



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 526]	नई दिल्ली, बुधवार, अक्टूबर 17, 2012/आश्विन 25, 1934
No. 526]	NEW DELHI, WEDNESDAY, OCTOBER 17, 2012/ASVINA 25, 1934

शहरी विकास मंत्रालय

अधिसूचना

नई दिल्ली, 17 अक्टूबर, 2012

MINISTRY OF URBAN DEVELOPMENT

NOTIFICATION

New Delhi, the 17th October, 2012

G.S.R. 765(E).— In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Central Engineering Services Group 'A' Recruitment Rules, 1996, the Central Public Works Departmental (Additional Director General) [(Works)-Special], Group 'A' Posts Recruitment Rules, 2003 and the Central Public Works Department (Additional Director General) (Works) Group 'A' Posts Recruitment Rules, 2004, 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 Ministry of Urban Development, Central Engineering (Civil) Group 'A' Service Rules, 2012.

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

2. **Definitions:**- In these rules, unless the context otherwise require.—

- "appointed day" means the date on which these rules comes into force;
- "commission" means the Union Public Service Commission;
- "controlling authority" means the Government of India in the Ministry of Urban Development;
- "departmental promotion committee" means a Committee constituted to consider promotion or confirmation in any grade;
- "duty post" means a post included in Schedule-I

- (f) "Government" means the Government of India;
- (g) "grade" means a grade of the service;
- (h) "regular service" in relation to any grade means the period or periods of service in that grade rendered after selection and appointed thereto under the rules according to the prescribed procedure for regular appointment to that grade and includes any period or periods:-
 - (1) taken into account for the purpose of seniority in case of those appointed under rule 6;
 - (2) during which an officer would have held a duty post in that grade but for being on leave or otherwise not being available for holding such post;
- (i) "Schedule" means a Schedule appended to these rules;
- (j) "Scheduled Castes and Scheduled Tribes" have the same meaning as assigned to them in clauses (24) and (25) respectively of article 366 of the constitution of India, and "Other Backward Classes" have the same meaning and applicability as laid down in Department of Personnel and Training O.M. No. 36012/22/93-Estt (SCT), dated the 8th September, 1993; and
- (k) "Service" means the Central Engineering (Civil) Group 'A' Service constituted under rule 3.

3. Constitution of the Service.— All the duty posts included in the Service as specified in Schedule-I shall constitute the Central Engineering (Civil) Group 'A' Service.

4. Grade, strength and its review.— (1) The duty posts included in the various grades of the service, their numbers and scales of pay, on the date of commencement of these rules, shall be as specified as Schedule-I.

(2) Notwithstanding anything contained in sub-rule (1), the Government may,—

- (a) from time to time, by order make temporary-additions or alterations to the strength of the duty posts in various grades, for such period as may be specified therein.
- (b) in consultation with the Commission, include in the Service such posts as can be deemed to be equivalent in status, pay band and grade pay or pay scale to the posts included in schedule-I or exclude from the service a duty post included in the said schedule;
- (c) in consultation with the Commission, appoint an officer to a duty post included in the Service under clause (b) to the appropriate grade in a temporary capacity or in a substantive capacity, and fix his seniority in the grade after taking into account continuous regular service in the analogous grade.

5. Members of the Service.—(1) The following 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 a member of the Service in the appropriate grade applicable to him under Schedule-1.

(3) A person appointed under clause (b) of sub-rule(1) shall be a member of the Service in the appropriate grade applicable to him under Schedule-I from the date of such appointment.

6. Initial constitution of the service.— (1) All existing officers holding Group 'A' duty posts on regular basis in the Central Engineering Service, Group 'A' on the date of commencement of these rules shall be the members of the Service in the respective grades.

(2) The regular continuous service of officers referred to in sub-rule (1) before the commencement of these rules shall count for the purpose of probation, seniority, qualifying service for promotion, confirmation and pension in the service.

(3) To the extent the controlling authority is not able to fill up the posts in authorised regular strength of various grades in the service in accordance with the provisions of this rule, the same shall be filled in accordance with the provisions of rules 7 and 8.

