

## **18. THE ALL-INDIA SERVICES (JOINT CADRE) RULES, 1972.**

In exercise of the powers conferred by sub-section (1) of Section 3 of the All India Services Act, 1951(61 of 1951) the Central Government, after consultation with the Governments of the States concerned, hereby makes the following rules, namely:

### **1. Short title, application and commencement.-**

- (i) These rules may be called the All-India Services (Joint Cadre) Rules, 1972.
- (ii) They shall apply to a Joint Cadre constituted for any group of States other than the Joint Cadre of Union Territories.
- (iii) They shall come into force on the date of their publication in the official Gazette.

### **2. Definitions -** In these rules, unless the context otherwise requires,-

- (a) "Joint Cadre Authority" means the Committee of Representatives referred to in rule 4.
- (b) "Constituent States" means the States in respect of which a Joint Cadre is formed.

**3. Application of rules under the All India Services Act to members of All India Services borne on, and posts included in Joint Cadres.** - Subject to the amendments made by rule 6, all rules made under the All-India Services Act, 1951 (61 of 1951) and for the time being, in force, shall apply in relation to the members of the All-India Services borne on the Joint Cadres of these Services and in relation to the posts under the control of the Constituent States.

### **4. Committee of representatives -**

- (1) There shall be a Committee consisting of a representative of each of the Governments of the Constituent States, to be called the Joint Cadre Authority.
- (2) The representatives of the Governments of the Constituent States may either be members of an All-India Service or Ministers in the Council of Ministers of the Constituent States, as may be specified by the Governments of the Constituent States.

### **5. Duties and functions of the Joint Cadre Authority.-**

- (1) The Joint Cadre Authority shall determine the names of the members of the All-India Services, who may be required to serve from time to time in

connection with the affairs of each of the Constituent States and the period or periods for which their services shall be available to that Government.

- (2) Where there is a disagreement on any matter among the members of the Joint Cadre Authority, the matter shall be referred to the Central Government for decision and the Governments of the Constituent States shall give effect to the decision of the Central Government.

#### <sup>1</sup>6. **Amendment of certain rules.-**

- (1) The rules shown in Schedule I to these rules shall be amendment in the manner indicated therein.
- (2) The rules shown in Schedule II to these rules shall, in respect of a Joint Cadre of the Indian Administrative Service in relation to which an agreement has been arrived at under clause (b) (b) of sub-rule (3) of rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954, for the purpose of dividing the vacancies to be filled by promotion of members of the State Civil Service of any of the Constituent State and the vacancies to be filled by selection of officers serving in connection with the affairs of the Constituent State be amended in the manner indicated therein.
- <sup>2</sup> (3) The rules shown in Schedule III to these rules shall, in respect of a Joint Cadre of the Indian Forest Service in relation to which an agreement has been arrived at under sub-rule (3) of rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, for the purpose of dividing the vacancies to be filled by promotion of members of the State Forest Service of any of the constituent States, serving in connection with the affairs of the constituent States, be amended in the manner indicated therein.
- <sup>3</sup>(4) The rules shown in Schedule IV to these rules shall, in respect of a Joint Cadre of the Indian Police Service in relation to which an agreement has been arrived at under sub-rule (5) of rule 9 of the Indian Police Service (Recruitment) Rules, 1954, for the purpose of dividing the vacancies to be filled by promotion of members of the State Police Service of any of the constituent States, be amended in the manner indicated therein.

### <sup>1</sup>**SCHEDULE I**

[See rule 6(1)]

1. *The All India Services (Study Leave) Regulation, 1960-* In sub-regulation (1) or regulation 2, after clause (c), insert:-

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<sup>1</sup> Substituted vide DP&AR Notification No.11/2/72-AIS(I) dated 21.06.1974

<sup>2</sup> Inserted vide DP&AR Notification No.16/11/(7)74-AIS(IV) dated 25.03.1975

<sup>3</sup> Inserted vide DP&AR Notification No.11055/1/75-AIS(I) dated 17.05.1975

“(d) ‘State Government’ means the Joint Cadre Authority in relation to a member of an All India Service borne on a Joint Cadre.”

2. *The All India Services (Death-cum-Retirement Benefits) Rules, 1958.* - (a) In sub-rule (1) of rule 2, for clause (m), substitute:-

“(m) ‘State Government’ means the State Government on whose cadre the member of the Service was borne immediately before retirement or death and in relation to a member of an All-India Service borne on a Joint Cadre, the Joint Cadre Authority.”

