

RTI MATTER

No. 28034/1-198/2012-Estt.(A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Personnel & Training

North Block, New Delhi.
Dated: 22nd October, 2012

To
Sh Harchandan Singh
General Secretary, IRTSA
32, Phase 6, Mohali
Chandigarh – 160055.

Subject: Information sought under the RTI Act, 2005.

Sir,

Reference is invited to your RTI application dated 11.10.2012 on the abovementioned subject forwarded by RTI Cell, DOPT on 16.10.2012 for sending information.

2. As regards your query, a copy of criteria related to grant of gazetted status to employees / posts under Govt. of India is enclosed. Regarding classification of posts, a copy of O.M. No. 11012/7/2008-Estt.A dated 17.4.2009 and DOPT's Order dated 9th April, 2009 is enclosed for information. The Administrative Ministries / Departments may issue necessary orders relating to posts belonging to those Ministries and its subordinate and attached offices accordingly as per the norms / guidelines of DOPT, as contained in the above Order dated 9th April, 2009. Copy of notings of file no. 11012/7/2008-Estt.A is enclosed in this regard.

3. The particulars of the appellate authority in respect of the above information are as under:-
Shri P. Prabhakaran, Director (E)
Department of Personnel & Training
Ministry of Personnel, Public Grievances & Pensions
Room No. 279, North Block,
New Delhi – 110001.

Yours faithfully,


(U.S. Chattopadhyay)

Under Secretary to the Government of India

Copy to:

1. SO (RTI), DOPT w.r.t. Dy. No. 6022/RTIC/12 dated 16.10.12.

[Para 3 of Home Deptt. Letter No. 1838-Public, dt. 16.07.1921].

~~State~~ Home Department O.M. No. 12 (6)/46-Ests. Dt. 16th August, 1946 requires that all newly created posts, whether permanent or temporary, should be classified, as soon as created in consultation with the Home Department. These instructions were reiterated in the Ministry of Home Affairs (now Department of Personnel & Training) O.M. No. 12/60/50-Ests., dt. 21st November, 1950 that in all cases relating to classification of posts or conferment of gazetted status, prior concurrence of the Ministry of Home Affairs (now Deptt. Of Personnel & Trg.) should invariably be obtained in future. Proposal for conferment of gazetted status on newly created posts should therefore be considered by the administrative Ministry and, where justified, should be referred to the Department of Personnel and Training in the form of self-contained Office Memoranda.

The main criteria for deciding whether a particular Government should be declared as gazetted are indicated below :-

- (1) whether the pay and duties of the officer holding the post approximate to those of Central Services Class I or Central Service Class II;
- (2) whether the duties involved require the officer to be in contact with other gazetted officers of Central or State Governments either personally or through correspondence;
- (3) whether the officer is periodically left in-charge of the office during the absence of his gazetted superior on tour and has to dispose of office work on his behalf;
- (4) whether the post is included in Service from which large-scale recruitment to higher and senior administrative posts is made;
- (5) whether the officer was already enjoying gazetted status before appointment to the post in question;
- (6) whether the officer has Commissioned or gazetted officers under his orders or administrative control;
- (7) whether the officer performs duties of a technical character requiring special qualifications;
- (8) whether the conferment of gazetted rank on the particular post will not unduly deflate the value of gazetted status;
- (9) whether the gazetted status to be conferred is likely to result in increase of charges on the Central or State revenues, due to certain concessions being admissible to holders of such appointments under the pension rules etc.

GAZETTED STATUS

Criteria :-

- (i) Group A posts and Group B non-ministerial and executive posts should ordinarily be given gazetted status.
- (ii) Group B ministerial posts may be given gazetted status only on very special considerations, such as, the following :-
 - (a) The officer already had gazetted status before appointment.
 - (b) The officer has commissioned or gazetted officers under his orders.
 - (c) The officer performs duties of a technical character requiring special qualifications.
 - (d) The officer is periodically left in charge of the office during the absence of his superior on tour and has to dispose of business and to deal with gazetted officers or businessmen/on behalf of his superior.
- (iii) Group C and Group D posts to be treated as a rule, as non-gazetted.