7. Future maintenance of the service.- The vacant duty posts in any of the grades referred to in Schedule-I, after the initial constitution under rule 6, shall be filled in the following manner, namely: —

(i) all the vacancies in the grade of Assistant Executive Engineer (Civil) shall be filled by direct recruitment on the basis of the results of the Combined Engineering Service Examination conducted by the Commission on the basis of educational qualifications and age limits specified in Schedule-III;

(ii) all the vacancies in the grades of Executive Engineer (Civil) and above shall be filled by promotion from amongst the officers in the lower grade with minimum qualifying service as specified in Schedule-II;

(iii) the selection of officers for promotion to various grades of the service shall be made by the departmental promotion committee as specified in Schedule-IV, by selection except in the case of appointment of Executive Engineer (Civil) to the post of the Executive Engineer (Civil) (Non-functional Second Grade), which shall be by the method of non-selection;

(iv) (a) where juniors who have completed their qualifying or eligibility service are being considered for promotion, their seniors 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 period of probation for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service;

(b) for the purpose of computing minimum qualifying service for promotion, the service rendered on a regular basis by an officer prior to 1st January, 2006 or the date from which the revised pay structure based on the 6th Central Pay Commission recommendations has been extended, shall be deemed to be service rendered in the corresponding grade pay/pay scale extended based on the recommendations of the Commission. For purposes of appointment on deputation/ absorption basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 and the date from which the revised pay structure based on the 6th Central Pay Commission recommendations has been extended, shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale, and where this benefit will extend only for the posts for which that grade pay or pay scale is the normal replacement grade without any upgradation;

(v) (a) whenever any Indian Administrative Service officer of the State or Joint Cadre is posted at the Centre to a particular grade carrying a specific grade pay in pay band 3 or pay band 4 or HAG, the officers belonging to batches of the Service that are senior by two years or more and have not so far been promoted to that particular grade, would be granted the same grade on non-functional basis from the date of posting of the Indian Administrative Service officers in that particular grade at the Centre;

(b) the batch, as referred to in clause (a) above, in respect of the direct recruit officers in the induction grade shall be the year following the year in which the competitive examination was held and in subsequent grades the 'Batch' and eligible service in Group 'A' would remain the same provided the officer is not superseded due to any reason. In case an officer is superseded the officer would be considered along with the 'Batch' with which his seniority is fixed;

(c) officers inducted into the service by promotion from the post of Assistant Engineer (Civil), Group 'B', will also be eligible for the benefit of Non functional upgradation. They shall be assigned the benefit of 'Batch' corresponding to the batch of the 'direct recruit' officers with whom their seniority is clubbed;

(d) grant of Non-functional upgradation referred to in clause (a) above shall be:

(i) in accordance with the guidelines issued by the Central Government from time to time;

(ii) made on the recommendations of the screening committee as specified in Schedule-V.

8. Filling of duty posts by deputation.— Notwithstanding anything contained in rule 7, where the Government is of the opinion that it is necessary or expedient so to do, it may, for the reasons to be recorded in writing and in consultation with the Commission, fill-up duty post in any grade by deputation for a period not exceeding three years, which may in special circumstances be extended upto five years, as the Government may think fit. The qualification, experience and the qualifying service for appointment to any grade of the Service under this rule 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 duty post under rule 6, shall be as obtaining on the date of commencement of these rules:

Provided that if the seniority of any such member had not been specifically determined on the said date, the same shall be determined on the basis of the rules governing fixation of seniority as applicable to the members of the Service prior to the commencement of these rules.

(2) The seniority of persons recruited to the Service, other than those appointed under rule 6, shall be determined in accordance with the general instructions issued by the Government in this behalf from time to time.

(3) In the cases not covered under sub-rule (1) and sub-rule(2) above, the seniority shall be determined by the Government in consultation with the Commission.

10. Probation.— (1) Every officer on appointment to 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 in this behalf from time to time:

Provided further that any decision for extension of a probation period shall be taken within eight weeks after the expiry of initial period of probation and communicated in writing to the concerned officer together with reasons for so doing within the said period.

(2) On completion of the period of probation or any extension thereof, officer shall, if considered fit for permanent appointment, be considered for confirmation in terms of the orders of the Government issued from time to time.

(3) If, during the period of probation or any extension thereof, as the case may be the Government is of the opinion that an officer is not fit for permanent appointment, it 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 examinations or tests (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 behalf from time to time.

11. **Appointment to the service.**— All appointments to the Service shall be made by the controlling authority for all the duty posts in various grades of the Service.

12. **Posting.**— Officers appointed to the Service shall be liable to serve anywhere in India or abroad.

13. **Liability to serve defence services of posts connected with defence.**— Any officer appointed to the Service, if so required, shall be liable to serve in any defence service or post connected with the defence of India, for a period of not less than four years including the period spent on training, if any:

Provided that such officers,—

- (1) shall not be required to serve as aforesaid after the expiry of ten years from the date of appointment to the service or from the date of his joining the Service.
- (2) Shall not ordinarily be required to serve as aforesaid if he has attained the age of forty years.