(b) In clause (c) of sub-rule (5) of rule 8, for “credited to the Consolidated Fund of the State on whose cadre he is borne” substitute “credited to the Consolidated Funds of the Constituent States, in such proportion as may be prescribed by the Joint Cadre Authority.”

3. *The All India Services (Provident Fund) Rules, 1955.*- In rule 35, insert at the end:-

“*Explanation.*- For the purposes of this rule .Government., in relation to a member of the Service, borne on a Joint Cadre serving in connection with the affairs of a Constituent State, means the Joint Cadre Authority.”

4. *The All India Services (Travelling Allowances) rules, 1954.*-

In rule 4, insert at the end:-

“Provided that in the case of a member of the Service transferred or deputed to serve under a Constituent State, an order under this rule shall be passed by the Joint Cadre Authority.”

5. *The All India Services (Discipline and Appeal) rules, 1969.*..In sub-rule (3) of rule 7 :-

(i) in the proviso, for “Provided that”, substitute “Provided further that”;

(ii) before the proviso, insert:-

“Provided that in relation to the members of the Service borne on a Joint Cadre, the punishing Government shall consult the Joint Cadre Authority.”

6. *The All India Services (Commutation of Pension) Regulations, 1960.*- In sub-regulation (1) of regulation 2, for clause (a), substitute:-

“(a) ‘Government’, in relation to the members of the Service borne on a Joint Cadre, means the ‘Joint Cadre Authority’.”

7. *The All India Services (Confidential Rules) Rules, 1970.*- In rule 2, for clause (h), substitute:-

“(h) ‘State Government’ means the Government of the State on whose cadre the member of the Service borne and in relation to a member of an All India Service borne on a Joint Cadre, the Joint Cadre Authority.”

8. *The Indian Administrative Service (Cadre) Rules, 1954*,- (a) In rule 2, for clause (d) substitute:-

“(d) ‘State Government concerned’, in relation to a Joint Cadre, means the ‘Joint Cadre Authority’”.

(b) After rule 11 insert :-

“11(A). *Authority to exercise certain powers in respect of members of the Service serving in connection with the affairs of the State constituting a Joint Cadre.*-

The powers of the State Government under the second proviso to sub-rule (2) of rule 4, under clause (1) of sub-rule (2) of rule 6 and under rules 7,10 and 11 in relation to the members of Service serving in connection with the affairs of any of the Constituent States shall be exercised by the Government of that State.”

9. *The Indian Administrative Service (Recruitment) rules, 1954*.- In rule 2, for clause (h), substitute:-

“(h) ‘State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority.”

10. *The Indian Administrative service (Appointment by Promotion) Regulations, 1955*.

(a) In clause (k) of sub-regulation (1) of regulation 2, for the existing sub-clause (ii), substitute:-

“(i) in relation to a group of States in respect of which a Joint Cadre of the Service is constituted, the Joint Cadre Authority.”

(b) After sub-regulation (2) of regulation 5, insert:-

“*Explanation.* - The powers of the State Government under the second proviso to this sub-regulation shall be exercised in relation to the members of the State Civil Service of a Constituent State, by the Government of that State.”

11. *The Indian Administrative Service (Appointment by Selection) Regulation, 1956*. - In clause (b) of sub-regulation (1) of regulation 2, for sub-clause (ii), substitute: -

“(ii) in relation to a group of States in respect of which a Joint Cadre of the Service is constituted, the Joint Cadre Authority.”

12. *The Indian Administrative Service (Probation) Rules, 1954*.- In rule 2, for clause (i), substitute:-

“(i) ‘State Government’ means the Government of the State to which a probationer is allotted or deputed for practical training and in relation to a probationer allotted to a Joint Cadre, the Joint Cadre Authority.”

13. *The Indian Administrative Service (Pay) Rules, 1954.*- In rule 2, for clause (f), substitute:-

“(j) ‘State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority.”

(c) After rule 10D, insert:-

“10E. *Authority to exercise powers under rules 6,7 and 9 in relation to a Joint Cadre.* - The powers under rule 6 and 7, in the case of a member of the service borne on a Joint Cadre, shall be exercised by the Joint Cadre Authority. The powers under rule 9 in relation to the members of the Service, and in relation to posts, borne on a Joint Cadre shall be exercised by the Government of the Constituent State concerned.:

14. *The Indian Administrative Service (Regulation of Seniority) Rules, 1954.*- In rule 2, for clause (j), substitute:-

“(j) ‘State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority.”

