

No. I-21023/29/2007-IPS.III
Government of India
Ministry of Home Affairs

New Delhi,
Dated, the 30th March 2010

OFFICE MEMORANDUM

Subject : **Tenure Policy for IPS officers on Central
deputation**

The Policy instructions on the above subject as contained in the Ministry of Home Affairs OM No.I.21023/21/1997-IPS.III of 6th April 2000 have been reviewed. The following Tenure Policy, in supersession of the above said Tenure Policy, is hereby notified.

2. As provided under Article 312 of the Constitution, the Indian Police Service is an All India Service both for the Union and the States. A certain number of posts in different police and other Organizations/ Departments of the Central Government are filled up by IPS officers allotted to various State cadres. The cardinal principle is that an IPS officer so appointed will be available to serve on central deputation for a stipulated tenure and thereafter return to his / her parent cadre. The movement of officers from the State to the Centre and back is of mutual benefit to the States and the Government of India on the one hand and to the officers concerned on the other.

2.1 Rule 6(1) of the IPS (Cadre) Rules, 1954 provides for deputation of IPS officers to the Central Government or another State Government or to a company association or body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Central Government or by another State Government.

2.2 Deputation to an international organization, an autonomous body not controlled by the Government, or a private body is covered under Rule 6(2)(ii) of the IPS (Cadre) Rules, 1954. Such deputation shall be governed by the guidelines of DOP&T on the subject matter issued from time to time.

2.3 Every State cadre of the IPS provides for a Central deputation quota which in turn requires additional recruitment to be made to the Service to provide for trained and experienced members to serve on posts in the Central Government. Accordingly, utilization of the Central deputation quota of different State cadres is an important factor governing the scale at which officers are borrowed from the various State cadres of the Service. However, no post so filled by a member of IPS on deputation can be deemed to be a cadre post of the parent State. Similarly, no individual member of IPS can claim any right to appointment to a post under the Government of India.

3. Eligibility

The eligibility of officers for holding posts at the level of Superintendent of Police and above in the Central Government is as given below:

Level	Minimum length of service in the IPS for eligibility for Central Deputation	Remarks
SP	7 Years	Officers with a minimum of 5 years service will, however, be eligible for induction in R&AW, IB and NIA.
DIG	14 Years	Officers empanelled in the Centre will be eligible for appointment to posts in the Central Government. However, non-empanelled officers can be considered for postings in Public Sector Undertakings

Level	Minimum length of service in the IPS for eligibility for Central Deputation	Remarks
		except for Security related posts like Adviser (Security), Director (Security), etc.
IG	18 Years	Officers empanelled in the Centre will be eligible for appointment to posts in the Central Government. However, non-empanelled officers can be considered for posting in PSUs except for security related posts like Advisor (Security), Director (Security) etc.
Addl . DG	26 Years	Officers empanelled in the Centre will be eligible for appointment to posts in the Central Government.
DG	30 Years	Officers empanelled in the Centre will be eligible for appointment to posts in the Central Government.

4. Empanelment at various ranks

4.1 The selection of suitable IPS officers for appointments to Central deputation, commonly known as empanelment, is made at the levels of DIG and above in accordance with the guidelines approved by the Competent Authority from time to time. There is no empanelment of officers at the level of Superintendent of Police.

4.2 The empanelment of officers at the level of DIG and IG is assessed by a Board known as Central Police Establishment Board headed by the Home Secretary and having as its members Special Secretary (Internal Security); Director, IB; Director, CBI; DG, BSF and DG, CRPF. Joint Secretary concerned in the Ministry of Home Affairs will act as Secretary to the Board. The recommendations of the Board are submitted for approval of the Home Minister in respect of DIG level and of ACC in respect of IG level officers.

4.3 The empanelment of officers at the level of Additional DG is considered by a Committee comprising of Cabinet Secretary, Home Secretary, Secretary (Personnel), Director, IB and Director, CBI. The recommendations of the Committee are submitted for approval of ACC.