14. **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 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 persons from the operation for this rule.

15. **Other conditions of the service.**— The conditions of 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 to do so, 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, Ex-Servicemen and other special categories of persons in accordance with the orders issued by the Government from time to time in this regard.

Schedule –I
(see rule 3)

(Name, number and Pay Band and Grade Pay or pay scale of duty posts in various grades of the Central Engineering (Civil) Group 'A' Service)

Sl. No	Name of duty post and grade	No. of posts [*]	Pay Band	Grade Pay (in ₹)
(1)	(2)	(3)	(4)	(5)
1	Special Director General (Civil)	04#	₹ 75500-annual increment @3%- ₹ 80000	-
2	Additional Director General (Civil)	10#	₹ 67000- annual increment @3%- ₹ 79000	-

3	Additional Director General (Civil) Encadred PWD(Delhi)-1	1	₹ 67000- annual increment @3%- ₹ 79000	-
4	Chief Engineer (Civil)	49##	Pay Band-4, ₹ 37400-67000	10000/-
5	Chief Engineer (Civil) (CDO, CSQ(C), Training(C), CSO) and Encadred PWD (Delhi): 06 I.Tax:2, E&F:1, A&N:1)	14	Pay Band-4, ₹ 37400-67000	10000/-
6	Superintending Engineer (Civil) (CPWD : 126, Encadred PWD (Delhi) : 27, I.Tax:12, E&F:1)	166	Pay Band-4, ₹ 37400-67000	8700/-
7	Executive Engineer (Civil) (Non Functional Second Grade) (CPWD : 205, Encadred PWD (Delhi) : 38, I.Tax:23)	266**	Pay Band-3, ₹ 15600-39100	7600/-
8	Executive Engineer (Civil) (CPWD : 279, Encadred PWD (Delhi): 56, I.Tax: 33, E&F : 5, IB:1, L&DO:1)	375	Pay Band-3, ₹ 15600-39100	6600/-
9	Assistant Executive Engineer (Civil) (CPWD : 100)	100	Pay Band-3, ₹ 15600-39100	5400/-

* Subject to variation dependent on workload

** Number of posts in the Non – functional Second Grade shall be limited to 30% of the senior duty post in the cadre (i.e. posts in Pay Bands with Grade Pay of ₹ 6600 and above) and shall not exceed the number of posts sanctioned in the grade of Executive Engineer (Civil)

Note:-

(i) The number of posts indicated column (3) also include posts sanctioned in some departments such as PWD (Delhi), Income Tax, etc., and are encadred in the Central Engineering (Civil) Group 'A' Service

(ii) Posts at Sl. No. 1 and 2 (marked '#') are Cadre posts for Central Engineering (Civil) Group 'A' Service. However for the purpose of posting, these posts, together with one post of Special Director General (Electrical and Mechanical) and three posts of Additional Director General (Electrical and Mechanical) of Central Electrical and Mechanical Engineering Group 'A' Service and one post of Special Director General (Architecture) and one post of Additional Director General (Architecture) of Central Architecture Service shall form a common pool wherein any officer of Central Engineering Service(Civil), Central Electrical and Mechanical Engineering Service and Central Architects Service holding the post of Special Director General or Additional Director General can be posted to any of these posts.

(iii) Posts at Sl. No. 4 (marked '##') are Cadre posts for Central Engineering (Civil) Group 'A' Service. However for the purpose of posting, these posts together with the twelve posts of Chief Engineer (Electrical and Mechanical) of the Central Electrical and Mechanical Engineering Service, shall form a common pool wherein any officer of Central Engineering Service(Civil) and Central Electrical and Mechanical Engineering Service holding the post of Chief Engineer can be posted to any of these posts.

(iv) In Column (2) of the above Table, the phrase 'CPWD' stands for Central Public works Department and 'PWD (Delhi)' stands for Public Works Department (Delhi), 'I. Tax' for Department of Income Tax, 'A&N' for 'Andaman and Nicobar Administration', 'IB' for Intelligence Bureau, 'CDO' for Central Design Organisation, 'CSO' for Consultancy Services Organisation, 'CSQ(C)' for Contracts, Standards and Quality Unit (Civil), 'E&F' for Ministry of Environment and Forests and 'L&DO' for Land and Development Organisation.

SCHEDULE-II**[See rule 7(ii)]**

Method of recruitment, field of promotion and minimum qualifying service in the immediate lower grade for appointment of officers on promotion to duty posts included in the various grades of the Central Engineering (Civil) Group 'A' Service.