15. *The Indian Police (Cadre) Rules, 1954.* - (a) In rule 2, for clause (d), substitute:-

“(d) ‘State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority.”

(d) After rule 11, insert: -

“11A. *Authority to exercise certain powers in respect of members of the Service serving in connection with the affairs of the States constituting a Joint Cadre.*- The powers of the State Government under the second proviso to sub-rule (2) of rule 4, under clause (i) of sub-rule (2) of rule 6 and under rules 7,10 and 11, in relation to the members of the Service serving in connection with the affairs of any of the Constituent States shall be exercised by the Government of that State.”

<sup>4</sup>16. *The Indian Police Service (Recruitment) Rules, 1954.*- (a) In rule 2, for clause (f), substitute:-

“(f) ‘State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority;”

(b) in rule 9, after sub-rule (4), insert-

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<sup>4</sup> Amended vide DP&AR Notification No.11055/1/75-AIS(I) dated 17.05.1975

“(5) Where a vacancy occurs in a Joint Cadre is to be filled under the provisions of this rule, the vacancy shall, subject to any agreement in this behalf, be filled by promotion of a member of the State Police Service of any of the States constituting the group;

(c) re-number the existing sub-rule (5) as sub-rule (6) thereof.”

17. *The Indian Police Service (Appointment by Promotion) Regulations, 1955.*- (a) In clause (k) of sub-regulation (I) of regulation 2, for the existing sub-clause (ii), substitute:-

“(ii) in relation to a group of States in respect of which a Joint Cadre of the Service is constituted, the Joint Cadre Authority,”

(b) In sub-regulation (2) of regulation 5, re-number the existing Explanation as Explanation 1, and after Explanation 1, insert:

“*Explanation 2.*- The powers of the State Government under Explanation I shall be exercised in relation to the members of the State Police Service of a Constituent State, by the Government of that State.”

18. *The Indian Police Service (Probation) Rules, 1954.*- In rule 2 for clause (I), substitute:-

“(i) ‘State Government concerned’, in relation to a probationer allotted to a Joint Cadre, means the Joint Cadre Authority.”

19. *The Indian Police Service (Pay) Rules, 1954*

(a) In rule 2, for clause (j), substitute:-

“(j) ‘The State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority.”

(b) After rule 10C, insert:-

“10D. *Authority to exercise powers under rules 6, 7 and 9 in relation to a Joint Cadre.*- The powers under rules 6 and 7, in the case of a member of the Service borne on a Joint Cadre, shall be exercised by the Joint Cadre Authority. The powers under rule 9 in relation to the members of the Service, and in relation to posts, borne on a Joint Cadre shall be exercised by the Government of the Constituent State concerned.”

20. *The Indian Police Service (Regulation of Seniority) Rules, 1954.*- In rule 2 for clause (j), substitute: -

“(j) ‘State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority.”

21. *The Indian Police Service (Uniform) Rules, 1954.*- In rule 2, for clause (a), substitute:-

- “(a) ‘Government’ in relation to a member of the Service means the Government of the State on whose cadre such member is borne and in relation to a member of the Service borne on a Joint Cadre, the Government of the Constituent State under which the member of the Service is for the time being serving.”

22. *The Indian Forest Service (Cadre) Rules, 1956.* (a) In rule 2, for clause (d), substitute:-

- “(d) ‘State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority.”

(b) After rule 11, insert:-

“11A. *Authority to exercise certain powers in respect of members of the Service serving in connection with the affairs of the State constituting a Joint Cadre.*- The powers of the State Government under the second proviso to sub-rule (2) of rule 4, under clause (1) of sub-rule (6) and under rules 7, 10 and 11 in relation to the members of the Service serving in connection with the affairs of any of the Constituent States shall be exercised by the Government of that State.”

23. *The Indian Forest Service (Recruitment) Rules, 1966.* - In rule 2, for clause (h), substitute:-

- “(h) ‘State Government concerned’, in relation to a Joint Cadre, means the Joint Cadre Authority.”

24. *The Indian Forest Service (Appointment by Promotion) Regulations, 1966.*- (a) In clause (f) of sub-regulation (1) of regulation 2, for the existing sub-clause (ii), substitute:-

- “(ii) in relation to a group of States in respect of which a Joint Cadre of the Service is constituted, the Joint Cadre Authority;”

(b) In regulation 3, for sub-regulation (1) substitute: -

“(1) There shall be constituted for each of the Joint Cadres a Committee consisting of the Chairman of the Commission or where the Chairman is unable to attend, any other member of the Commission representing it and the following other members, namely: -

- (i) Chief Secretaries to the Government of the Constituent States,
- (ii) Chief Conservators of Forests of the Constituent States.