4.4 The empanelment of officers at the level of DG is considered by a Committee comprising of Cabinet Secretary, Principal Secretary to Prime Minister, Home Secretary, Secretary (Personnel) and Director, IB. The recommendations of the Committee are submitted for approval of ACC.

4.5 The cases of officers for DIG and IG level appointments who are considered but not included in the panel in a particular year will be reviewed together after a period of 2 years, i.e. when two more Annual Confidential Reports on the performance have been added to the CR dossier of the officer concerned. Another such review may be conducted after a further period of 2 years. A special review may be made in the case of any officer whose CR undergoes a material change as a result of his representation being accepted against recording of adverse comments on his annual confidential report.

4.6 The cases of Addl. DG and DG level officers will be reviewed after a period of one year, i.e. when one more Annual Confidential Report on the performance has been added to the CR dossier of the officer concerned. Another such review may be conducted after a further period of one year. No special review will be carried out based on changed gradings in ACRs within a year. The empanelment process will be undertaken only once a year.

4.7 Officers who are on deputation under rule 6(2)(ii) will not be considered for empanelment during the currency of their deputation and also till they earn at least two ACRs on return to their cadre.

4.8 An officer who is or was on a foreign assignment for a period of two years or more will be considered for empanelment at the level of DIG / IG only if, on return from such an assignment, he has served for a period of at least two years in his cadre and has earned two annual confidential reports thereon. Similarly, such an officer will be considered for empanelment at the level of ADG/DG only after he has served for a period of at least one year in his cadre and has earned one annual confidential report. If, however, an officer is appointed to a captive post of the Government of India in any UN /multi lateral / bilateral / international organization, he/she shall be considered for empanelment along with the batch concerned even while being on such assignment.

4.9 The batch due for consideration for empanelment in the IG or ADG rank within the next calendar year would be frozen and such officers shall not be considered for appointment on Central deputation.

4.10 The panel of empanelled officers will be considered for appointments to the posts under the Government of India but inclusion in the panel would not confer any right on the officers for such appointments.

5. Admissible Central Deputation Tenure

5.1 The normal deputation tenure at different levels in the Central Government will be as follows: -

Superintendent of Police	:	4 years
Deputy Inspector General	:	5 years
Inspector General	:	5 years
Additional Director General	:	4 years
Director General	:	No fixed tenure

- i) An officer already on deputation in the rank of SP, on his promotion as DIG, would have a combined tenure of 5 years in the ranks of SP and DIG.

- ii) An officer already on deputation in the rank of DIG, on his promotion as IG, would have a combined tenure of 5 years but his tenure will be so extended that he gets a tenure of 3 years in the rank of IG, subject to a maximum tenure of 7 years.
- iii) An officer already on deputation in the rank of IG, on his promotion as Addl. DG, would have a tenure of 3 years from the date of appointment as ADG subject to a minimum of 5 years and maximum of 7 years of combined tenure as IG / ADG.

5.2 The normal tenure of officers working in CPMFs will be extended by a period of 2 years in the case of an officer who has served for a minimum period of 2 years in a “hard area”, as specified in the Annexure, subject to a maximum tenure of 7 years. The list of “hard areas” may be revised by the Ministry with the approval of ACC.

5.3 Officers at the level of IG and above having one year or less for superannuation at the end of their prescribed deputation tenure may not be reverted to their parent cadres and may be given extension of tenure till they superannuate.

5.4 The period spent by officers on deputation to SVP National Police Academy, Hyderabad, the North Eastern Police Academy, Shillong and CPMF posts in “hard areas” will count as one-half for the purpose of computing tenure at the Centre, subject to the condition that such officers serve for at least 3 years in the said organizations / posts. This will also be subject to a maximum tenure of 7 years at the Centre.

5.5 The period of training abroad undergone by officers will not be excluded for the purpose of calculating the tenure at the Centre. In the

cases of officers who have undergone training in India, the entire period of training (provided it is more than six months) will be excluded for the purpose of calculating tenure at the Centre in the following cases:-

- i) Training at the National Defence College, New Delhi.
- ii) Training at the Defence Services Staff College, Wellington.
- iii) Training at the Management Development Institute, Gurgaon for the National Management Programme.
- iv) Training at the Institute of Public Administration, New Delhi for the APPPA Course (only during the first tenure at the Centre).
- v) Training at any of the IIMs in India.

