

3.¹THE INDIAN POLICE SERVICE (RECRUITMENT) RULES, 1954

In exercise of the powers conferred by sub-section (4) 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. -These rules may be called the Indian Police Service (Recruitment) Rules, 1954

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

2(a) 'Commission' means the Union Public Service Commission:

2²(aa) 'direct recruit' means a person appointed to the Service after recruitment under clause (a) of sub-rule (1) of rule 4;

2(b) 'Joint Cadre' and 'State Cadre' have the meanings respectively assigned to them in the Indian Police Service (Cadre) rules, 1954;

2(c) 'member of the Indian Police' means a person who, having been appointed to the police service under the Crown in India, known as the Indian Police, continues on and after the commencement of these rules, to serve under the Government of India, or a State;

2(d) 'Service' means the Indian Police Service.

2(e) 'State' means ³[a state specified in the First Schedule to the Constitution and includes a Union Territory].⁴

2(f) 'State' Government concerned', in relation to a Joint Cadre, means the Joint Cadre Authority.

2(g) 'State Police Service means,-

2(g)(i) for the purpose of filling up the vacancies in the Indian Police Service Cadre for the Arunachal Pradesh-Goa-Mizoram-Union Territories under rule 9, any of the following services, namely:-

(a) the Delhi and Andaman and Nicobar Islands Police, Service;

(b) the Goa Police Service;

(c) the Pondicherry Police Service;

(d) the Mizoram Police Service;

¹ The principal rules were published vide notification No. 3/4/54-AIS(II) dated 08.09.1954

² Introduced w.e.f. 24.09.1966, vide MHA Notification No. 23/46/63-AIS(III)-B, dated 13.09.1966.

³ Substituted with effect from 01.01.1956, vide MHA Notification No. 13/21/56-AIS(III), dated 28.02.1958 and further amended with effect from 04.09.1958 vide MHA notification No.5/2/58-AIS(III) dated 08.07.1959.

⁴ Omitted vide DP &AR Notification No. 11/1/72-AIS(I)-B, dated 16.03.1973.

- (e) the Arunachal Pradesh Police Service;
- (f) ⁴the Jammu and Kashmir Police Service.

2(g)(ii) in all other cases, the principal police service of a State, a member of which normally holds charge of a sub-division of a district for purposes of police administration and includes any other duly constituted police service functioning in a State which is declared by the State Government to be equivalent thereto;

53. Constitution of the Service.- 3(1) The Service shall consist of the persons recruited to the service in accordance with the provisions of these rules."

(2) [Deleted]⁶

4. Method of recruitment to the Service.- 4(1) Recruitment to the Service, after the commencement of these rules, shall be by the following methods, namely:-

- 4(1)(a)⁷ by a competitive examination;
- 4(1)(aa) ⁸[Deleted]
- 4(1)(b) by promotion of substantive⁹ members of a State Police Service.
- 4(2)¹⁰ Subject to the provisions of these rules,
 - (a) the method or methods of recruitment to be adopted for the purpose of filling up any particular vacancy or vacancies as may be required to be filled during any particular period of recruitment, shall be determined by the Central Government in consultation with the Commission and the State Government concerned;
 - (b) the number of persons to be recruited by each method shall be determined on each occasion by the Central Government in consultation with the State Government concerned."

4(3)¹¹ (Omitted) 11^A

4(4) ¹²Notwithstanding anything hereinafter contained in this rule, in relation to the [Union Territories and the North East Frontier Agency] recruitment to the Joint Cadre on its initial Constitution shall be made by such method, as the Central Government may, after consultation with the Commission, prescribe.

⁴ Inserted vide DOPT Notification No.14015/40/2021-AIS(I)(8)

⁵ Substituted vide DP & T Notification No.14015/51/96-AIS(I)-B, dated 31.12.1997

⁶ Sub-rule (2) Omitted vide DP & AR Notification No. 31/7/72-AIS(I)B, dated 22.05.1973.

⁷ Added vide MHA Notification No. 13/10/57-AIS(III)-B, dated 29.07.1958

⁸ Substituted w.e.f. 29.01.1966 vide MHA Not. No. 1/2/67-AIS-I-B, dated 11.03.1968, DP & AR Notification No. 1/6/72-AIS I-B, dated 09.05.1973 and Omitted vide DP&T Not. No. 14015/51/96-AIS-IB dated 31.12.1997.

