

## **THE INDIAN POLICE SERVICE (REGULATION OF SENIORITY) RULES, 1988**

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

**1. Short title and commencement: -**

- (1) These rules may be called the Indian Police Service (Regulation of Seniority) Rules, 1988.
- (2) They shall come into force on the date of their publication in the Official Gazette. i.e. 27<sup>th</sup> July, 1988.

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

- (a) 'Cadre' means the Indian Police Service Cadre constituted in accordance with rule 3 of the Cadre Rules;
- (b) 'Cadre Rules' means the Indian Police Service (Cadre) Rules, 1954;
- (c) (Omitted)#
- (d) 'Commission' means the Union Public Service Commission;
- (e) 'Competitive examination' means the examination referred to in rule 7 of the Recruitment Rules;
- (f) 'direct recruit officer' means an officer appointed to the service through a competitive examination in accordance with rule 7 of the Recruitment Rules;
- (g) 'gradation list' means the gradation list prepared under rule 5 of these rules;
- (h) 'officer' means a member of the Service;
- (i) 'Promotee officer' means an officer appointed to the service in accordance with the provisions of the Indian Police Service (Appointment by Promotion) Regulations, 1955;
- (j) 'Recruitment Rules' means the Indian Police Service (Recruitment) Rules, 1954;
- (k) 'Select List' means the Select List prepared in accordance with the Indian Police Service (Appointment by Promotion) Regulations, 1955;
- (l) 'Service' means the Indian Police Service;
- (m) 'State Cadre' and 'Joint Cadre' have the meanings respectively assigned to them in the Cadre Rules;
- (n) 'State Government concerned' in relation to a Joint Cadre, means the Joint Cadre Authority.

**3. Assignment of year of allotment. –**

- (1) Every officer shall be assigned a year of allotment in accordance with the provisions hereinafter contained in these rules.
- (2) The year of allotment of an officer in Service at the commencement of these rules shall be the same as has been assigned to him or may be assigned to him by the Central Government in accordance with the rules, orders and instructions in force immediately before the commencement of these rules.
- (3) The year of allotment of an officer appointed to the service after the commencement of these rules shall be as follows: -
  - (i) the year of allotment of a direct recruit officer shall be the year following the year in which the competitive examination was held:
  - \* (ii) The year of allotment of a promotee officer shall be determined with reference to the "**Year for which**" ## the meeting of the Committee to make selection, to prepare the Select List on the basis of which he was appointed to the Service, was held and with regard to the continuous service rendered by him in the State Police Service not below the rank of a Deputy Superintendent of Police or equivalent, upto the 31<sup>st</sup> day of December of the year immediately before the "**Year for which**"## the meeting of the Committee to make selection was held to prepare the select list on the basis of which he was appointed to the Service, in the following manner: -
    - (a) for the service rendered by him upto twenty one years, he shall be given a weightage of one year for every completed three years of service, subject to a minimum of four years:
    - (b) He shall also be given a weightage of one year for every completed two years of service beyond the period of twenty one years, referred to in sub-clause (a), subject to a maximum of three years.

**Explanation:** For the purpose of calculation of weightage under this clause, fractions, if any, are to be ignored.

Provided that he shall not be assigned a year of allotment earlier than the year of allotment assigned to an officer senior to him in that select list or appointed to the service on the basis of an earlier select list.

- 4. Inter-se Seniority of the Officers. –** The inter-se Seniority of the officers who are assigned the same year of allotment shall be in the following order and in each category the inter-se seniority shall be determined in the following manner:

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- (i) direct recruit officers shall be ranked inter-se in the order of merit as determined in accordance with rule 10 of the Indian Police Service (Probation) Rules, 1954;
- (ii) Promotee officers shall be ranked inter-se in the order ***“in which their names are arranged by the commission for the purpose of appointment to the Service by promotion”.*** \$\$

**\*\*4A. Seniority of officers appointed to the Service at the initial constitution of the cadre of Nagaland.**

Notwithstanding anything contained in these rules in relation to the State of Nagaland the year of allotment and the seniority of officers appointed to the service at the time of the initial constitution of the State Cadre shall be determined by the Central Government in the following manner, namely: -

The year of allotment and seniority shall be determined ad-hoc, in consultation with the Union Public Service Commission and the State Government, after taking into account the length of Service and the responsibilities of posts held by the officer as reflected in pay or nature of duties, or in both:

(The proviso shall be omitted.)#\$

**5. Gradation List: -**

There shall be prepared every year for each State Cadre and Joint Cadre a gradation List consisting of the names of all officers borne on that Cadre arranged in order of seniority.

**6. Fixation of the seniority of officers transferred to another Cadre: -**

- (1) If a direct recruit officer is transferred from one cadre to another in public interest, his year of allotment shall remain unchanged and his inter-se position among the direct recruits having the same year of allotment in the cadre to which he is transferred shall remain the same as determined in accordance with rule 10 of the Indian Police Service (Probation) Rules, 1954.
- (2) If a promotee officer is transferred from one cadre to another in public interest, his year of allotment shall remain unchanged and he shall be ranked inter-se with promotee officers having the same year of allotment in the cadre to which he is transferred with reference to the date on the basis of which he was assigned the year of allotment under these rules.
- (3) If an officer is transferred from one cadre to another at his request, he shall be assigned a position in the gradation list of the cadre to which he is transferred below all the officers of his category borne on that cadre who have the same year of allotment.

Provided that in the case of a direct recruit officer transferred from one cadre to another at his request, his seniority in the list prepared under

rule 10 of the Indian Police Service (Probation) Rules, 1954 shall remain unaffected for the purpose of the said list.

**7. Interpretation: -**

If any question arises as to the interpretation of these rules it shall be referred to the Central Government for decision.

**8. Repeal and Saving: -**

- (1) The Indian Police Service (Regulation of Seniority) Rules, 1954 and all other rules corresponding to the said rules in force immediately before the commencement of these rules are hereby repealed.
- (2) The Seniority of the officers appointed to the Service prior to the coming into force of these rules shall be determined in accordance with the Indian Police Service (Regulation of Seniority) Rules, 1954 in force on the date of their appointment to the Service.

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

(Substituted vide DOP&T Notification No. 14014/40/88 AIS (I) dt. 27-7-88)

\*Substituted vide D P&T Notification No. 14015/54/96-AIS (I) B dated 31.12.1997.

\*\* Inserted vide DP&T Notification No. 14014/16/86-AIS (I) dated 27-1-89.

# In rule 2, clause (c) shall be omitted vide DOP&T's Notification No. 14014/14/2000-AIS(I) dated 30<sup>th</sup> August, 2005

## (In rule 3, in sub rule(3), in clause (ii), for the word "**year in which**", wherever they occur, the words "**Year for which**" shall be substituted:) amended vide DOP&T's Notification No. No. 14014/14/2000-AIS(I) dated 30<sup>th</sup> August, 2005

\$\$ (In rule 4, in clause (ii), for the words "**of their dates of appointment to the service**", the words "**in which their names are arranged by the commission for the purpose of appointment to the Service by promotion**" shall be substituted.) amended vide DOP&T's Notification No. No. 14014/14/2000-AIS(I) dated 30<sup>th</sup> August, 2005

#\$ the proviso has been omitted vide DOP&T's Notification No. No. 14014/14/2000-AIS(I) dated 30<sup>th</sup> August, 2005

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