However, with regard to training at any of the IIMs in India, in case a different decision is taken in respect of IAS officers the same would apply to IPS officers also.

5.6 Officers left with balance tenure of less than a year on return from posting abroad or foreign service shall be reverted to their parent cadres.

6. Regulation of tenure in IB

6.1 IPS officers will join the organization generally at Assistant Director or Deputy Director level as per normal tenure of deputation.

6.2 Before expiry of the normal tenure of deputation, a proposal for extension of tenure for a period upto 4 years may be made by Director, IB for approval of the Government.

6.3 On expiry of the first extension, Director, IB may recommend a second extension for a period upto 4 years which will be considered by a committee under the Chairmanship of Home Secretary with Director, IB

and Spl. Secretary (IS) as members. The recommendations of the Committee will be submitted for approval of the Government.

6.4 At any time during the first extension of tenure under paragraph 6.2 or when an officer becomes eligible for promotion to the rank of Deputy Director (DIG) or Joint Director (IG) and has completed four years of service in IB, he/she may be considered for induction into the 'hard core'. The Director, IB shall, having regard to the suitability of the officer and after obtaining the willingness of the officer for induction into the 'hard core', place the name of the officer before a Committee comprising Home Secretary, Secretary (Personnel) and Director, IB. The recommendations of the Committee will be submitted for approval of ACC. Those who are not inducted into the 'hard core' will be reverted after the approved tenure of the officer comes to an end.

Provided that the strength of the 'hard core' officers will not exceed 50 per cent of the posts in the rank of SP and DIG taken together to be filled by IPS officers.

Provided further that the number of officers including the 'hard-core' officers in IB and 'permanently seconded' officers of R&AW shall not exceed 50% of the Central Deputation Reserve (CDR) of a cadre.

6.5 An officer once inducted into the 'hard-core' would continue in IB and would not be repatriated to his/her parent State cadre. However, there may be occasions when the professional utility of a hard-core officer may visibly decline or when, for acute administrative reasons, it may be necessary to repatriate him/her to the State cadre. Such cases shall be examined by a Committee comprising the Home Secretary, Secretary (Personnel) and Director, IB and its recommendations will be submitted for approval of the ACC.

6.6 With a view to keep the 'hard-core' officers of IB updated with the ground conditions in the States, and also the need for strengthening the special branches / intelligence wings in the States, a 'hard-core' officer may, with the concurrence of the State Government, be considered to be deputed to serve in the States (other than home State) for intelligence or security related assignments for a period not exceeding three years. However, officers of DG level (Special Director) would not be allowed to be deputed to serve in the States.

6.7 Promotions in the Intelligence Bureau in various ranks will be in the order of seniority of all empanelled officers (in the respective ranks) working in the IB. Subject to the officer's empanelment, a hard-core officer in the IB will be promoted in the Organization in accordance with his/her seniority and, if necessary, he/she will be given in-situ promotion by temporarily upgrading the post held by him/her. As and when a regular vacancy arises in the higher post, he/she will be appointed to the higher post.

6.8 A hard-core officer can seek repatriation to his/her State cadre, if he/she is not empanelled for the post of Addl. DG/DG at the Centre.

6.9 A hard-core officer may be allowed repatriation to his/her State cadre if he/she is being promoted to the DG level in the home State.

6.10 'Hard-core' officers of the IB would continue to be considered for appointment to security and intelligence related assignments under the Central Government.

6.11 In case an officer moves out of IB for taking up any other security and intelligence related assignment, the period spent by him/her in such

assignment will count towards deputation tenure while calculating the same for grant of extension or for induction into the hard-core.

7. Regulation of tenure in RAW

7.1 IPS officers will join the organization, as per normal tenure of deputation.

7.2 Before expiry of the normal tenure of deputation, the proposal for extension of tenure upto a period of 4 years may be made by Secretary (R) for approval of the Government.

