

The National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli (Police Service) Rules, 2003

DELHI

India

The National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli (Police Service) Rules, 2003

Rule

THE-NATIONAL-CAPITAL-TERRITORY-OF-DELHI-ANDAMAN-AND-NICOBAR ISLANDS, LAKSHADWEEP, DAMAN AND DIU AND DADRA AND NAGAR HAVELI (POLICE SERVICE) RULES, 2003

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The National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli (Police Service) Rules, 2003Published vide Notification No. G.S.R. 635(E), dated 6th August, 2003Ministry of Home AffairsG.S.R. 635(E). - In exercise of the powers conferred by the proviso to article 309 of the Constitution, and in supersession of National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service Rules, 1998, except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules, namely :-

1. Short title and commencement.

(1)These rules may be called the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli (Police Service) Rules, 2003.(2)Save as otherwise provided in sub-rule (2) of rule 3, they shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires:-(a)"Administration" means the Government of National Capital Territory of Delhi in respect of the National Capital Territory of Delhi and the

Union territory Administration in respect of the Union territories of (i) the Andaman and Nicobar Islands, (ii) Lakshadweep, (iii) Daman and Diu and (iv) Dadra and Nagar Haveli; (b) "Administration" means the administrator appointed under article 239 of the Constitution for the Union Territories of (i) the National Capital territory of Delhi, (ii) Andaman and Nicobar Islands, (iii) Lakshadweep, (iv) Daman and Diu and (v) Dadra and Nagar Haveli, as the case may be; (c) "Appointing Authority", in relation to any grade, means the authority empowered under the Central Civil Services (Classification, Control and Appeal) Rules, 1965 to make appointments to that grade; (d) "appointed day" means the date of publication of these rules in the Official Gazette; (e) "Approved Service", in relation to any grade, means the period or periods of regular service rendered in that grade, including period or periods during which a member of the Service could have held a post on regular basis in that grade but for his being on leave or otherwise not being available to hold such posts, from the 1st day of July of the year - (a) following the year in which the examination was held in respect of an officer appointed directly to that grade; (b) for which the recruitment was made on regular basis in respect of an officer appointed to that grade by promotion; (f) "Cadre" means the group of posts in the grades as specified in rule 3; (g) "Cadre Controlling Authority" means the Government of India in the Ministry of Home Affairs; (h) "Commission" means the Union Public Service Commission; (i) "Departmental Promotion Committee" means a Committee constituted to consider promotion and confirmation in any grade as specified in Schedule IV; (j) "duty post" means any post included in Schedule I; (k) "Government" means the Government of India; (l) "Grade" means any of the grades specified in rule 3; (m) "Schedule" means a Schedule appended to these rules; (n) "Scheduled Castes" and "Scheduled Tribes" shall have the same meaning as are assigned to them by clause (24) and clause (25) respectively of article 366 of the Constitution of India. (o) "Service" means the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service constituted under rule 3;

3. Composition of the Service and its classification.

(1) There shall be constituted a Service known as the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service consisting of persons appointed to the Service under rules 6 and 7. (2) The Service shall be deemed to have and have four grades as specified in Schedule I with effect from the 1st day of January, 1996. (3) The posts in Junior Administrative Grade-I, Junior Administrative Grade-II and Selection Grade shall be Central Civil Services Group "A" posts and those in the Entry Grade shall be Central Civil Services Group "B" posts.

4. Grades, strength and their review.

(1) The duty posts included in the various grades, their number and the scales of pay on the date of commencement of these rules shall be as specified in Schedule I. Provided that ten per cent and twenty per cent of the sanctioned strength of the posts in the Service shall be non functional grades of Junior Administrative Grade-I and Selection Grade respectively, and these shall be operated within the respective number of posts specified in Parts B and C of Schedule I: Provided further that the number of posts in Junior Administrative Grade I shall not exceed the total number of

sanctioned posts in the Junior Administrative Grade in the scale of pay of Rs.

