

No.DOPT-1671777510047
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
CRD(CRD)

(Dated 21 December, 2022)

OFFICE MEMORANDUM

Grant of Non-Functional Selection Grade/Non-Functional Second Grade to the Group 'A' Central Civil Service

The Department of Personnel & Training (DoPT) has issued various instructions on the grant of Non-Functional Selection Grade [JAG-NFSG]/Non-Functional Second Grade [STS-NFSG] vide office memoranda issued from time-to-time. The essence of various instructions issued on the NFSG has been summarized in the following paras for guidance and better understanding:

1. General conditions:

(i) The Non-Functional Selection Grade or Non-Functional Second Grade are applicable only for those Central Group 'A' Services where the element of direct recruitment at the Junior Time Scale (JTS) is not less than 50% or such Service has been declared as "Organised Group 'A' Service".

[Para 1 of the OM No. 22/3/90-CRD dated 16.07.1990]

[Para 1 of the OM No. 22/1/2000-CRD dated 06.06.2000]

(ii)(a) The number of posts in NFSG shall not exceed 30% of the senior duty posts (i.e. all duty posts at the level of Senior Time Scale and above in the cadre) in cases of Organised Group 'A' Services, however, in cases of other Central Group 'A' Services which have not been declared as "Organised Group 'A' Service" but have an element of Direct Recruitment at JTS of not less than 50% of that grade, the number of posts in NFSG shall not exceed 15% of the senior duty posts (i.e. all duty posts at the level of Senior Time Scale and above in the cadre).

[Para 1 of the OM No. 19/1/86-PP dated 14.8.1987]

[Para 3 of the OM No. 22/1/2000-CRD dated 06.06.2000]

(ii)(b) Further, the number of posts in the JAG-NFSG/STS-NFSG shall be limited to the number of posts sanctioned in the Junior Administrative Grade/Senior Time Scale (the basic grade of NFSG) respectively.

[Para 2 of the OM No. 19/1/86-PP dated 14.8.1987]

[Para 1 of the OM No. 22/1/2000-CRD dated 06.06.2000]

(iii)(a) Introduction of such Non-Functional Selection Grade or Non-Functional Second Grade or keeping these grades as 'Functional' grades will be decided by the Cadre Controlling Authorities in consultation with the Department of Personnel & Training based on the functional and organisational requirements. If it is decided to operate it as 'Functional Grade', instructions and conditions as contained in this OM will not be applicable. Hence, the Cadre Controlling Authority has to opt for either a 'Functional Grade' or 'Non-Functional Grade' based on the requirement of

the Organisation. Conversion of 'Functional Grade' into 'Non-Functional Grade' has impact on cadre structure and so can be undertaken only through cadre review.

(iii)(b) Services, where both the 'Functional' and 'Non-Functional' Selection Grade co-exist at the same Level in the Pay Matrix, have to ensure that the total number of posts in the functional grade including NFSG shall not exceed the ceilings prescribed in point (ii)(a) & (ii)(b) above.

[Para 5 of the OM No. 5/12/79-PP-II dated 31.07.1982]

[Para 1 of the OM No. 19/1/86-PP dated 14.8.1987]

[Para 3 of the OM No. 22/1/2000-CRD dated 06.06.2000]

(iv) There shall be no increase in the overall strength of the cadre due to introduction/operation of NFSG.

[Para 1 of the OM No. 22/1/2000-CRD dated 06.06.2000]

(v) Placement of officers in the Non-Functional Selection Grade/Non-Functional Second Grade does not involve higher responsibility. Hence, no specific designation may be assigned to officers subsequent to grant of NFSG unless there is a functional requirement for such designations in any of the existing Acts or financial powers devolved to that post. In such cases, officers holding basic functional post or posts identified with separate nomenclature for NFSG level will be treated at par. Further, encadrement of posts of NFSG level in that Service is permissible only at the base level of Senior Time Scale/Junior Administrative Grade (as the case may be).

(vi) It is likely that in case of introduction of Non-functional Selection Grade/Non-Functional Second Grade for the first time, functional promotions to higher level posts may be possible in some of the Organized Group 'A' Services before completion of the eligibility service prescribed because of the cadre structure of individual services. Members of Services so promoted will continue to remain only in the pay level applicable to the grade he is holding at the time of introduction of NFSG till they become eligible for the higher pay level in terms of eligibility conditions prescribed in the Service Rules/Recruitment Rules. They will, however, be entitled to the benefit of pay fixation under FR 22(1)(a)(i) on promotion. This benefit will not be available again on their placement in the higher scale upon meeting the eligibility conditions for placement in that higher scale.