S. No.	Name of duty post and grade	Method of recruitment	Field of selection, minimum qualifying service and educational qualification for promotion
(1)	(2)	(3)	(4)
1	Special Director General (Civil)	By promotion	Additional Director General (Civil) in the HAG Scale ₹ 67000-(annual increment @ 3%)- R 79000 with one year regular service in the grade.
2	Additional Director General (Civil)	By promotion	Chief Engineer (Civil) in Pay Band-4 ₹ 37400-67000+ Grade Pay of ₹ 10000/- with three years regular service in the grade OR Officers with 25 years' regular service in Group 'A' posts in the service out of which at least one year regular service should be in the Pay Band-4 ₹ 37400-67000+ Grade Pay of ₹ 10000/-
3	Chief Engineer (Civil)	By promotion	Superintending Engineer (Civil) in Pay Band-4 ₹ 37400-67000+ Grade Pay of ₹ 8700/- with three years' regular service in the grade and have successfully completed two week's course on Higher Management OR Superintending Engineer (Civil) in Pay Band-4 ₹ 37400-67000+ Grade Pay of ₹ 8700/- with seventeen years regular service in Group A posts in the service out of which at least one year of regular service should be in the PB-4 Grade Pay of R 8700/- and have successfully completed two week's course on Higher Management.
4	Superintending Engineer (Civil)	By promotion	Executive Engineer (Civil) in Pay Band-3 ₹ 15600 - 39100 + Grade Pay of ₹ 6600/- with thirteen years of regular service in group A posts in the service out of which at least four years of regular service should be in the grade of Executive Engineer (Civil) including regular service if any rendered in the Non-functional Second Grade in the scale Pay Band-3 ₹ 15600 - 39100 + Grade Pay of ₹ 7600/- and possessing educational qualification as prescribed in Schedule-III for direct recruits and have successfully completed two week's course on Higher Administration and Legal Matters. OR Executive Engineer (Civil) in Pay Band-3 ₹ 15600 - 39100 + Grade Pay of ₹ 6600 with nine years regular service in the grade including regular service if any rendered in the Non-functional Second Grade in the scale Pay Band-3 ₹ 15600 - 39100 + Grade Pay of ₹ 7600/- and possessing educational qualification as prescribed in Schedule-III for direct recruits and have successfully completed two week's course on Higher Administration and Legal Matters.

5	Executive Engineer (Civil) (Non-Functional Second Grade)	By promotion	Executive Engineer (Civil) in Pay Band-3 ₹ 15600 – 39100 + Grade Pay of ₹ 6600/-with five years regular service in the grade.
6	Executive Engineer (Civil)	(i) By promotion (ii) By promotion	<p>(i) 33¹/₃ % from Assistant Executive Engineer (Civil) in Pay Band-3 ₹ 15600-39100 + Grade Pay of ₹ 5400/- with four years regular service in the grade and have successfully completed two week course on Contract Law, e-Governance Building Bye-laws and Building Electrification.</p> <p>(ii) 66²/₃ % from Assistant Engineer (Civil) in Pay Band-2 ₹ 9300-34800+ Grade Pay of ₹ 4600/- with seven years regular service in the grade and possessing Degree in Civil Engineering from a recognised University or Institution or any other equivalent qualification and have successfully completed two week course on Contract Law, e-Governance Building Bye-laws and Building Electrification.</p> <p>Note: The officers in the grade of Assistant Engineer (Civil) on the date of the notification of these rules and possessing Diploma in Engineering shall however, continue to be eligible on completion of nine years regular service for consideration to the post of Executive Engineer (Civil) limited to 33¹/₃% vacancies arising in the grade on annual basis;</p> <p>Provided that the Assistant Engineers (Civil) with seven years regular service, who at the time of recruitment as Junior Engineer (Civil) were possessing Diploma in Engineering but subsequently acquired Degree in Engineering and those Assistant Engineers (Civil) with seven years regular service, who were possessing degree in Engineering at the time of recruitment as Junior Engineer (Civil) shall also be eligible for consideration to the post of the Executive Engineer (Civil), in case a junior Diploma holder Assistant Engineer (Civil) is considered for promotion.</p>
7	Assistant Executive Engineer (Civil)	By direct recruitment through Engineering Services Examination conducted by the Commission	Not applicable.