12,000-16,500.(2)Notwithstanding anything contained in sub-rule (1), the Government may,-(a)from time to time, make temporary additions or alterations to the duty posts in various grades;(b)in consultation with the Commission include in the Service such posts as are be deemed to be equivalent to the posts included in the Service in status, grade, scale of pay and professional content or exclude from the Service a duty post already included in the Service; and(c)in consultation with the Commission appoint the regular incumbent of the post which has been included in the Service as a duty post to the appropriate grade of the Service and fix his seniority taking into account the regular service rendered by him in the said post or analogous grade.(3)Notwithstanding anything contained in clauses (b) and (c) of sub-rule (2), in case any regular incumbent of the post which has been encadred in the Service is not found suitable for appointment to the Service under clause (c) of sub-rule (2), he shall continue to hold the post and for the purpose the post shall be treated to have been excluded from the Service till such time it is held by such incumbent. The suitability of such persons for induction into the Service will be reviewed every year.

5. Member of the Service.

(1)The following persons shall be the members of the Service:- (a)persons appointed to duty posts under rule 6; and (b)persons appointed to duty posts under rule 7.(2)A person appointed under clause (a) of sub-rule (1) shall, on such appointment, be deemed to be the member of the Service in the appropriate grade applicable to him in Schedule I.(3)A person appointed under clause (b) of sub-rule (1) shall be the member of the Service in the appropriate grade applicable to him in Schedule I from the ,date of such appointment.

6. Initial constitution of the Service.

(1)All existing officers holding duty posts on regular basis in Junior Administrative Grade, Grade-I and Grade-II of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service shall be members of the Service in the respective grades.(2)All the existing officers of Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Administrations holding posts on regular basis, which have been encadred in the Service, shall continue to be in their respective posts and grades as existed before commencement of these rules till they become members of the Service after their suitability has been assessed by the Commission. In case they ate assessed suitable, they shall be deemed to have been appointed to the appropriate grade from the date(s) of their regular appointment to such grades. In case any officer is not found suitable for appointment to the Service, the encadred post held by him regularly will be treated as ex-cadre till he is inducted into the Service or vacates the pOst and his case shall be reviewed every year.(3)The regular continuous service of officers referred to in sub-rules (1) and (2) before the commencement of these rules shall count for the purpose of probation and qualifying service for promotion confirmation and pension in the Service.(4)To the extent the Cadre Controlling Authority is not able to fill up the authorized regular strength of various grades in accordance with the provisions of this rule, the same shall be tilled in accordance with the provisions of rules 7 and 8.

7. Future maintenance of the Service.

(1)The vacancies in any of the grades referred to in Schedule I, after the initial constitution under rule 6, shall be filled in the manner hereinafter provided in this rule.(2)(a)Fifty per cent of the posts in Entry Grade shall be filled by direct recruitment and the remaining fifty per cent by promotion.(b)The vacancies in the direct recruitment quota shall be filled on the basis of the Civil Services Examination conducted by the Commission.(c)The vacancies in the promotion quota shall be filled by selection from amongst officers holding posts mentioned in Schedule II with three years regular service in the grade on the basis of the recommendations of the Departmental Promotion Committee.(3)All the vacancies in the grades of Junior Administrative Grade-I, Junior Administration Grade-II and Selection Grade shall be filled by promotion from amongst the officers in the immediate respective lower grade with the minimum qualifying service as specified in Schedule III.(4)(a)The promotion to the Junior Administrative Grade-II shall be made by "selection" subject to the bench mark grade prescribed by the Government from time to time for this level of posts under the Government.(b)The induction by promotion to the Entry Grade shall be made by "selection" subject to the bench mark grade prescribed by the Government from time to time for this level of posts under the Government.(c)The promotion to the Junior Administrative Grade-I and Selection Grade shall be made in the order of seniority subject to rejection of unfit.(5)The selection in each case under sub-rule(4) shall be made on the recommendations of the Departmental Promotion Committee.(6)If any officer appointed to any grade in the Service is considered for the purpose of promotion to the higher post, his senior would also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or two years, whichever is less, and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service.Note - The eligibility list for promotion shall be prepared with reference to the date of completion of the qualifying service in the respective grade or post If the crucial date for one or more officers coming from different sources is one and the same, the officer senior in age will be placed higher in the eligibility list.

