Revised pay] Rules, 2008 and the notification dated 9th April 2009 regarding classification of posts leave no scope for the Council to have any other classification/categorization and scale of pay for its officers and employees except the categorization/classifications and scale of pay as per Central Civil Services [Revised pay] Rules, 2008.*

5.5.7 The NDMC Act, 1994 is a Central Legislation and the legislature in its wisdom has legislated that Central Govt. shall have control over the Council and officer and employees of the Council shall be appointed in A,B, C or D category of posts, which would have is scales and emoluments similar to Group A, B C or D posts in Central Govt. This ensures that Council should not appoint officers and employees in inferior or superior scales and would maintain parity in the scales of pay with the Central Govt. employees and Municipal Corporation of Delhi. The scales of pay in Delhi Cantonment Board, DDA, Delhi Jal Board and Government of NCT of Delhi are also the same.

5.5.8 While framing regulations under Section 43(10 (a), the Council has already resolved that all is employees would be governed by the rules and regulations applicable to an employee of Central Govt. These include FR, SR, Conduct Rules and pay Rules.

"..."

2. The following Para 3.2 be deleted:

3.2 Meanwhile, the Council amended its resolution No. 21(H-03) dated 22.07.2009 vide its resolution No. 7 (H-06) dated 31.01.2013 wherein the Council resolved as under: "Pending notification of regulations, the Council resolved to modify its Resolution dated 22nd of July, 2009 and to give the Nursing staff the CPC Pay Scales and fix their pay in the CPC Scales on 1st January, 2013 so that there is no reduction in the pay of these Nurses while switching over from DTL Scale to CPC Scale w.e.f. 1st January, 2013. However for all practical purposes the new scales will be available to them from 01.01.2006 as requested for and the cadre will not be allowed to revert back from CPC Scale henceforth."

It was further resolved that pending notification of the regulations, the above decision may be made available to all those employees / categories

who are in DTL Scale and want to opt for CPC Scales, with the approval of the Chairperson, NDMC." (emphasis added)

3. Sections 11 and 12 of the NDMC Act, 1994 be inserted in totality under para 4.1, accordingly, para 4.1 be modified as follows:

4.1 The obligatory and discretionary functions of the Council are enumerated in Section 11 and Section 12 of the New Delhi Municipal Council Act, 1994 (44 of 1994) respectively. To discharge its obligatory and discretionary functions, the NDMC has employed manpower in its various Department.

Section 11 of the NDMC Act, 1994 is reproduced below:

11. Obligatory functions of the Council.- Subject to the provisions of this Act and any other law for the time being in force, it shall be incumbent on the Council to make adequate provisions by any means or measures which it may lawfully use or take, for each of the following matters, namely:-

- (a) the construction, maintenance and cleansing of drains and drainage works and of public latrines, urinals and similar conveniences;
- (b) the construction and maintenance of works and means for providing supply of water for public and private purposes;
- (c) the scavenging, removal and disposal of filth, rubbish and other obnoxious or polluted matters;
- (d) the construction or purchase, maintenance, extension, management for-
 - (i) supply and distribution of electricity to the public;
 - (ii) providing a sufficient supply of pure and wholesome water;
- (e) the reclamation of unhealthy localities, the removal of noxious vegetation and generally the abatement of all nuisances;
- (f) the regulation of places for the disposal of the dead and the provision and maintenance of places for the said purpose;
- (g) the registration of births and deaths;
- (h) public vaccination and inoculation;
- (i) measures for preventing and checking the spread of dangerous disease;
- (j) the establishment and maintenance of hospitals, dispensaries and maternity and child welfare centres and the carrying out of other measures necessary for public medical relief;
- (k) the construction and maintenance of municipal markets and regulation of all markets;
- (l) the regulation and abatement of offensive or dangerous trade or practices;
- (m) the securing or removal of dangerous buildings and places;
- (n) the construction, maintenance, alteration and improvements of public streets, bridges, culverts, causeways and the like;
- (o) the lighting, watering and cleansing of public streets and other public places;
- (p) the removal of obstructions and projections in or upon streets, bridges and other public places;
- (q) the naming and numbering of streets and premises;
- (r) the establishment, maintenance of, and aid to, schools for primary educations subject to such grants as may be determined by the Central Government from time to time;
- (s) the maintenance of municipal offices;
- (t) the laying out or the maintenance of public parks, gardens or recreation grounds;
- (u) the maintenance of monuments and memorials vested in any local authority in New Delhi immediately before the commencement of this Act or which may be vested in the Council after such commencement;
- (v) the maintenance and development of the value of all properties vested in or entrusted to the management of the Council;
- (w) the preparation of plans for economic development and social justice;
- (x) the maintenance including the expansion and upgradation of facilities of the hospitals existing on the date of the commencement of this Act;
- (y) sanction or refuse erection or re-erection of buildings; and

(z) the fulfilment of any other obligation imposed by or under this Act or any other law for the time being in force.

12. *Discretionary functions of the Council.*-Subject to any general or special order of the Government, or the Central Government from time to time, the Council may provide either wholly or in part for all or any of the following matters, namely:-

- (a) the furtherance of education including cultural and physical education, by measures other than the establishment and maintenance of, and aid to: schools for primary education;
- (b) the establishment and maintenance of, and aid to, libraries, museums, art galleries, botanical or zoological collections;
- (c) the establishment and maintenance of, and aid to, stadia, gymnasia, akharas and places for sports and games;
- (d) the planting and care of trees on roadsides and elsewhere;
- (e) the surveys of buildings and lands;
- (f) the registration of marriages;
- (g) the taking of a census of population;
- (h) the provision of housing accommodation for the inhabitants of any area or for any class of inhabitants;
- (i) the providing of music or other entertainments in public places or places of public resort and the establishment of theatres and cinemas;
- (j) the organisation and management of fairs and exhibitions;
- (k) the acquisition of movable or immovable property for any of the purpose before mentioned, including payment of the cost of investigations, surveys or examinations in relation thereto for, the construction or adaptation of building necessary for such purposes;
- (l) the construction and maintenance of-
 - (i) rest-houses,
 - (ii) poor-houses,
 - (iii) infirmaries,
 - (iv) children's homes,
 - (v) houses for the deaf and dumb and for disabled and handicapped children,
 - (vi) shelters for destitute and disabled persons, (vii) asylums for persons of unsound mind;
- (m) the construction and maintenance of cattle pounds;
- (n) the building or purchase and maintenance of dwelling-houses for municipal officers and other municipal employees;
- (o) any measures for the welfare of the municipal officers and other municipal employees or any class of them including the sanctioning of loans to such officers and employees or any class of them for construction of houses and purchase of vehicles;
- (p) the organisation or management of chemical or bacteriological laboratories for the examination or analysis of water, food and drugs for the detection of diseases or research connected with the public health or medical relief;
- (q) the provision for relief to destitute and disabled persons;
- (r) the establishment and maintenance of veterinary hospitals;
- (s) the organisation, construction, maintenance and management of swimming pools, public wash houses, bathing places and other institutions designed for the improvement of public health;
- (t) the organisation and management of farms and dairies within or without New Delhi for the supply, distribution and processing of milk and milk products for the benefit of the residents of New Delhi;
- (u) the organisation and management of cottage industries, handicraft centres and sales emporia;
- (v) the construction and maintenance of warehouses and godowns;
- (w) the construction and maintenance of garrages, sheds and stands for vehicles and cattle biers;
- (x) the provision for unfiltered water supply;

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- (v) the improvement of New Delhi in accordance with improvement schemes approved by the Council;
(2) any measure not hereinbefore specifically mentioned, likely to promote, public safety, health, convenience or general welfare."

4. Manpower position in NDMC as mentioned in Para 5.6.1 of the Note be updated before sending it to the MHA.

5. At the end of para 5.6.5.1.2, the following be added:
"From the table given above, it is clear that the difference in grade pay is higher in CPC pay scales as compared to DTL pay scales."

6. The following Para 5.6.5.1.3 be deleted:

"Further minimum Grade pay under 6th CPC and 6th DTL for entry grade Group C post are as under:

Minimum Grade Pay under CPC pay Scales	Minimum Grade Pay under DTL pay Scales
PB-1 Rs. 1800	PB-2 Rs. 2800

7. The following table in Para 5.6.6

Year	Total Revenue (in Rs. crores)	Payments made by NDMC to Electricity Companies (for electricity costs) and DJB (for water costs)			Net Revenue (in Rs. crore)	Establishment Expenditure (in Rs. crores)	Percentage of Estt. Expenditure vis-a-vis Net Income of NDMC (in %)
		Elect.	Water	Total (E&W)			
2013-14	2382.41	906.29	84.00	990.29	1392.12	753.03	54.09 %
2014-15	2737.28	1050.00	103.40	1153.40	1583.88	986.21	62.27 %
2015-16	2920.65	1000.00	94.02	1094.02	1826.63	1120.74	61.36 %
2016-17	2996.11	830.95	112.77	943.72	2052.39	1206.75	58.80 %
2017-18	3128.72	817.24	129.22	946.46	2182.26	1271.87	58.28 %
2018-19 (Upto June 2018)	775.76	214.72	0.00	214.72	561.04	415.49	74.06 %

be replaced with following table as mentioned in para 8(5) of the Preamble of the Agenda:

Year	Total Revenue (In Rs. Crores)	Establishment Expenditure (in Rs. Crores)	Percentage of Estt. Expenditure vis-a-vis Net Income of NDMC (in %)
2013-14	2382.41	753.03	31.61%
2014-15	2737.28	986.21	36.03%
2015-16	2920.65	1120.74	38.37%
2016-17	2996.11	1206.75	40.28%
2017-18	3128.72	1271.87	40.65%
2018-19 (upto June 2018)	775.76	415.49	53.56%

8. At the end of first sub-para of para 5.6.7.3, the following be added:

"i.e. Teachers were granted one level higher by 5th CPC and subsequent merger of pay-scales in 5th/6th CPC has resulted in grant of higher benefits to them as compared to those in DTL pay-scales."

9. The following para 5.8 be deleted:

"5.8 There is a sizeable number of employees who retired during the period 01.04.1998 to 06.04.2016 and their pension required to be fixed in term of DTL pay scales, which would have sizeable financial burden on NDMC."

Director(Personnel-I) informed the Council that these are facts, which the Council may consider not to delete. However, the Members of the Council in terms of sections 4(1)(b), 4(1)(d) and 4(1)(e) of the NDMC Act and present in the meeting resolved that the addition / deletion as asked by Sh. B. S. Bhati be carried out in the Note to be sent to the Ministry of Home Affairs.

Accordingly, the Council resolved to approve the proposal of the Department, as contained in para 5 of the preamble, after adding/deleting the abovementioned paras in the Note to be sent to the Ministry of Home Affairs (i.e. Annexure II to the Preamble) as suggested by Sh. B. S. Bhati.

It was further resolved by the Council that the department may initiate further necessary action in anticipation of confirmation of the minutes by the Council.

D. Sengupta

for Secy.
New Delhi Municipal Council
Palamu Road, New Delhi

Minutes of the meeting dated 17.07.2018 of the Committee constituted to prepare Note to be sent to M.H.A. for continuation of DTL pay scale in NDMC.

Present :

1. Shri B.S. Bhati – In chair
2. Shri Surender Singh – Member
3. Dr. Anita Arya – Member
4. Shri A.R. Ansari – Member
5. Director P-I) – Convener

At the outset, Director (P) submitted before the Committee that any Note on continuation of DTL pay scale should clearly indicate the proposal and have details of historical background, statutory provisions in NDMC Act, NDMC Regulations dated 07.04.2016, type of pay scale(s) in operation in NDMC, manpower study report, developments which have taken place after 07.04.2016 like directions of DERC and constitution of Electric Supply and Distribution Business Unit (EDBSU) within NDMC, financial implications of the proposal etc. Thereafter each member expressed his views on the continuation of DTL pay scale in NDMC. All the members were unanimously in their recommendation on continuation of DTL pay scale in NDMC.

2. Director (P) specifically submitted that the issue of continuation of DTL pay scale have been deliberated in the Council meeting held on 16.10.2017, 03.02.2018 and 04.04.2018 and the Council had unanimously approved its continuation in NDMC. In the meeting held on 04.04.2018 the Council has constituted this Committee for suggesting changes in the Note of ~~Personnel~~ Department to be submitted to Ministry of Home Affairs for amendment in the Notification dated 07.04.2016 for continuation of DTL pay scales in NDMC. Shri B.S. Bhati submitted that the functioning of NDMC is different from that of Central Government and the Note may be positively drafted for continuation of DTL pay scale which have been allowed to NDMC employees after continuous long drawn struggle. Shri B.S. Bhati submitted that after approval of Resolution for framing of Regulations in 2007, a number of development like CAT/High Court/Supreme Court Judgments, implementation of 6th CPC, grant of DTL pay scales to different categories

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17.07.2018


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by employees by the Council consideration of Bharat Bhushan Committee Report by the Council etc had taken place which were not brought into the notice of the Ministry of Home Affairs. Even after approval of the draft Resolution by the Ministry of Home Affairs, the proposal was submitted to the Council vide Resolution No 10(H-02) dated 25.06.2012 and the Council had resolved to differ the same. Thereafter the draft regulation were never submitted to the Council and had been notified without its approval.

3. Shri B.S. Bhati also submitted that the implication of DTL pay scale has been exaggerated as in CPC pay scale there is wide gap between the different grade pay like 1900, 2400, 2800, 4200, 4800, etc whereas in DTL pay scale the gap is only of Rs.100 like 2000, 2200, 2400, 2800, 2900, 3100, 3200, 3300, 3600, 3800 and 4000 etc. While submitting to the Ministry this fact may be appropriately incorporated.

4 While calculating the cost of expenditure on Establishment, the earning from Electricity and Water should not be separated i.e. the Establishment expenditure should be calculated on the total earning of NDMC and attempt should be made to enhance the revenue of NDMC by recovery of pending dues. The Committee observed that continuation of DTL pay scales beyond 07.04.2016 would have minimal impact as all the employees are already drawing DTL pay scales. The Committee requested Personnel Department to revise the Note with positive connotation so that the proposal for continuation of DTL pay scale is approved by the Ministry.

The meeting ended with vote of thanks to the Chair.


17.07.2018


17.07.2018
(बी.एस.भाटी)

Note for the Ministry of Home Affairs w.r.t. Pay Scales for NDMC employees

1 The then Chief Commissioner, Delhi vide his notification No. F.3(64)41-LSG dated 6th August 1941 approved the revised bye-laws under Section 31 of the Punjab Municipal Act, 1911 (Punjab Act 3 of 1911) to regulate the business of the New Delhi Municipal Committee. These bye-laws contained inter-alia provisions relating to Z(i) Appointment, punishment and retirement of official and servants of the Committee and (ii) Duties of Heads of Departments, Officers and servants of the Committee.

2 The developments with respect to introduction of Shiv Shankaran Pay Scales took place during the period 1971 to July, 2009 are following:

14.01.1971	Shiv Shankaran (SS) Committee was constituted by the Ministry of Irrigation and Power to consider the demand of engineers of the erstwhile DESU for enhancement of pay scales on the basis of higher pay scales in States like Punjab, Haryana, Andhra Pradesh and Tamil Nadu etc.
13.01.1972	The SS Committee recommended about 66% higher pay scales than the prevalent CPC Scales for the Engineers and Technical Staff only of the erstwhile DESU. Subsequently, the non-technical staff of the DESU was also extended the benefit of SS Scale w.e.f. 01.04.1971, despite the fact that they were not strictly covered by the report.
19.10.1972	On same pattern New Delhi Municipal Committee extended the higher scales to the staff working in the Electricity Department vide Resolution No. 15 dated 19.10.1973 read with Resolution No. 1 dated 07.01.1974. The ministerial staff working in the Electricity Department was extended the SS Scales but the benefit was not given to the ministerial staff working in other department viz. General Wing and Water Supply etc.
23.05.1974	In 1974, employees of General Department moved Hon'ble Delhi High Court of Delhi for extension of benefit of SS Committee Pay Scales to them. In its judgment, the Hon'ble High Court of Delhi held the resolution of NDMC dated 07.01.1974 discriminatory. In view of the said judgment, benefit extended to ministerial staff in Electricity Department in terms of resolution dated 07.01.1974 were withdrawn.
07.08.1987	Hon'ble Supreme Court in the case titled " <i>R.D. Gupta & Ors. Etc vs. Lt. Governor, Delhi Admn. & Ors.</i> " [1987 SCC (4) 2086] on 07 th August, 1987 (Appendix I) held that all sections of ministerial staff should be treated alike and all of them were held as entitled to the same scale of pay if the nature of work was similar. In its judgment, Hon'ble Supreme Court had fixed the following parameters for treating all the cases for grant of DTL pay scales: (i) Unified cadre governed through common recruitment policy (ii) Common transfer policy (iii) Common seniority list.

	<p>As per the said parameters, Hon'ble Supreme Court in the year 1987 rejected the case of Jr. Engineers (Civil) and Assistant Engineers (Civil) for grant of SSC Pay Scales on the ground that they had no common seniority with engineers in the Electricity Department. Their posts/cadres were separate with independent recruitment rules; their posts were not interchangeable and; they had separate seniority lists and therefore they could not draw comparison from the implementing pattern of Engineers in DESU (DTL).</p>
09.02.1988	<p>The Council vide Resolution No. 26 dated 9.2.88 read with Resolution No. 52 dated 9.6.88 the judgment of the Apex Court dated 7.8.87 was implemented and the benefit of SS Scales extended to 496 posts comprising of the following categories :</p> <ol style="list-style-type: none"> 1. Office Supdt. 2. H.A. / Accountant 3. Personal Assistant 4. Sr. Clerk 5. Stenographer 6. Jr. Clerk 7. Storekeeper 8. Adrema Operator 9. Asstt. Adreama Operator 10. Asstt. Record keeper 11. Daftary 12. Peon 13. Bill Collector 14. Sorter 15. Ferro Printer 16. Chowkidar 17. Sewer man 18. Sweeper <p>Employees belonging to ministerial staff went on strike from 25.2.1988 and were given SS Scales.</p>
26.2.1988	<p>On account of discontentment amongst the staff of the General Wing (Other than those working in the Electricity Department other than the ministerial cadre), N.D.M.C. vide Resolution No. 1 dated 26.2.1988 decided to extend the benefit of SS Scales to all the left out categories.</p> <p>However, it was resolved that after taking clarification from Labour Commissioner / Delhi Administration, the judgment of the Supreme Court judgment i.e. equal pay for equal work would be considered favourably.</p> <p>The approval of the Delhi Government was sought for but the same was not received, hence the aforesaid Resolution was not implemented. The said Resolution was in contradiction of the judgment of the Apex Court in the case of RD Gupta & Others Vs. Lt. Governor & Others, in which the Court had already declined to extend the benefit of SS Scale to some categories</p>

at this stage

27.7.1988	As per orders of the Administrator, the following allied categories of were extended the benefit of SS Scale as they formed the common cadre of Safai Karamcharis: <ol style="list-style-type: none"> 1. Lorry Beldars 2. Dumping Ground Beldars 3. Bhisities 4. Rat Catchers 5. Verandah Beldars 6. Hwker ERaid Beldars 7. Sweepers-cum-Chowkidars 8. Dog Catchers
02.08.1988	The Drivers posted in the Electricity Department were granted SS Scale while the drivers working in other departments were being paid the salary under the CPC Scales. The Committee vide Resolution No.25 dated 02.08.1988 decided to grant SS Scale to all the Drivers of the Committee, including those not working in Electricity Department.
28.08.1990	The following categories, which formed common cadre of Sweepers and inadvertently not included along with allied categories of Sweepers, were extended the benefit of SS Scales vide Resolution No.36 dated 28.08.1990: <ol style="list-style-type: none"> 1. SWD Lorry Beldar, 2. Gilt Lorry Beldar, 3. Filth Cartman, 4. Rubbish Cartman 5. D.G. mate 6. Sewerman cum Beldars
29.12.1990	The staff went on strike and a settlement was made after the employees went on strike according to which all the employee upto 'B' category excluding the staff governed by Chattopadhyya Committee and pay packages announced by the Government of India were given an adhoc irrecoverable increase of Rs.100/- p.m. w.e.f. 01.03.1990. A committee under Secretary was setup to examine Resolution dated 26.02.1988 and other demands of the Federation.
09.01.1991	As feeder category of sweepers were getting higher scales than the supervisory categories, vide Resolution No.1076 dated 09.01.1991 the benefit of SS Scales extended to the following categories: <ol style="list-style-type: none"> 1. Assistant Sanitary Inspectors 2. Sanitary 3. Inspectors 4. Chief Sanitary Inspectors 5. Deputy Sanitation Officer
15.01.1991	Further vide Resolution No.1 dated 15.01.1991 the categories of Sewer Mate and Sewer Pump Operator were also included in the list of categories to which benefit of SS Scale was extended vide Resolution No. 1076 dated 09.01.1991.
17.3.1993	Supreme Court in the case of Narender Kumar and Anr. Vs. Dharam Sutt and Anr. etc. vide judgment dated 17.03.1993 (Appendix II) allowed the benefit of SS Scales to the following categories of employees:

1. Employees of Auto Workshop
2. Duplicating machine Operator, Gun Man & Dog Shooter
3. Junior Technical Assistant (Hindi) & Translator (Hindi)
4. Assistant Storekeeper
5. Pump Driver

The claim of the employees of the Jr. Navyug School for extension of SS Scale was however, turned down by the Court as their posts were not interchangeable and inter-transferable with other posts under the NDMC.