No.11012/7/2008-Estt. (A)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

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North Block,
New Delhi,
Dated the 17th April, 2009

OFFICE MEMORANDUM

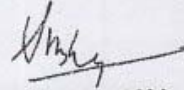
Subject : Classification of posts under the CCS (CCA) Rules, 1965

Under the Central Civil Services (Classification, Control and Appeal) Rules, 1965, all Central Government posts are classified into four categories, viz., Groups "A", "B", "C" and "D". This classification at present is based on the norms prescribed by the Department of Personnel and Training vide S.O. 332(E) dated 20.04.1998 published in the Gazette of India Extraordinary.

2. As per clause (4) of the Central Civil Services (Revised Pay) Rules, 2008 notified vide notification No G.S.R. 622(E) dated 29.8.2008, the **pay band** and **grade pay** or the **pay scales**, as applicable, of every post/grade specified in column 2 of the First Schedule thereto shall be as specified against it in columns 5 and 6 thereof. Consequent upon the notification of the said rules, it has become necessary to prescribe revised norms for categorization of posts into the abovementioned four categories based on the pay band and grade pay or the pay scales as applicable, as approved by the Government. Accordingly, an Order classifying the various Central Civil Services posts into Group "A", "B", "C" and "D" based on the revised norms of pay has been notified in the Gazette of India Extraordinary vide S.O. 946 (E) dated 09.04.2009. A **copy** of the Order is enclosed. All posts in the Central Civil Services would now stand classified strictly in accordance with the norms of pay band and grade pay or pay scales as prescribed in the said Order.

4. In some Ministries/Departments, posts may exist which are not classified as per the norms laid down by this Department. If, for any specific reason, a Ministry/Department proposes to classify the posts differently,

it would be necessary for that Department to send a specific proposal to Department of Personnel and Training giving full justification in support of the proposal within three months of this O.M. so that the exceptions to the norms of classification laid down in S.O .946 (E) dated 09- 04 - 2009 can be notified.



(P.PRABHAKARAN)

Deputy Secretary to the Government of India

All Ministries/Departments of the Government of India.

Copy forwarded to

1. Comptroller and Auditor General of India, New Delhi
2. Lok Sabha Secretariat/Rajya Sabha Secretariat/Ministry of Parliamentary Affairs.
3. Union Public Service Commission, New Delhi.
4. President's Secretariat/Vice-President's Secretariat/ Prime Minister's Office.
5. Election Commission of India, New Delhi.
6. Central Vigilance Commission, New Delhi.
7. Staff Selection Commission, New Delhi.
8. Central Bureau of Investigation, New Delhi.
9. Chief Secretaries of all State Governments/Union Territory Administrations.
10. All Attached and Subordinate Offices of the Ministry of Personnel, Public Grievances and Pensions.
11. All Officers and Sections in the Ministry of Personnel, PG and Pensions.
12. NIC (DOPT) with the request that this O.M. may be placed on the Department's website (www.persmin.nic.in).

(100 spare copies).

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(Department of Personnel and Training)

ORDER

New Delhi, the 9th April, 2009

S.O. 946(E).—In exercise of the powers conferred by the proviso to article 309 and clause 5 of article 148 of the Constitution read with rule 6 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and in supersession of the notification of the Government of India in the Department of Personnel and Training number S.O. 332(E) dated the 20th day of April, 1998, and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, except as respects things done or omitted to be done before such supersession, the President hereby directs that with effect from the date of publication of this order in the Official Gazette, all civil posts under the Union, shall be classified as follows :—