8. Filling of duty posts by deputation.

(1)Notwithstanding anything contained in rule 7, where the Government is of the opinion that it is necessary or expedient to do so, it may, for reasons to be recorded in writing and in consultation with the Commission, fill a duty post in any grade by transfer on deputation, including short term contract, for such period as per the instructions of the Government issued from time to time.(2)The qualifications, experience and the eligibility service required for appointment to any grade of the Service under these rules shall be decided by the Government in consultation with the Commission on each occasion.

9. Seniority.

(1)The relative seniority of members of the Service appointed to a grade of the Service, at the time of initial constitution of the Service under rule 6, shall be as obtaining on the date of commencement of these rules;Provided that if the seniority of any such member has not been specifically determined

on the said date, the same shall be as determined on the basis of the rules governing the fixation of seniority as were applicable to the members of the Service prior to the commencement of these rules.(2)The seniority of the persons recruited to the Service after the initial constitution shall be determined in accordance with the general instructions issued by the Government in the matter from time to time.

10. Probation.

(1)Every officer on appointment to the Entry Grade of the Service either by direct recruitment or by promotion shall be on probation for a period of two years;Provided that the Controlling Authority may extend the period of probation in accordance with the instructions issued by the Government from time to time in this behalf.(2)On completion of the period of probation or any extension thereof directly recruited officers shall, if considered fit for confirmation in the Service, be confirmed in terms of the orders of the Government for the time being in force.(3)If, during the period of probation or any extension thereof, as the case may be, Government is of the opinion that an officer is not fit for confirmation in the Service, Government may discharge the officer or revert him to the post held by him prior to his appointment in the Service, as the case may be.(4)During the period of probation or any extension thereof, an officer may be required by Government to undergo such courses of training or to pass such examination or test (including examination in Hindi) as the Government may deem fit as condition for satisfactory completion of probation.(5)As regards other matters relating to probation, the members of the Service shall be governed by the orders or instructions issued by the Government in this regard from time to time.

11. Appointment to the Service.

- All appointments to the Service shall be made by the Appointing Authority to the Junior Administrative Grade-I or Junior Administrative Grade-II or Selection Grade or Entry Grade of the Service and not against any specific post included in the Service.

12. Posting.

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

13. Allocation of members of the Service.

- The Government shall, from time to time, allocate a member of the Service to any Administration for posting in terms of rule 12.

14. Disqualification.

- No person, -(a) who has entered into or contracted a marriage such a person having a spouse living, or (b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the Service: Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

15. Other conditions of service.

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

16. Power to relax.

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

17. Saving.

- Nothing in these rules shall affect reservations, relaxation in age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Other Backward Classes and other special categories of persons in accordance with the orders issued by the Government from time to time in this regard.

18. Interpretation.

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

I

[See rule 4(1)] Name, number and scale of pay of duty posts in the grades of the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service.

Part A	Grades and sanctioned strength of the service	
(a)	Grades of the Service	Scales of pay

1.	Junior Administrative Grade I (Group A)	Rs. 14,300-400-18,300
2.	Junior Administrative Grade II (Group A)	Rs. 12,000-375-16,500
3.	Selection Grade (Group A)	Rs. 10,000-325-15,200
4.	Entry Grade (Group B)	Rs. 6500-200-10,500 (on initial appointment) Rs. 8,000-275-13,500 (on completion of four year approved service subject to vigilance and integrity clearance)

(b) [[Substituted by Notification No. G.S.R. 100(E), dated 25.1.2018 (w.e.f. 6.8.2003)]

	Sanctioned Strength	No. of Post
1.	Specific posts under the Government of National Capital Territory of Delhi.	368
2.	Specific posts under the Andaman and Nicobar Islands Administration.	14
3.	Specific posts under the Lakshadweep Administration	01
4.	Specific posts under the Daman and Diu Administration	02
5.	Specific posts under the Dadra and Nagar Haveli Administration	01
6.	Deputation, Leave and Training Reserves	124
	Total	510