⁹ Added vide MHA Notification No. 13/10/57-AIS(III)-B, dated 29.07.1958

¹⁰ Substituted vide DP & T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

¹¹ Introduced with effect from 04.09.1958 vide MHA Notification No. 5/25/58-AIS(III)-2, dated 08.07.1959

^{11A} Ommited vide DOPT Notification No.14015/40/2021-AIS(I)(8)

¹² Introduced vide MHA Notification No. 3/5/59-AIS(II), dated 25.07.1960

4(5) ¹³[Deleted]

4(6) ¹⁴[Deleted]

5. Disqualifications for appointment.- 5(1) No person shall be qualified for appointment to the Service unless he is a citizen of India¹⁵, or ¹⁶belong to such categories of persons as may, from time to time, be notified in this behalf by the Central Government.

¹⁷[Deleted]

5(2)¹⁸ No person-

5(2)(a) who has entered into or contracted a marriage with a person having a spouse living, or

5(2)(b) who having a spouse living, has entered into or 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 there are other grounds for so doing, exempt any person from the operation of this sub-rule.";

6. ¹⁹Appointment to the Service:- 6(1) All appointments to the Service after the commencement of these rules shall be made by the Central Government and no such appointment shall be made except after recruitment by one of the methods specified in rule 4.

6(2) The initial appointments of persons recruited to the Service under clause (a) []²⁰ of sub-rule (1) of rule 4 shall be in the junior time-scale of pay.

6(3)²¹ The initial appointments of persons recruited to the Service under clause (b) and (c) of sub-rule (1) of rule 4 shall be in the ²²[senior scale of pay]."

6A. ²³Appointment of direct recruits and officers recruited by selection from among released Emergency Commissioned Officers and Short Service

¹³ Inserted vide DP & AR Notification No. 11027/1/79-AIS(I), dated 13.09.1979 and omitted vide DP&T Notification No. 14015/51/96-AIS-IB dated 31.12.1997

¹⁴ Omitted vide DP&T Notification No. 14015/51/96-AIS-I-B dated 31.12.1997

¹⁵ The words not ordinarily residing in the State of Jammu and Kashmir were deleted vide MHA Notification No. 17/4/56-AIS(II), dated 14.05.1956.

¹⁶ Inserted/Omitted w.e.f. 6-4-1966 vide MHA Notification No.1/1/66-AIS(I), dated 12.08.1968

¹⁷ Introduced w.e.f. 01.07.1957, vide MHA Notification No.13/40/57-AIS(III)-A dated 27.12.1957 and omitted vide DP&T Notification No. 14015/51/96-AIS(I)-B, dated 31.12.1997

¹⁸ Substituted/Omitted vide DP & T Notification No. 1/1/71-AISI-B, dated 06.03.1971.

¹⁹ Omitted vide DP & T Notification No. 1/5/72-AISI-B dated 11.10.1972

²⁰ Omitted vide DP & T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

²¹ Substituted vide DP & T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

²² Substituted vide DP&T Notification No.14015/25/92-AIS(I)-B dated 06.05.1994.

Commissioned Officers to posts in the senior time-scale of pay- 6(A)(1) Appointments of officers recruited to the Service under clause (a) or clause (aa) of sub-rule (1) of rule 4 to posts in the senior time scale of pay shall be made by the State Government concerned.

6A(2) An officer referred to in sub-rule (1), shall be appointed to a post in the Senior time-scale of pay if, having regard to his length of service and experience, the State Government is satisfied that he is suitable for appointment to a post in the senior time-scale of pay:

Provided²⁴ that, if he is under suspension or disciplinary proceedings are instituted against him, he shall not be appointed to a post in the senior time-scale of pay, until he is reinstated in the Service, or the disciplinary proceedings are concluded and final orders are passed thereon, as the case may be:

Provided further that on the conclusions of the disciplinary proceedings,

6(A)(2)(a) if he is exonerated fully and the period of suspension, if any, is treated as duty for all purposes, he shall be appointed to the senior time-scale of pay from the date on which he would have been so appointed, had the disciplinary proceedings not been instituted against him, and paid accordingly; and

6A(2)(b) if he is not exonerated fully, and if the State Government, after considering his case on merits, proposes not to appoint him to the senior time-scale of pay from the date on which he would have been so appointed had the disciplinary proceedings not been instituted against him, he shall be given an opportunity to show cause against such action.

6A(3) Notwithstanding anything contained in sub-rule (2), the State Government may-

6A(3)(a) withhold the appointment of an officer, referred to in sub-rule (1), to a post in the senior time-scale of pay, -

- (i) till he is confirmed in the Service or
- (ii) till he passes the prescribed departmental examination or examinations, and appoint, to such a post an officer junior to him;

6A(3)(b) appoint an officer, referred to in sub-rule (1), at any time to a post in the senior time scale of pay as a purely temporary or local arrangement.