The petitions of the Telephone Operators were turned down by the Apex Court on the ground that their posts were neither interchangeable nor transferable with the members of the service in NDMC. Further, they did not fall within the category of ministerial staff.

27.02.1997

Central Government Industrial Tribunal vide its award dated 27.02.1997 in the case of Rajinder Prasad & Others Vs. Lt. Governor of Delhi & others granted SS Scale to the following categories:

1. Helper (Nutrition-cum-Health Scheme)
2. Caretakers
3. Labour Welfare Supervisor
4. Enforcement Inspector

The award was accepted vide Resolution No. 3(1) dated 26.09.1997.

However, Sports Assistants was declined the benefit of SS Scale in this case.

06.11.2003

The following categories of employees in 22 different petitions (leading case - Jagdish & others Vs. L.G. Delhi and others and NDMC approached the Central Government Industrial Tribunal:

- (i) Beldar, Khassie, mason, Peoni, mate, Painter, Fitter, Inspector, lab. Attendant, lab Asst. - Cum-Sample takers, Bacteriologist and Chemist.
- (ii) Senior Draftsman and Head Draftsman (Electricity Department)
- (iii) Senior Librarian, Asstt. Librarian, Library Attendant.

The Tribunal allowed SS Scales to them w.e.f. 01.07.1991.

17.09.2004

High Court of Delhi (Single Bench) vide its judgment dated 17.09.2004 rejected the appeal of the NDMC against the award of the Central Government Industrial Tribunal vide which the benefit of SS Scales were allowed to the petitioners before the Central Government Industrial Tribunal.

14.02.2005

The judgment of the High Court of Delhi (Single Bench) dated 17.9.2004 was assailed by NDMC before the Division Bench of the High Court of Delhi through filing of an LPA. The Division Bench of the High Court vide its judgment dated 14.2.2005 dismissed the appeals preferred by the NDMC on the ground that the appellant NDMC cannot be permitted to contend that

	<p>merely because there would be some irrational repercussions arising from the impugned judgment, the same should not be given effect to. The appellant NDMC itself has given effect to the recommendations of the SS Committee by making it applicable to a large number of categories of persons. The date from which the SS scales was to be given has been fixed by Hon'ble High Court as 01.04.1998</p>
16.07.2008	<p>NDMC filed SLP before Hon'ble Supreme Court against the said judgment of the Hon'ble High Court. Hon'ble Supreme Court vide its order dated 16.7.2008 passed in SLP (Civil) Nos. 13301/2005 case titled 'NDMC Vs. R.L. Gauram and Batch' disposed of various appeals with following observations:</p> <p><i>"...However, these anomalies should not have been brought on record but these should have been settled by the authorities themselves by rationalizing the pay scales to all the employees working in the department."</i></p>
08.08.2008	<p>Pursuant to Hon'ble Supreme Court's directions dated 27.10.2008 above, the then Chairman, NDMC constituted a Committee under the Chairmanship of Shri Bharat Bhusan, Member(Judicial), Appellate Tribunal (VAT), GNCTD vide order No. SO (E)/4237 dated 08.08.2008. The other members of the Committee were Chief Auditor, FA, LA and Director (personnel).</p>
30.04.2009	<p>The Bharat Bhusan Committee submitted its report on 30.04.2009 recommended the 6th CPC Scales to all NDMC employees w.e.f. 01.01.2006. The recommendations of Bharat Bhusan Committee recommended 6th CPC are as under:</p> <p><i>"... 5.5.6 The combined reading of provisions of section 34,36, 42 and 43 of the NDMC Act, 1994, the Central Civil Services [Revised pay] Rules, 2008 and the notification dated 9th April 2009 regarding classification of posts leave no scope for the Council to have any other classification/categorization and scale of pay for its officers and employees except the categorization/classifications and scale of pay as per Central Civil Services [Revised pay] Rules, 2008.</i></p> <p><i>5.5.7 The NDMC Act, 1994 is a Central Legislation and the legislature in its wisdom has legislated that Central Govt. shall have control over the Council and officer and employees of the Council shall be appointed in A,B, C or D category of posts, which would have is scales and emoluments similar to Group A, B C or D posts in Central Govt. This ensures that Council should not appoint officers and employees in inferior or superior scales and would maintain parity in the scales of pay with the Central Govt. employees and Municipal Corporation of Delhi. The scales of pay in Delhi Cantonment Board, DDA, Delhi Jal Board and Government of NCT of Delhi are also the same.</i></p>

5.5.8 While framing regulations under Section 43(10) (a), the Council has already resolved that all its employees would be governed by the rules and regulations applicable to an employee of Central Govt. These include FR, SR, Conduct Rules and pay Rules.

15/22.07.2009	<p>The report of the Committee was placed before the Council, which vide item No. 21(H-03) (Appendix III) resolved that:</p> <p><i>"Resolved by the Council that those employees who have been left out of the benefit of Shiv Shankaran Scale, may also be given the benefit of the Shiv Shankaran Scale, in view of the directions given by Hon'ble Supreme Court of India in SLP (Civil) No.(s) 13301/2005 & Batch.</i></p> <p><i>It was further resolved by the Council that the present report of the Bharat Bhushan Committee may be referred back to the same Committee for giving its further recommendations within two weeks from the receipt of report of the Pay Revision Committee constituted for the Delhi Transco Limited.</i></p>
24.12.2009	<p>Pay scales of employees drawing their salary under 5th CPC or SS Scales were revised as per 6th CPC scales and revised DTL Scales respectively.</p>

3 Developments after July, 2009

3.1 The Council, vide its resolution No. 21(H-03) dated 22.07.2009 resolved to extend benefit of Shiv Shankaran Scale to all employees, who have been left out of the benefit of Shiv Shankaran Scale despite recommendation of Bharat Bhushan Committee dated 30.04.2009 to bring all employees of the Council under the CPC pay scales.

3.2 Meanwhile, the Council amended its resolution No. 21(H-03) dated 22.07.2009 vide its resolution No. 7 (H-06) dated 31.01.2013 wherein the Council resolved as under:

"Pending notification of regulations, the Council resolved to modify its Resolution dated 22nd of July, 2009 and to give the Nursing staff the CPC Pay Scales and fix their pay in the CPC Scales on 1st January, 2013 so that there is no reduction in the pay of these Nurses while switching over from DTL Scale to CPC Scale w.e.f. 1st January, 2013. However for all practical purposes the new scales will be available to them from 01.01.2006 as requested for and the cadre will not be allowed to revert back from CPC Scale henceforth.

It was further resolved that pending notification of the regulations, the above decision may be made available to all those employees / categories who are in DTL Scale and want to opt for CPC Scales, with the approval of the Chairperson, NDMC." (emphasis added)

3.3 The Council vide its resolution No. 15/2013-14 dated 26.02.2014 reiterated its Resolution No. 21(H-03) dated 22.07.2009 to extend S S Scale to all employees working in various Department and who have been left out of the benefit of S S Scale.

3.4 Pursuant to the Council's resolution dated 22.07.2009 and 26.02.2014, DTL pay scales were granted to NDMC's Civil Engineering Department vide Office Order dated 17.12.2015 (Appendix IV).

3.5 The Council vide resolution No. 01(H-04) dated 28.08.2017 considered the report of the Anomaly Committee dated 18.08.2017, and inter-alia resolved to accord approval to grant DTL pay scales upto 06.04.2016 to all left out categories as contained in para 4 of the Preamble and as recommended by the Anomaly Committee in para 17 of its report dated 18.08.2017, except in the case of posts in Account/Audit Cadre, Law Department and Social Education Department. Therefore, employees working in Account/Audit Cadre, Law Department and Social Education Department are still drawing their salaries in CPC scales for want of substitution scales in DTL pay scales. Besides these doctors and nurses in Health Department and Teachers in Education Department, are also drawing salary in CPC pay scales.

3.6 Pursuant to the Council's resolution dated 22.07.2009, 26.02.2014, 27.06.2016 and 28.08.2017, DTL pay scales were granted to all NDMC employees except for Doctors and Nurses in Medical Department and Teachers in Education Department upto 06.04.2016 vide Office Order dated 27.12.2017 (Appendix V).

4 STATUTORY PROVISIONS

4.1 The obligatory and discretionary functions of the Council are enumerated in Section 11 and Section 12 of the New Delhi Municipal Council Act, 1994 (44 of 1994) respectively. To discharge its obligatory and discretionary functions, the NDMC has employed manpower in its various Department.

4.2 NDMC Act 1994 stipulates that the salaries and other service conditions of the NDMC employees are required to be regulated as per the regulations to be notified by the Government as per the provisions mentioned in Section 43(1)(a) are as under:-

"the tenure of office, salaries and allowances, provident fund, pensions, gratuities leave of absence and other conditions of service of officers and other employees appointed under this Chapter;"

4.3 Clause (43) of Rule 2 of NDMC Act, 1994 defines the word regulation as under:
"regulation" means a regulation made by the Council under the Act by notification in the Official Gazette.

4.4 Clause (31) of Rule 2 of NDMC Act, 1994 defines the word regulation as under:
"Official Gazette" means the Official Gazette of the National Capital Territory of Delhi.

4.5 As per the provisions of section 34(4) of the NDMC Act, 1994, the classification of various categories (A, B, C & D) of posts would be decided having regard to scale of pay or emoluments as classified under the Central Government in accordance with the orders issued by the Government from time to time. Section 34(4)(iv) of the Act stipulates that Category 'D' post mean any post other than Category 'A' or Category 'B' or Category 'C' post.

4.6 Sub-section (2) of section 387 of the NDMC Act, 1994 stipulates that no regulation made by the Council under this Act shall have effect until it has been approved by the Central Government and published in the Official Gazette. Section 387(2) of the Act provides as under:

"No regulation made by the Council under this Act shall have effect until it has been approved by the Central Government and published in the Official Gazette."

4.7 Clause (a) of Sub-section (2) of Section 416 of the NDMC Act, 1994 provides inter-alia that any appointment, notification, order, scheme, rule, bye-law, etc. issued or made under the said Punjab Municipal Act, 1911 and in force immediately before the establishment of the Council, shall, in so far as it is not inconsistent with the provisions of the NDMC Act continue in force and be deemed to have been made or issued under the provisions of the NDMC Act, unless and until it is superseded by any appointment, notification, order, scheme, rule, bye-laws, etc. made or issued under the said provisions.

4.8 New Delhi Municipal Council (Conditions of Service of Municipal Officer) Regulations, 2016

4.8.1 In exercise of power under section 43(1)(a) of the NDMC Act, 1994, the Council passed resolution No. 28(C-35) dated 17.10.2007 approving the New Delhi Municipal Council (Conditions of Service of Municipal Officer) Regulations, 2007 for regulating conditions of service of NDMC employees be governed by the Rules and Regulations as applicable to an employee of Central Government, after resolving that:

"Resolved by the Council that the New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2007 is approved and the same be sent to the Central Government for approval in anticipation of the confirmation of the minutes and after receipt such approval they be sent to the Government of NCT of Delhi for publication in the Official Gazette."

4.8.2 New Delhi Municipal Council (Conditions of Service of Municipal Officer) Regulations, 2010 were approved by the MHA as communicated vide its letter dated 20.05.2010.

4.8.3 Subsequently a clarification was sought by NDMC from the MHA on 25.06.2010 on whether the **addition** of the expression "appointed to the New Delhi Municipal Council under Chapter VI of the Act" in the definition would not exclude a municipal officer/employee who had been appointed prior to coming into force of the NDMC Act, 1994.

4.8.4 MHA vide its letter dated 18.09.2010 clarified that in terms of clause (a) of sub section (2) of Section 416 of NDMC Act, 1994, the Municipal Officers and employees appointed prior to coming into force of the NDMC Act, 1994 shall be deemed to have been appointed under Chapter VI of the New Delhi Municipal Council Act, 1994

4.8.5 The Department placed agenda item No. 10(H-02) dated 25.06.2012 before the Council about the approval of the MHA on the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2010 before their notification in the Official Gazette of Government of NCT of Delhi for information, wherein the Council deferred the matter for want of additional information. It is observed that the agenda dated 25.06.2012 was placed only for information of the Council, which was deferred. The Council neither directed to stop sending the regulations approved by the MHA for their publication in the Official Gazette of GNCTD, nor directed to deviate from its resolution dated No. 28(C-35) dated 17.10.2007.

4.8.6 While processing a disciplinary proceedings case, it was observed that several reminders were received from the MHA about the action taken for implementation of the said regulations, 2010, which were to be sent to the GNCTD for notification. With the approval of the then Chairperson on 23.09.2014, NDMC requested the Government of NCT of Delhi on 30.09.2014 (**Appendix VI**) to get the said regulations be published in the Official Gazette.

4.8.7 The Government of NCT of Delhi vide its letter No. 13(126)/MB/UD/2014/268 dated 21.06.2016, which was received in NDMC on 27.06.2016, intimated that the New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016 have been notified in the Official Gazette on 07.04.2016 (**Appendix VII**). These Regulations have come into effect from the date of their publication in the official gazette i.e. 07.04.2016.

4.8.8 As on date, the service condition of all categories of employees in NDMC is regulated in terms of rules/guidelines/instructions notified by DoPT/Ministry of Finance as enumerated in the New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016.

4.8.9 As per Regulation 4(x) of the New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016, the salary of all municipal employees is to be regulated in terms of Central Civil Service (Revised Pay) Rules, 2008 as amended from time to time.

5 Proposal on the subject

5.1 The notification of New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016 was brought before the Council for information vide agenda item Nos. 28(H-05) dated 25.07.2016 and 05(H-07) dated 17.08.2016. The Council was informed that with notification of these regulations, the NDMC have no option but to regulate pay and allowance of its employees in terms of CCS (Revised Pay) Rules, 2016, **wherein the Council deferred the matter.**

5.2 The notification of New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016 was again brought before the Council vide agenda item No. 02(H-08) dated 05.09.2016, wherein the Council resolved as under:

"Resolved by the Council that the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016, as notified, be adopted by the Council, except the implementation of new Pay Scales of Central Pay Commission (CPC) and Delhi Transco Ltd. (DTL). The concerned department

would bring a detailed report explaining the rationalization of implementing the CPC pay scale vis-a-vis DTL pay scale to the employees of the Council

The Council resolved to constitute a committee to look into the implementation of pay scale to the NDMC employees, composition of which is as follows:-

- | | | |
|-----------------------------|---|-------------------|
| 1. Sh. Naresh Kumar | - | Presiding Officer |
| 2. Sh. Karan Singh Tanwar | - | Vice Chairperson |
| 3. Sh. Surender Singh | - | Member |
| 4. Sh. Abdul Rasheed Ansari | - | Member |
| 5. Dr. Anita Arya | - | Member |
| 6. Sh. B.S. Bhati | - | Member |
| 7. Secretary, NDMC | - | Member |
| 8. Financial Advisor, NDMC | - | Member |
| 9. Director (Finance), NDMC | - | Member |
| 10. Director (P), NDMC | - | Convener |

5.3 The Council vide resolution No. 01(H-04) dated 28.08.2017 considered the report of the Anomaly Committee dated 18.08.2017, and inter-alia resolved the following:

- (i) to accord approval to grant DTL pay scales upto 06.04.2016 to all left out categories as contained in para 4 of the Preamble and as recommended by the Anomaly Committee in para 17 of its report dated 18.08.2017, except in the case of posts in Account/Audit Cadre, Law Department and Social Education Department;
- (ii) where grant of DTL pay scales to all categories since 01.04.1998 results into upgraded /replacement pay scale in category 'A' from category 'B', the suitability of official will continue to be assessed, and the proposal would have to be submitted to the UPSC;
- (iii) the replacement DTL pay scales to be granted w.r.t. posts in Account/Audit Cadre, Law Department and Social Education Department would be decided separately.

5.4 The notification of New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016 was brought before the Council again vide agenda item No. 07(H-06) dated 22.09.2017, wherein the Council deferred the following proposal of the Department:

- (i) two pay scales viz. the CPC pay scales and DTL pay scales cannot be operated in the NDMC, and all employees are to be covered under one regulation in terms of provisions of section 43 of the NDMC Act, 1994;
- (ii) pending the final recommendations of 7th DTL on revision of pay scales w.e.f. 01.01.2016 till 06.04.2016, i.e. date of notification of NDMC (Condition of Service of Municipal Officers) Regulation 2016, CPC pay scales should be implemented w.e.f. 07.04.2016 being law in force at present.

5.5 The Department again brought the same proposal before the Council vide agenda item No. 24(H-09) dated 16.10.2017, wherein the Council resolved as under:

"Director(Personnel-I) informed the Council that vide notification No. F.13(126)UD/MB/2014/420 dated 07.04.2016, the New Delhi Municipal Council (Conditions of Services of Municipal Officers) Regulation, 2016 has come into force.

Regulation 4 of the said regulations criminalized the service rules as amended from the time, including orders issued there under by the Central Government, including the Central Civil Service (Revised Pay) Rules, 2008, shall apply to the municipal Officers. With notification of the aforesaid regulation, the salary of all the employees in NDMC including those drawing DTL scales, is to be regulated in terms of Central Civil Services (Revised Pay) Rules, 2016 w.e.f. 07.04.2016. It was further brought to the notice that at present the percentage of expenditure incurred on establishment has risen to around 60% of the total expenditure after excluding expenditure on electricity and water, which is not tenable in long term. Therefore, NDMC should implement Central Civil Services (Revised Pay) Rules, 2016, w.e.f. 07.04.2016. Till the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulation are amended, the same will remain in operation being the statutory provisions.

However, the Council desired to continue DTL pay scales for its employees beyond 06.04.2016. The Council was informed that for this purpose, the regulation 4(x) of the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016 has to be amended suitably to incorporate DTL pay scales after following due procedure prescribed in the NDMC, Act 1994.

The Council further resolved that draft regulation for amendment in the 2016 Regulations proposed to be sent to the Ministry of Home Affairs be prepared and placed before the Council for its consideration".

5.6 With notification of New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016 on 07.04.2016 in official gazette of Government of NCT of Delhi, NDMC is bound to pay salary only in CPC Pay Scales. However, the Council vide its Resolution No. 24(H-09) dated 16.10.2017 desired to continue DTL pay scales to its employees beyond 06.04.2016 and resolved that draft regulation for amendment in the 2016 Regulations proposed to be sent to the Ministry of Home Affairs be prepared and placed before the Council for its consideration. The following facts were brought before the Council vide agenda Note dated 16.10.2017:

5.6.1 Manpower position in NDMC

Category of the post	Sanctioned strength	Employees in position (including contractual)
Category A	406	164
Category B	1965	634
Category C	5439	3129
Category D	9553	6547
Total	17363	10474
Contractual Employees (against sanctioned posts)	-	784

Contractual Employees
(supernumerary posts without
sanctioned of the Council)

2/4

5.6.2 Prior to notification of New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016, the salary of NDMC employees was being regulated in terms of DTL pay scales as well as CPC pay scales. It is submitted before the Council that it is administratively advisable and financially prudent to adopt a single pay scale system for all employees. Different pay scales is causing inter-departmental conflict and is giving rise of industrial dispute in term of Industrial Dispute Act, 1947 with regards to service condition and salary being drawn by the employees. Delhi Transco Limited, based on agreement with employees association follow a pattern different from that being followed in Departments/Organisation where CPC pay scales are applicable.

5.6.3 The Wage Revision Committee of Government of NCT of Delhi has in its meeting 12.06.2017 has recommended as under:

".....upon examining the pros and cons of matter relating to grant of interim relief from various angles is of the unanimous view that all the employees of Transmission and Generation companies must be granted the benefit of the recommendation of 7th Central Pay Commission w.e.f. 01.01.2016 by way of interim relief for the time being, by revising their pay fixed as per recommendations of the previous Wage Revision Committee accepted by the then Hon'ble Lt. Governor, Delhi in 2009 and the exercise in this regard may be undertaken by multiplying their present pay in the applicable pay band alongwith the grade pay with multiplier of 2.57, rounded off to the next multiple of ten. The dearness allowance in the revised pay structure to be so fixed shall be zero w.e.f. 01.01.2016, but subsequent dearness allowance shall be paid as per the rate notified by the Government".