(iii) A nominee of the Government of India not below the rank of a Joint Secretary.”

(c) In sub-regulation (1) of regulation 4, renumber the existing Explanation as Explanation 1, and after Explanation 1, insert:

“*Explanation 2.* - The powers of the State Government under this sub-regulation shall be exercised in relation to the members of the State Forest Service of a Constituent State, by the Government of that State.”

25. *The Indian Forest Service (Probation) Rules, 1968.*- In rule 2, after clause (h), insert:-

“(i) ‘State Government’ means the Government of that State to which a probationer is allotted or deputed for practical training and in relation to a probationer allotted to a Joint Cadre, the Joint Cadre Authority.”

26. *The Indian Forest Service (Pay) Rules, 1968.*- (a) In rule 2, for clause (k), substitute:-

(k) ‘State Government concerned’ in relation to a Joint Cadre, means the Joint Cadre Authority.”

(b) After rule 9, insert:-

“9A. *Authority to exercise powers under rules 6, 7 and 9 in relation to a Joint Cadre.*- The powers under rules 6 and 7, in the case of a member of the Service borne on a Joint Cadre, shall be exercised by the Joint Cadre Authority. The powers under rule 9 in relation to the members of the Service, and in relation to posts, borne on a Joint Cadre shall be exercised by the Government of the Constituent State concerned.”

27. *The Indian Forest Service (Regulation of Seniority) Rules, 1968.*- In rule 2, for clause (k), substitute:-

“(k) ‘State Government concerned., in relation to a Joint Cadre means the Joint Cadre Authority.

## <sup>5</sup>SCHEDULE II

[See rule 6(2)]

1. *The Indian Administrative Service (Cadre) Rules, 1954.*

After rule 11, insert:-

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<sup>5</sup> Substituted vide DP&AR Notification No.11/2/72-AIS(I) dated 21.06.1974



“11B. *Authority to exercise certain powers in respect of members of the Service serving in connection with the affairs of the States constituting a Joint Cadre:-*

The powers of the State Government under rule 9, in relation to the members of the Service serving in connection with the affairs of any of the Constituent States shall be exercised by the Government of that State.”

2. The Indian Administrative Service (Appointment by Promotion) Regulations, 1955:-

(a) After sub-regulation (2) of regulation 5 insert:-

“(2A) Notwithstanding anything contained in sub-regulations (1) and (2), the list referred to in sub-regulation (1) shall be prepared separately in respect of each State Civil Service. The number of members of the State Civil Service included in each such part of the list shall not be more than twice the number of substantive vacancies anticipated in the course of the period of twelve months commencing from the date of the preparation of the list, in the posts available for them under rule 9 of the Recruitment Rules, or 10 per cent of the senior posts shown against item 1 of the Cadre in the Schedule to the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955 (hereinafter referred to as the Cadre Schedule) under the Government of Constituent State concerned and the senior posts shown against item 2 of the Cadre Schedule notionally reckoned against that State, whichever is greater.

*Explanation.* - The number of senior posts shown against item 2 of the Cadre Schedule of the Joint Cadre divided in the proportion of the number of posts under the Government of each of the Constituent States shown against item 1 of the Cadre Schedule shall be notionally reckoned against each of the Constituent States for the purpose of this sub-regulation.”

(b) In regulation 8, insert at the end:-

“*Explanation.*- Where a Select List is prepared in the case of Joint Cadre under sub-regulation (2A) of regulation 5, the appointment of a member of the State Civil Service whose name appears in the Select List shall be made only to a post under the Government of the Constituent State controlling the State Civil Service to which the member belongs and in making such appointment, the Constituent State concerned shall follow the order in which the names appear in that part of the Select List.

Provided that where administrative exigencies so require, a member of the State Civil Service who is not next in order in that part of the Select List may, subject to the provisions of rule 9 of the Cadre Rules, be appointed to a Cadre post if the State Government is satisfied –

(i) that the vacancy is not likely to last for more than three months; or

(ii) that there is no suitable Cadre officer available for filling the vacancy.