[Para 4 of the OM No. 22/1/2000-CRD dated 06.06.2000]

[Para 1 of the OM No. 22/1/2000-CRD dated 20.12.2000]

(vii) The inter-se-seniority of officers in the JAG/STS, as the case may be, shall not be changed as result of their appointment to the Non-Functional Selection Grade/Non-Functional Second Grade.

[Para 3 of the OM No. 5/12/79-PP-II dated 31.07.1982]

(viii) Appointment to Non-Functional Selection Grade/Non-Functional Second Grade shall be made subject to suitability in terms of DoP&T O.M. No.28038/1/88-Estt(D) dated 9.10.1989 amended

from time to time viz. O.M. No. 22038/1/88-Estt.(D) dated 01.02.1990, O.M. No. 22038/1/88-Estt.(D) dated 22.11.1990, O.M. No. 22038/1/2002-Estt.(D) dated 08.01.2003 and O.M. No. 22038/1/2015-Estt.(D) dated 25.06.2015.

[Para 1 of the OM No. 22/1/2000-CRD dated 06.06.2000]

(ix) Recommendation regarding appointment to Non-Functional Selection Grade/ Non-Functional Second Grade shall be made by a Committee to be constituted internally. It shall not be necessary to associate a member of UPSC in this Committee. Provision of such Committee may be made in the Service Rules/Recruitment Rules of that Service.

[Para 1 of the OM No. 22/1/2000-CRD dated 06.06.2000]

[Para 3 (f) of the OM No. 22/1/2000-CRD dated 06.06.2000]

(x) As Non-Functional Selection Grade and Non-Functional Second Grade is a segment of JAG and STS respectively and is also 'non-functional' in character, appointment to Non-Functional Selection Grade and Non-Functional Second Grade is not promotion but merely placement in the higher pay-scale.

[Para 2 of the OM No. 22/1/2000-CRD dated 06.06.2000]

2. Non-Functional Selection Grade (Pay Level 13)

[OM No. 22/1/2000-CRD dated 06.06.2000]

Pay level 13 will be operated as Non-Functional Selection Grade in Central Group 'A' Civil Services (except for the Central Group 'A' Engineering Services) and apart from General Conditions mentioned in para-1 above, the following conditions will be applicable:

(a) The officer shall first hold the post in the basic grade of Junior Administrative Grade (JAG) before he/she can be considered for appointment to Non-Functional Selection Grade.

[Para 1 of the OM No. 22/1/2000-CRD dated 06.06.2000]

(b) No member (officer) of the Service shall be eligible for appointment to Non-Functional Selection Grade until he has entered the fourteenth year of service on the 1st January of the year calculated from the year following the year of examination based on which the member was recruited in that Service.

[Para 1 of the OM No. 22/1/2000-CRD dated 06.06.2000]

(i) In case officers have not joined the Service within next year of Examination, he/she shall be considered for NFSG, only upon completion of 13 years of regular Service.

(ii) The Examination and regular service mentioned above are in respect to that particular Service only.

(iii) The officer on leave on 1st January wherein he/she became eligible for NFSG may be given the actual benefit only upon his/her return from leave and joining duty.

(iv) The date mentioned above is the minimum criteria for consideration and subject to other conditions, even the officers on JAG meeting all the criteria but exceeding the ceiling of 30% will not be granted NFSG till a place opens up within ceiling limit and the benefit is to be given only from that date he/she is actually placed in NFSG scale.

(v) NFSG can be introduced retrospectively subject to meeting all other conditions on the subject, as it is mere placement and does not require actual assumption of higher responsibilities.

(c) The officers are to be considered for placement in NFSG based on seniority subject to rejection of unfit.

[Para 3 of the OM No. 5/12/79-PP-II dated 31.07.1982]

(i) Hence, officers who have entered the Service through promotion in accordance with the provisions in Service Rules/Recruitment Rules at the Junior Time Scale of that Service may also be considered for placement in Non-Functional Selection Grade based on the seniority subject to the conditions that such officers have completed 13 years of service calculated from the year in which the officer was promoted to Group 'A' on the date of consideration for NFSG.