The final pay scales that would be adopted under 7th DTL for its employees are not yet finalised by the Wage Revision Committee as on date.

5.6.4 Earlier directions of the Ministry of Home Affairs and Dissolution of the Council in the year 2014

The Ministry of Home Affairs vide Notification No. S.O. 2238(E) dated 05.09.2014 inter-alia observed about the mismanagement in the Personnel Department. The Ministry of Home Affairs dissolved the New Delhi Municipal Council after observing that the Council had persistently defaulted for reasons mentioned therein. The present Council was constituted vide Central Government's Notification No. S.O. 2239(E) dated 05.09.2014.

5.6.5 Rising Establishment Expenditure

5.6.5.1 Dual Pay Scales (DTL and CPC) applicable in NDMC

5.6.5.1.1 At present, all employees in NDMC are drawing their salary under 6th DTL pay scales, except Doctors, Nurses and Teachers who are drawing their salaries in 7th CPC. For Medical Doctors in NDMC, parity has been maintained with their counterpart in Central Health

Service and pay scales adopted by Central Government which were based on 6th Committee Report has been implemented in NDMC also. For Nurses recommendation of 6th CPC was more favourable and has been adopted in NDMC vide No. 07(H-06) dated 31.01.2013. Similarly in case of Teachers (recommendation based on Chattopadhyaya Committee Report), the pay scales recommended by CPC which were more favourable as compared to DTL pay scales, have been implemented.

5.6.5.1.2 Comparison between 6th CPC pay scales and 6th DTL pay scales is as follows:

DETAILS OF GRADE PAY N 6th CPC PAY SCALES AND 6th DTL PAY SCALES

Group/ Category	6th CPC pay Scales			6th DTL Pay Scales		
	Pay Band	Pay Band (in Rs.)	Grade Pay (in Rs.)	Pay Band	Pay Band (in Rs.)	Grade Pay (in Rs.)
D	-1S	Rs.4440-7440	Rs.1600/-	1	Rs.6000-20200	Rs.2000/- Rs.2200/- Rs.2400/-
C	1	Rs.5200-20200	Rs.1800/- Rs.1900/- Rs.2000/- Rs.2400/- Rs.2800/-	2	Rs.8500-26300	Rs.2800/- Rs.2900/- Rs.3000/- Rs.3100/- Rs.3200/- Rs.3300/- Rs.3500/- Rs.3600/- Rs.3800/-
B	2	Rs.9300-34800	Rs.4200/- Rs.4800/- Rs.5400/-	3	Rs.10900-34800	Rs.4000/- Rs.4200/- Rs.4800/- Rs.5000/-
A	3	Rs.15600-39100	Rs.5400/- Rs.6600/- Rs.7600/-	4	Rs.19000-39100	Rs.5400/- Rs.6600/- Rs.7600/-
A	4	Rs.37400-67000	Rs.8700/- Rs.8900/- Rs.10000/-	5	Rs.37400-67000	Rs.8900/- Rs.10000/-

The starting pay scales for each category is higher under 6th DTL as compared to the 6th CPC pay scales. Comparison between 7th CPC and 7th DTL is not undertaken as the recommendation of 7th DTL Pay scales are awaited.

5.6.5.1.3 Other minimum grade pay under DTL pay Scales for other grade pay, C post are as under:

Minimum Grade Pay under CPC pay Scales PB-1 Rs. 1900	Minimum Grade Pay under DTL pay Scales PB-2 Rs. 2800
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5.6.5.1.4 A comparative table indicating differences between CPC and DTL pay scales is at Appendix VIII.

5.6.6 The expenditure on salaries, wages, bonuses, pension, benefits, allowances and retirement benefits is increasing continuously and will become unsustainable at this pace, as indicated below:

Year	Total Revenue (in Rs. crores)	Payments made by NDMC to Electricity Companies (for electricity costs) and DJB (for water costs)			Net Revenue (in Rs. crore)	Establishment Expenditure (in Rs. crores)	Percentage of Estt. Expenditure vis-à-vis Net Income of NDMC (in %)
		Elect.	Water	Total (E&W)			
2013-14	2382.41	906.29	84.00	990.29	1392.12	753.03	54.09 %
2014-15	2737.28	1050.00	103.40	1153.40	1583.88	986.21	62.27 %
2015-16	2920.65	1000.00	94.02	1094.02	1826.63	1120.74	61.36 %
2016-17	2996.11	830.95	112.77	943.72	2052.39	1206.75	58.80 %
2017-18	3128.72	817.24	129.22	946.46	2182.26	1271.87	58.28 %
2018-19 (Upto June 2018)	775.76	214.72	0.00	214.72	561.04	415.49	74.06 %

* This is the situation when 10474 posts are filled out of 17363 sanctioned posts. In case all the posts are filled up then the Establishment expenditure will rise to 70% of the net income (by taking year 2017-18 as the base year) thereby further restraining the financial resources of NDMC especially when the earning from property tax have reached a plateau.

5.6.7 Other impact of grant of DTL Pay Scales

5.6.7.1 Change in the recruitment authorities subsequent to up-gradation of post under DTL scales

With grant of DTL pay scale, few posts like Deputy Director, Assistant Engineer (Civil), etc. will be upgraded from category 'B' post to Category 'A' post for which the recruitment agency is UPSC as per section 40 of the NDMC Act, 1994. With up-gradation of the post, the direct recruitment to the post would be outside the purview of DSSSB and will be through UPSC, and in case of promotion, UPSC consultation is must.

5.6.7.2 Impact on reservation in promotion

As per extant policy on reservation of posts for persons belonging to SC/ST category in promotions, the posts on being included in Category 'A' after being granted DTL pay scale no further reservation is applicable to promotion within Group 'A'. To that extent, it would restrict the career progression opportunities of persons belonging to SC/ST category.

5.6.7.3 Demand for grant of DTL pay scales from employees in Education and Medical Department

The employees in Health and Education Department, who are drawing their salary under the 7th CPC, are also demanding grant of DTL pay scale which have sizeable financial implications for NDMC. It is relevant to mention here that Teachers in Education Department and Doctor/Nurses in Health Department have been granted CPC pay scales as in their case, the 5th/6th CPC scale were more beneficial.

Nursing Staff, who were given DTL Pay scales requested for 6th CPC Pay Scales as it was more beneficial to them. The Council considered the same vide its resolution No. 07(H-06) dated 31.01.2013, wherein the Council allowed switch over of pay-scales from DTL scales to CPC scales in case of Nurses and all other categories who want to opt for CPC scales subject to the condition that they will not be allowed to revert back from CPC Scale.

Herein, it is observed that the employees keep requesting for shuffling their pay scales from CPC to DTL and vice-versa, considering which pay scale is more beneficial to them at a given point of time, and such practice nowhere exists in the Country.

5.6.8 Manpower Requirement Study

In accordance with the Council's resolution No. 09(H-02) dated 21.08.2017, IIPA has been awarded the project for manpower study of all Departments in NDMC in October 2017 and Council informed vide Resolution No. 02(H-05) dated 12.12.2017. Report of IIPA is awaited.

5.6.9 Directions of DERC with regard to separate accounts for Electricity Supply and distributions

5.6.9.1 To ensure transparent tariff settings, DERC issued directions to NDMC for segregating the financial records pertaining to its Electricity Distribution Function and to furnish separate details on independent Accounts of Electricity Distribution Function. To comply with directions issued by DERC, SBI Capital Market Ltd. (SBICAP) was appointed to study the present set up and suggest a plan for formation of **Electricity Distribution Strategic Business Unit (EDBSU)** within NDMC, as well as assist in its implementation.

5.6.9.2 On the basis of M/s. SBICAPs report for formation of EDSBU, accounting of EDSBU has been separated w.e.f. 01.04.2017.

5.6.9.3 The functions of EDSBU of the Electricity Department of NDMC has comparable duties/functions of employees as those in DTL.

5.7 Further, an agenda item incorporating the note to be referred to Ministry of Home Affairs for continuation of DTL pay scale was placed before the Council vide Resolution No. 31(H-13) dated 29.01.2018, which was deferred and placed before the Council in the Council meeting held on 03.02.2018 vide agenda item No. 31(H-13), minutes of which are still to be confirmed.

5.8 There is a sizeable number of employees who retired during the period 01.04.1998 to 06.04.2016 and their pension required to be fixed in term of DTL pay scales, which would have sizeable financial burden on NDMC.

5.9 It is relevant to mention here that the recommendation of 7th DTL pay scales are still awaited. As such, all the employees would have to be given 7th DTL replacement scales for the period 01.01.2016 till 06.04.2016, and their salary will be re-fixed in 7th CPC as on 07.04.2016. Salary of employees that they may be drawing as on 06.04.2016 will be protected as per Government of India's instructions, as amended from time to time while re-fixing their salary on 07.04.2016 as per said regulation of 2016.

5.10 The Council vide its resolution No. _____ dated _____ has resolved as under:
"TO BE ADDED as per the decision of the Council"

5.11 Ministry of Home Affairs is, therefore, requested to take consider the above mentioned Resolution No. _____ dated _____ of the Council for appropriate amendment in the New Delhi Municipal Council (Conditions of Service of Municipal Officer) Regulations, 2016 in terms of provisions of sub-section (2) of section 387 of the NDMC Act, 1994, as resolved by the Council vide resolution No. _____ dated _____.

— 109 —
File No. 42011/41/2018-Secy.Estt.
NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA: NEW DELHI

ANNEXURE-III

Dated: 10 September, 2018

To,

Shri Govind Mohan
Joint Secretary (UT)
Ministry of Home Affairs
North Block
New Delhi - 110001

Subject: Continuation of DTL pay scales in NDMC beyond 07.04.2016 by amendment of NDMC (Condition of Service of Officers) Regulations 2016 as notified vide notification No.F.13(126)UD/MB/2014/420 dated 07.04.2016 approved by Council vide Resolution No. 22(H-08) dated 23.08.2016.

Sir,

In pursuance to the Ministry of Home Affairs' approval conveyed vide letter No. U.14011/10/08-Delhi-II dated 20.05.2010 (**Annexure I**) and the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016 have been notified in the official Gazette of Government of NCT of Delhi vide notification No. F.13(126)UD/MB/2014/420 dated 07.04.2016 (**Annexure II**).

2 Prior to notification of the said regulations, following two types of pay scales were in force in NDMC:

- (i) CPC Pay Scales for Teachers in Education Department; and Doctors & Nurses in the Medical Department; and
- (ii) Delhi Transco Limited (DTL) Pay Scales for remaining category of officials.

3 After notification of Regulations w.e.f. 07.04.2016, an Agenda Item No. 28(H-05) was submitted in the Council meeting dated 25.07.2016 to apprise the Council about notification of New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016. However, the Council resolved to defer the same. A copy of the resolution of the Council in this regard is enclosed as **Annexure III**.

4 Thereafter, the same agenda was submitted as Item No. 05(H-07) in the Council meeting held on 17.08.2016 wherein the Council again resolved to defer the same. A copy of the resolution of the Council in this regard is enclosed as **Annexure IV**.

5 The same agenda was again submitted in the Council meeting held on 05.09.2016 as agenda Item No. 02(H-08) in which the Council resolved as under:

Resolved by the Council that the New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016, as notified, be adopted by the Council except the implementation of new Pay Scales of Central Pay Commission (CPC) and Delhi Transco Ltd. (DTL). The concerned department would bring a detailed report explaining the ramifications of implementing the 7th CPC pay scale vis-a-vis DTL pay scale to the employees of the Council

The Council resolved to constitute a committee to look into the implementation of pay scale to the NDMC employees, composition of which is as under:-

- | | | | |
|-----|---------------------------|---|-------------------|
| 1. | Shri Naresh Kumar | - | Presiding Officer |
| 2. | Shri Karan Singh Tamwar | - | Vice Chairperson |
| 3. | Shri Surender Singh | - | Member |
| 4. | Shri Abdul Rasheed Ansari | - | Member |
| 5. | Dr. Anita Arya | - | Member |
| 6. | Shri B.S. Bhati | - | Member |
| 7. | Secretary, NDMC | - | Member |
| 8. | Financial Advisor, NDMC | - | Member |
| 9. | Director (Finance), NDMC | - | Member |
| 10. | Director (P), NDMC | - | Convener |

It was further resolved by the Council that the department may initiate further necessary action in anticipation of confirmation of the minutes of the Council.

A copy of the resolution of the Council in this regard is enclosed as **Annexure V**.

6 Thereafter, the Council in its meeting held on 28.08.2017 considered the report of the sub-committee constituted under Section 9 of NDMC Act on the issue relating to grant of DTL pay scales to left out categories of the employees vide agenda item No. 01(H-04) dated 28.08.2017. In the said meeting, the Council resolved as under:-

The Council considered the report of the Anomaly Committee dated 18.08.2017, and resolved the following:

- (i) To accord approval to grant DTL pay scales upto 06.04.2016 to all left out categories as contained in para 4 of the Preamble and as recommended by the Anomaly Committee in para 17 of its report dated 18.08.2017, except in the case of posts in Account/Audit Cadre, Law Department and Social Education Department.
- (ii) Where grant of DTL pay scales to all categories since 01.04.1998 results into upgraded/replacement pay scale in category 'A' from category 'B' the suitability of official will continue to be assessed, and the proposal would have to be submitted to the UPSC.
- (iii) The replacement DTL pay scales to be granted w.r.t. posts in Account/Audit Cadre, Law Department and Social Education Department would be decided separately.

A copy of the resolution of the Council in this regard is enclosed as **Annexure VI**.

7 In the Council meeting held on 22.09.2017, the following recommendation was submitted for consideration by the Council vide Agenda Item No. 07(H-06):

- (i) two pay scales viz the CPC pay scales and DTL pay scales cannot be operated in the NDMC, and all employees are to be covered under one regulation in terms of provisions of section 43 of the NDMC Act, 1994;
- (ii) pending the final recommendations of 7th DTL on revision of pay scales of its employees w.e.f. 01.01.2016 till 06.04.2016, decision with regards to CPC pay scales that would be applicable to employees in NDMC w.e.f. 07.04.2016 [i.e. date on which NDMC (Condition of Service of Municipal Officers) Regulation, 2016 duly approved by the Government of India as per provisions of section 387(2) of the NDMC Act, 1994 and duly notified by the Government of NCT of Delhi in its Official Gazette] should be implemented, being law in force at present.

The Council after consideration of the agenda item No. 07(H-06) dated 22.09.2017 resolved as under:

All matters deferred. The Council resolved to consider these matters, and other matters, if any, in its next meeting to be held at 12.00 Noon on 16th October, 2017.

A copy of the resolution of the Council in this regard is enclosed as **Annexure VII**.

8 An Agenda Item No. 24(H-09) was submitted again for consideration in the Council meeting dated 16.10.2017 with recommendations as stated in para 7 above, wherein the Council resolved as under:-

Director (Personnel-I) informed the Council that vide notification No. F.13(126)UD/MB/2014/420 dated 07.04.2016, the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016 has come into force. Regulation 4 of the said regulations enumerates the service rules as amended from time to time, including orders issued there under by the Central Government, including the Central Civil Services (Revised Pay) Rules, 2008, shall apply to the municipal officers. With notification of the aforesaid regulation, the salary of all the employees in NDMC including those drawing DTL scales, is to be regulated in terms of Central Civil Services (Revised Pay) Rules, 2016 w.e.f. 07.04.2016. It was further brought to the notice that at present the percentage of expenditure incurred on establishment has risen to around 60% of the total expenditure after excluding expenditure on electricity and water, which is not tenable in long term. Therefore, NDMC should implement Central Civil Services (Revised Pay) Rules, 2016 w.e.f. 07.04.2016. Till the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016 are amended, the same will remain in operation being statutory provisions.

However, the Council desired to continue DTL pay scales for its employees beyond 06.04.2016. The Council was informed that for this purpose, the regulation 4(x) of the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016 has to be amended suitably to incorporate DTL pay scales after following due procedure prescribed in NDMC Act, 1994.

The Council further resolved that draft regulation for amendment in the 2016 Regulations proposed to be sent to the Ministry of Home Affairs be prepared and placed before the Council for its consideration.

A copy of the resolution of the Council in this regard is enclosed as **Annexure VIII**.

9 The matter was again submitted for consideration of the Council vide agenda Item No. 06(H-01) in the Council meeting held on 04.04.2018 wherein the Council resolved as under:

The Council considered the note at Annexure I of the Preamble proposed by the Department for sending it to MHA, and the Presiding Officer and Shri B.S. Bhati observed that the note prepared by the Personnel Department will not fructify into the decision of the Council for continuation of DTL pay scales to NDMC employees.

Accordingly, the Council resolved to constitute a committee consisting of following members to prepare a note, while also taking into account the Department's note at Annexure I of the Preamble, to be sent for consideration of the Ministry of Home Affairs, Government of India in the matter:

- | | | |
|-------------------------|---|----------|
| 1. Shri B.S. Bhati | - | In Chair |
| 2. Shri Surender Singh | - | Member |
| 3. Dr. Anita Arya | - | Member |
| 4. Shri A.R. Ansari | - | Member |
| 5. Director (P-I), NDMC | - | Convener |

It is further resolved by the Council that the department may initiate further necessary action in anticipation of confirmation of the minutes by the Council.

A copy of the resolution of the Council in this regard is enclosed as **Annexure IX**.

10 The meeting of the said Committee constituted by the Council vide its resolution dated 04.04.2018 was held on 17.07.2018. A copy of the minutes of the meeting dated 17.07.2018 is enclosed as **Annexure X**.

11 Based on report of the said Committee, an agenda No. 22(H-08) was submitted for consideration of the Council in its meeting held on 23.08.2018, wherein the Council resolved as under:

"The Council deliberated on the matter in detail wherein Sh. B. S. Bhati asked to delete add the following paras from the Note to be sent to the Ministry of Home Affairs (i.e. Annexure II to the Preamble):

Director(Personnel-I) informed the Council that these are facts, which the Council may consider not to delete. However, the Members of the Council in terms of sections 4(1)(b), 4(1)(d) and 4(1)(e) of the NDMC Act and present in the meeting resolved that the addition / deletion as asked by Sh. B. S. Bhati be carried out in the Note to be sent to the Ministry of Home Affairs.

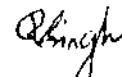
Accordingly, the Council resolved to approve the proposal of the Department, as contained in para 5 of the preamble, after adding/deleting the abovementioned paras in the Note to be sent to the Ministry of Home Affairs (i.e. Annexure II to the Preamble) as suggested by Sh. B. S. Bhati.

It was further resolved by the Council that the department may initiate further necessary action in anticipation of confirmation of the minutes by the Council."

12 The note for consideration of Ministry of Home Affairs has been suitably amended as per resolution of the Council dated 23.08.2018 and is annexed as **Annexure XI**. Accordingly, in terms of provision of sub-section (2) of section 387 of NDMC Act, 1994, Ministry of Home Affairs is requested to approve the amendment in Regulation 4(x) of NDMC (Conditions of Service of Municipal Officers) Regulation, 2016 for continuation of DTL Pay Scale in NDMC.

13 After approval of the proposed amendment by the Ministry of Home Affairs, the same shall be forwarded to Government of NCT of Delhi for notification in its official Gazette in terms of section 2(43) read with section 2(17) and section 2(31) of the NDMC Act, 1994.

Yours faithfully,



(Rashmi Singh)

Secretary

Tele: 011-23742451

Encl: as above

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA, NEW DELHI
SECRETARY'S ESTT. BRANCH

No. SO(E)/6302/SA-III

Dated: 18.10.2016

OFFICE ORDER

With the prior approval of Chairman, NDMC, the following payments are approved to be paid to the employees of the Council:-

- (i) Sanction for interim lump sum payment to officials drawing DTL pay scales under Categories A, B, C & D employees at the following rates:-

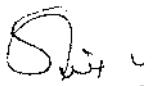
Category A	₹40,000/-
Category B	₹35,000/-
Category C	₹30,000/-
Category D	₹20,000/-

The amount so paid now will be adjusted against the arrear of pay that may accrue to each employee on revision of the salary under 7th DTL pay scales. Any excess amount will be recovered from each employee.

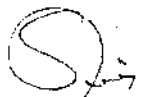
- (ii) The salaries of the existing employees and pension of the pensioners drawing salaries /pension under CPC/^{DTL} pay scales have been approved to be revised as per the recommendations of 7th CPC by multiplying their salary / pension by factor 2.57. Arrear payment for nine months i.e. January to September 2016 is to be paid with salary/pension for the month of October, 2016.
- (iii) Payment of Bonus and Ex-gratia for the period 2015-16 and difference of Bonus for the period 2014-15 to will be paid Group 'B' (Non Gazetted), C & D employees of the Council as per the order separately.