SCHEDULE-III

[See rule 7(i)]

Minimum education qualification and age limit for direct recruitment to posts in Central Engineering Service (Civil) Group 'A' on the basis of competitive examination to be conducted by the Union Public Service Commission:

(A) A candidate shall possess:-

(i) a degree in Civil Engineering from:

(a) a University incorporated by an Act of the Central or State Legislature in India; or

(b) an educational Institution established by an Act of Parliament or declared to be deemed as University under section 3 of the University Grant Commission Act, 1956; or

(ii) such other equivalent qualification as have been or may be recognised by the Government for the purpose of admission to the said examination; or

(iii) a degree in Civil Engineering from such foreign University or College or Institution and under such conditions as may be recognised by the Government for the purpose from time to time.

NOTE:

(1) In exceptional cases, the Commission may treat a candidate, not possessing any of the above qualifications, as educationally qualified provided that the Commission is satisfied that he has passed examinations conducted by other institutions the standard of which in the opinion of the Commission, justified his admission to the examination.

(2) A candidate who is otherwise qualified by virtue of his having taken a Degree from a foreign University which is not recognised by Government, may also apply to the Commission and may be admitted to the examination at the discretion of the Commission.

(B) A candidate shall have attained the age of 21 years but not have attained the age of 30 years on the 1st day of January of the year in which the examination is held.

SCHEDULE –IV

[See Rule 7 (iii)]

Composition of Group 'A' departmental promotion committee for considering cases of promotion and confirmation in the Central Engineering (Civil) Group 'A' Service.

S.No.	Name of the duty post and Grade	Group A Departmental Promotional Committee (for considering promotion)	Group A Departmental Promotional Committee (for considering confirmation)
1	Special Director General (Civil)	1. Chairman or Member, Union Public Service Commission- Chairman. 2. Secretary, Ministry of Urban Development - Member.	Not applicable

		3. Director General, Central Public Works Department – Member	
2	Additional Director General (Civil)	1. Chairman or Member Union Public Service Commission- Chairman. 2. Secretary or Special Secretary Ministry of Urban Development-Member. 3. Director General, Central Public Works Department - Member	Not applicable
3	Chief Engineer (Civil)	1. Chairman or Member, Union Public Service Commission- Chairman 2. Special Secretary or Additional Secretary, Ministry of Urban Development – Member 3. Director General or Special DG, Central Public Works Department – Member	Not applicable
4	Superintending Engineer (Civil)	1. Chairman or Member, Union Public Service Commission- Chairman 2. Special Director General or Additional Director General Central Public Works Department – Member 3. Additional Secretary or Joint Secretary, Ministry of Urban Development- Member	Not applicable
5	Executive Engineer (Civil) (Non-functional Second Grade)	1. Special Director General or Additional Director General Central Public Works Department – Chairman 2. Joint Secretary, Ministry of Urban Development- Member	Not applicable
6	Executive Engineer (Civil)	(i) From Assistant Executive Engineer (Civil) Group 'A' 1. Special Director General or Additional Director General Central Public Works Department – Chairman 2. Joint Secretary, Ministry of Urban Development- Member (ii) From Assistant Engineer (Civil) Group 'B' 1. Chairman or Member Union Public Service Commission- Chairman. 2. Special Director General or Additional Director General Central Public Works Department – Member 3. Joint Secretary, Ministry of Urban Development- Member	Not applicable
7	Assistant Executive Engineer (Civil)	Not applicable.	1. Additional Director General, Central Public Works Department - Chairman 2. Director or Deputy Secretary,

			Ministry of Urban Development - Member 3.Chief Engineer , Central Public Works Department- Member
--	--	--	--

Note .—The absence of a Member, other than the Chairman or a Member of the Union Public Service Commission shall not invalidate the proceedings of the Departmental Promotion Committee, if more than half the members of the Committee had attended its meetings.

SCHEDULE –V
[See Rule 7 (v)]

Composition of the screening committee for considering the cases of non-functional upgradation.

S.No.	Scale	Screening Committee composition
1	HAG Scale (₹ 67000-79000) SAG Scale (₹ 37400-67000 + Grade Pay 10000)	1. Secretary, Ministry of Urban Development - Chairman. 2. Director General, Central Public Works Department – Member 3. Special Director General, Central Public Works Department- Member
2	JAG Scale (₹ 37400-67000 + Grade Pay 8700) STS(NFSG) Scale (₹ 15600-39100 + Grade Pay 7600) STS Scale (₹ 15600-39100 + Grade Pay 6600)	1. Secretary, Ministry of Urban Development - Chairman. 2. Director General, Central Public Works Department – Member 3. Addl. Director General, Central Public Works Department- Member

[F.No. 28/4/2009-S&D/EW-I]

ANIL KUMAR, Under Secy.

Annexure-III