

GOVT. OF THE NATIONAL CAPITAL TERRITORY OF DELHI  
REVENUE DEPARTMENT  
(VIGILANCE BRANCH)  
5, SHAM NATH MARG, DELHI-110054

No. F.14(160)/2022/DIV.COM/VIG/HQ/CIRCULAR-15/2-18 Dated: 6/10/22

**CIRCULAR**

It has been observed that the files of Disciplinary Proceedings cases of the officers/officials of Revenue Department are not being forwarded, ever after a gap of long time, to the District on the strength of which the officer/official has been transferred. Due to which this office is facing difficulties in providing vigilance status of the concerned officers/officials and their disciplinary proceedings cases are not being monitored properly.

As per notification (copy enclosed) issued by the Services Department, GNCTD the concerned Districts on the strength of which the concerned officer/official is the Disciplinary Authority for imposing Minor Penalty as well as issuance of Chargesheet for Major Penalty.

In view of the above, all the District authorities are hereby requested to transfer the disciplinary proceedings files/cases of the non-gazetted officials to the concerned district, immediately, on the strength of which the officers/officials have been transferred, under intimation to Vigilance Branch, Revenue HQ.

It is also requested to seek the vigilance status of the officers/officials, in the enclosed Performa, through General Administration Branch, Revenue Department HQ.

This issue is with the approval of Principal Secretary (Revenue)-cum- Divisional Commissioner.

Encl: As above

*hgs*  
(Sonika Singh)  
Dy. Commissioner-III (HQ)

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Copy for information and strict compliance to:-

1. All the District Magistrate, Revenue Department, Govt. of NCT of Delhi, New Delhi.
2. All the Deputy Commissioners of Revenue HQ, 5, Sham Nath Marg, New Delhi-54.
3. The Director of Panchayat, Directorate of Panchayat, GNCTD.
4. All ADM/OIC Vigilance of the District, Revenue Department, Govt. of NCT of Delhi, New Delhi.
5. All the SDMs of Revenue HQ.
6. PA to Principal Secretary (Revenue)-Cum-Divisional Commissioner, GNCTD of Delhi.
7. The Joint Director IT Branch with the request to upload the same on official website.
8. Guard file.

*Om*  
(Pannod Kumar)  
SDM(VIG)(HQ)

**Performa for seeking vigilance status**

1. Name of official/officer
2. Designation
3. Date of Birth
4. Date of Retirement
5. Present Posting
6. Details of previous posting & Designation
7. Whether officer/official ever been suspended, if yes, please provide details
8. Whether any disciplinary proceeding is contemplated/pending against the above officer/official
9. Whether any criminal case is contemplated/pending against the above officer/official
10. Detail of penalty, if any, imposed upon the official/officer
11. Any other details

**Name and Designation of  
Head of Office of the  
concerned District /Office**

## SECTION IX

### C.C.S. (C.G.A.) RULES

#### 1. APPOINTING, DISCIPLINARY AND APPELLATE AUTHORITIES FOR ALL CLASS III AND CLASS IV POSTS IN OFFICES UNDER DELHI ADMINISTRATION

These are given in the under-mentioned Notification :

#### NOTIFICATION

In pursuance of the provisions of Parts II, III and IV of Schedule to the Central Civil Service (Classification, Control & Appeal) Rules, 1965, the Administrator of Delhi hereby directs that in respect of the posts in the Central Civil Services specified in column 2 of the Schedule below, the authority specified in column 3 shall be appointing authority and the authority specified in column 4 and 6 shall be the disciplinary

and appellate authorities respectively in regard to the penalties specified in column 5.

2. This notification shall come into force from the date of issue, and previous orders and notifications issued by this Administration in this behalf are hereby repealed :

Provided that this repeal shall not affect any action already taken on the authority of the said orders and notifications.

3. This notification shall not apply to the government servants of the following categories :

- (a) Class III and IV government servants in Civil Courts in Delhi.
- (b) Upper and lower subordinates of police under the Inspector General of Police, Delhi.