Copy to:-

1. All HoDs
2. PA to Chairperson
3. PA to Secretary
4. SO(CBS)
5. Director (IT) with request to upload on the NDMC website
6. PA to Director (P)



(Anil Kumar)
Joint Director (Estt.)



(Anil Kumar)
Joint Director (Estt.)

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ANNEXURE-V

P-85410/Dir.(P) 115-

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA: NEW DELHI

No. D-233/PA/Dir.(P)/2017

Dated : 05.09.2017

OFFICE ORDER

The Competent Authority has approved grant of 2nd instalment of lumpsum payment as interim relief, similar to interim relief approved by Govt. of NCT of Delhi for the employees of Delhi Transco Limited (DTL). Since the NDMC (Condition of service of municipal officer) Regulations 2016 have been notified on 07.04.2016, all the employees would draw salary in DTL pay scales upto 06.04.2016 and their salary would be re-fixed CPC pay scales w.e.f. 07.04.2016. The arrears w.e.f. 01.01.2016 would be calculated accordingly.

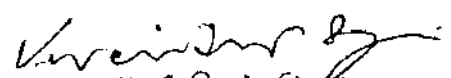
2. The interim relief announced by DTL for its employees is equal to the salary revision announced by 7th Central Pay Commission for employees drawing salary in CPC pay scales i.e. revised salary as on 01.01.2016 has been determined by multiplying the existing salary in the corresponding Pay Band + Grade Pay with multiplier factor of 2.57. The final salary of the NDMC employees in 7th CPC pay scales will be fixed only after final report of 7th DTL pay scales becomes available. However, as all the employees are to be shifted to CPC pay scales w.e.f. 07.04.2016 and their increment w.e.f. 01.07.2016 determined in CPC pay scale, the tentative salary in CPC pay scale as on 07.04.2016 would be first fixed and then the quantum of arrear that may become payable, determined.

3. The revised salary of NDMC employees drawing salary in DTL pay scales will be determined as on 01.01.2016 by multiply the existing salary in corresponding Pay Band plus Grade Pay with multiplier of 2.57 rounded off to the next multiple of ten, as recommended by 7th CPC / DTL WRC.

4. A separate cell would be created in Personnel Department under Joint CAO (Estt) with mandate to issue post wise draft re-fixation order in 7th CPC / DTL which would be followed by all Establishments Sections in NDMC.

5. It is relevant to mention here that vide Office Order No. SO(E)/6302/SA-III dated 18.10.2016 interim lumpsum payment have been made to all employees/pensioners as indicated below:

- (a) Category 'A' - Rs. 40,000/-
- (b) Category 'B' - Rs. 35,000/-


05.09.2017

- 974 - - 11 -
- 2 -
- 116 -
- (c) Category 'C' - Rs. 30,000/-
(d) Category 'D' - Rs. 20,000/-

6. As the procedure proposed above will take time, as an interim measure, the Competent Authority in NDMC has approved following category-wise additional lump sum amount may be paid all regular employees:

- (a) Category 'A' - Rs. 1,20,000/-
(b) Category 'B' - Rs. 80,000/-
(c) Category 'C' - Rs. 65,000/-
(d) Category 'D' - Rs. 50,000/-

7. The payment of interim relief will be subject to the conditions that individual concerned will have to refund to the Council, any amount that may, on any subsequent check/audit, is found to have been paid to him/her in excess. In case any employee does not want to take interim relief being granted now, he/she should specifically intimate the Establishment Section concerned immediately and endorse a copy of his/her such refusal to CBS. Account Department, NDMC may take necessary steps accordingly.

8. This issues with approval of Chairman, NDMC.

Virender Singh
05.09.2017
(Virender Singh)
Director (P)

Copy to:

- [Signature]*
1. All HODs
 2. All Council Members.
 3. PS to Chairman, NDMC - for information
 4. PA to Secretary, NDMC - for information
 5. Director(IT)-with request to upload on website
 6. All Section Officers in Establishment Branch
 7. Sr. AO CBS
 8. Office Order Book

NEW DELHI MUNICIPAL COUNCIL
PERSONNEL DEPARTMENT
PALIKA KENDRA: NEW DELHI

No.A-42011/15/2017-Secy-Estt.

Dated: 15.01.2018

OFFICE ORDER

The Competent Authority in NDMC has approved grant of Interim Relief(IR) as recommended by the WRC, DTL and approved by the Hon'ble LC of Delhi subject to following condition:

- i) The Interim Relief(IR) will be released on actual basis with immediate effect to all the NDMC employees under DTL Pay Scales (including the Left Out Categories granted DTL Pay Scales w.e.f. 1.4.1998 in pursuance of Council Reso. No. 36 (H-03) dated 27.6.2016) as under:
 - (a) Interim Basic Pay [IR(Basic Pay)] shall be determined by multiplying the pay in the pay band plus Grade Pay as on 31.12.2015 with a multiplier of 2.57, rounded off to the next multiple of ten;
 - (b) Interim Dearness Allowance [IR(DA)] shall be paid as per the rate notified by the Government from time to time under the 7th CPC. The term 'Basic Pay' for determining the quantum of Interim Dearness Allowance means the IR (Basic Pay) but does not include any other type of pay like special pay etc. Further, the Interim Dearness Allowance will continue to be a distinct element of remuneration and will not be treated as pay within the ambit of FR 9(21);
 - (c) Interim Allowances - All allowances shall be paid as per the Office Order No. 5983/SO(E)/SA-III/2017 dated 21.11.2017 issued after the approval of the Competent Authority adopting/ revising 23 allowances in NDMC w.e.f. 01.7.2017 on the basis of decision of the Government of India in this regard. These allowances shall be provided as Interim Relief and adjustment, if any, shall be made after implementation of Final Recommendations of Wage Revision Committee (WRC).
 - (d) Annual Increments - The Interim Basic Pay as on 01.01.2016 as determined in (a) above shall be enhanced by 3% annually, i.e., on 01.01.2017, 01.01.2018 and so on till the implementation of Final Recommendations of Wage Revision Committee (WRC).
- ii) In case the present pay in the pay band plus Grade Pay + D.A. thereon, drawn for the month of December 2015 happens to be more than the Interim (Basic Pay) as determined in (i) above, which could be in rarest of rare cases, then the pay plus Grade Pay + D.A. thereon, for the month of December 2015 shall be the Interim (Basic Pay) w.e.f. 1.1.2016;
- iii) The payment of interim relief will be subject to the condition that individual concerned will have to refund to the Council, any amount that may, on subsequent check/audit, is found to have been paid to him/her in excess.

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iv) The quantum of arrears payable on account of interim relief for the period 01.01.2016 to 31.12.2017 shall be worked out as per (i) above after adjusting two installments of lump sum interim amount already paid vide office orders No. SO(E)/6302/SA-III dated 18.10.2016, and, D-233/PA/Dir (P)/2017 dated 05.9.2017) after acceptance of final recommendation of 7th DTL WRC and salary of all employees drawing salary in DTL pay scales is revised/re-fixed in terms of New Delhi Municipal Council (Condition of service of municipal officers) Regulation, 2016 notified vide Government of NCT of Delhi's Notification No.13(126)UD/MB/2014/420 dated 07.04.2016.

2. No separate orders for revision/re-fixation of salary on grant of Interim Relief(IR) will be done by concerned Establishment Section. CBS Section in Account Department will suitably modify the Salary disbursal software to determine the revised salary from January 2018 onwards. Revision/re-fixation of pay will be done by concerned Establishment Section(s) only after acceptance of final report of 7th DTL WRC.

Virender Singh
13.01.2018

(Virender Singh)
Director (P-I)

Tele. No. : 011-23744227

Copy to:

1. All HoDs
2. PS to Chairman
3. PS to Secretary
4. Director (IT) - with a request to upload the order on website.
5. PA to Director (P-II) for e-office.
6. All Jt. /Dy. Directors of Estt. Units
7. All SOs of Estt. Units
8. AO(CBS)
9. O.O. Book

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गोपनीय

फा.सं 14011/10/2008 दिल्ली-II

भारत सरकार

गृह मंत्रालय

नार्थ ब्लॉक, नई दिल्ली
दिनांक :- 27 सितम्बर 2022

सेवा में,

R-6061/D18(P)
07/10/22अध्यक्ष,
नई दिल्ली नगरपालिका परिषद्
पालिका केंद्र, नई दिल्ली।

सचिव

अधिन
कार्यवाही
है

28/09/22

विषय :- नई दिल्ली नगर पालिका परिषद् के कार्मिकों को दिनांक 07.04.2016 के आगे डी टी एल वेतनमान जारी रखने के लिए NDMC (Conditions of Service of Officers) Regulations, 2016 कि धारा 4(x) में संशोधन हेतु प्रस्ताव - तद्विषयक

R-6061/D18(P)
07/10/22

महोदय,

विक्रम सिंह

कृपया उपर्युक्त विषयक के अपने दिनांक 10.09.2018 के पत्रांक 42011/41/2018-Secy.Estt का सन्दर्भ लें। प्रस्ताव पर इस मंत्रालय में विचार किया गया। किन्तु प्रस्ताव को स्वीकार्य नहीं पाया गया।

निदेशन (किंग)

अज्ञ 7/10

भवदीय

SA-III

1650/Estt
10/10/22उप निदेशन (Secy. Estt.)
10/10/22

50(E)

10/10/22

(सी. पी. विनोद कुमार)

भारत सरकार के अवर सचीव

दूरभाष: 23093608

- 130 -

- 120 -

ANNEXURE - A
ANNEXURE-VIIINew Delhi Municipal Council
Personnel DepartmentMinutes of meeting of Anomaly Committee held on 18.08.2017 to consider representations received from various category of employees for grant of replacement of DTL scales.

Present :-

1. Ms Geetali Tare, Financial Advisor
2. Ms. Chanchal Yadav, Secretary
3. Shri Virender Singh, Director (P-I)

The Anomaly Committee was informed that the Council vide its Resolution No. 21(H-03) dated 22.07.2009 and Resolution No. 15/2013-14 dated 26.02.2014 decided to grant DTL pay scale to all left out categories of employees.

2. To implement the Council's Resolution dated 22.07.2009 and 26.02.2014, a sub-Committee under Ms. Rita Kumar was constituted for examination and removal of anomalies viz-a-viz other cadre vide order No. PA/Dir(P)/134/2015 dated 07.04.2015. The Rita Kumar sub-Committee submitted its report on 25.02.2016. It gave recommendations in respect of 311 categories. The report of the sub-Committee was considered by Council vide its Resolution No. 36 (H-03) dated 27.06.2016 and orders relating to grant of DTL pay scales issued on 05.09.2016. While approving the grant of DTL pay scales, the Council has also approved constitution of a Committee comprising of Secretary, NDMC, Financial Advisor and Director (Personnel) to look into the grievances relating to disparity in grant of replacement pay scale, if any, of the employee from the left out categories who have been recommended for grant of DTL pay scales now, after excluding the employees of Electricity Department who have already been granted DTL Scales

3. From the report, it may be seen that the sub-Committee had adopted following criteria for recommending replacement pay scale.

- i. replacement scale as on 01.04.1998 was considered.
- ii. merger of the pay scale by 5th CPC was to be taken into account.
- iii. inter Departmental parity was to be prime determinant.
- iv. where no specific scale was available, merit, post hierarchy and parity with other similarly placed post was to be adopted.

4. While examining the report, the Ms. Rita Kumar sub-Committee had also observed that the Personnel Department had been maintaining inter departmental parity between Electrical and Civil engineers and sub-Committee recommended maintenance of parity between the posts in these two Departments. The sub-Committee had also observed that posts in Account, Finance, Law and Personnel Department having different nomenclature in its hierarchy structure were present. While recommending replacement pay scale uniformity and parity with similarly placed DTL pay scale was to be retained.

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Salient feature of Rita Kumar Committee

- 5.1 The Ms. Rita Kumar sub-Committee maintained parity between Electrical and Civil Departments.
- 5.2 The Sub-Committee recommended replacement pay scales for the post hitherto carrying CPC pay scale in NDMC.
- 5.3 The sub-Committee recommended upgradation of category 'B' pay scales to category 'A' pay scales not supported by any instructions or principle issued by Government of India or the Council. Instead of recommending replacement pay scales, the Committee upgraded certain posts which has created anomalous situation in NDMC wherein, if implemented UPSC recruited category A officers would get lower pay scales as compared to promotee Law/Administrative/Account/Audit Officers who are promoted from Category B. The sub-Committee had also completely ignored the criteria laid down by DoPT vide O.M. dated 07.03.1984 for determining analogous posts.
- 5.4 Similarly, Category B promotee officer having Grade Pay of Rs. 4600, 4800 and 5400- recommended Rs. 5400, 6600 and 6600/- respectively. Category A officers having Grade Pay of Rs. 5400- recommended upgraded pay scale of Rs. 7000.
- 5.5 The sub-Committee did not maintained intra Group parity while recommending pay scales.
- 5.6 The sub-Committee overlooked the fact that posts with equivalent pay scales albeit with different designation in Finance / Law etc. exists in Delhi Transco Limited.
- 5.7 The Committee overlooked the following conditions under which pay scales of a post can be upgraded:
- abolition of a post in lower Grade and creation in higher Grade OR
 - specific recommendation of Pay Commission for grant of higher pay scale to particular posts in a Grade
- 5.8 The Anomaly Committee was also informed of the criteria for determining analogous post as contained in DoPT's O.M. No. 14017/27/75-Esst.(D)(pt.) dated 07.03.1984. The said O.M. provides that for determining analogous posts, nature of duties performed, qualifications prescribed and experience required. If these parameters are considered then the recommendation of grant of upgraded pay scale in place of replacement pay scale cannot be justified on any ground.
- 6.1 It was also submitted before the Anomaly Committee that after submission of Wage Review Committee report in Delhi Transco Limited, a High Power Committee was constituted by the Govt. of NCT of Delhi to examine the report. The High Powered Committee comprised following members:
- Shri V V Bhat, Pr. Secretary, Finance, GNCT
 - Shri Rajendra Kumar, IAS, Secretary(Power), GNCT
 - Shri Parimal Rai, IAS, Chairperson, NDMC

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6.2 The High Powered Committee concurred with higher pay bands but suggested maintenance of parity in terms of Grade Pay for a post vis-a-vis CPC pay scales (Annexure-1). Thus it was a conscious decision of Delhi Transco Limited to continue parity in terms of Grade pay of a post, amongst the posts in CPC and Delhi Transco Limited. The employees of DTL were allowed higher wages as compared to CPC pay scales, by issue of fitment table for pay fixation which was entirely different from the fitment table for CPC pay scales.

6.3 No record is available which suggest that the recommendations and the principle adopted by High Power Committee was ever submitted to the Ms. Rita Kumar Sub-committee. Hence Ms. Rita Kumar sub-Committee, by suggesting higher Grade Pay for posts in Personnel, Law, Accounts and other Departments has gone against the principle adopted Delhi Transco Limited Wage Review Report on the grounds not supported by any document or financial principle.

7.1 The Anomaly Committee was informed that vide Notification No. S.O.946(E) dated 09.04.2009, the Government of India had approved classification of posts as under

GROUP	PAY BAND (6 TH CPC)	GRADE PAY (in Rs.)
D	PB-1	1300/-
		1400/-
		1600/-
C	PB-2	1800/-
		1900/-
		2000/-
		2400/-
		2800/-
B	PB-3	4200/-
		4600/-
		4800/-
		5400/-
A	PB-4	5400/-
		6600/-
		7600/-
		8700/-
		10000/-

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7.2 The Ms. Rita Kumar sub-Committee had recommended revised/upgraded pay scales as under:

Category of post	Grade Pay in CPC	Grade Pay in DTL
C	2800	4000/-
B	4200/- 4600/- 4800/- 5400/-	4200/- 4600/- 4800/- 5000/-
A	5400/- 6600/- 7600/- 8700/- 8900/- 10000/-	5400/- 6600/- 7000/- 7600/- 8900/- 10000/-

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7.3 The upgradation of Grade pay of posts was effected in DTL as under:

UPGRADATION WITHIN DTL		
4000	→	4600
4200	→	4800
4600	Does not exist in DTL	
4800	→	4800
5400	→	5000

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7.4 The pay fixation was effected in DTL in the following manner:

HOW PAY FIXATION WAS EFFECTED IN DTL		
4000	→	4800
4200	→	4800

PAY FIXATION			REVISED PAY FIXATION		
Basic Pay	Grade Pay	Total	Basic Pay	Grade Pay	Total
24000/-	4000/-	28000/-	23400/-	4600/-	28000/-
24000/-	4200/-	28200/-	23400/-	4800/-	28200/-

It was submitted before the Anomaly Committee that unlike CPC pay scales where the basic salary of an Officer cannot be reduced, in DTL while effecting pay fixation after allowing higher Grade pay, the basic salary was reduced by Rs. 600 so that the net effect on the total salary payable remain unchanged.

ANALYSIS OF 64 CATEGORIES

8. The Anomaly Committee was informed that main grievances have been received from incumbent of posts included in the Annexure II of Office Order No. SO(E)/5084/SA.III dated 05.09.2016 (popularly called as 64 categories). The analysis of these 64 categories indicates:

- The sub-Committee has recommended replacement pay scale in respect of 13 categories of the post.
- The sub-Committee has recommended upgraded pay scale in respect of 36 categories.
- The sub-Committee has recommended lower pay scale in respect of 03 posts.
- The sub-Committee has not recommended any change for 09 posts.
- Three posts were repeated. As a result total posts in Annexure II of Office order dated 05.09.2016 was 61 only.

9.1 Besides the above 61 categories of the post, another 29 categories of the posts have been identified on the basis of representations received from employees with respect to which individual employee/association has sought parity. These included:

- Labour Welfare Officer (Joint Director Welfare) and Speech and Hearing Assistant for which no scale has been recommended.
- Assistant Dietician-Wrong pay scale indicated

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- iii. Junior Sport Assistant shown as Junior Sports Officer
 iv. Assistant Labour Welfare Officer- pay scale shown wrongly

10. A summary of the post which have been recommended upgraded pay scales is as under:-

A. Posts recommended upgraded Grade pay from Rs. 4800 to Rs. 6600/-

- i. Statistical Officer (Health)(6)
- ii. Programmer(48)
- iii. Dy. Director(Vigilance)(25)
- iv. Dy. Director(28)
- v. Hindi Officer (54)
- vi. Dy. Law Officer (52).

- These posts were recommended Category A pay scales instead of Category B replacement pay scales.

B. Posts recommended upgraded Grade Pay from Rs. 5400-Rs. 6600/-

- i. Audit Officer (22)
- ii. Account Officer (33)

- These posts were recommended Category A pay scales instead of Category B replacement pay scales.

C. Posts recommended upgraded Grade Pay from Rs. 5400 to Rs. 7000/-

- i. Sr. Audit Officer (21)
- ii. Sr. Account Officer (32)

- These posts were recommended upgraded pay scales within Category A

D. Posts recommended upgraded Grade Pay from Rs. 4800 to Rs. 5400/-

- i. Assistant Audit Officer
- ii. Assistant Account Officer

- ✓ The post of JAO/SO which was equivalent to Assistant of CSS/SO(Audit) of CAG was granted pay scale of Rs. 6500-10500 w.e.f. 01.01.1996 as a result of merger of three pay scale Rs. 5000-8000, Rs. 5500-9000 and Rs. 6500-10500 by 5th CPC).

- ✓ Similarly post of AAO was upgraded Rs. 6500-10500 to Rs. 7450-11500 with effect from 01.01.1996.

- ✓ Relevant to mention that in CPC benefit of upgraded pay scales was allowed 01.01.1996 but in NDMC, it was allowed notionally w.e.f. 01.01.1996 but actual payment made w.e.f. 19.02.2003.

E. Posts recommended upgraded Grade Pay from Rs. 4600 to Rs. 5400/-

- i. Data Processor (49)
- ii. Assistant Law Officer (53)
- iii. Assistant Fire Officer (45)
- iv. Assistant Director (Horticulture)(55)
- v. Assistant Architect (57)

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F. Another case submitted before the Anomaly Committee as that of posts in the pre-revised 5th CPC pay scale of Rs. 4500-7100. There are a total of 20 posts in different Department in the said scale. The Anomaly Committee observed that for 16 posts, the Sub-Committee had recommended replacement pay scales with Grade Pay of Rs. 3300/- For 04 posts, the Sub-Committee recommended Grade Pay of Rs. 3200/-. Thus the Sub-Committee's recommendation has created anomaly for the posts within same pay scales.

