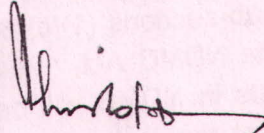


**OFFICE OF ADVISOR (RR)
NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI**

**Sub.: Minutes of the meeting regarding Recruitment Rules held
on 21.03.16 under the chairmanship of Chairperson, NDMC**

A copy of the minutes of the meeting of the departmental heads taken by the Chairperson, NDMC, on 21.03.16 in the Council Room to discuss issues relating to Review and updation of Recruitment Rules of various categories of posts in NDMC, is sent herewith to all the HoDs for taking further appropriate action as per the decisions taken in the meeting.



**(R.K. Malhotra)
Advisor (RR)
28.04.2016**

Copy to :

1. All HoDs
2. P.S. to Chairperson
3. P.S. to Secretary

U.O. No.:D-16/Adv.(RR)/2016

Dated : 28.04.2016

*R-243/2TD
29/04/16
05/05/16*

*DIR(IT)/
JD(IT) ~~just 9/5.~~*

Sh. Megh

05-05-2016

Minutes of the Meeting of the Departmental Heads taken by the Chairman, NDMC on 21.03.2016 in the Council Room to discuss issues relating to review and updation of Recruitment Rules of various categories of posts in the NDMC.

List of participants in the meeting is annexed.

Welcoming the participants, Chairman briefly explained to them the purpose of convening of the meeting and proceeded to ask Mr. R.K.Malhotra who has been engaged by the NDMC as Advisor and assigned the task of framing and updation of the Recruitment Rules of various categories of posts in different Departments, to apprise the participants the nitty-gritty of RRs.

2. Advisor (RR) began his presentation by drawing attention of the participants to sub-sections (1)(c) & (2) of Section 43 read with sub-section 1 of Section 34 of the NDMC Act, 1994 which mandate that RRs for category 'A' & category 'B' posts in NDMC will be framed in consultation with the UPSC. He further stated that the instructions of the Department of Personnel & Training (DoPT), Govt. of India provide that the RRs should be reviewed once in 5 years with a view to effecting such changes as are necessary to bring them in conformity with the changed position, including additions to or reductions in the strength of the lower and higher level posts.

3. Advisor (RR) pointed out that regular appointments/ promotions in a cadre can be made only after the RRs have been framed/ reviewed and updated as per the latest instructions/guidelines on the subject. Since this exercise has not been undertaken in respect of most of the cadres, ad-hoc promotions / assignment of current duty or look after charge has become a norm rather than exception which is not in the interest of either the organization or the individuals concerned. The employees are being put to a great recurring financial loss on not being promoted on regular basis even when they are eligible and regular vacancies are also available. It was explained that ad-hoc promotions create an element of uncertainty and lead to avoidable litigation.

4. Advisor (RR) informed the participants that the newly created RR Unit proposes to take following steps for review and updation of RRs:

- i) Formulate proposals for amendment of the existing RRs by harmonizing them with the instructions of the DoPT and the existing DTL scales of pay etc.
- ii) After getting the proposed amendments approved from the Chairman, the draft amendment proposals will be put up on the website of the NDMC for

thirty days to invite comments from the stake holders, including the concerned departmental head, as per requirement of the latest instructions of the DoP&T. Finance Department and Law Department can also furnish their comments, if any; at this stage and no separate consultation with these departments is to be done.

- iii) Thereafter, after taking into account the comments so received, the proposal will be brought before the Council for its approval. After the Council has approved the proposed amendments in the existing RRs, a proposal complete in all respects would be referred to UPSC for their approval.
- iv) After the proposed amendments to the RRs are approved by the UPSC, it will be referred to MHA for their approval as per the prevalent procedure and thereafter, to the Delhi Govt. for notification of the amended RRs. The matter will be taken to the Council for approval at each stage.

5. It was submitted that for this purpose, the RR Unit needs to be provided the following information/documents immediately:

- i) Authenticated copies of the existing RRs of all the posts in different streams of all the departments wherever RRs exist and also a list of sanctioned posts, if any; for which no RRs have been framed so far.
- ii) Authenticated copies of the Orders creating/abolishing posts in cases where the number of posts mentioned in the existing R.R.s are at variance with the present sanctioned strength.
- iii) Authenticated copies of the Resolutions of the Council and Orders issued pursuant to decisions by the Council in cases where the scales of pay have been revised subsequent to framing/amendment, if any, of the existing RRs.
- iv) Hierarchy Chart showing sanctioned strength and pay scale of each post.
- v) Duties of the each post
- vi) Duties of the feeder post.
- vii) Statement showing Court/CAT case details.