7. **Recruitment by competitive examination** - 7(1) A competitive examination for recruitment to the Service shall be held at such intervals as the Central Government may in consultation with the Commission, from time to time determine.

7(2) The examination shall be conducted by the Commission in accordance with such regulations as the Central Government may from time to time make in consultation with the Commission and the State Governments.

²³ Substituted vide DP & AR Notification No. 12/2/69- AIS II-B dated 13.04.1971

²⁴ Inserted vide DP & AR Notification No. 11027/1/5-AIS I dated 29.06.1976

7(3)²⁵ Appointments to the Service shall be subject to order regarding special representation in the Service for ²⁶[the Scheduled Castes, Scheduled Tribes and Other Backward Classes] issued by the Central Government from time to time in consultation with the State Governments."

7(4)²⁷ [Deleted]

7(5) Candidates belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes²⁸ declared by the Commission to be suitable for appointment to the Service with due regard to the maintenance of efficiency of administration may be appointed to the vacancies reserved for the candidates of Scheduled Castes, Scheduled Tribes²⁹ or Other Backward Classes, as the case may be, under sub-rule (4).

³⁰Provided that, candidates belonging to the Scheduled Castes or the Scheduled Tribes or Other Backward Classes and declared by the Commission to be suitable for appointment to the Service shall be appointed against unreserved vacancies, in case they qualify for appointment to the Service based on their merit without recourse to the benefit of reservation.

7A. ³¹[Deleted]

8. ³²[Deleted.]

9. **Recruitment by promotion.**- 9(1) The Central Government may, on the recommendation of the State Government concerned and in consultation with the Commission, recruit to the Service persons by promotion from amongst the [substantive] members of a State Police Service in accordance with such regulations as the Central Government may, after consultation with the State Governments and the Commission, from time to time, make.

9(2) ³³[The number of persons recruited under rule 8 in any state or group of states shall not at any time exceed 33 1/3 percent of the number of senior posts under the State Government, central deputation reserve, State deputation reserve and the training reserve in relation to that State or to the group of States, in the Schedule to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955:

Explanation: For the purpose of calculation of the posts under this sub-rule, fractions if any, are to be ignored].

²⁵ Substituted/Omitted vide DP Notification 1/1/71-AISI-B dated 06.03.1971

²⁶Substituted w.e.f from 01.01.1998 vide DP & T Notification No.14015/51/96-AIS(I)-B, dated 31.12.1997

²⁷ Deleted vide DP & T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

²⁸ Substituted w.e.f from 01.01.1998 vide DP & T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

²⁹ Substituted w.e.f from 01.01.1998 vide DP & T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

³⁰ Inserted w.e.f from 01.01.1998 vide DP & T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

³¹ Introduced w.e.f. 29.01.1966 vide MHA Notification No.1/2/67-AIS(I)-B, dated 01.01.1966, substituted vide MHA Notification No.1/2/67-AIS(I)-B, dated 11.03.1968, Notification No.1/3/71-AIS(I)-B, dated 26.06.1971, DP & AR Notification No. 1/6/72-AIS I-B, dated 09.05.1973 and finally omitted vide DP&T Not. No. 14015/51/96-AIS-I-B dated 31.12.1997

³² Deleted vide MHA Notification No. 3/31/56-AIS(III) dated 17.04.1957

³³ Substituted w.e.f. 09.07.1966 vide MHA Notification No.14/48/65-AIS(II)-B, dated 28.06.1966 and again substituted vide DP & T Notification No.14015/51/96-AIS(I)-B, dated 31.12.1997

9(3) ³⁴ [Omitted] 34^A

9(3)A³⁶ [Omitted]

9(4)³⁷ [Omitted]

9(5)³⁸ [Omitted]

³⁹10. Interpretation:- If any question arises as to the interpretation of these rules the central Government shall decide the same.

11. Repeal and saving:-All rules corresponding of these rules and in force immediately before the commencement of these rules are hereby repealed:

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:

Provided further that recruitment to the Service made on the results of the competitive examination to be held in 1954 shall be made in accordance with orders and instructions in force in that behalf immediately before the commencement of these rules.