G. The posts of Aanchal School became NDMC post only from 16.07.2008 and thus can be granted replacement scale only from that date whereas the Ms. Rita Kumar sub-Committee has recommended grant of DTL pay scales alongwith other posts from the same date i.e. 01.04.1998.

11. Another ground on which Rita Kumar Committee had recommended upgraded pay scale was that no equivalent pay scale exists in the concerned department for comparison with equivalent post in DTL. Following table indicating hierarchy of the post in DTL and their equivalent post in NDMC was presented before the Anomaly Committee.

TECHNICAL DEPARTMENT			
Name of the post	Pay Band	Grade Pay (Rs.)	Equivalent post in NDMC
General Manager	37400-67000	10000	C.E.
DGM	37400-67000	8900	S.E.
Manager	19000-39100	7600	E.E.
Asstt. Manager	19000-39100	5400	A.E.
Jr. Engineer (Elect.)	10900-34800	4000 (4600)	J.E.
Jr. Engineer (Civil)	10900-34800	4000 (4600)	J.E.

FINANCE DEPARTMENT			
Name of the post	Pay Band	Grade Pay (in Rs.)	Equivalent post in NDMC
General Manager (Finance)	37400-67000	10000	No post
DGM (Fin.)	37400-67000	8900	Director (Accounts)
Manager (Fin.)	19000-39100	7600	Director (Accounts)
Dy. Manager (Fin.)	19000-39100	6600	Jt. CAO
Asstt. Manager (Fin.)	19000-39100	5400	Sr. A.O.
Section Officer (Accounts)	10900-34800	4800	AAO

PERSONNEL DEPARTMENT			
Name of the post	Pay Band	Grade Pay (in Rs.)	Equivalent post in NDMC
General Manager (HR)	37400-67000	10000	No post
DGM(HR)	37400-67000	8900	Director
Manager (HR)	19000-39100	7600	Director
Dy. Manager (HR)	19000-39100	6600	J.D.
Asstt. Manager (HR)	19000-39100	5400	No Post
Section Officer(HR)	10900-34800	4800	SO

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LEGAL DEPARTMENT			
Name of the post	Pay Band	Grade Pay (in Rs.)	Equivalent post in NDMC
General Manager (Legal)	37400-67000	8900	No post
Dy. General Manager (Legal)	37400-67000	8900	Director
Dy. Manager (Legal)	19000-39100	6600	Adl. Law Officer
Asstt. Manager (Legal)	19000-39100	5400	No Post
No post	10900-34800	4800	Dy. Law Officer

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12. Documents relating to equivalency of the post submitted before the Anomaly Committee:-

- i. An employment Notice (Annexure-II) for issued by Delhi Transco Limited. It indicates that Assistant manager (Legal) is a category 'A' post in the pay scale of Rs.19000-39000 with Grade Pay of Rs.5400/-. For this post government officer of the Central/State Government with 05 years regular service in the post in the pre-revised pay scale of Rs.65000 (revised to Grade Pay of Rs.4800/-) was eligible. In NDMC the post of Dy. Law Officer is in the pay scale with Grade Pay of Rs. 4800/- in PB-2 but the sub-Committee recommended replacement pay scale of with Grade Pay Rs.6600/- which is equivalent to Deputy Manager (Legal) carrying Grade Pay of Rs.6600/-.

- ii. An employment Notice (Annexure-III) for the post of Assistant Manager (Finance) in the pay scale of Rs.19000-34100 with Grade Pay of Rs.5400/-. For this post, officer of organise Account Department, holding analogous post (Grade Pay of Rs.5400/-) or officer having 05 years experience in pre-revised pay scale of Rs.6500-10500 (present Grade Pay of Rs.4800/-) was eligible. In NDMC for the post of Senior Account Officer, a promotional post having Grade Pay of Rs. 5400 in PB-3, AO with having Grade Pay of Rs.5400/- in PB-3 of CPC pay scale with 02 years of regular service are eligible. It is also relevant to mention here that for promotion to AO post, AAO with Grade Pay of Rs. 4800 are eligible. Thus the Sub-committee could not have recommended upgraded Group-A pay scale for Group-B post. It is also relevant to mention here that Assistant Manager (Finance) (Grade Pay of Rs.5400/-) is also a direct recruitment post in DTL and Chartered Accountant from Institute of Chartered Accountant of India (equivalent cost and work accountant from Institute of Cost and Works Accountant of India/MBA (Finance) from recognised University/Institute having 03 years post qualification work experience connected with Finance, Account and Audit are eligible(Annexure-IV). In NDMC the recruitment rules for the post of Senior Accounts Officer prescribes graduation as essential qualification but the concerned official is required to qualify SSSA examination.

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- iii. An employment Notice(Annexure-V) for for the post of Assistant Manager (HR) on deputation basis in the pay scale of Rs.19000-34100 with Grade Pay of Rs.5400/- For this post Officer of Central/State Government with 05 years regular service in the post(s) in the pay scale of Rs. 6500-10500(pre-revised) or equivalent are eligible. In NDMC there is no equivalent post of Assistant Manger(HR). The post of Deputy Director is in the pre-revised Grade Pay of Rs.4800/-. Hence any replacement pay scale has to be lower than that of Assistant Manager (HR).
- iv. An employment Notice(Annexure-VI) for the Medical Officer in the pay scale of Rs 19000-39100 with Grade Pay of Rs.5400/-. For this post a person must possess MBBS Degree from the recognised University and have atleast 05 years post qualification experience.

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13. A copy of the Resolution No. 34 dated 27.03.1991(Annexure-VII) was also submitted before the Anomaly Committee which indicate that the then NDMC SSSA Associations had submitted undertaking before the Hon'ble Supreme Court of India that they will neither claim benefit of S S. Scale nor will pursue legal proceedings pending in the Supreme Court of India. Based on the said undertaking, the Council has approved grant of functional grade to the accounts cadre. It is relevant to mention here that DTL pay scales have been denied to nursing cadre only on the grounds that a similar Affidavit was given by them before the Court for adoption of CPC pay scales only

14. While recommending the grant of DTL pay scale to left over categories of employees, the Rita Kumar sub-Committee should have taken 4th CPC/DTL pay scales which were similar in both CPC and DTL as base and then recommended replacement pay scales for each post. Incidentally it is mentioned that the CPC/DTL pay scales mentioned against each post in the Department wise table recommended by Ms. Rita Kumar sub-Committee indicates the correct pay scale of a post.

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15. From the documents above, it may be seen that the Ms. Rita Kumar sub-Committee has exceeded its mandate and recommended upgradation of the pay scales which would create analogous situation and will give rise to fresh demand from UPSC selected direct recruit officers for grant of equivalent pay scales. This would be an un-ending process and would give rise to litigation and hence the need for rationalisation of replacement pay scales in NDMC on par with DTL pay scales by restricting it to the same category for similar or analogous posts

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16. The Anomaly Committee observed that a large number of representation have been received from incumbents of Category 'D' posts almost from all Departments. Their main grievance relates to upgradation of their pay scales on par with holder of category 'D' post in DTL. The DTL vide its order No E/B.Cell/A&G-602/220 dated 15.11.1999 had merged that pay scale of Rs. 3050-4845/- and Rs. 3200-4985/- into a single scale of Rs. 3200-4985. This revised pay scale was applicable to holder of posts having designation ALM Gr. II, Peon, Mate(Gen) Gr. II, Security Guard etc. Subsequent orders issued stipulated that 1st TBPS to the pre-revised pay scale of Rs. 3200-5155/- and 2nd TBPS to the pre-revised pay scale of

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Rs 4000-6000/- was to be granted. Though this have been effected in NDMC w.e.f. 01.01.2006, the employees demand is for parity with DTL and grant of merged pay scale of Rs 3200-4985/- w.e.f date it was allowed by DTL

17 In view of the above, after examination of DTL Wage Review Committee Report, recommendation of Government of NCT of Delhi's High Powered Committee, Council Resolution dated 22.07.2009 and 26.02.2014, Hon'ble Supreme Court directions for rationalisation of pay scale and representations received from various individuals/associations, the Anomaly Committee recommended as under:-

- i) The replacement pay scale equivalent to different Group in CPC pay scale may be given category-wise i.e. category-A pay scales in NDMC may be replaced with category-A pay scale in DTL, category-B pay scale in NDMC may be replaced with category-B pay scale in DTL so forth and so on (Table I)
- ii) The Anomaly Committee observed that the DTL pay scales have been extended to left out categories of employees vide Council Resolution dated 22.07.2009. Keeping this in view, the Anomaly Committee reviewed the minutes of the meeting dated 02.12.2016 and decided that the DTL replacement pay scales are to be granted by comparing the posts that existed in NDMC and DTL as on 22.07.2009 and the following principle should be adopted in grant of replacement DTL pay scales in NDMC:
 - a) Where same post or a equivalent post either with same or with different designation is available in DTL, the pay scale of the post in DTL has been recommended for as replacement pay scale for the post in NDMC.
 - b) Where a same or equivalent post is not available but post with similar pay scale is available in DTL, replacement pay scale have been recommended on scale to scale basis for the post in NDMC.
- iii) A curious case of post of Draughtsman was also submitted before the Anomaly Committee. There are three Grades- Grade I, II and III in the post of Draftsman. If we adopt DTL pay scale for the post, Draftsman Grade I get Grade pay of Rs 3800/- and Draughtsman Grade II get Rs 3500/- But if we adopt CPC, Draughtsman Grade I get Rs. 4800/- but Draughtsman Grade II and Draughtsman Grade III will get Rs. 3100/-. Hence for this post CPC pay scales are more beneficial than DTL pay scales. But once the NDMC adopt DTL Pay Scales, the employees in the post would not any option to make and they would have to take lower pay scales by allowing pay protection.
- iv) For the post of Pump Mechanic in Civil Department, the 5th CPC Pay Scale of Rs 4500-7100. The incumbent on shift to DTL would get replacement DTL pay scale with Grade Pay of Rs. 3100/-. But in NDMC there are posts with same designation in Electric Department with Grade Pay of Rs 3600/- and hence granted replacement scale with Grade Pay of Rs. 3600/-. The Anomaly Committee recommended maintenance of inter Departmental parity and Grade Pay of Rs 3600 for the post of Pump Mechanic.

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- v. On the basis of grant of Grade Pay of Rs. 3600/- to the post of Pump Mechanic, the incumbents in remaining posts in Rs. 4500-7100/- have represented for parity. The Anomaly Committee did not find any merit in grant of higher replacement pay scales as their demand is not based on any principle adopted for grant of replacement pay scales in NDMC.
- vi. Based on document submitted as recorded in para 12-13, the anomaly committee concluded that Ms. Rita Kumar Sub-Committee erred in recommending upgradation of the pay scales when post with equivalent pay scales were available in Delhi Transco Limited. A number of posts in Accounts and Law Department have been upgrade after the due date for grant of DTL pay scales i.e. 01.04.1998. To avoid any ambiguity or misinterpretation, for these posts, Committee recommended that the replacement pay scale equivalent to the post as given in the Table-II A and II B may be provided.
- vii. Since the DTL has recommended higher starting salary for each post in the fitment table for pay fixation, the incumbent of each post would be invariably benefited in the exercise of grant of replacement DTL pay scales. However, the Personnel Department may issue revised orders for replacement pay scales, Grade/Pay scale wise to have an element of transparency and to avoid any further grievances.
- viii. All the posts which have been granted DTL pay scale of Rs. 3050-4845/- and Rs. 3200-4985/- w.e.f. 01.04.1998 may be granted merged replacement pay scale of Rs. 3200-4985/- w.e.f. 15.11.1999, subsequent replacement pay scales as on 01.01.2006 and 1st and 2nd TBPS to the pay scale Rs. 3200-5155/- and Rs. 4000-6000/- as per their entitlement subject to fulfilment of terms and condition of TBPS.
- ix. Grant of equivalent replacement scale to posts in Aanchal under Social Education Department from 16.07.2008 i.e. date from which it became NDMC posts (Table III).

Virender Singh
18.08.2017
(Virender Singh)
Director(P-I)

Geetali Tare
18.08.17
(Ms. Geetali Tare)
Financial Advisor

Chanchal Yadav
18/08/17
(Ms. Chanchal Yadav)
Secretary

TABLE-I

GRANT OF DTL PAY SCALES REPLACEMENT SCALE TO HOLDER OF POST IN CPC
SCALES TO LEFT OUT CATEGORIES

S. No.	5 th CPC Pay Scales	5 th DTL Pay Scales	6 th DTL Pay Scales
1.	2550-55-2660-60-3200	3050-4845 upgraded to 3200-85-4985 w.e.f. 15.11.1999	(PB-1) 6000-20200 + GP 2000
2.	2610-60-3150-65-3540		
3.	2610-60-2910-65-3300- 70-4000	3200-85-4985 upgraded to 3200-85-5155 w.e.f. 15.11.1999	(PB-1) 6000-20200 + GP 2200
4.	2650-65-3300-70-4000	3200-85-5155 upgraded to 4000-100-6000 w.e.f. 15.11.1999	(PB-1) 6000-20200 + GP 2400
5.	2750-70-3800-75-4400	4000-100-6000	
6.	3050-75-3950-80-4590	4000-100-7100	(PB-2) 8500-26300 + GP 2800
7.	3200-85-4900	4200-100-7100	(PB-2) 8500-26300 + GP 2900
8.	4000-100-6000	4200-100-9100	(PB-2) 8500-26300 + GP 3100
9.	4500-125-7000	4500-125-8625	(PB-2) 8500-26300 + GP 3200
10.	5000-150-8000	5500-175-9875	(PB-3) 10900-34800 + GP 4000 revised to 4600
11.	5500-175-9000		
12.	6500-200-10500	6500-200-10900	(PB-3) 10900-34800 + GP 4200 revised to 4800
13.	7450-225-11500	7500-250-12000	(PB-3) 10900-34800 + GP 4800
14.	7500-250-12000		
15.	8000-275-13500	8000-275-13225	(PB-3) 10900-34800 + GP 5000
16.	8000-275-13500 (Group A Entry)	8000-275-13775	(PB-4) 19000-39100 + GP 5400
17.	10000-325-15200	10000-325-15850	(PB-4) 19000-39100 + GP 6600
18.	12000-375-16500	12000-375-16500	(PB-4) 19000-39100 + GP 7600
19.	14300-400-18300	14300-400-18300	(PB-5) 37400-67000 + GP 8900
20.	16400-450-20000	16400-450-20000	
21.	18400-500-22400	18600-500-23100	(PB-5) 37400-67000 + GP 10000

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TABLE-II A

GRANT OF DTL PAY SCALES REPLACEMENT SCALE TO HOLDER OF POST IN CPC
SCALES TO ACCOUNTS CADRE

S. No.	5 th CPC Pay Scales	5 th DTL Pay Scales	6 th DTL Pay Scales
1.	5500-175-9000 upgraded to 6500-200-10500 notionally w.e.f. 01.01.96 with actual payment being made w.e.f. 19.02.2003	5500-175-9875 upgraded to 6500-200-10900 notionally w.e.f. 01.01.96 with actual payment being made w.e.f. 19.02.2003	(PB-3) 10900-34800 + GP 4200 revised to 4800
2.	6500-10500 upgraded to 7450-225-11500 notionally w.e.f. 01.01.96 with actual payment being made w.e.f. 19.02.2003	6500-10900 upgraded to 7500-250-12000 notionally w.e.f. 01.01.96 with actual payment being made w.e.f. 19.02.2003	(PB-3) 10900-34800 + GP 4800
3.	7450-225-11500 upgraded 7500-12000 (PB-2) w.e.f. 01.01.2006	7500-250-12000	
4.	7500-250-12000 upgraded 8000-275-13500 (PB-2) w.e.f. 01.01.2006	7500-250-12000 upgraded 8000-275-13225 w.e.f. 01.01.2006	(PB-3) 10900-34800 + GP 5000
5.	8000-275-13500 upgraded 8000-275-13500 (PB-3) w.e.f. 01.01.2006	8000-275-13225 upgraded 8000-275-13775 (PB-4) w.e.f. 01.01.2006	(PB-4) 19000-39100 + GP 5400
6.	10000-325-15200	10000-325-15850	(PB-4) 19000-39100 + GP 6600

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TABLE-II B

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GRANT OF DTL PAY SCALES REPLACEMENT SCALE TO HOLDER OF POST IN CPC
SCALES TO LAW DEPARTMENT

S. No.	5 th CPC Pay Scales	5 th DTL Pay Scales	6 th DTL Pay Scales
1.	5500-175-9000 upgraded to 6500-200-10500 w.e.f. 10.06.2002	5500-175-9875 upgraded to 6500-200-10900 w.e.f. 10.06.2002	(PB-3) 10900-34800 + GP 4200 revised to 4800
2.	6500-10500 upgraded to 7500-250-12000 w.e.f. 10.06.2002	6500-10900 upgraded to 7500-250-12000 w.e.f. 10.06.2002	(PB-3) 10900-34800 + GP 4800
3.	10000-325-15200 upgraded to 12000-375-16500 w.e.f. 10.06.2002	10000-325-15850 upgraded to 12000-375- 16500 w.e.f. 10.06.2002	(PB-4) 19000-39100 + GP 7600

Geetali Tare
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TABLE-III

GRANT OF DTL PAY SCALES REPLACEMENT SCALE TO HOLDER OF POST IN CPC
SCALES TO SOCIAL EDUCATION DEPARTMENT W.E.F. 16.07.2008*

S. No.	5 th CPC Pay scales	5 th DTL pay scales	6 th CPC pay scales	6 th DTL pay scales
1.	2550-55-2660-60-3200	3050-4845 upgraded to 3200-85-4985 w.e.f. 15.11.1999	(PB-1) 5200-20200 + GP 1800	(PB-1) 6000-20200 + GP 2000
2.	3050-75-3950-80-4590	4000-100-7100	(PB-1) 5200-20200 + GP 1900	(PB-2) 8500-26300 + GP 2800
3.	4000-100-6000	4200-100-9100	(PB-1) 5200-20200 + GP 2400	(PB-2) 8500-26300 + GP 3100
4.	4500-125-7000	4500-125-8625	(PB-1) 5200-20200 + GP 2800	(PB-2) 8500-26300 + GP 3200
5.	5000-150-8000	5500-175-9875	(PB-2) 9300-34800 + GP 4200	(PB-3) 10900-34800 + GP 4000 revised to 4600
6.	5500-175-9000			(PB-3) 10900-34800 + GP 4200 revised to 4800
7.	6500-200-10500	6500-200-10900	(PB-2) 9300-34800 + GP 4200	(PB-3) 10900-34800 + GP 4200 revised to 4800

*The Social Education Department

Geetali Tare
18.VIII.17

[Signature]

[Handwritten note: 18.08.2017]

ANNEXURE-I

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
FINANCE (BUDGET) DEPARTMENT

Delhi Secretariat,
'A' Wing, 4th Level,
I.P. Estate, New Delhi-2.

Sub:- Minutes of Meeting of Committee constituted to look into Wage Revision in the Power Sector.

I am directed to enclose herewith minutes of Minutes of Meeting of Committee constituted to look into Wage Revision in the Power Sector held on 17.07.2009 at 2.30 p.m. under the Chairmanship of Pr. Secretary Finance in his Conference Room for information and further necessary action.

(R.B. VASHISHT)
Dy. Secy. Finance (B)

F-4/2/2009-AC 10456/1526-1528

1. Chairman NDMC
2. Secretary (Power)

Dated:- 20/7/09

Copy forwarded to:-

1. PS to Pr. Secretary Finance

Geetali Datta
18.VIII.17

18.08.2017

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Minutes of Meeting of Committee constituted to look intoWage Revision in the Power Sector

Govt. of NCT of Delhi vide its notification dated 20.02.2008, constituted "Wage Revision Committee" for revision of scales of pay of employees of Delhi Transco Limited, Delhi Power Company Limited, Indraprastha Power Generation Company and Pagati Power Corporation Limited. The committee in its report, submitted in December 2008, recommended various Pay Bands/Grade Pay corresponding to pre revised scales of pay in these organisations. The Power Department submitted the Cabinet Note on the implementation of these recommendations to Finance Department for its concurrence. Finance Department observed that the Pay Band and Grade Pay recommended by the committee were on higher side and not matching with Pay Band/Grade pay approved under CCS RP Rules 2008.

2. The Cabinet vide its decision No. 1513 dated 02/03/2009 constituted a committee consisting of Pr. Secretary (Finance), Secretary (Power) and Chairman (NDMC) to go into the proposal in detail and give their recommendations for consideration of the Cabinet. The committee held two meetings to study the revised scales of pay recommended by Wage Revision Committee.

3. In view of the higher pre revised scales of pay of employees of the Power Sector it was agreed to concur with higher Pay Bands. However, it was suggested to keep the grade pay at par with grade pay approved under CCS RP rules 2008 since otherwise the disparity in grade pay may have wider implications.