(c)	Reserves	No. of Posts
1.	Deputation reserve at 12% of 386	46
2.	Leave reserve at 10% of 386	39
3.	Training reserve at 10% of 386	39
	Total	124]

Part B
Posts in the Junior Administrative Grade I and Junior Administrative Grade II
Posts under the Government of National Capital Territory of Delhi

(i)	Additional Deputy Commissioner of Police (Delhi Armed Police Battalion)	10
(ii)	Additional Deputy Commissioner of Police (District Headquarters)	9
(iii)	Additional Deputy Commissioner of Police (Crime and Railway)	2
(iv)	Vice-Principal, Police Training School	1
(v)	Additional Deputy Commissioner of Police (police Control Room)	1
(vi)	Additional Deputy Commissioner of Police (provision and Lines)	1
(vii)	Additional Deputy Commissioner of Police (I.G. International Airport)	1
(viii)	Additional Deputy Commissioner of Police (Special Branch)	1
(ix)	Additional Deputy Commissioner of Police (Traffic)	1
(x)	Additional Deputy Commissioner of Police (Vigilance)	1
(xi)	Additional Deputy Commissioner of Police (Special Task Force)	1
	Total	29

[Part C [Substituted by
Notification No. G.S.R.
100(E), dated 25.1.2018
(w.e.f. 6.8.2003)]

(a)	Posts in Entry Grade and Selection Grade	
	Posts under the Government of National Capital Territory of Delhi.	
(b)	Assistant Commissioner of Police	314
	Posts under the Andaman and Nicobar Administration	
	Deputy Superintendent of Police	14
(c)	Posts under the Lakshadweep Administration	
	Deputy Superintendent of Police	01
(d)	Posts under the Daman and Diu	

(e)	Administration	
	Chiefs of Police, Daman and Diu	02
	Posts under the Dadra and Nagar Haveli Administration	
	Chief of Police, Dadra and Nagar Haveli	01
	Total of (a)+(b)+(c)+(d)+(e) of Part C	332
	Total of Parts B and C	386
	Deputation, Leave and Training Reserves	124
	Grand Total	510]

II

[See rule 7]

POST/GRADE/SERVICE ELIGIBLE FOR INDUCTION INTO ENTRY GRADE

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

III

(See rule 7(3))

SI. No.	Grade	Method of promotion	Eligibility for Promotion
(1)	(2)	(3)	(4)
1.	Junior Administrative Grade I	By promotion in the order of seniority subject to rejection of unfit on the recommendations of the Departmental Promotion Committee.	A regularly appointed Junior Administrative Grade-II officer with a minimum of eighteen years approved service shall be eligible to be considered for promotion to the Junior Administrative Grade I.
2.	Junior Administrative Grade II	By promotion on selection on the recommendations of the Departmental Promotion Committee.	A regularly appointed Selection Grade officer with a minimum of thirteen years approved service shall be eligible to be considered for promotion to the Junior Administrative Grade II.
3.	Selection Grade	By promotion in the order of seniority subject to rejection of unfit on the Departmental Promotion Committee.	A regularly appointed Entry Grade officer with a minimum of eight years approved service shall be considered for promotion to the Selection Grade.

Grade.

Note: The crucial date for determining the eligibility of an officer for promotion shall be the 1st January of the year in which the vacancy has occurred.