(ii) In case of officers directly recruited (or directly promoted from Group 'B') at Senior Time Scale in that Service (under the provisions of SRs/RRs), placement of such officers in NFSG may be considered only after holding of JAG and completion of 9 years of combined regular service in STS and JAG and in case of officers directly recruited (or directly promoted from Group 'B') at Junior Administrative Grade in that Service (under the provisions of SRs/RRs), placement of such officers in NFSG may be considered only after completion of 4 years of regular service in JAG.

3. Non-Functional Second Grade (Level 12):

[OM No. 22/1/2000-CRD dated 06.06.2000]

[OM No. 22/1/2000-CRD dated 20.12.2000]

[OM No. I-11012/3/2010-CRD dated 29.12.2010]

Pay level 12 will be operated as Non-Functional Selection Grade in Central Group 'A' Engineering Services and apart from General Conditions mentioned in para-1 above, the following conditions will be applicable:

(a) The 'functional' grade of Pay level 13 shall be applicable to the posts of Superintending Engineers and equivalent that are variously designated and included in the Organised Group 'A' Engineering Services. Promotion of Personnel in this 'functional' grade will be subject to actual availability of vacancies in the grade and this shall be permitted only on completion of thirteen years of regular service in Group 'A' in that Service and regular service of four years in the grade of Executive Engineer and equivalent including the service rendered in the Non-Functional Second Grade Or nine years of regular service in the grade of Executive Engineer and equivalent, including regular service, if any, rendered in the Non-Functional Second Grade for the Executive Engineer and equivalent in the pay-scale of Level 11 in that Service.

[Para 3 of OM No. I-11012/3/2010-CRD dated 29.12.2010]

(b) Executive Engineer and equivalent (Level-11) may be eligible to be considered for placement in the 'non-functional' grade in Level-12 only on completion of five years of regular service in the pay level of 11 in that Service.

Assistant Executive Engineer and equivalent (Level 10) may be eligible to be considered for promotion to the functional grade of Executive Engineer and equivalent in Level-11 only on completion of four years of regular service in Level-10.

[para 1 of OM No. 22/1/2000-CRD dated 20.12.2000]

(c) The composition of the Department Promotion Committees (including association of the Union Public Service Commission) for appointment of officers to the posts of Superintending Engineers and equivalent in the 'functional' grade of pay Level-13, Executive Engineers and equivalent in the 'functional' grade of pay Level-11 shall be the same as already prescribed in the relevant Service/Recruitment Rules.

[Para 3 (f) of the OM No. 22/1/2000-CRD dated 06.06.2000]

(d) Till such time as the existing regular incumbents of the posts of Executive Engineer and equivalent are appointed to the 'non-functional' grade of pay Level-12 after due observance of the prescribed procedure, they shall be entitled only to the functional scale of pay Level-11. It should also be ensured that they had been promoted functionally to the posts of Executive Engineer and equivalent (in the 'functional' grade of pay Level-11) against vacancies and after observing the prescribed selection procedures and that they have completed the prescribed qualifying service (in the 'functional' grade of pay Level-11) as above before they are placed in the 'non-functional' pay Level-12.

[Para 4 of the OM No. 22/1/2000-CRD dated 06.06.2000]

[Para 1 of the OM No. 22/1/2000-CRD dated 20.12.2000]

[Para 3 of the OM No. I-11012/3/2010-CRD dated 29.12.2010]

4. The conditions stipulated are prospective in nature, and will, as such, be effective from the date of notification of the revised Service/Recruitment Rules in this regard.

5 In case any reference to the relevant OM is required, the same may be accessed by clicking on the hyperlink or from the DoPT's website. List of the OMs mentioned in this document are as under:

- OM No. 5/12/79-PP-II dated 31.07.1982
- OM No. 19/1/86- PP dated 14.8.1987
- OM No.22/3/90-CRD dated 16.07.1990
- OM No. 22/1/2000-CRD dated 06.06.2000
- OM No. 22/1/2000-CRD dated 06.06.2000
- OM No. 22/1/2000-CRD dated 20.12.2000
- OM No. I-11012/3/2010-CRD dated 29.12.2010