6. Advisor (RR) informed that drafts of the proposals for amendment of RRs of Civil Engineering Department and Electrical Department have been formulated as per instructions of the DoPT and keeping in view, wherever possible, the RRs

of the CPWD. It was also explained that some difficulties are being felt in harmonizing the proposed RRs as per guidelines on framing of RRs and CPWD RRs because of grant of higher DTL scales in NDMC. The case of Assistant Engineers in the Civil Engineering Department where grant of higher Grade Pay of Rs.5400/- has resulted in the posts becoming Group 'A' was particularly flagged. It was pointed out that in this case after amendment of RRs, the suitability of existing incumbents holding the posts of AE(Civil) in the Grade Pay of Rs.5400/- would have to be assessed in consultation with UPSC at the initial constitution. In case they are assessed suitable they will be appointed to the upgraded GP of Rs.5400. If they are assessed unfit, they will remain in the pre-revised GP of Rs.4800 and their cases will be reviewed every year till they are found fit.

7. After detailed submission of the Advisor (RR), Chairman invited comments from the participants and asked them if they had any objection to the proposed course of action.

8. The representatives of the Civil Engineering Department pointed out that they are not getting regular promotions despite availability of regular vacancies and eligible officers. It was stated that inordinate delays in regular promotions is badly affecting their eligibility for further promotion and jeopardizing their career progression. A specific grievance regarding promotion from the grade of JE(Civil) to AE(Civil) was highlighted in the meeting. It was stated that DPC for promotion the post of JE to AE was not conducted properly resulting in loss of seniority to the incumbents. Director (P) clarified that they are not able to take any action in the matter because the whole issue is embroiled in litigation and there is some court stay. A provision for deputation in the draft RRs was strongly opposed stating that it will harm their promotion prospect.

9. The representative of the Electrical Engineering Department pointed out that RRs for all the posts, except that of Chief Engineer, were reviewed in the year 2008 and now only revised scales need to be reflected in col.4 of the RRs which can be done within NDMC without reference to UPSC. He urged that DPC for regular promotions need to be convened urgently as there is no hitch in doing so.

10. Director (MS) pointed out that there is no well defined hierarchy in respect of various posts under his charge. The issue of creation of a separate cadre for the 'Public Health' also came up for discussion.

11. After giving a patient hearing to the all the participants, Chairman made the following observations:

- i) Immediate concerted action be taken for review and amendment of the RRs ensuring that the revised RRs are notified at the earliest after getting clearances from different authorities.
(Action: Advisor (RR)/all departmental heads)
- ii) All concerned in the organization will provide the required inputs complete in all respects to the RR Unit to enable them to proceed with their job.
(Action: Advisor (RR)/all departmental heads)
- iii) Try to tackle disadvantages of delayed DPCs by making a provision in the RRs for composite service for computing illegibility.
(Action: Advisor (RR)/all departmental heads)
- iv) Advisor was advised to look into the case relating to promotion from JE(Civil) to AE(Civil) which is reportedly entangled in litigation and blocking promotion as EE(Civil). Relevant files/papers to be referred to Advisor (RR).
(Action: Advisor (RR)/Director(P)
- v) The request of the Civil Engineering Department on the issue of provision for deputation is reasonable. We may not keep deputation as one of the methods for filling up of vacancies in Civil Engineering Department.
(Action: Advisor (RR)
- vi) The issue raised by Director (MS) to be examined. Possibility of creation of a separate cadre for Public Health be examined. Director (MS) to discuss the issue with Director (P) and Advisor (RR).
(Action: Advisor (RR)/Director(P)/Director(MS)
- vii) If possible, consider consulting MHA before referring proposal to UPSC.
(Action: Advisor (RR)
- viii) If approval of the UPSC for making changes regarding scales of pay in col.4 and other appropriate cols. not required, no major changes in the majority of RRs in the Electrical Engineering Department required and no embargo in holding DPC, immediate steps be taken to formulate proposal for convening DPC to fill up regular vacancies.
(Action: Advisor (RR)/Director (P)

12. Meeting ended with a vote of thanks to the Chair.

OFFICERS ATTENDED THE MEETING TAKEN BY CHAIRMAN, NDMC ON 21.03.2015
AT 10:30 AM IN THE COUNCIL ROOM IN CONNECTION WITH REVIEW OF RRs FOR
DIFFERENT SEGMENTS IN NDMC

1. Chairman - In chair
2. Secretary
3. Financial Advisor
4. Chief Auditor
5. Chief Engineer (Civil)
6. Chief Engineer (Elect.)
7. Chief Architect
8. Supdt. Engineer (Civil)
9. Director (Personnel)
10. Director (PR/Commercial)
11. Director (MS)
12. Director (Accounts)
13. Chief Security Officer
14. Asstt. Engineer (Civil)
15. Jt. Director (Estate)
16. Dy. Director (Welfare)