7.3 One year before expiry of the extension, the officer will be considered for induction on "permanent secondment" basis by a Committee comprising of Cabinet Secretary, Home Secretary, Secretary (Personnel), Director, IB and Secretary (R). The recommendations of the Committee will be submitted for the approval of ACC. Those who are not inducted into the "permanent secondment" will be reverted to their parent cadre/State after the extended tenure comes to an end.

Provided that the strength of permanently seconded officers will not exceed 50% of the posts in the rank of US, DS and Director in the deputation quota.

Provided further that the number of officers including 'permanently seconded' officers in R&AW and 'hard-core' officers of IB should not exceed 50% of the Central Deputation Reserve (CDR) of a cadre.

7.4 An officer once inducted in R&AW on permanent secondment basis would continue in that Organization and would not be repatriated to his/her parent State cadre. However, there may be occasions when the professional utility of a permanently seconded officer may visibly decline

or when, for acute administrative reasons, it may be necessary to repatriate him/her to the State. Such cases shall be examined by a Committee comprising Cabinet Secretary, Home Secretary, Secretary (Personnel), Director, IB and Secretary (R) and its recommendations will be submitted for approval of the ACC.

7.5 A permanently seconded officer can seek repatriation to his/her State cadre if he/she is not cleared for promotion to the post of Joint Secretary, Additional Secretary/Special Secretary in R&AW.

7.6 A permanently seconded officer may be allowed repatriation to his/her State cadre if he/she is being promoted to the DG level.

7.7 Permanently seconded officers of the R&AW would continue to be considered for appointment to security and intelligence related assignments under the Central Government.

7.8 In case an officer moves out of R&AW for taking up any other security and intelligence related assignment, the period spent by him/her in such assignment will count towards deputation tenure while calculating the same for grant of extension or for induction on permanent secondment.

8. **Regulation of tenure in NIA**

8.1 IPS officers will join the organization generally at SP or DIG level as per normal tenure of deputation.

8.2 IPS officers who are deputed to the NIA and are found to have special aptitude for work in that organization and whose retention is considered to be in public interest may be allowed a further tenure upto 3 years in addition to the normal tenure subject to a maximum tenure of 7 years.

8.3 Proposals for grant of extension in the tenure to officers appointed to NIA would be considered by a Committee comprising of Home Secretary, Special Secretary (IS) and DG NIA. The Joint Secretary concerned in the Ministry of Home Affairs will act as Convener to the said Committee. The recommendation of the Committee will be submitted for the approval of ACC.

9. Regulation of tenure in CBI

IPS officers who are deputed to the CBI and are found to have special aptitude for work in that organization and whose retention is considered to be in public interest may be allowed a further tenure upto 3 years in addition to the normal tenure subject to a maximum tenure of 7 years. Proposals for grant of extension to such officers would be considered as per the procedure laid down for making appointments in CBI.

10. Utilization of Central Deputation Reserve

Where the number of officers on deputation from a State cadre under Rule 6(1) and Rule 6(2)(ii) taken together falls short of the Central Deputation Reserve (CDR) provided for that cadre, the Central Government may require the Government of that State cadre to offer a certain number of officers, as may be stipulated by the Central Government, for deputation.

11. Lateral Transfer

11.1 Lateral transfer of an officer on Central deputation in a CPO under MHA to another CPO would not be normally allowed except where it becomes necessary on the ground of the officer having been empanelled

to hold higher level posts at the Centre and there being no such post vacant in the same CPO where he has been working. However, under no circumstances more than one lateral transfer will be allowed.

11.2 In the case an officer who, while on Central deputation, is selected and appointed on a UN/ foreign assignment, on his/her return from such assignment would be accommodated at the Centre (including a lateral shift, if necessary) for the balance period of his/her approved tenure. However, the officer would be reverted to his/her parent cadre if the tenure left is less than one year.

11.3 An officer after serving for a minimum tenure of three years in NEPA and SVP NPA may opt for lateral shift to a Central Police Force / Organization for the remaining tenure of his/her Central deputation.