Sl. No.	Description of Posts	Classification of posts
(1)	(2)	(3)
1. (a)	A Central Civil post in Cabinet Secretary's scale (Rs. 90000- fixed), Apex Scale (Rs. 80000-fixed) and Higher Administrative Grade plus scale (Rs. 75500-80000); and	Group A
(b)	A Central Civil post carrying the following grade pays :— Rs. 12000, Rs. 10000, Rs. 8900 and Rs. 8700 in the scale of pay of Rs. 37400-67000 in Pay Band-4, and Rs. 7600, Rs. 6600 and Rs. 5400 in the scale of pay of Rs. 15600-39100 in Pay Band-3	Group A
2.	A Central Civil post carrying the following grade pays :— Rs. 5400, Rs. 4800, Rs. 4600 and Rs. 4200 in the scale of pay of Rs. 9300-34800 in Pay Band-2.	Group B
3.	A Central Civil post carrying the following grade pays :— Rs. 2800, Rs. 2400, Rs. 2000, Rs. 1900 and Rs. 1800 in the scale of pay of Rs. 5200-20200 in Pay Band-1.	Group C
4.	A Central Civil post carrying the following grade pays :— Rs. 1300, Rs. 1400, Rs. 1600, Rs. 1650 in the scale of pay of Rs. 4440-7440 in 1S Scale	Group D (till the posts are upgraded)

Explanation : For the purpose of this order Pay Band, in relation to a post, means the running Pay Bands specified in Part-A, Section 1 of column 5 of the First Schedule to the Central Civil Services (Revised Pay) Rules, 2008.

[F.No. 11012/7/2008-Estt. (A)]

C. B. PALIWAL, Jt. Secy.

Copy of notings of file 1102/7/2008 - Estt A.

-16-

Department of Personnel and Training
(Estt.A)

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This case relates to issuance of an Order under the Central Civil Services (Classification, Control and Appeal) Rules, 1965 regarding classification of posts consequent upon notification of Central Civil Services (Revised Pay) Rules, 2008.

2. Under the CCS (CCA) Rules, 1965, all Central Government posts are classified into four categories, viz., Groups "A", "B", "C" and "D". This classification is based on the norms prescribed in Department of Personnel and Training's Order issued vide S.O. 332(E) dated 20-04-1998 published in the Gazette of India Extraordinary.

3. The classification of posts in terms of the aforementioned Order dated 20.4.1998 is as follows:-

S.No.	Description of Posts	Classification of posts
1.	A Central Civil post carrying a pay or a scale of pay with a maximum of not less than Rs. 13,500	Group A
2.	A Central Civil post carrying a pay or a scale of pay with a maximum of not less than Rs. 9,000 but less than Rs. 13,500	Group B
3.	A Central Civil post carrying a pay or a scale of pay with a maximum of over Rs. 4,000 but less than Rs. 9,000	Group C
4.	A Central Civil post carrying a pay or a scale of pay the maximum of which is Rs. 4,000 or less	Group

4. As per clause (4) of the CCS(Revised Pay) Rules, 2008 notified vide notification No.G.S.R. 622(E) dated 29.8.2008, the pay band and grade pay or the pay scales, as applicable, of every post/grade specified in column 2 of the First Schedule thereto shall be as specified against it in columns 5 and 6 thereof. Consequent upon the notification of the said rules, there is a need for specifying the description of posts and classification thereof in the CCS(CCA) Rules, 1965.

5. The case has been considered in consultation with the Ministry of Finance (Department of Expenditure) and Ministry of Law, (Department of Legal Affairs and ^{Legislative} Legal Department). A draft Order has been finalized on the basis of the draft vetted by Legislative Department. The classification proposed in this draft Order is as follows:-