(c) In regulation 9, after sub-regulation (1) insert:-

“Provided that the appointment of members of the State Civil Service shall be made in accordance with the agreement arrived at under clause (b) of sub-rule (3) of rule 8 of the Recruitment Rules in the order in which the names of the members of the State Civil Service occur in the relevant part of the Select List for the time being in force.”

3. *The Indian Administrative Service (Regulation of Seniority) Rules, 1954:-*

(a) In rule 3, in sub-rule (3), in clause (b), at the end of Explanation 4 to the proviso insert:-

“Provided also that the certificate shall be given by the Government of the Constituent State and the number of officers in respect of whom the certificate is given shall not exceed one half of the maximum permissible strength of the relevant part of the Select List under sub-regulation (2A) of regulation 5 of the Indian Administrative Service (Appointment by Promotion) Regulations, 1955 and for every senior Select List officer appointed to a non-cadre post in respect of which a certificate is given there should be one junior Select List officer whose name appears in the same part of the Select List officiating in a senior post under rule 9 of the Indian Administrative Service (Cadre) Rules, 1954.”

(c) In rule 4, in sub-rule (4), in clause (i) at the end of sub-clause (c) of the proviso insert:-

“or where their names appear in different parts of the Select List for a Joint Cadre, in the order of their date of birth.”

### **<sup>6</sup>SCHEDULE III**

[See rule 6(3)]

1. *The Indian Forest Service (Cadre) Rules, 1966.* After Rule 11, the following rule shall be inserted, namely:-

11. *‘Authority to exercise certain powers in respect of members of the Service serving in connection with the affairs of the States constituting a Joint Cadre. -*

The powers of the State Government under rule 9, in relation to the members of the Service serving in connection with the affairs of any of the constituent states shall be exercised by the Government of that State.”

2. *The Indian Forest Service (Appointment by Promotion) Regulations, 1966.-*

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<sup>6</sup> Inserted vide DP&AR Notification No.16/11/74-AIS-IV dated 25.03.1975

- (a) After sub-regulation (2) of regulation 5, the following sub-regulation shall be inserted, namely:-

(2A) Notwithstanding anything contained in sub-regulations (1) and (2), the list referred to in sub-regulation (1) shall be prepared separately in respect of each State Forest Service. The number of members of the State Forest Service included in each such part of the list shall not be more than twice the number of substantive vacancies anticipated in the course of the period of twelve months, commencing from the date of the preparation of the list, in the posts available for them, under rule 9 of the Recruitment Rules, or 10 per cent of the senior posts shown against item 1 of the Cadre in the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966 (hereinafter referred to as the Cadre Schedule) under the Government of Constituent State concerned and the senior posts shown against the item 2 of the Cadre Schedule notionally reckoned against that State, whichever is greater.

*“Explanation.-* The number of senior posts shown against item 2 of the Cadre Schedule of the Joint Cadre divided in the proportion of the number of posts under the Government of each of the Constituent States shown against item 1 of the Cadre Schedule shall be notionally reckoned against each of the Constituent States for the purpose of this sub-regulation.”

- (b) In regulation 8, the following Explanation shall be added at the end, namely:-

*“Explanation:-* Where a Select List is prepared in the case of Joint Cadre under sub-regulation (2A) of regulation 5, the appointment of a member of the State Forest Service whose name appears in the Select List shall be made only to a post under the Government of the Constituent State controlling the State Forest Service to which the member belongs and in making such appointment, the Constituent State concerned shall follow the order in which the names appear in that part of the Select List:

Provided that where administrative exigencies so require, a member of the State Forest Service who is not next in order in that part of the Select List may, subject to the provisions of rule 9 of the Cadre Rules, be appointed to a Cadre post if the State Government is satisfied –

- (i) that the vacancy is not likely to last for more than three months; or
- (ii) that there is no suitable Cadre Officer available for filling the vacancy.”

- (c) After sub-regulation (1) of regulation 9, the following proviso shall be added, namely:-

“Provided that the appointment of members of the State Forest Service shall be made in accordance with the agreement arrived at under clause (b) of sub-rule (3) of rule 8 of the Recruitment Rules in the order in which the names of the members of the

State Forest Service occur in the relevant part of the Select List for the time being in force.”