11.4 An officer prior to completion of his/her tenure in a CPO, subject to a minimum tenure of three years in the same CPO, may make a request for posting as CVO in CPSUs or for posts under Central Staffing Scheme in accordance with the guidelines prescribed by Department of Personnel and Training for CVO / CSS appointments.

12. "Cooling off" period

12.1 Once repatriated to the State cadre, an officer would be required to serve for a period of 3 years (called "cooling off" period) in his/her parent cadre before he/she is considered for another deputation to the Centre. In the case of officers belonging to the cadres of J&K and the North East, namely, Assam-Meghalaya, Manipur-Tripura, Nagaland and Sikkim, the "cooling off" period will be 2 years.

12.2 For appointments at the level of Additional DG, the period of "cooling off" will be one year. No such restriction would apply for appointment to posts at the level of DG.

12.3 The "cooling off" period for officers from other cadres who serve in the North Eastern States and J&K after completing a spell of Central deputation will be two years. The services rendered by such officers in the North Eastern States and J&K will count towards 'cooling off'.

12.4 The period of leave taken by the officer from the Central Government on completion of tenure on deputation at the Centre will not be counted towards "cooling off" period. The "cooling off" period will be reckoned from the date the officer reports for duty in his/her State cadre.

13. Repatriation

13.1 Every officer shall revert to his/her State cadre at the end of his/her tenure on the exact date of completing his tenure. He/she will, however, have a choice to revert to his/her cadre on the 31st May previous to the date of completion of his/her tenure on personal grounds, such as children's education etc.

13.2 On completion of approved tenure, the Head of the Organization will be responsible for relieving the officer. No officer will be retained in the Organization beyond the approved tenure. Even in a case where a request has been made for extension of tenure, the officer will get relieved automatically if no approval of the competent authority is received by the stipulated date. However, the officers appointed in CBI would be relieved after following the due procedure as laid down under CVC Act.

14. Premature Repatriation

14.1 Officers on Central deputation may opt to revert to their State cadres if their turn for promotion to a higher rank is reached in the respective State cadre. Such officers will be allowed to revert to their respective State cadres within a period of two months after the option to avail of promotion in the State cadre is received from the officer concerned.

14.2 In a case where an officer wishes to be prematurely repatriated to his/her cadre on personal grounds or when his/her services are required by the State Government, the case will be considered and decided by the competent authority and, if the premature repatriation is approved, the 'cooling off' period will be reckoned not from the date of actual repatriation but from the date on which the officer would have completed his/her normal deputation tenure.

14.3 If an officer is appointed on Central deputation in any Ministry / Department / Organization other than MHA or CPOs directly on the basis of vacancy circulars / advertisements and later on repatriated prematurely by the borrowing Ministry / Department / Organization, with competent approval, for any reason, the officer shall report to his/her State cadre. In case an officer is appointed on Central deputation under Central Staffing Scheme, his case would be governed by DOP&T rules in this regard.

15. Compulsory Waiting

15.1 When an officer is to be appointed to a post different from the one held previously on account of return from training, or abolition of post, etc., he/she shall continue to be borne on the strength of the organization in which he/she previously held the post and his/her pay

and allowances shall be met by that organization, till such time he/she assumes charge of a new post. The services of such officer during the period of his/her compulsory wait can be utilized by the MHA or by the organization concerned with the approval of the MHA for any specific assignment.

15.2 The names of officers on compulsory wait for posting shall be circulated by MHA among CPMFs/CPOs depending on the vacancies available and, in case an officer is not selected against a post within a period of three months, his/her posting to any particular organization will be made by MHA on a mandatory basis.

16. Reversion to Parent/State cadre

16.1 The deputation tenure as prescribed in the preceding paragraphs will not confer any right on an officer to remain on Central deputation. The Central Government reserves the right to revert any officer to his/her State cadre at any time without assigning any reason.

16.2 Officers on reversion from Central deputation may be allowed leave not exceeding two months by the Organization / Department concerned. For further leave, the officer shall apply to his/her State cadre.