✓ P. 327/1
✓ P. 5812/11
P. 55/c

Sl.No. (1)	Description of Posts (2)	Classification of posts (3)
1. (a)	A Central Civil post in Cabinet Secretary's scale (Rs. 90000- fixed), Apex Scale (Rs.80000-fixed) and Higher Administrative Grade plus scale (Rs. 75500-80000); and	Group A
(b)	A Central Civil post carrying the following grade pays :- Rs. 12000, Rs. 10000, Rs. 8900 and Rs. 8700 in the scale of pay of Rs.37400-67000 in Pay Band-4, and Rs. 7600, Rs. 6600 and Rs. 5400 in the scale of pay of Rs. 15600-39100 in Pay Band-3	
2.	A Central Civil post carrying the following grade pays : Rs. 5400, Rs. 4800, Rs. 4600 and Rs. 4200 in the scale of pay of Rs. 9300-34800 in Pay Band-2.	Group B
3.	A Central Civil post carrying the following grade pays :- Rs. 2800, Rs. 2400, Rs. 2000, Rs. 1900 and Rs. 1800 in the scale of cpay of Rs. 5200-20200 in Pay Band-1.	Group C
4.	A Central Civil post carrying the following grade pays: - Rs. 1300, Rs. 1400, Rs. 1600, Rs. 1650 in the scale of pay of Rs. 4440-7440 in 1S Scale	Group D (till the posts are upgraded)

Explanation: - For the purpose of the proposed order, Pay Band, in relation to a post, means the running Pay Bands specified in Part-A, Section I of column 5 of the First Schedule to the Central Civil Services (Revised Pay) Rules, 2008.

6 The draft Order was also sent to the Office of the Comptroller and Auditor General of India for concurrence in the issue of the same in regard to its applicability to persons serving in Indian Audit and Accounts Department. The Office of the C&AG has expressed no objection to the revised classification of posts as proposed in the draft Order. That Office has stated that their Department supports inclusion of the post Sr. A.O. in Group 'A' and that they would need some time to streamline procedures for implementation of new classification of Sr. AOs. The Office of the C&AG has -

P. 55/c
P. 57/c

(a) proposed that a general purpose proviso may be built in the body of the proposed order that gives departments an option to propose

exclusion of certain posts or categories of posts from the groups to which they would ordinarily relate to; and

(b) urged emphatically that no specific exceptions should be built in the body of Government Order or otherwise, to deny, per-se, Group 'A' status to Sr. AOs of that department unilaterally.

7. In this connection, it may be stated that the Order proposed to be issued by the DOPT under rule 6 of the CCS (CCA) Rules, 1965 is intended to notify the general frame of classification of posts under the CCS (CCA) Rules, 1965. By its very nature, such an order under the Statutory Rules has to state only the essentials leaving the exceptions thereto to be clarified in the form of executive instructions. The last notification on this subject was issued vide S.O. 332(E) dated 20.04.1998 outlining the classification of posts. Subsequently, instructions were issued to all Ministries/Departments etc. vide DOPT's O.M. No. 13012/1/1998-Estt. (D) dated 12.06.1998 to the effect that if for any specific reason a Department proposed to classify the posts on a basis different from the norms prescribed in that Order, that Department would be required to send a specific proposal to DOPT giving full justification in support of the proposal within three months of the date of that O.M. so that exception to the norms of classification laid down in the Order could be notified. If the same approach is now followed, it would not be necessary to include in the proposed Order a general proviso giving an option to the Departments to propose exclusion of certain posts or categories of posts from the groups to which they would ordinarily relate to. Issuance of executive instructions immediately after the publication of the proposed Statutory Order in the Gazette of India Extraordinary would take care of the concerns expressed by the Office of the C&AG.

8. We may accordingly solicit the approval of MOS (PP) to notify the new classification of posts under the CCS (CCA) Rules, 1965 as per the draft Order (DFA-I) and to issue instructions to all Ministries/Departments etc. as per the draft O.M. (DFA-II).

A. Balaram
(A. BALARAM)
Under Secretary (Estt. A)
01.04.2009

D.S.(E)

JS(E) JS(PP)

Shy
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2/4/09

For kind approval

02/04/09
JS(E)
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US(AO)

MOS(PP)
JS(PP)
2/4/09

Shank
2.4.09

2.4.09
RAHUL SARKI
SECRETARY (P)