#### SCHEDULE

Sl. No.	Description of posts	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item Nos. in Rule 11)		Appellate Authority
			Authority	Penalties	
1	2	3	4	5	6
1.	All class III posts in the offices under the Delhi Admn. other than those included in the Delhi Administration Subordinate Ministerial, Executive Service and in the Delhi Administration Secretariat.	Head of office.	(1) Head of office concerned  (2) Head of the Department concerned.	(i) to (iv)  All	Head of the Department. Where the order is that of the Head of Department, the Administrative Secretary concerned in the Secretariat, provided the latter is senior to the former. In case the Administrative Secretary is junior to the Head of the Department or if there is no such Secretary or if the Head of Department and Administrative Secretary is one and the same person, the Chief Secretary.  The Administrative Secretary concerned in the Secretariat provided he is senior to the concerned Head of the Department. In case the Administrative Secretary is junior to the Head of the Department or if there is no such Secretary or if the Head of Department and Administrative Secretary is one and the same person, the Chief Secretary. Where the order is that of the Administrative Secretary, the Chief Secretary and where the order is that of the Chief Secretary, the Administrator.

1	2	3	4	5	6
2.	All Class IV posts in the offices under the Delhi Administration other than the Secretariat.	Head of the office concerned.	Head of the office concerned.	All	Head of the Department. Where the order is that of the Head of Department, the Administrative Secretary concerned in the Secretariat, provided the latter is senior to the former. In case the Administrative Secretary is junior to the Head of the Department or if there is no such Secretary or if the Head of Department and Administrative Secretary is one and the same person, the Chief Secretary.
3.	(i) All Class III posts included in the Delhi Administration Subordinate Ministerial/Executive Service other than the Administration Secretariat and the Districts under the Directorate of Education.	Head of the Department concerned.	(1) Head of the office	(i) to (iv)	Head of the Department. Where the order is that of the Head of the Department, the Administrative Secretary concerned in the Secretariat, provided the latter is senior to the former. In case the Administrative Secretary is junior to the Head of the Department or if there is no such Secretary or if the Head of Department and Administrative Secretary is one and the same person, the Chief Secretary.
			(2) Head of the Department	All.	The Administrative Secretary concerned in the Secretariat provided he is senior to the concerned Head of the Department. In case the Administrative Secretary is junior to the Head of the Department or if there is no such Secretary or if the Head of Department and Administrative Secretary is one and the same person, the Chief Secretary. Where the order is that of the Administrative Secretary, the Chief Secretary and where the order is that of the Chief Secretary, the Administrator.
	(ii) All Class III posts included in the Delhi Administration Subordinate Ministerial/ Executive Service belonging to the various Districts under the Directorate of Education excluding those in the Head Quarter of the Directorate of Education.	Deputy Director of the District concerned	(1) Head of the office	(i) to (iv)	Head of the Department. Where the order is that of the Head of Department, the Administrative Secretary concerned in the Secretariat, provided the latter is senior to the former. In case the Administrative Secretary is junior to the Head of the Department or if there is no such Secretary or if the Head of Department and Administrative Secretary is one and the same person, the Chief Secretary.
			(2) Head of the Department	All	The Administrative Secretary concerned in the Secretariat provided he is senior to the concerned Head of the Department. In case the Administrative Secretary is junior to the Head of the Department or if there is no such Secretary or if the Head of Department and Administrative Secretary is one and the same person, the Chief Secretary. Where the order is that of the Administrative Secretary, the Chief Secretary and where the order is that of the Chief Secretary, the Administrator.
4.	All Class II posts included in the Delhi Administration Ministerial/Executive Service.	Chief Secretary	Chief Secretary	All	Administra.or.

1	2	3	4	5	6
5. <i>Secretariat</i> All Class III posts including those belonging to the Delhi Administration Subordinate Ministerial/Executive Service.		Secretary (Administration)	Secretary (Administration)	All	Chief Secretary. Where the order is that of the Chief Secretary, the Administrator
		Provided that in the case of those employees who were appointed by the Chief Secretary/Chief Commissioner, the powers to remove or dismiss them shall vest in the Chief Secretary/Administrator.			
6. <i>Secretariat</i> All Class IV posts.		Under Secretary Delhi Administration, declared as Head of office.	Under Secretary Delhi Administration declared as Head of office.	All	Secretary (Administration). Where the order is that of the Secretary (Administration), the Chief Secretary, and where the order is that of the Chief Secretary, the Administrator.
		Provided that in the case of those employees who were appointed by the Chief Secretary/Chief Commissioner, the powers to remove or dismiss them shall vest in the Chief Secretary/Administrator.			