Geetali Tare
18.VIII.17

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18.08.2017

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4. It was also recommended that adhoc payment to Rs. 500/- being paid to these employees since unbundling of DVB may be removed from the proposed grade pay and be included in the pay band by adding it after fixation of pay and treating the same as part of pay as one time measure.

Rajendra
(Rajendra Kumar)
Secretary (Power)

Parimal Rai
(Parimal Rai)
Chairman NDMC

V.V. Bhat
(V.V. Bhat)
Pr. Secretary (Finance)

Geetali Tare
18.VIII.17

18.08.2017

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ANNEXURE - II

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DELHI TRANSCO LIMITED**EMPLOYMENT NOTICE**

Applications are invited from eligible candidates for appointment to the post of **Asstt. Manager (Legal)**, on deputation basis, in Delhi Power Company Limited (A Govt. of NCT of Delhi Undertaking), in the pay band of Rs. 19,000-39,100 with Grade Pay of Rs. 5,400/- with Central D.A. pattern and other allowances like House Rent/Accommodation/Conveyance facility/Medical/LTC, etc. as per the rules of the Company.

A. Eligibility criteria:

- a) Officers of Central/State Government/UTs/PSUs/Autonomous Bodies :-
 - i) holding analogous posts on regular basis
 - ii) with 05 years regular service in the posts in the scale of pay of Rs. 6500-10500 (revised grade pay of Rs. 4800/-) or equivalent

B) Possessing Degree in Law and having 03 years experience in legal work.

C. Age: Below 56 years, as on the last date of receipt of applications

Willing & eligible officers may send their applications through proper channel, giving the following details, alongwith gist of APARs of preceding 05 years & Vigilance/Disciplinary clearance to the **Dy. Manager (HR)-G**, Delhi Transco Limited, 3rd Floor, Shakti Sadan, Kotla Road, New Delhi-110002, (Tel. No: 23236599):-

Name, Date of Birth, Postal Address, Telephone Nos., Educational Qualifications, Present post held, with date from which held and scale of pay (specifically mentioning the date from which pay scale of regular post held), Experience in the subject field of selection and complete details of service rendered on different posts.

The application should reach DTL within 30 days from the date of publication of this advertisement in the Employment News. The crucial date for calculation of the age limit and eligibility shall be the closing date for receipt of applications. Any Amendment/Addendum/Corrigendum in respect of this Advertisement shall be uploaded in the website of DTL i.e. www.dtl.gov.in All concerned are advised to keep themselves updated about any changes/modification etc. by referring to the website of DTL from time to time.

The Appointing Authority shall have the right to modify/change any of the criteria at its sole discretion.

Geetali Tare
18.VIII.17

[Signature]
(Surender S Salhotra)
Dy. Manager (HR)-G

[Signature]
18.08.2017

No: DTL/1010/HR(G)/F.3(42)/

Dated: 10th June, 2016

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ANNEXURE IV

DELHI TRANSCO LIMITED**EMPLOYMENT NOTICE**

Applications are invited from eligible candidates for appointment to Four posts of **Asstt. Manager (Finance)**, on deputation basis, in Delhi Transco Limited (A Govt. of NCT of Delhi Undertaking), in the pay band of Rs. 19,000-39,100 with Grade Pay of Rs. 5,400/- with Central D.A. pattern and other allowances like House Rent/Accommodation/Conveyance facility/Medical/LTC, etc. as per the Rules of the Company.

A. Eligibility criteria:

Officers of the Organized Accounts Departments serving on analogous post.

Or

Officers having 05 years experience in pre-revised pay scales of Rs. 6,500-10,500/- (present grade pay of Rs. 4,800/-) in a supervisory capacity in Accounts, Finance/audit work after qualifying SAS Examination.

Or

Executives/Officers of the Public Sector Undertakings with CA/ICWA/MBA (Finance) qualifications with 03 years experience in Accounts, Audit/Finance.

B. Age: Not exceeding 56 years.

Willing & eligible officers may send their applications through proper channel, giving the following details, alongwith gist of ACRs of preceding 5 years & Vigilance/Disciplinary clearance to the **Dy. Manager (HR)-G**, Delhi Transco Limited, 3rd Floor, Shakti Sadan, Kotla Road, New Delhi-110002, (Tel. No: 23236599):-

Name, Date of Birth, Postal Address, Telephone Nos., Educational Qualifications, Present post held, with date from which held and scale of pay (specifically mentioning the date from which pay scale of regular post held), Experience in the subject field of selection and complete details of service rendered on different posts.

The application should reach DTL within 30 days from the date of publication of this advertisement in the Employment News. The crucial date for calculation of the age limit and eligibility shall be the closing date for receipt of applications. Any Amendment/Addendum/Corrigendum in respect of this Advertisement shall be uploaded in the website of DTL i.e. www.dtl.gov.in All concerned are advised to keep themselves updated about any changes/modification etc. by referring to the website of DTL from time to time. Further, the candidates, who had applied for the said post against our earlier Employment Notice, will have to apply afresh.

The Appointing Authority shall have the right to modify/change any of the criteria at its sole discretion.

Geetali Tani
18.VIII.17

[Signature]
09/01/17
(Surender S Salhotra)
Dy. Manager (HR)-G

Dated: 04th January, 2017

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[Signature]
18.08.2017

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ANNEXURE-IV

DELHI TRANSCO LIMITED
SHAKTI SADAN, KOTLA ROAD, NEW DELHI
DIRECT RECRUITMENT OF Asstt. MANAGER (FIN.)

Applications are invited from the eligible Applicants for filling up of following vacancies of Asstt. Manager (Finance) in Delhi Transco Limited (A wholly owned Company of Govt. of NCT of Delhi), on DIRECT RECRUITMENT basis. The details of the vacancies, pay scale and eligibility criterion are furnished as hereunder:-

S. No.	Name of the post	Un-reserved	OBC
1	Asstt. Manager(Finance)	01	01

The vacancies notified may change without any prior intimation. Further, the benefit of reservation to OBCs in respect of reserved posts for OBC category will be as per the Central List for OBCs qua Delhi and castes defined as OBCs by the OBC Commission, Delhi and accepted by the Government. OBC candidates seeking benefit of reservation shall submit OBC Certificate issued by the competent authority of Govt. of NCT of Delhi. The other OBC candidates with certificates issued from outside Delhi will be considered for the un-reserved category, if eligible otherwise.

2. **Scale of Pay :** Rs.19,000-39,100/- with Grade pay of Rs.5,400 with Central DA pattern and other allowances like House Rent/Accommodation/Conveyance Facility/Medical/LTC etc., as per rules of the Company.
3. **Maximum Age limit:** Not exceeding 28 years, as on the last date of receipt of applications. Relaxable to Govt. Employees, SC/ST and OBCs as per rules of the Government.
4. **Educational Qualification & Experience:**
Asstt. Manager(Finance):
 iii) A qualified Chartered Accountant from the Institute of Chartered Accountants of India/Qualified Cost & Works Accountant from the Institute of Cost & Works Accountants of India/MBA(Finance) from a recognized University/Institute.
Experience:
 ii) 03 years post qualifications work experience connected with Finance/Accounts/Audit.
5. **Application Fee:** General and OBC category candidates need to pay Rs.500/- (Rs. Five Hundred only) by way of Demand Draft/ Pay Order drawn in favour of Delhi Transco Limited, payable at New Delhi. SC/ST category candidates are exempted from paying the application fee.

Geetali Jare
18.VIII.17

Contd.....2/-

18.08.2017

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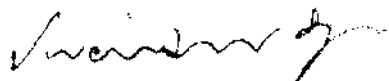
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6. **How to Apply:** Interested/eligible candidates may send their applications, in the attached prescribed format (which may be downloaded from the DTL website) alongwith attested copies of their complete Educational Qualifications, Mark sheet(s) and Caste Certificate (in case of SC/ST/OBC) addressed to Dy. Manager (HR)-G, Delhi Transco Limited, 3rd Floor, Shakti Sadan, Building, Kotla Road, New Delhi-110002, within 30 days of publication of this advertisement in the Employment News. The Applicants need to enclose two recent Passport size photographs, one to be pasted in the space provided in the Application Form and second to be attached with the bio-data.
7. Any Amendment/Addendum/Corrigendum in respect of this Advertisement shall be uploaded in the website of DTL i.e. www.dtl.gov.in All concerned are advised to keep themselves updated about any changes/modification etc. by referring to the website of DTL from time to time.
8. Applications received after the prescribed last date, shall not be entertained on any ground including postal delays.


(Ranjeet Singh)
Dy. Manager(HR)-G

Date: 13 October, 2015

Gestali Tare
18. VIII. 17


18.08.2017

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DELHI TRANSCO LIMITED

EMPLOYMENT NOTICE

Applications are invited from eligible candidates for appointment to Two posts of **Asstt. Manager (HR)**, on deputation basis, in Delhi Transco Limited (A Govt. of NCT of Delhi Undertaking), in the pay band of Rs. 19,000-39,100 with Grade Pay of Rs. 5,400/- with Central D.A. pattern and other allowances like House Rent/Accommodation/Conveyance facility/Medical/LTC, etc. as per the Rules of the Company.

a) Eligibility criteria:

Officers of the Central/State Governments/UTs/MCD including its Undertakings :-

a) holding analogous post on regular basis; **or**

with 05 years regular service in post(s) in the scale of pay of Rs. 6,500-10,500(pre-revised) or equivalent; **or**

with 08 years regular service in post(s) in the scale of pay of Rs. 5,500-9,000(pre-revised) or equivalent

b) possessing 03 years experience in Admn./Accounts/Estt. Matters.

B. Age: Not exceeding 56 years, as on the last date of receipt of applications.

Willing & eligible officers may send their application, through proper channel, giving the following details, alongwith gist of ACRs of preceding 5 years & Vigilance/Disciplinary clearance to the **Dy. Manager (HR)-G**, Delhi Transco Limited, 3rd Floor, Shakti Sadan, Kotla Road, New Delhi-110002, (Tel. No: 23232580):-

Name, Date of Birth, Postal Address, Telephone Nos., Educational Qualifications Present post held, with date from which held and scale of pay (specifically mentioning the date from which pay scale of regular post held), Experience in the subject field of selection and complete details of service rendered on different posts.

The application should reach DTL within 30 days from the date of publication of this advertisement in the Employment News. The crucial date for calculation of the age limit and eligibility shall be the closing date for receipt of applications. Any Amendment/Addendum/Corrigendum in respect of this Advertisement shall be uploaded in the website of DTL i.e. www.dtl.gov.in All concerned are advised to keep themselves updated about any changes/modification etc. by referring to the website of DTL from time to time. The deputation period shall be initially for a period of one year.

The Appointing Authority shall have the right to modify/change any of the criteria at its sole discretion.

Geetali Tane
18. VIII.17

[Signature]
(Ranjeet Singh)
Dy. Manager (HR)-G

Dated: 13 October, 2015

[Signature]
18.08.2017

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ANNEXURE-VI

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DELHI TRANSCO LIMITED**SHAKTI SADAN, KOTLA ROAD, NEW DELHI**

Applications are invited from the eligible Applicants for filling up of One post of Medical Officer(un-reserved) in Delhi Transco Limited (A wholly owned Company of Govt. of NCT of Delhi), on DIRECT RECRUITMENT basis, in the pay band of Rs.19,000-39,100/- with Grade pay of Rs.5,400 with Central DA pattern and other allowances like NPA, House Rent/Accommodation/Conveyance Facility/Medical/LTC etc., as per rules of the Company.

2. **Maximum Age limit:** Not exceeding 35 years, as on the last date of receipt of applications. Relaxable to Govt. Employees, SC/ST and OBCs as per rules of the Government.

3. **Eligibility Criteria:**

Educational qualification:

Must possess MBBS degree from a recognized University and reputed University/Institute and possessing atleast 05 years of post qualification experience in clinical work.

Desirable:

- i) Adequate knowledge of Hindi.
- ii) Experience of working in a Dispensary/Hospital run by Govt. or a Civic Body.
- iii) Good knowledge and experience of working in the Computerized environment/SAP.

The candidate with Post Graduate qualification like MD/MS shall be preferred.

4. **Application Fee:** General and OBC category candidates need to pay Rs.500/- (Rs. Five Hundred only) by way of Demand Draft/ Pay Order drawn in favour of Delhi Transco Limited, payable at New Delhi. SC/ST category candidates are exempted from paying the application fee.
5. **How to Apply:** Interested/eligible candidates may send their applications, in the attached prescribed format (which may be downloaded from the DTL website) alongwith attested copies of their complete Educational Qualifications, Mark sheet(s) and Caste Certificate (in case of SC/ST/OBC) addressed to Dy. Manager(HR)-G, Delhi Transco Limited, 3rd Floor, Shakti Sadan, Building, Kotla Road, Near Bal Bhawan, New Delhi-110002, within 30 days of publication of this advertisement in the Employment News. The Applicants need to enclose two recent Passport size photographs, one to be pasted in the space provided in the Application Form and second to be attached with the bio-data.
6. The vacancy notified may change without any prior intimation. Further, the benefit of reservation to OBCs will be as per the Central List for OBCs qua Delhi.
7. Applications received after the prescribed last date, shall not be entertained on any ground including postal delays. Shortlisted candidates will be called for Interview/ Screening.
8. Any Amendment/Addendum/Corrigendum in respect of this Advertisement shall be uploaded in the website of DTL i.e. www.dtl.gov.in All concerned are advised to keep themselves updated about any changes/modification etc. by referring to the website of DTL from time to time.

Geetali Tare
18.08.17

Surender S Salhotra
(Surender S Salhotra)
Dy. Manager (HR)-G

Dated: 06th May, 2016

Surender S Salhotra
18.08.2017

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text outlines various methods for organizing and storing data, including digital databases and physical filing systems.

2. The second section focuses on the role of technology in modern record management. It highlights how cloud storage and data analytics tools can significantly improve the efficiency and security of record-keeping processes. The author provides examples of successful implementations and discusses potential challenges, such as data privacy concerns and system integration issues.

3. The third part of the document addresses the legal and regulatory requirements for record management. It details the specific standards and guidelines that organizations must follow to ensure compliance with relevant laws and regulations. The text also discusses the importance of regular audits and reviews to verify the accuracy and integrity of the records.

4. The final section offers practical advice and best practices for implementing a robust record management system. It includes a checklist of key tasks and responsibilities, as well as recommendations for training staff and establishing clear policies. The author concludes by emphasizing the long-term benefits of a well-maintained record-keeping system, such as improved decision-making and risk management.

In N.D.M.C., SSSA Accountants Cadre was introduced with the help of Municipal Corporation of Delhi who have been conducting the examinations for the same on the pattern of C.A.G. The SSSA Accountants have not been extended the S.S. Scales as has been done in the case of other ministerial employees in terms of Supreme Court Judgement.

2. The NDMC SSSA Accountants Association has demanded the functional Grade of Rs.2000-3200 to 80% of the total sanctioned strength of Accountants on the basis of Govt. of India decision contained in O.M. No.A-32016/5/87-MF/CGA(A)/JAO/1986 dated 31.8.87 (Appended at page 9-12). The Association has stated that they will neither claim the benefits of S.S.Scales nor will pursue the legal proceedings pending in the Supreme Court of India in this regard.

3. The Finance Deptt. to whom the case was referred for consideration have observed as under:-

"Since the functional grade of Rs.2000-3200 has been extended to the SAS Accountants/Jr. Accounts Officers in the Accounts cadre under the Controller General of Accounts and Delhi Administration by re-structuring accounts services, we may also extend the functional grade of Rs.2000-3200 to our accounts cadre viz. SSSA accountants w.e.f. 1.4.87 subject to the conditions laid down in O.M. No.A-32016/5/87-MF/CGA(A)/JAO/1986 dated 31.8.87."

4. The Administrator has approved the extension of functional grade of Rs.2000-3200 to Accountants w.e.f. 1.4.87 as recommended by Finance.

5. The case is laid before the Committee for information.

COMMITTEE'S DECISION

Information noted. Action be taken only after the SSSA Accountants have withdrawn the case from the Supreme Court.

Geetali Pare
 18.VIII.17

For Secretary
 Gen. Secy. (Accounts)

[Signature]
 18.6.2017

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Copy of Res. No. 14 (Pers.)
of
Joint Ordinance Meeting
dated 25.08.2022

ITEM NO.14 (Pers.)

1.	Name of the subject / project.	Grant of DTL pay scale to Social Education Department w.e.f. 01.04.1998 & to Aanchal School posts w.e.f. 16.07.2008.
2.	Name of the Department and Departments concerned.	Personnel Department.
3.	Brief history of the subject / project	<p>3.1 The Council vide its Resolution No. 36(H-03) dated 27.06.2016 (Annexure-I) (See pages 164-175) resolved the following-</p> <ol style="list-style-type: none"> To accept the proposal as outlined in para 10 for extending the benefit of DTL pay scales to the left out categories of the employees. To form a Committee comprising of Secretary, NDMC, Financial Advisor and Director (Personnel) to look into the grievances relating to disparity in grant of replacement pay scales, if any, of the employee from the left out categories who have been recommended for grant of DTL pay scales now, after excluding the employees of Electricity Department who have already been granted DTL Scales. To take immediate steps for notifying regulation as per provision of Section 43 of the NDMC Act, 1994. <p>3.2 In pursuance of ibid Council Resolution dated 27.06.2016, NDMC Office Order No. SO(E)/5084/SA-III dated 05.09.2016 (Annexure-II) (See pages 176-177) was issued for grant of DTL pay scales to left out categories including Social Education Department posts (mentioned in Annexure-I). Further, the pay of Social Education Department posts were fixed, as per DTL replacement scales mentioned in Annexure-I of order dated 05.09.2016. The Council vide its resolution No. 36(H-03) dated 27.06.2016 has also formed an Anomaly Committee to look into the grievances relating to disparity in grant of replacement pay scales.</p> <p>3.3 Subsequently, Anomaly Committee in its report dated 18.08.2017 [in Para 10 (G)] has recommended that "The posts of Aanchal School became NDMC post only from 16.07.2008 and thus can be granted replacement scale only from that date whereas the Ms. Rita Kumar Sub-Committee has recommended grant of DTL pay scales along with other posts from the same date i.e. 01.04.1998."</p> <p>As employees/posts of Aanchal School comes under Social Education Department w.e.f. 16.07.2008 and they cannot be granted DTL Scales prior to the date it became part of Social Education Department.</p> <p>3.4 It is pertinent to mention that Social Education Department have 46 Nos of posts including Aanchal School post mentioned in Annexure-I of Office Order dated 05.09.2016 (Annexure-III) (See pages 178-183)</p>

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which were granted DTL Scales w.e.f. 01.04.1998. The recommendation of the same has been approved vide Council Reso. No. 36 (H-03) dated 27.06.2016.

3.5 To resolve this Anomaly, the Department placed a proposal vide Para 4(ix) Agenda item no. 01(H-04) before the Council in its meeting dated 28.08.2017 for "grant of equivalent replacement scale to posts in Aanchal under Social Education Department from 16.07.2008 i.e. date from which it became NDMC posts" (Annexure-IV) (See pages 184-194) However, the decision issued vide Council resolution no. 01(H-04) dated 28.08.2017 (Annexure-V) (See pages 195-204), instead of mentioning of 'Aanchal School under Social Education Department', the word 'Social Education Department' is mentioned as under

"The replacement DTL pay scales to be granted w.r.t. posts in Account/Audit Cadre, Law Department and Social Education Department would be decided separately"

Consequently, DTL scales granted to all posts of Social Education Department vide Council Resolution No. 36(H-03) dated 27.06.2016 get suspended, inadvertently.

3.6 In the year 2008, Aanchal School was merged with Social Education Department. Accordingly, Anomaly Committee reported that employees/posts of Aanchal School cannot be granted DTL replacement pay scales prior to merger of Aanchal School with Social Education Department. Agenda was proposed only for employees of Aanchal School posts. However, it seems there was typographical error while issuing the Council decision issued vide Resolution No. 1 (H-04) dated 28.08.2017. But subsequently an Office Order was issued vide No. SO(E)/5246/SA-III/2018 dated 03.12.2018 (Annexure-VI) (See page 205), wherein it was directed in order to safeguards the interest of NDMC, arrear of pay fixation to the existing and retired employees will be released after adjustment of token/adhoc payment already given to them on account of DTL pay scale under left out category. Accordingly, pay of all the posts of Social Education Department get revised as per 7th CPC scales and dues were settled.

3.7 Aggrieved off the Council decision, employees of the Social Education Department approached the Court against the decision of NDMC. In addition numerous representations from Unions are also being received. Personnel Department reviewed/examine the case in detail in view of Court cases and employees/union representatives.