3. *The Indian Forest Service (Regulation of Seniority) Rules, 1968:-*

- (a) At the end of Explanation 4 of the proviso, in clause (c) of sub-rule (2) of rule 3, the following proviso shall be added, namely:-

“Provided also that the certificate shall be given by the Government of the Constituent State and the number of officers in respect of whom the certificate is given shall not exceed one half of the maximum permissible strength of the relevant part of the Select List under sub-regulation (2A) of regulation 5 of the Indian Forest Service (Appointment by Promotion) Regulations, 1966 and for every senior Select List Officer appointed to a non-cadre post in respect of which a certificate is given there should be one junior Select List Officer whose name appears in the same part of the Select List officiating in a senior post under rule 9 of the Indian Forest Service (Cadre) Rules, 1966.”

- (b) At the end of clause (c) of the proviso in sub-rule (4), of rule 4, the following shall be added, namely:-

“Or, where their names appear in different parts of the Select List for a Joint Cadre, in the order of their dates of birth.”

**<sup>7</sup>SCHEDULE IV**

[See rule 6 (4)]

*The Indian Police Service (Cadre) Rules, 1954.*

After rule 11 A insert: -

“11.B *Authority to exercise certain powers in respect of members of the Service serving in connection with the affairs of the States constituting a Joint Cadre.-*

The powers of the State Government under rule 9, in relation to the members of the Service serving in connection with the affairs of any of the Constituent States shall be exercised by the Government of that State.”

2. *The Indian Police Service (Appointment by Promotion) Regulations, 1955:-*

- (a) After sub-regulation (2) of regulation 5, insert: -

(2A) Notwithstanding anything contained in sub-regulations (1) and (2), the list referred to in sub-regulation (1) shall be prepared separately in respect of each State Police Service. The number of members of the State Police Service included in each such part of the list shall not be more than twice the number of substantive vacancies anticipated in the course of the period of twelve

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<sup>7</sup> Inserted vide DP AR Notification No.11.55/1/75-AIS(I) dated 17.05.1975 (No.13/4/71-AIS(I) dated 11.01.1972)

months, commencing from the date of the preparation of the list, in the posts available for them, under rule 9 of the Recruitment Rules or 10 per cent of the senior posts shown against item 1 of the Cadre in the Schedule to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955 (hereinafter referred to as the Cadre Schedule) under the Government of Constituent State concerned and the senior posts shown against item 2 of the Cadre Schedule notionally reckoned against that State whichever is greater.

*“Explanation.* - The number of senior posts shown against item 2 of the Cadre Schedule of the Joint Cadre divided in the proportion of the number of posts under the Government of each of the Constituent States shown against item 1 of the Cadre Schedule shall be notionally reckoned against each of the Constituent States for the purpose of this sub-regulation.”

(b) In regulation 8, insert at the end: -

*“Explanation.* - Where a Select List is prepared in the case of Joint Cadre under sub-regulation (2A) of regulation 5, the appointment of a member of the State Police Service whose name appears in the Select List shall be made only to a post under the Government of the Constituent State controlling the State Police Service to which the member belongs and in making such appointment, the Constituent State concerned shall follow the order in which the names appear in that part of the Select List.”

Provided that where administrative exigencies so require, a member of the State Police Service who is not next in order in that part of the Select List may, subject to the provisions of rule 9 of the Cadre Rules, be appointed to a Cadre post if the State Government is satisfied –

- (i) that the vacancy is not likely to last for more than three months; or
  - (ii) that there is no suitable Cadre Officer available for filling the vacancy.
- (c) In regulation 9, after sub-regulation (1) insert: -

“Provided that the appointment of members of the State Police Service shall be made in accordance with the agreement arrived at under sub-rule (5) of rule 9 of the Recruitment Rules in the order in which the names of the members of the State Police Service occur in the relevant part of the Select List for the time being in force.”

### 3. *The Indian Police Service (Regulation of Seniority) Rules, 1954: -*

- (a) In rule 3, in sub-rule (3), in clause (b), at the end of explanation 4 to the Proviso insert: -

“Provided also that the certificate shall be given by the Government of the Constituent State and the number of officers in respect of whom the certificate is given shall not exceed one half of the maximum permissible strength of the relevant part of the

Select List under sub-regulation (2A) of regulation 5 of the Indian Police Service (Appointment by Promotion) Regulations, 1955 and for every senior Select List Officer appointed to a non-cadre post in respect of whom a certificate is given there should be one junior Select List Officer whose name appears in the same part of the Select List officiating in a senior post under rule 9 of the Indian Police Service (Cadre) Rules, 1954.”

- (b) In Rule 4, in sub-rule (4), at the end of sub-clause (c) of the proviso, insert: -

”or where their names appear in different parts of the Select List for a Joint Cadre, in the order of their dates of birth.”