³⁴ Substituted vide DP Notification No. 11/14/71-AIS(I)-B dated 18-4-72, DP Notification No.14015/1/92-AIS(I)-B dated 11.12.1992, DP Notification No.14015/2/97-AIS(I)-B dated 14.08.1997 and again substituted vide DP&T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

^{34A} Omitted vide DOPT Notification No.14015/40/2021-AIS(I)(8)

³⁵ Substituted vide DP & AR Notification No. 11039/10/75 -AIS(I)B, dated 20-3-76, again substituted w.e.f. 26.3.2003 vide DP&T Not. No. 14015/30/2002-AIS(I)-B dt. 26.03.2003 and further substituted vide DP&T Notification No.14015/33/2007-AIS(I)-B dated 20.11.2007

³⁶ Inserted vide DP & T Notification No. 11027/1/86-AIS(I) dated 22-3-88 and omitted vide DP&T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

³⁷ Introduced/added vide MHA Notification 5/25/58-AIS(II)-(2) dtd 8.7.1959, No. 27/68/64-AIS(II-B) dated 15-10-65, DP & AR Notification 11039/7/76-AIS(I) dtd 15.11.1976 and omitted vide DP & T Notification No.14015/51/96-AIS(I)-B, dated. 31.12.1997

³⁸ Introduced w.e.f. 14.5.1956, vide MHA Notification 13/15/1956AIS(III) dtd 9.5.1957, Notification No. 3/59/59-AIS(II)-(2), dated 25-7-1960 and Omitted vide DP&T Not. No. 14015/51/96-AIS-IB dated 31.12.1997

³⁹ Introduced vide MHA Notification No. 3/59/59-AIS(II)-(2), dated 25-7-1960

GOVERNMENT OF INDIA'S DECISIONS

Government of India' Decisions below Rule 4

1.1 Under sub-rule (4), the Government of India have decided that appointment to the joint I.P.S. cadre for the Union Territories of Delhi and Himachal Pradesh on its initial constitution shall be by one or more of the following methods:-

- (1) by transfer of I.P.S. Officers from the cadres of other States. Such transfers will however, take place only with the consent of the State Governments and the individual officers concerned;
- (2) by selection of officers belonging to the Police Service of Himachal Pradesh, who are at present holding the posts of Superintendents of Police and above; only officers holding substantive appointment with eight years' seniority in the State or equivalent cadre will be eligible for consideration. Selections will be made in consultation with the Union Public Service Commission; and
- (3) by direct recruitment from amongst the candidates declared successful as a result of the latest I.P.S. Competitive Examination conducted by the Union Public Service Commission.

Recruitment to the Service after the initial constitution of the Service shall be in accordance with the Recruitment Rules.

1.2 Till such time as the joint cadre is fully constituted and is able to provide suitable officers for all the posts included in the cadre, existing arrangements in regard to the staffing of various posts including deputation of officers from other States will continue.

[G.I., M.H.A. file No. 3/59/59-AIS(II)]

Government of India' Decisions below Rule 5

Under this rule, it is not necessary for a female officer to obtain the formal permission of the Government before marriage.

[G.I., M.H.A. letter No. 1/1/57-AIS(I), dated 6-2-57.]

Government of India' Decisions below rule 6-A

The Government of India have held that Rule 6A will apply to vacancies arising in senior posts in the direct recruitment quota after the date of introduction of the said rule viz., 24-9-66. The direct recruits who became eligible for appointment to senior posts against the vacancies in the direct recruitment quota according to their seniority, prior to 24-9-1966. (The date of introduction of rule 6A) would be deemed to have been appointed to senior posts in accordance with para 4 of Ministry of Home Affairs' letter No. 23/46/61-AIS(III)-Vol. II, dated the 29th March, 1966, and as such they will continue to be paid their pay in the senior time scale of pay even under the introduction of rule 6A till they are actually appointed to senior posts or the vacancies disappear, as the case may be.

[G.I., M.H.A. letter No. 23/46/63-AIS(III), dated 26-10-1966.]

Government of India's Decision below rule 7

The rate of annual recruitment for each State should be worked out, after taking into account not only the maintenance element for meeting deaths, retirements and other casualties in the direct recruitment quota but also the growth element to meet the anticipated expansion of this quota.

[G.I., M.H.A. letter No. 6/21/64-AIS(I), dated 7-9-1964.]

Government of India's Decisions below Rule 9

The Government of India held that Rule 9(1) of the Indian Administrative Service (Recruitment) Rules, 1954 provides that the number of persons recruited under rule 8 (by promotion) shall not at any time exceed 25 per cent of the posts included in items 1 and 2 of the Cadre of the State. It is quite clear from this that there is no quota reserved for appointment by promotion to the IAS/IPS cadres and consequently by the officers in the Select List have no legal right to appointment to the cadre. Regulation 9 of the Appointment by Promotion Regulations 1955 provides that the appointment to the IAS/IPS cadre posts shall be made only from the Select List for the time being in force. But it is open to the Government not to make any appointment at all even if there are certain vacancies in the cadre. There is therefore, no legal right to appointment conferred on the officers on Select List.

[G.I., M.H.A. letter No. 16/2/66-AIS(III), dated 14-2-1966.]