3.8 The Social Education Department provide a list of 46 Posts which were granted DTL Pay Scales vide Office Order No. SO(E)/5084/SA-III dated 05.09.2016 in their list, they also mentioned that Posts (S. No. 1 to 33) belongs to Social Education Department (including Aanchal School Posts) and Posts (S. No. 34 to 46) are not belongs to Social Education Department. (Annexure-VII) (See pages 206-207).

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4. Detailed proposal of the subject	The department proposes that the DTL Pay scales in respect of Social Education Department posts may be again granted as granted vide Council Resolution No. 36(H-03) dated 27.06.2016 and stopped vide Council Resolution No 01(H-04) dated 28.08.2017 in parity with other left out category who have been granted DTL replacement pay scale vide order dated 27.12.2017. Further, to maintain the uniform pay scales within the Social Education Department posts, the benefit of DTL pay scale may also be granted to the post of Aanchal School w.e.f. 16.07.2008 i.e. the date from which Aanchal School posts comes under Social Education Department, NDMC.
5. Financial implications of the proposed subject / project	The issue have been already considered in the Council Meeting vide agenda item no. 36 (H-03) dated 27.06.2016, item No. 34 (H-03) dated 21.08.2017 & item No. 01(H-04) dated 28.08.2017. No new expenditure is being proposed in the instant agenda item.
6. Implementation schedule with timeliness for each stage including internal processing.	Immediate after Council approval.
7. Comments of the Finance Department on the subject	Finance Department has no objection to place the proposal of the department to grant DTL Pay Scales to Social Education Department w.e.f. 01.04.1998 & to Aanchal School posts w.e.f. 16.07.2008 subject to ensuring that the benefit of DTL Pay Scales should not be extended to Teaching & Vocational Staff and the said proposal is in pursuance to the decisions taken/orders issued in this behalf.
8. Legal implications of the subject	No legal implication involved.
9. Details of the previous Council resolution, existing law of Parliament and Assembly on the subject	Resolution No. 21 (H-03) dated 22.07.2009. Resolution No. 15/2013-14 dated 26.02.2014. Resolution No. 36 (H-03) dated 27.06.2016. Resolution No. 34 (H-03) dated 21.08.2017. Resolution No. 01 (H-04) dated 28.08.2017.
10. Comments of the Law Department on the subject	Administrative matter. No comments has been obtained as no new legal issue is involved.
11. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.	Not applicable being purely an administrative matter.
12. Recommendations	The department proposes that (i) The DTL Pay scales in respect of Social Education Department posts may be again granted as granted vide Council Resolution No. 36(H-03) dated 27.06.2016 and stopped vide Council Resolution No. 01(H-04) dated 28.08.2017, in parity with other left out category who have granted DTL replacement pay scale vide order dated 27.12.2017 and (ii) The benefit of DTL replacement pay scale granted vide order dated 27.12.2017 may be granted to the

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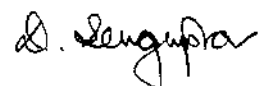
	posts of Aanchal School w.e.f. 16.07.2008 i.e. the date from which Aanchal School posts became part of Social Education Department, NDMC. (iii) The benefit of DTL replacement pay scale may not be granted to the posts of Teaching & Vocational Staff under Social Education Department.
Draft resolution	

COUNCIL'S DECISION

Resolved by the Council that :-

- (i) The DTL Pay scales in respect of Social Education Department posts may again be granted as granted vide Council Resolution No. 36(H-03) dated 27.06.2016 and stopped vide Council Resolution No. 01(H-04) dated 28.08.2017, in parity with other left out category who have granted DTL replacement pay scale vide order dated 27.12.2017 and
- (ii) The benefit of DTL replacement pay scale granted vide order dated 27.12.2017 may be granted to the posts of Aanchal School w.e.f. 16.07.2008 i.e. the date from which Aanchal School posts became part of Social Education Department, NDMC.
- (iii) The benefit of DTL replacement pay scale may not be granted to the posts of Teaching & Vocational Staff under Social Education Department.

It is further resolved by the Council that the concerned departments may initiate further necessary action on the decisions taken by the Council as above, in anticipation of confirmation of the Minutes.



For Secretary
New Delhi Municipal Council,
New Delhi.

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ITEM NO. 28 (C-35)**2. Name of the subject / project :**

Approval of the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2007.

2. Name of the Department :

Personnel Department.

3. Brief History of the subject / project :

(1) The then Chief Commissioner, Delhi, vide his notification No. F.3(64)41-LSG dated 6th August, 1941 approved the revised bye-laws under section 31 of the Punjab Municipal Act, 1911(Punjab Act 3 of 1911) to regulate the business of the Committee. These bye-laws contained inter-alia provisions relating to (i) Appointment, punishment and retirement of officials and servants of the Committee and (ii) Duties of Heads of Departments, Officers and servants of the Committee.

(2) Clause (a) of sub-section (2) of section 416 of the NDMC Act, 1994 provides inter-alia that any appointment, notification, order, scheme, rule, bye-law, etc. issued or made under the said Punjab Municipal Act, 1911 and in force immediately before the establishment of the Council, shall, in so far as it is not inconsistent with the provisions of the NDMC Act continue in force and be deemed to have been made or issued under the provisions of the NDMC Act, unless and until it is superseded by any appointment, notification, order, scheme, rule, bye-laws, etc. made or issued under the said provisions.

4. Detailed proposal on the subject/project:

(1) It is proposed to make fresh regulations relating to the conditions of service of Municipal officers and other Municipal employees under the NDMC Act. Clause (a) of sub-section (1) of section 43 and section 39 [other than the second proviso to sub-section (1) thereof] of the NDMC Act provides that the Council may make regulations to provide for the tenure of office, salaries and allowances, provident funds, pensions, gratuities, leave of absence, other conditions of service and punishment of officers and other employees appointed under Chapter VI of the Act.

(2) A draft of the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2007 has accordingly been drafted, a copy of which is at **Annexure-I (See pages 164-168)**. The draft regulations provide that they shall apply to all municipal officers or other municipal employees whose pay and allowances are chargeable to the "General Account" of the New Delhi Municipal Funds, referred to in sub-section (2) of section 44. In regard to any person for whom in respect of matters covered by these regulations, special provision is made by or under any law for the time being in force, that special provision will apply and in respect of matters not covered by the said special provision, these regulations shall apply. The Chairperson has also been empowered to exclude any class of municipal officers from the operation of all or any of these regulations. [Regulation 3].

(3) The service regulations as amended from time to time and including orders issued thereunder by the Central Government applicable to Government servants in the civilian service of Central Government have been made applicable to the municipal officers mutatis-mutandis. [Regulation 5 (1) read with Regulation 4(1)].

(4) The Council has been given the power to add to the list of service rules any rule made by the Central Government in this regard. [Regulation 4(2)]

(5) The Council has been clothed with the power to pass resolution, if it deems necessary that any provision in the service rules should be made applicable in a modified form or should not be made applicable. In that event that service rule will have effect only in that modified form or be of no effect, as the case may be. [Regulation 5(3)].

(6) It has been provided that the powers exercisable by the President in the service rules shall be exercised by the Chairperson and those by the Head of Department and Head of Office shall be exercised by the Secretary and Director (Personnel) or such other municipal officer as the Chairperson may, by order, specify.

5. Financial implications of the proposed project / subject:

No financial implication is involved.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 6]

The department should confirm that the proposal is in consonance with CPC provisions otherwise list out deviations, if any.

COMMENTS OF PERSONNEL DEPARTMENT

Any other area of concern not covered under the present proposal for which approval is being sought by the Council or which are found to be not in consonance with CPC provisions would be decided by Chairperson. This fact has been incorporated in the draft agenda.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 7]

NDMC is currently following DTL scales which are different from CPC and would, therefore, necessitate rank wise/post wise pay levels under 7th CPC.

COMMENTS OF PERSONNEL DEPARTMENT

Modalities of conversion has already been detailed in the Draft Agendum.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 8]

The department has also not worked out the financial effect of the proposal which may be adhered.

COMMENTS OF PERSONNEL DEPARTMENT

As stated the expenditure/financial effect is committed in nature on account of adapting the "New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016" by converting 6th DTL pay scale to 7th CPC with effect from 01.01.2016. The issue was discussed during the meeting chaired by Chairperson, NDMC on 16.08.2023 and Finance has stated that the Financial effect would be in the tune of Rs. 230 Crores (Approx.).

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 9]

It is observed that the employees who are in DTL scale currently will be placed in corresponding levels in CPC, though the new recruits in CPC will not be able to achieve those cells in normal course. Department should ensure that the same does not have any legal implications including the cases of new recruits who have been appointed in DTL Scales.

COMMENTS OF PERSONNEL DEPARTMENT

Administratively, comparison of new recruits under CPC and existing employees which *inter-alia* includes those converted to CPC from DTL Scale is never done. Hence, there is no legal implications involved therein.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 10]

So far as proposal in para-4(b) of the draft agenda for grant of DTL pay scales to the left-out categories is concerned, it is observed that the same proposal had been considered by the Council *vide* meeting held on 28.08.2017 and was resolved to be "decided separately". Since no additional input appears to have been taken into consideration, it would be appropriate that the matter be brought to the consideration of the Anomalies Committee already constituted *vide* resolution dated 27.06.2016.

COMMENTS OF PERSONNEL DEPARTMENT

The Anomaly Committee constituted *vide* resolution dated 27.06.2016 has already given its recommendations. The suggestions of the Anomaly Committee are being proposed with regard to the left-out categories for consideration of the Council. There is no requirement for placing before the Anomalies Committee already constituted *vide* resolution dated 27.06.2016 because absence of any new facts.

Further, it is also pertinent to mention here that earlier, Accounts Cadre had filed a case before Hon'ble Supreme Court for grant of S.S. Scale (now DTL Scale) in the parity of other ministerial employees of New Delhi Municipal Council. Later on, the NDMC SSSA Accountants Association had demanded the functional grade of Rs. 2000-3200 to 80% of the total sanctioned strength of Accountants as per O.M. No. A-32016/6/87-

MF/CGA(A)/JAO/1986 dated 31.08.1987 and the Association had committed that they will neither claim the benefits of SS Scales nor will pursue the legal proceedings pending in the Supreme Court of India in this regard. Accordingly, the Committee had taken decision vide Resolution No. 34 dated 27.03.1991 that action will be taken only after the S.S.S.A. Accountants have withdrawn the case from the Supreme Court.

Accordingly, S.S.S.A. Accountants Association vide their letter dated 19.04.1991 had informed that the said Court Case has been withdrawn from Supreme Court of India and the copy of order dated 09.04.1991 issued by the Supreme Court was also submitted.

As a result, the benefit of functional grade was granted to the Accounts Cadre w.c.f. 01.04.1987. The payment of Rs. 100/- per month (interim relief) was also withdrawn with the approval of Administrator, NDMC vide U.O. No. OS(E)/1566/SC-I dated 23.06.1992.

The above facts were taken into consideration by the Anomaly Committee and that Committee in its report has recommended the DTL pay scales as per Table-II(A). Accordingly, the recommendations of the Committee is being proposed.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 11]

The proposal may be brought for consideration of the competent authority, subject to above.

COMMENTS OF PERSONNEL DEPARTMENT

The proposal shall be placed to the Chairperson for placing this as an agenda before the Council.

17. Service regulations of members.—If a member is an officer in the service of the Government, or the Central Government, the Council shall make contribution towards his leave allowances, pension and provident fund as may be required by the conditions of his service under the Government or the Central Government to be paid by him or for him, as the case may be.

18. Functions of the Chairperson.—Save as otherwise provided in this Act, the entire executive power for the purpose of carrying out the provisions of this Act and of any other Act, for the time being in force which confers, any power, or imposes any duty on the Council, shall vest in the Chairperson who shall also—

- (a) exercise all the powers and perform all the duties specifically conferred or imposed upon him by this Act or by any other law for the time being in force;
- (b) prescribe the duties of and exercise supervision and control over the acts and proceedings of, all municipal officers and other municipal employees and subject to any regulation that may be made in this behalf, dispose of all questions relating to the service of the said officers and other employees and their pay, privileges, allowances and other conditions of service;
- (c) on the occurrence or threatened occurrence of any sudden accident or any unforeseen event or natural calamity involving or likely to involve extensive damage to any property of the Council, or danger to human life, take such immediate action as he considers necessary and make a report forthwith to the Council and the Administrator of the action he has taken and the reasons for the same as also of the amount of cost, if any, incurred or likely to be incurred in consequence of such action, which is not covered by a budget-grant; and
- (d) subject to any regulation that may be made in this behalf, be the disciplinary authority in relation to all municipal officers and other municipal employees.

19. Chairperson not to be interested in any contract, etc., with the Council.—(1) A person shall be disqualified for being appointed as the Chairperson who has directly or indirectly, by himself or by a partner or any other person, any share or interest in any contract made with, or any work being done for, the Council other than as such Chairperson.

(2) If the Chairperson acquires directly or indirectly, by himself or by his partner, or any other person, any share or interest in any such contract or work as is referred to in sub-section (1), he shall, unless the Central Government in any particular case otherwise decides, be liable to be removed from his office by the order of the authority competent to remove him under the provisions of this Act.

Provided that before an order of removal is made the Chairperson shall be given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

20. Exercise of powers to be subject to sanction.—Save as otherwise provided in this Act, the exercise of any power or the performance of any duty

Supplementary Information of Council agenda No. 04(CE C-II) dated 23.08.2023.

1. **NAME OF THE SUBJECT/ PROJECT:** Conservation & restoration of main Gole Market building as a museum and redevelopment of surrounding area including construction of Service Block & Subway.
2. **NAME OF THE DEPARTMENT/ DEPARTMETNS CONCERNED:** Civil Engineering Department (Zone-II)
3. **BRIEF HISTORY OF THE SUBJECT/PROJECT:**
During the council meeting held on dated 28.06.2023, for Item No. 10 (Civil-II), the following decision was taken by the Council :-

"Resolved by the Council to award the work to the lowest agency i.e. M/S Krishna Builder at their quoted rates of Rs.21,66,96,888.09 which is 18.18% below the estimated cost of Rs.26,48,45,867/- and 17.94% below the justified cost of Rs.26,40,57,491.95, on finalization of theme of the proposed Museum.

The members further desired that parking area, design and curations based on theme, comprehensive upliftment of neighbouring areas, engagement of Advisor Museum, for management of the museum be also done concurrently and it should be endeavoured that the project be completed at the earliest."

4 **DETAILED PROPOSAL ON THE SUBJECT/PROJECT:**

The Detailed Estimate was Technically Sanctioned for Civil component amounting to Rs 19,74,82,000/-, Rs 6,46,11,792/- for Electric component & Rs 87,45,800/-for Firefighting component by their respective competent authorities with total amount as Rs 27,08,39,592/- After approval of modified DNIT by the competent authority Online tenders were invited.

Further before undertake the work of restoration of Gole Market, following activities shall be carried out simultaneously: -

- i. The theme of the Museum to be decided by the Council at the earliest.

The scope of work comprises of rehabilitation and conservation of Gole Market and redevelopment of surrounding area, construction of service block & subway between Service Block & Gole Market building including Civil work, interior restoration, up-gradation, interior work, plumbing work, electrical, lighting fixtures (internal & external), HVAC, Technology &Multimedia works, Fire Fighting works, etc.

The salient features are as under:

- i. Glass Dome Roof Structure at Central Court Yard
- ii. Recasting of 1st floor level
- iii. Insulated roof structure including false ceiling
- iv. Central Air Conditioning
- v. Ornaments fitting and fixtures
- vi. Service Block, Service Tunnel, Subway and lifts

5. FINANCIAL IMPLICATIONS OF THE PROPOSED SUBJECT/PROJECT

Tender has been approved by the Council vide Reso. No. 10 (Civil-II) dated 28.06.2023 Resolved by the Council to award the work to the lowest agency i.e. M/S Krishna Builder at their quoted rates of Rs.21,66,96,888.09 which is 18.18% below the estimated cost of Rs.26,48,45,867/- and 17.94% below the justified cost of Rs.26,40,57,491.95, on finalization of theme of the proposed Museum.

6. IMPLEMENTATION SCHEDULE WITH TIMELINESS FOR EACH STAGE INCLUDING INTERNAL PROCESSING:

24 months after award of work.

7. FINAL COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT WITH DIARY NO. & DATE:

Finance has seen the agenda and concurred as below:-

1. Council vide resolution item No. 10(Civil-II) dated 28.06.2023, has resolved as under:-

"Resolved by the Council to award the work to the lowest agency i.e. M/s Krishna Builder at their quoted rates of Rs. 21,66,96,888.09 which is 18.18% below the estimated cost of Rs. 26,48,45,867/- and 17.94% below the justified cost of Rs. 26,40,57,491.95, on finalization of theme of the proposed Museum.

The members further desired that parking area, design and curations based on theme, comprehensive upliftment of neighbouring areas, engagement of Advisor Museum, for management of the museum be also done concurrently and it should be endeavoured that the project be completed at the earliest."

2. Department vide Note#447 has stated that "The Architect Consultant has informed that the conservation and restoration work is independent of the work of theme of the museum. The work of restoration precedes the working of theme of Museum. In any case, both can run parallel. Therefore, the work of restoration may be started, so that the continuous deterioration of the structure is addressed immediately. The current Monsoon season is also near to its completion, hence it is the prime time to start the conservation & restoration activities. A possible parking space has also been identified and further process of allotment has been initiated with L&DO."
3. Further department has submitted that the proposal has again discussed under the Chairmanship of Chairman, NDMC where Secretary, NDMC and F.A were present on today dated 22.08.2023 in Council Room then decided that agenda should be mooted through finance as well as Law Deptt. before placed the agenda in Council meeting.
4. The draft agendum placed at ToC#10211-10212 is seen in FD. Department may place the draft agendum before Competent Authority i.e. Council for approval ensuring (i) the proposal of the department is technically feasible and there shall be no hindrances in completion of the project. (ii) The draft agendum may got be examined by Law Department.

With reference to Para-4 above it is ensured that (i) the proposal is technically feasible and there shall be no hindrances in completion of the project. (ii) The draft agendum has been got examined by Law Department also.

8. LEGAL IMPLICATION OF THE PROJECT/SUBJECT:

Subsequent to Finance Concurrence, the agenda was sent to Law Deptt. And Law deptt has no objection in placing the agenda before the council. Law Deptt. Has submitted as below :-

Draft agenda has been seen. The department to ensure the compliance of the observations raised by the Finance department. Since no specific question of law has been raised by the department, the draft agenda seems to be in order from the legal perspective. Further, the concerned department may ensure the correctness of facts, words and figures mentioned therein. The applicable provisions of CVC Guidelines / GFR / CPWD Works Manual, may also be ensured by the concerned department.

With reference to above, the correctness of facts, words and figures mentioned is ensured. The applicable provisions of CVC Guidelines / GFR / CPWD Works Manual, has also been ensured by the department

9. DETAILS OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THIS SUBJECT:

Reso. No. 3(A-22) dated 20.09.2006

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.6,31,60,535/-.

Reso. No. 20(A-24) dated 22.05.2009

Resolved by the Council to accord approval for award of the work improvement to M/s R.R Foundation Engineers Pvt. Ltd. at their tendered amount of Rs.7,75,67,214/- and their quoted rates 68.42% above the estimated cost of Rs.4,60,56,073/- and accord A/A & E/S to revised estimate amounting to Rs.8,53,24,000/-.

Resolution No. 10(A-28) dt. 26.12.2018

Council Deferred the case

Resolution No. 36 (A-18) dt. 26.12.2020

After deliberations the Council decided to reject the case.

Resolution No. 02 (Civil-II) dt. 24.08.2022

Resolved by the Council to accord revised administrative approval and expenditure sanction amounting to Rs. 26,71,71,500/-. Further, resolved that the theme of the proposed museum would be decided by the Council at the earliest.

Resolution No. 10 (Civil-II) dt. 28.06.2023

Resolved by the Council to award the work to the lowest agency i.e. M/S Krishna Builder at their quoted rates of Rs.21,66,96,888.09 which is 18.18% below the estimated cost of Rs.26,48,45,867/- and 17.94% below the justified cost of Rs.26,40,57,491.95, on finalization of theme of the proposed Museum.

10. FINAL COMMENTS OF THE LAW DEPARTMENT ON THE SUBJECT/PROJECT:

Subsequent to Finance Concurrence, the agenda was sent to Law Deptt. And Law deptt has no objection in placing the agenda before the council. Law Deptt. Has submitted as below :-

Draft agenda has been seen. The department to ensure the compliance of the observations raised by the Finance department. Since no specific question of law has been raised by the department, the draft agenda seems to be in order from the legal perspective. Further, the concerned department may ensure the correctness of facts, words and figures mentioned therein. The applicable provisions of CVC Guidelines / GFR / CPWD Works Manual, may also be ensured by the concerned department.