17. Debarment

An officer who is approved for appointment to a post under the Central Government will be debarred for a period of 5 years from Central deputation and foreign assignments / consultancies if he/she fails to take up his/her assignment. A State Government may withdraw an officer from the offer list without rendering him/her liable to debarment, provided he/she has not been approved for a placement; if the request for withdrawal is received after the approval, then the officer concerned would be liable to be debarred. In case, an officer is appointed on

Central deputation under Central Staffing Scheme, his case will be governed by DOP&T rules in this regard.

18. Inter-Cadre Deputation and Transfers

Inter-cadre deputation and transfer will be governed by DOP&T guidelines / rules in this regard.

19. Relaxation for officers of North-Eastern region

The officers belonging to North-Eastern cadres like Assam-Meghalaya, Manipur-Tripura, Nagaland and Sikkim will continue to be eligible for the relaxation for officers belonging to these cadres in accordance with the guidelines of the DOP&T on the subject issued from time to time.

20. Power to Relax

Any relaxation or deviation from the policy in respect of cases upto the level of DIG may be granted by the Home Minister. In the case of officers of the level of IG and above, the approval of ACC will be required.

21. Residual Matters

Any issue in doubt or dispute regarding interpretation of these instructions shall be referred to the Ministry of Home Affairs for decision. The decision of the Ministry of Home Affairs shall be final in all such cases.

22. Saving

Any issue not covered under this Policy, shall be governed by the DOP&T Rules / Guidelines issued from time to time.

(DILIP KUMAR KOTIA)
Joint Secretary to the Govt. of India

To

1. The Chief Secretaries of all State Governments
2. The EO & AS, DOP&T, North Block, New Delhi w.r.t. their O.M. No. 6/41/2009-EO(SM.I) dated 18.03.2010.
3. Heads of all CPOs / CPMFs

Copy for information to:-

1. PMO (Shri M.N. Prasad, Secretary), South Block, New Delhi
2. Cabinet Secretariat (Shri M. Sarangi, Addl. Secretary)
3. Cabinet Secretariat (Shri B.K. Dey, Secretary)
4. Cabinet Secretariat (Shri K.C. Verma, Secretary)
5. PS to HM / PS to HS
6. SO (IT), MHA – for placing a copy of the OM in the website of MHA
7. Guard File

ANNEXURE

List showing Hard-posting areas in different Central Police Forces

Sl. No. Name of the Force and Designation of the Post categorized as difficult assignments.

01 **BORDER SECURITY FORCE**

- a) Inspectors General
 - (i) Srinagar
 - (ii) Baramulla
 - (iii) Tripura

- b) Deputy Inspectors General
 - (i) Kupwara
 - (ii) Baramulla
 - (iii) Bandipur
 - (iv) (ISD-I) Srinagar
 - (v) (ISD-II) Srinagar
 - (vi) Srinagar Sector
 - (vii) ISD Budgam
 - (viii) ISD Anantnag
 - (ix) Rajouri
 - (x) ISD Rajouri
 - (xi) ISD Ramban
 - (xii) South Tripura
 - (xiii) North Tripura

02 **CENTRAL RESERVE POLICE FORCE**

- a) Inspectors General
 - (i) (Ops) Jammu & Kashmir
 - (ii) (Ops) Manipur & Nagaland
 - (iii) (NE Sector) Shillong

- b) Deputy Inspectors General
 - (i) Imphal
 - (ii) Kohima
 - (iii) Guwahati
 - (iv) Dimapur
 - (v) Mokokchung
 - (vi) Srinagar
 - (vii) Agartala
 - (viii) Ops Imphal
 - (ix) Ops Srinagar
 - (x) Ops Jammu

Sl. No. Name of the Force and Designation of the Post categorized as difficult assignments.

03 **INDO-TIBETAN BORDER POLICE**

a) Deputy Inspectors General

- (i) Srinagar
- (ii) Dehradun
- (iii) Shimla

04 **CENTRAL INDUSTRIAL SECURITY FORCE**

Deputy Inspectors General at

- (i) Duliajan
 - (ii) Jharia
-