**\*\*2. PROCEDURE IN THE MATTER OF SUBMISSION OF AND DEALING WITH THE REPRESENTATIONS/APPEALS AGAINST ORDERS DETERMINING SENIORITY**

It has often been observed that proper and prescribed procedure in the matter of submission of representations/appeals against seniority is not followed by the concerned officer/employee and such representations/appeals are also not being dealt with by the concerned departments/offices as per the established procedure. It has, therefore, been considered necessary to bring to the notice of all concerned the relevant provisions of the Delhi Administration (Seniority) Rules, 1965 and the CCS (CG&A) Rules, 1965 and to lay down the following guidelines:

- By virtue of the provisions contained in rule 13 of the Delhi Administration Subordinate Service Rules, 1967, the Chief Secretary is the cadre controlling authority and the seniority list pertaining to various grades in the Service are, therefore, issued under his authority. Hence only one representation lies to the L.G. against a final seniority list issued under the authority of the Chief Secretary and no second representation or appeal against a final seniority list is entertainable.
- All such representations/appeals should, therefore, be addressed to the L.G. and not to any other authority and such representations/appeals should be forwarded through the Head of Office/department under whom an officer/employee is for the time being, serving. No representation/appeal or a

copy thereof should be sent to the L.G. direct under any circumstances.

- After a representation/appeal against determination of seniority has been submitted by an officer/employee to a Head of Office/Department, it then becomes the duty of the Head of the Office/Department, concerned to prepare parawise comments thereon giving factual position in relation to the record of service etc. of such employee/officer in office/department, and forward the representation/appeal together with the parawise comments to the Services Department for processing the same and for obtaining the orders of the competent authority thereon. Before forwarding such representation/appeal, every Head of Office/Department should ensure that the representation/appeal is addressed to the competent authority and it should be certified that no representation/appeal was earlier preferred by the same employee/officer pleading the same cause of action. Any representation/appeal made for the second time should be rejected by the Head of Office/Department concerned pointing out to the employee/officer that no such second representation/appeal lies in such cases.
- The seniority of a Government servant in a particular grade constitutes a part of substantial conditions of service of such Government servant and any denial or disturbance of such seniority shall amount to denial or variation of a vital condition of

\* Services-II Deptt.s Notification No. F. 13/1/70-S. II, dt. 3-8-76).

\*\* [Services-II Deptt.s O.M. No. F. 1/6/80-JSC/S-I, dt. 21-11-83].

service to the disadvantage of such a Government servant within the meaning of clauses (a) and (b) of sub-rule (iv) of rule 23 of the CCS (CCA) Rules, 1965, and valid cause of action to a Government servant on this account accrues or would give a valid right of appeal to such Government servant. Under the provisions of rule 23 *ibid*, any appeal thus preferred by a Government servant should be appreciated and dealt with accordingly by the concerned office/department.

- (c) While dealing with the appeals preferred by Government servants under rule 23 (iv) (a) and (b) of the CCS (CCA) Rules, 1965, it has to be remembered that the period of limitation for filing an appeal under that rule is forty-five days from the date on which a copy of the order appealed against is delivered to the appellant. By virtue of the proviso given below rule 25 *ibid*, however, the Appellate Authority i.e. the Lt. Governor, has the powers to entertain an appeal after the expiry of the aforesaid period of forty-five days if he is satisfied that the appellant had sufficient cause for not preferring the appeal in time. It is, therefore, the duty of every employee preferring an appeal under rule 25 *ibid* to give valid reasons in case the appeal is preferred after the stipulated period of forty-five days

indicating clearly the causes which prevented him from preferring the appeal within time. It is also the duty of the concerned Head of Office/Department that the period of limitation within which the appeal has been preferred is verified before forwarding the same to the Services Department of the Delhi Administration Secretariat, and in case the appeal is badly time-barred and no reasons have been given by the appellant so as to justify the delay in submission of the appeal, such an appeal should not be entertained and returned to the appellant with the remarks that the same is time-barred. A copy of the letter of rejection should be endorsed to the Services Department of the Delhi Administration indicating the reasons for not entertaining the appeal in each case. However, where the appellant has given some reasons to justify the delay in preferring the appeal such appeals should not be withheld by the concerned Head of Office/Department and the appeal should be forwarded to the Services Department for dealing the same as per the provisions of the CCS (CCA) Rules, 1965.

All Secretaries/Head of Departments/Offices are requested kindly to bring the contents of this Office Memorandum to the notice of all concerned for strict observance.