With reference to above, the correctness of facts, words and figures mentioned is ensured. The applicable provisions of CVC Guidelines / GFR / CPWD Works Manual, has also been ensured by the department

11. CERTIFICATION BY THE DEPARTMENT THAT ALL CENTRAL VIGILANCE COMMISSION (CVC) GUIDELINES HAVE BEEN FOLLOWED WHILE PROCESSING THE CASE.

Certified that all central vigilance commission (CVC) guidelines have been followed while processing the case.

12. Decision of earlier Council meeting

As desired by the Deptt., it is stated that the Item on the subject : "Conservation & restoration of main Gole Market building as a museum and redevelopment of surrounding area including construction of Service Block & Subway." was placed before the Council vide Item No. 10 (Civil-II) in its meeting dated 28.06.2023. The decision taken by the Council, against this item, in its meeting dated 28.06.2023 is as under:-

10 (Civil-II)	Conservation & restoration of main Gole Market building as a museum and redevelopment of surrounding area including construction of Service Block & Subway.	<p>Resolved by the Council to award the work to the lowest agency i.e. M/S Krishna Builder at their quoted rates of Rs.21,66,96,888.09 which is 18.18% below the estimated cost of Rs.26,48,45,867/- and 17.94% below the justified cost of Rs.26,40,57,491.95, on finalization of theme of the proposed Museum.</p> <p>The members further desired that parking area, design and curations based on theme, comprehensive upliftment of neighbouring areas, engagement of Advisor Museum, for management of the museum be also done concurrently and it should be endeavoured that the project be completed at the earliest.</p>
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The Council further resolved that the Departments concerned may initiate further necessary action based on the decisions taken by the Council at the meeting, as noted above, in anticipation of confirmation of the Minutes.

13. **CURRENT PROGRESS IN COMPLIANCE OF THE ABOVE RESOLUTION** : The Architect Consultant has informed that the conservation and restoration work is independent of the work of theme of the museum. The work of restoration precedes the working of theme of Museum. In any case, both can run parallel. Therefore, the work of restoration may be started, so that the continuous deterioration of the structure is addressed immediately. The current Monsoon season is also near to its completion, hence it is the prime time to start the conservation & restoration activities. A possible parking space has also been identified and further process of allotment has been initiated with L&DO.

In view of the above, it is proposed to approve the following proposal:-

- (C) Approval for issuance of Award Letter to L-1 agency i.e. M/s Krishna Builder.
- (D) To undertake all restoration and development activities as deemed fit, which are independent of the theme of the museum.

14. **RECOMMENDATIONS:**

- (C) Approval for issuance of award letter to L-1 agency i.e. M/s Krishna Builder.
- (D) To undertake all restoration and development activities as deemed fit, which are independent of the theme of the museum.

15. **DRAFT RESOLUTION:**

Resolved by the Council that:-

- (C) Approval for issuance of award letter to L-1 agency i.e. M/s Krishna Builder.
- (D) To undertake all restoration and development activities as deemed fit, which are independent of the theme of the museum.

10	Comments of the Law Department on the subject	<p>The comments of Law Department are reproduced as under:</p> <ol style="list-style-type: none"> 1. The case is regarding the proposal(s) on the above mentioned subject. 2. The agenda primarily involves Financial and Administrative issues. Administrative issue has been examined by the concerned department. 3. Having examined the contents of the draft agenda from the legal point of view, it is observed that no legal hurdle is involved at this stage. However the the department must ensure the concurrence of finance department on financial issues. 4. Further, the department may ensure the correctness of facts, words and figures mentioned therein are correct and the GFR guidelines & OMs issued by the DoP&T, GoI (as amended up to date) on the subject, if any, has been complied with.
11	Comments of the Personnel Department on the comments of Law Department	No comments
12	Details of the previous Council resolution, existing law of Parliament and Assembly on the subject	<p>Resolution No. 24 (H-09) dated 16.10.2017 Resolution No. 31 (H-13) dated 03.02.2018 Resolution No. 06 (H-01) dated 04.04.2018 Resolution No. 41 (H-12) dated 26.12.2020 Resolution No. 26 (H-09) dated 28.11.2021</p>
13	Recommendations	Proposal as mentioned at Para-4 above may be approved.
14	Draft Decision	

COUNCIL'S DECISION

Members discussed in detail the agenda Item. It was discussed that the implementation of 7th CPC pay scale has been pending for a long period of time which has led to delay in release of pensionary benefits to retired employees, inability of the Personnel Deptt. to grant MACP / TBPS benefits, etc. Members also noted that as per agenda, there is a provision of Anomaly Committee. In the overall interest of the organization and to ensure that in future, NDMC is in line with Government of India policy with regard to pay fixation, the Council resolved to accord approval to the proposal of the Department as mentioned in para 4 of the agenda.

The Council further resolved that the Departments concerned may initiate further necessary action based on the decisions taken by the Council at the meeting, as noted above, in anticipation of confirmation of the Minutes.

D. Sengupta.

**For Secretary
New Delhi Municipal Council
New Delhi.**

6. Implementation schedule with timeliness for each stage including internal processing:

After the Council has approved the regulations, they will be sent to the Central Government as required under sub-section (2) of section 387, for their approval. Once the approval from Central Government is received, they will be forwarded to the Government of NCT of Delhi for publication in the Official Gazette. This exercise is likely to take about six months.

7. Comments of the Finance Department on the subject:

Since no financial implications are involved, Finance Department has not been consulted.

8. Comments of the Department on comments of Finance Department:

Not applicable.

9. Legal implications of the subject/Project

As stated earlier the regulations have been drafted under section 43(1)(a) of the Act.

10. Details of previous Council Resolution, existing law of Parliament and Assembly on the subject:

As indicated in para 3 above.

11. Comments of the Law Department on the subject:

The Law Department has commented as under:-

"Since engaging daily wage workers, muster roll is now not permissible, should we have proviso two to regulation 4(3?).

May delete the proviso please."

12. Comments of the Department on the comments of the Law Department:

The suggestion made by Law Department has been accepted and the proviso deleted.

13. Recommendations:

The draft regulations **Annexure I (See pages 164-168)**.as recommended by the Committee on Bye-laws/regulations in its meeting held on 19.9.07 be

approved by the Council and sent to the Central Government for approval. These may thereafter be sent to the Government of NCT of Delhi for publication in the Official Gazette.

14. Draft Resolution:

Resolved by the Council that the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2007 [**Annexure-I**] (**See pages 164-168**), be approved and sent to the Central Government for approval in anticipation of the confirmation of the minutes. Thereafter they may be sent to the Government of NCT of Delhi for publication in the Official Gazette.

COUNCIL'S DECISION

Resolved by the Council that the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2007 is approved and the same be sent to the Central Government for approval in anticipation of the confirmation of the minutes and after receipt of such approval they be sent to the Government of NCT of Delhi for publication in the Official Gazette.

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ANNEXURE-XI

(145)

No.U.14011/10/08-Delhi-II
Government of India
Ministry of Home Affairs

North Block, New Delhi
Dated the 24th May, 2010

To

Shri Gyanesh Bharti
Secretary
New Delhi Municipal Council
Sansad Marg
New Delhi.

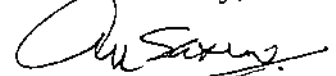
Sub: The New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2010.

Sir,

I am directed to refer to the correspondence resting with the NDMC's letter No.F.25(1)/CS/9/2007/D-1159 dated the 5th November, 2010 on the above mentioned subject and to forward herewith a copy of the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2010, as approved by the Central Government. The same may be got published in the Official Gazette of the National Capital Territory of Delhi.

2. It is also requested that 100 copies of the Gazette Notification may be sent to this Ministry for record and laying before the Parliament.

Yours faithfully,



(A.K. Saxena)
Director (Delhi)
Tele: 23094387

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2157/10

Sh. H.R. Goel, Consultant

Sir (P)

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24/05/10

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[To be published in the Gazette of India, Part III, Section 4]

NEW DELHI MUNICIPAL COUNCIL

New Delhi,
the _____, 2010

NOTIFICATION

In exercise of the powers conferred by clause (a) of sub-section (1) of section 43, read with sub-section (2) of section 387, of the New Delhi Municipal Council Act, 1994 (44 of 1994), the New Delhi Municipal Council, with the approval of the Central Government, hereby makes the following regulations regulating the conditions of service of municipal officers, namely:-

1. **Short title and commencement.**- (1) These regulations may be called the New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2010.

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

2. **Definitions.**- (1) In these regulations, unless the context otherwise requires,-

- (a) "Act" means the New Delhi Municipal Council Act, 1994 (44 of 1994);
- b) "Category-A", "Category-B", "Category-C" and "Category-D" posts means the post as specified in sub-section (4) of section 34 of the Act;
- (c) "municipal officer" includes a municipal officer or other municipal employee appointed to the New Delhi Municipal Council under Chapter VI of the Act;

(d) 'section' means a section of the Act;

(e) 'service rule' means the rules referred to in regulation 4.

(2) Words and expressions used in the Act and also in these regulations shall, unless the context otherwise requires, have the meanings assigned to them in the Act.

3. To whom applicable.- Unless otherwise provided in the Act or these regulations, these regulations shall apply to all municipal officers whose pay and allowances are chargeable to the 'General Account' of the New Delhi Municipal Fund, referred to in sub-section (1) of section 44:

Provided that in regard to any person for whom in respect of matters covered by these regulations, special provision is made by or under any law for the time being in force, that special provision will apply and in respect of matters not covered by the said provision, these regulations shall apply.

4. Application of certain rules.- The following rules, as amended from time to time, including orders issued thereunder by the Central Government, in so far as the provisions of such rules or orders are not inconsistent with the provisions of the Act or rules or regulations made thereunder, shall apply to the municipal officers, namely:-

- (i) the Fundamental Rules and Supplementary Rules (including Travelling Allowance Rules);
- (ii) the Central Civil Services (Leave) Rules, 1972;
- (iii) the Central Civil Services (Pension) Rules, 1972;
- (iv) the Central Civil Services (Commutation of Pension) Rules, 1981;
- (v) the Payment of Arrears of Pension (Nomination) Rules, 1983;
- (vi) the General Provident Fund (Central Rules), 1960;
- (vii) the Central Civil Services (Conduct) Rules, 1964;

- (viii) the Central Civil Services (Classification, Control and Appeal) Rules, 1963;
- (ix) the Central Civil Services (Leave Travel Concessions) Rules, 1963;
- (x) the Central Civil Services (Pensionary Pay) Rules, 1963; and
- (xi) the Central Civil Services (Temporary Service) Rules, 1963.

5. Conditions of service of municipal officers. (1) The service rules applicable to the Government servants in the service of the Central Government shall, as far as may be, regulate the conditions of service of municipal officers, subject to the modifications that any reference in those service rules to a "Government servant", "the Consolidated Fund of India", "the Civil Surgeon" and "the Medical Committee" shall be construed as a reference respectively to a "municipal officer", "the New Delhi Municipal Fund", "the Medical Officer of Health" and "the Medical Board".

(2) Any power under the service rules (other than the power to make service rules) exercisable—

- (a) by the President, shall be exercised by the Chairperson;
- (b) by the Head of Department, shall be exercised by the Secretary or such other municipal officer as the Chairperson may, by order, specify; and
- (c) by the Head of Office, shall be exercised by the Director (Personnel) or such other municipal officer as the Chairperson may, by order, specify.

[File Number

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(Gyanesh Bhatnagar)

Secretary

New Delhi Municipal Council

ANNEXURE-XII

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 1]

The proposal of personnel department on the subject matter has been received at 6.45 PM on 21.7.2023 and would normally require an elaborate examination. However, considering that the proposal is to be taken to the Council meeting to be held on 26.7.2023, the interim observations at this stage are as follows

COMMENTS OF PERSONNEL DEPARTMENT

Movement of File can be traced from e-file movement.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 2]

Delhi Gazette Notification dated 7.4.2016 clearly stipulates applicability of "the CCS (Revised Pay) Rules, 2008" which are applicable from 01.01.2006 whereas the proposal of personnel department from 1.1.2016 (i.e. CCS (Revised Pay) Rules, 2016) in operation.

COMMENTS OF PERSONNEL DEPARTMENT

To have an understanding about the date of implementation of the CCS (RP) Rules in a logical and rational way, one has to consider the chronological sequence of events of Delhi Gazette Notification dated 7.4.2016. The sequence is mentioned below: -

- i. It was decided that NDMC shall adopt rules/regulations followed by Central Government. Accordingly, NDMC passed a Resolution No. 28 (C-35) dated 17.10.2007 (**Annexure-A**) approving the Regulations under Section 43 (1) (a) of Act, for regulating condition of Service of Municipal Officers. It was resolved by the Council *vide* the said Resolution that all its employees would be governed by the Rules & Regulations applicable to an employee of Central Government.
- ii. Thereafter, Draft Notification titled "**New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2007**" to bring into effect that all employees of NDMC would be governed by the Rules/Regulations applicable to employee of Central Government was drafted. The Central Civil Services (Revised Pay) Rules mentioned at Rule No. 4 (x)

reads as "*Central Civil Services (Revised Pay) Rules, 1997*". The year mentioned in the title reads as 2007 considering that the regulations would be notified in the 2007 whereas at Rule No. 4 (x) it has been mentioned as "*Central Civil Services (Revised Pay) Rules, 1997*", considering that this Civil Services (Revised Pay) Rules was in force in 2007.

- iii. The Central Government (Ministry of Home Affairs) approved the initial Draft Notification prepared by NDMC as required under Section 387 (2) on 20.05.2010 (**Annexure-B**). It may clearly be noted that the title of the Regulations reads as "***New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2010***" and the Central Civil Services (Revised Pay) Rules mentioned at Rule No. 4 (x) reads as "***Central Civil Services (Revised Pay) Rules, 2008***". The year mentioned in the title reads as 2010 considering that the regulations would be notified in the 2010 whereas at Rule No. 4 (x) it has been mentioned as "*Central Civil Services (Revised Pay) Rules, 2008*", considering that this Civil Services (Revised Pay) Rules was in force in 2010.
- iv. Hence, it is very clear and logical that the intention is to implement the relevant applicable Central Civil Services (Revised Pay) Rules that was applicable at the relevant year of notification.
- v. There was a delay in obtaining approval and subsequent notification of the regulations on account of clarifications on the issue. The Draft Notification was finally approved by Chairman, NDMC only on 23.09.2014 and the Draft Notification was sent to Urban Development Department, Govt. of NCT of Delhi vide letter No. 2315 to 16/Vig/Imp/TO(C-III)/DD-I/2014 dated 30.09.2014 for notification.
- vi. The Notification could be notified in the official Gazette of Government of NCT of Delhi only on 07.04.2016 vide No. F. 13(126)UD/MB/2014/420 (**Annexure-C**). It may clearly be noted that the title of the Regulations reads as "***New Delhi Municipal Council (Conditions of Service of Municipal Officers) Regulations, 2016***" and the Central Civil Services (Revised Pay) Rules mentioned at Rule No. 4 (x) reads as "***Central Civil Services (Revised Pay) Rules, 2008***". Here again, the year mentioned in the title reads as 2016

considering that the regulations would be notified in the 2016 whereas at Rule No. 4 (x) it has been mentioned as "*Central Civil Services (Revised Pay) Rules, 2008*", considering that this Civil Services (Revised Pay) Rules was in force in 2016.

- vii. Summing up and on examining, it is noticed that the Initial Draft Notification (*drafted in the year 2007*) and the Final Notification Notified in 07.04.2016. It is clearly noted that there is no change in nomenclature and year with regard to all other applicable rules except for the Central Civil Services (Revised Pay) Rules (*the other rules that remained unchanged are (i) the Fundamental Rules and Supplementary Rules (including Travelling Allowance Rules); (ii) the Central Civil Services (Leave) Rules, 1972; (iii) the Central Civil Services (Pension) rules, 1972; (iv) the Central Civil Services (Commutation of Pension) Rules, 1981; (v) the payment of Arrears of Pension (Nomination) Rules, 1983; (vi) the General Provident Fund (Central Rules), 1960; (vii) the Central Civil Services (Conduct) Rules, 1964; (viii) the Central Civil Services (Classification, Control and Appeal) Rules, 1965; (ix) the Central Civil Services (Leave Travel Concession) Rules, 1998; (xi) the Central Civil Services (Temporary Service) Rules, 1965*).
- viii. Thus, except for the year mentioned in the Central Civil Services (Revised Pay Rules) in which the year has been changed from 1997 to 2008 on account of applicability of this rule on the date proposed to be notified, all other rules mentioned therein the initial draft Notification and in the Final Notification remains unchanged.
- ix. Hence, there should neither be any iota of doubt nor any scope of misinterpretation that the very purpose of changing the year of the "*Central Civil Services (Revised Pay) Rules*" from 1997 to 2008 is to ensure its applicable date of implementation and synchronization with the time of notification.
- x. Therefore, the applicable "*Central Civil Services (Revised Pay) Rules*" on 07.04.2016 is to be considered for implementation of the "*New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016*".
- xi. After, subsequent notification of the "*Central Civil Services (Revised Pay) Rules, 2016*" on 25.07.2016, the pay and

allowances of Central Government employees is governed by this rule with effect from 01.01.2016.

- xii. The date of notification of the "*New Delhi Municipal Council (Condition of Service of Municipal Officers) Regulations, 2016*" is 07.04.2016. On this date the "*Central Civil Services (Revised Pay) Rules, 2016*" to be implemented from 01.01.2016 were in force for the Central Government employees. Hence, the "*Central Civil Services (Revised Pay) Rules, 2016*" is automatically applicable with effect from 01.01.2016 for all purposes and is to be also considered for the NDMC employees drawing pay under DTL pay scales.
- xiii. The above facts has been incorporated in the draft agenda.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 3]

It is also observed that some of the recommendations are not strictly in conformity to the provisions of CCS (Revised Pay) Rules, 2016 e.g. CCS (Revised Pay) Rules, 2016 prescribes the pay as on 31.12.2015 in 6th CPC, whereas, the proposal is to use the pay as on 31.12.2015 of 6th DTL which is dissimilar to CPC fundamental rules.

COMMENTS OF PERSONNEL DEPARTMENT

Finance Department of NDMC should appreciate that the "*Central Civil Services (Revised Pay) Rules, 2016*" is designed only for employees of Central Government/organizations which adopts the same.

It is also a fact that the "*Central Civil Services (Revised Pay) Rules, 2016*" mentions to consider the pay as on 31.12.2015 of the 6th CPC for conversion to 7th CPC.

The conversion questioned by the Finance Department from the pay as on 31.12.2015 under 6th CPC to 7th CPC is not feasible as the proposal is for conversion from DTL Scale to CPC scale on account of the Notification dated 07.04.2016. The only option is to consider the pay under 6th DTL pay on 31.12.2015. Finance Department is very much aware of this fact.

Rule No. 1 (2) of the Notification dated 07.04.2016 clearly stipulates that the provisions stipulated therein shall come into

force from the date of its Notification. Further, it is very clear that as on 07.04.2016 the "*Central Civil Services (Revised Pay) Rules, 2016*" was in force. It also a fact that the "*Central Civil Services (Revised Pay) Rules, 2016*" is to be implemented from 01.01.2016 because this Rule is applicable from 01.01.2016. Hence, for NDMC employees also this rule may be made applicable from 01.01.2016.

In the "*Central Civil Services (Revised Pay) Rules, 2016*" the pay to be considered for conversion from 6th CPC to 7th CPC is the pay under 6th CPC as on 31.12.2015. However, for NDMC employees whose scale is to be converted no one was drawing CPC scale as on 31.12.2015. It shall be pertinent to mention that there is no other option available but to consider pay under 6th DTL pay as on 31.12.2015 for conversion to 7th CPC. The above fact has been incorporated in the draft agenda.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 4]

FD has already noted few areas of concern in this regard while advising on earlier proposal on the subject in e-file no. 56580.

COMMENTS OF PERSONNEL DEPARTMENT

The area of concern should have been specifically spelt out on this file instead of referring to some earlier proposal/file. However, it is mentioned that all area of concern has been addressed as per prevailing situation at that time. Relevant extracts from the file is enclosed as **Annexure D**.

OBSERVATION OF FINANCE DEPARTMENT

[Point No. 5]

The department should also bring on record the justification for migration of DTL Scales to CPC w.e.f. 01.01.2016 since the provisions stipulated in Gazette notification CCS (Revised Pay) Rules, 2008 indicates implementation w.e.f. 1.1.2006.

COMMENTS OF PERSONNEL DEPARTMENT

The area of concern of Finance Department is mere repetition of the already facts stated and discussed at point number 1. As such, there is nothing to add.