IV

[See rule 7 (2) and (5)]

SI. No.	Grade	Composition of the Departmental Promotion Committee
1	2	3
(1)	Junior Administrative Grade-I	(i) Chairman or Member of the Union Public Service Commission-Chairman. (ii) Joint Secretary in charge of the Union Territories Division in the Ministry of Home Affairs - Member. (iii) Chief Secretary, Andaman and Nicobar Islands Member. (iv) Principal Secretary / Secretary (Home), Government of the National Capital Territory of Delhi - Member. (v) Commissioner of Police, Delhi - Member.
(2)	Junior Administrative Grade-II	(i) Chairman or Member of the Union Public Service Commission-Chairman. (ii) Joint Secretary in charge of the Union Territories Division in the Ministry of Home Affairs - Member (iii) Chief Secretary, Andaman and Nicobar Islands - Member. (iv) Principal Secretary / Secretary (Home), Government of the National Capital Territory of Delhi - Member. (v) Commissioner of Police, Delhi - Member
(3)	Selection Grade	(i) Chairman or Member of the Union Public Service Commission -Chairman. (ii) Joint Secretary in charge of the Union Territories Division in the Ministry of Home Affairs - Member. (iii) Principal Secretary / Secretary (Home), Government of the National Capital Territory of Delhi - Member. (iv) Joint Commissioner of Police, in charge of personnel in the office of the Commissioner of Police, Delhi - Member. (v) Inspector General of Police, Andaman and Nicobar Islands Police - Member. (vi)

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| | Development Commissioner, Daman and Diu and Dadra and NagarHaveli - Member. |
| (4) Entry Grade (on initial appointment by promotion and confirmation of direct recruits). | <p>(i) Joint Secretary in charge of the Union Territories appointment by promotion and Division in the Ministry of Home Affairs -Chairman.</p> <p>(ii) Principal Secretary / Secretary(Home), Government of NationalCapital Territory of Delhi - Member.</p> <p>(iii) Joint Commissioner of Police, in charge of personnel in the office of the Commissioner of Police, Delhi - Member.</p> <p>(iv) Inspector General of Police, Andaman and Nicobar IslandsPolice - Member.</p> <p>(v) Development Commissioner, Daman and Diu and Dadra and NagarHaveli - Member.</p> |

Note: The absence of a member, other than the Chainman, shall not invalidate the proceedings of the Departmental Promotion Committee if more than half the members, including the Chairman of the Committee, had attended its meeting(s). Explanatory Memorandum The National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service had three grades, namely, Grade-II, (Rs. 2000-3500/-) Selection Grade (Grade-I) (Rs. 3000-4500/-) and Junior Administrative Grade (Rs. 3700-5000/-). In order to improve upon the grade and pay structure of the Service, the Fifth Central Pay Commission had made certain recommendations to the Government which were duly considered by the Government. Taking into consideration various relevant factors including the nature of duties and responsibilities of the Service, the Government approved the following grades/scales of pay for the Service with effect from 1st January, 1996:-

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|---|--------------------------|
| (i) Entry Grade (Group 'B') (On initial appointment) | - Rs. 6,500-200-10,500. |
| (ii) On Completion of 4 years of approved service (Group 'B') | - Rs.8,000-275-13,500. |
| (iii) Selection Grade (Group 'A') | - Rs. 10,000-325-15,200. |
| (iv) Junior Administrative Grade II (Group 'A') | - Rs. 12,000-375-16,500. |
| (v) Junior Administrative Grade I (Group 'A') | - Rs. 14,300-400-18,300. |

2. The restructuring of the grades and scales of pay of the Service required appropriate amendments to the provisions contained in the National Capital Territory of Delhi, Andaman and Nicobar Islands, Lakshadweep, Daman and Diu and Dadra and Nagar Haveli Police Service Rules, 1998. Further, various provisions of the said rules required amendment to keep in line with the Government decisions contained in Government of India, Ministry of Personnel, Public Grievances "and Pensions, Department of Personnel and Training OM No.F.22011/5/86-Estt(D) dated 10.3.1989, OM No.22011/5/86-Estt(D) dated 10.4.1989, OM No.AB-14017 /12/88-Estt(RR) dated

25th March, 1996, OM No.AB-14017 /2/97-(RR) dated 25.5.1998 and the Union Public Service Commission (Exemption from Consultation) Regulations, 1958.

3. It is certified that none will be adversely affected by retrospective effect being given to the introduction of the restructured grades vide rule 3.