

P.L. is a R&T

F.NO. A-12011/8/2011/Pers-III  
GOVERNMENT OF INDIA/BHARAT SARKAR  
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA  
(POLICE- II DIVISION)

North Block, New Delhi  
Dated 17<sup>th</sup> January, 2012

Subject : POLICY GUIDELINES FOR DEPUTATION AND ABSORPTION  
OF COMBATISED CAPFs PERSONNEL IN OTHER  
ORGANISATIONS

1. Consequent to the order of the Hon'ble of High Court of Delhi in WP(C) 10806/2009 in the case of Uday Pal vs BSF and Others on 14/03/2011 wherein directions were issued to the Ministry of Home Affairs to frame a uniform policy, applicable to all Para Military Forces regarding absorption of Para Military Force personnel in other Organisations who are sent there on deputation, the following standard guidelines shall be followed:-

2. Eligibility for deputation - Except in case of National Security Guards (NSG) and Special Protection Group (SPG) any CAPF personnel (Officers, Subordinate Officers and Other Ranks), on completion of a minimum of ten years of service, with good record of service shall be eligible for being considered for deputation outside the CAPF concerned, subject to his/her satisfying the following:

a. For First Time Deputation

- a) Eligibility
  - (i) Completed 10 years service for all ranks including deputation.
  - (ii) Minimum 03 years service in a Duty Station.
  - (iii) Given his/her willingness to proceed on deputation, and
  - (iv) Good service record.
- b) Must be clear from disciplinary/vigilance angle
- c) Preference shall be given to such personnel:-
  - (i) Who have served for atleast 02 years in the hard areas like Jammu and Kashmir, North East region or Naxal Affected States;

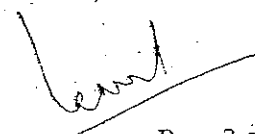
- (ii) Who have low medical category particularly if the same has occurred due to operations in the field;
- (iii) Who have not served in Delhi or the intended place of deputation for more than 05 years in the last 10 years.
- d) Should not have undergone any special training after joining the CAPF consequent to which he has been made an Instructor or empanelled as an Instructor.

ii. For Second Time Deputation :

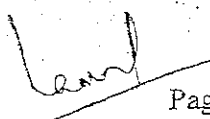
- a) There shall be a minimum cooling off period of 03 years between two deputations. This shall also apply to personnel who have served on deputation/deployment in UN Peace Keeping Missions abroad. However, this condition may be relaxed to 02 years in case the CAPF personnel concerned has served those 02 years in hard areas.
- b) All the conditions mentioned above for first time deputation shall apply as such for second time deputation also, except that the CAPF personnel concerned should have :
  - (i) Done a minimum of 05 years service in Duty Battalion; and
  - (ii) Done atleast 03 years of service in the hard areas like Jammu and Kashmir, North East region or Naxal Affected States.

iii. The personnel being nominated for deputation should not be retiring from service within a period of 02 years from the date of nomination. However, those who are retiring at the age of 57 years will be considered in the Recruitment Rules for the post in the Borrowing Department/Organisation provide the composite method of deputation/re-employment for filling up the post wherein the retirement age is 60 years.

3. The deputation period shall normally be for a period of 03 years extendable upto a period of 05 years, one year at a time, subject to permission of extension as applicable under the rules with prior consent of the lending organisation by the competent authority, on specific request from the borrowing Organisation/Department.



4. Any extension beyond the period of 05 years, upto a maximum of 07 years, shall be allowed only with the specific approval of the Union Home Minister and concurrence of DoP&T as required under the DoP&T guidelines issued from time to time.
5. An individual shall normally not be allowed to proceed on more than two deputations during his/her entire service career.
6. Those personnel who first express their willingness for deputation and then refuse to join the borrowing Organisation/Department after their selection shall be debarred from being considered for any other deputation during the next five years. In order to keep watch on such cases, an entry to this effect will be made in the service book of the individual concerned.
7. Requisition by name from other organisations for sponsoring their cases for deputation shall not be normally entertained, except in special circumstances. The eligibility criteria shall be fulfilled in any case.
8. The deputationist officer, including those who are presently on deputation would be deemed to have been relieved on the date of expiry of the deputation period, unless the competent authority has with requisite approvals, extended the period of deputation in writing, prior to such date of expiry. It will be the responsibility of the immediate superior officer, in the Organisation/Department, where the officer is on deputation to ensure that the deputationist does not overstay.
9. Furthermore, in the event of the officer overstaying for any reason whatsoever, he shall be liable to disciplinary action and any other adverse legal/service consequences which may include the period of unauthorized overstay not counted as service for the purpose of pension, etc. and that any increment due during the period of unauthorized overstay shall be for effect till the date on which the officer joins his parent CAPF with immediate effect.
10. Any proposal for extension of deputation, shall be initiated by the borrowing Organisation/Department well in advance, and not less than 06 months prior to the expiry of deputation term and will be accompanied by the willingness of the person on deputation for such extension. It will also be ensured by the borrowing Organisation/Department that while sending requisition/request for extension, the service record/vigilance clearance certificate in respect of the person concerned is also forwarded to the parent CAPF to enable quick processing of the case.



11. If during the period of deputation, on account of proforma promotion in the parent cadre the official concerned becomes entitled to a higher pay scale/pay band and Grade pay in the parent cadre vis-à-vis that of the ex-cadre post, the official shall be allowed to complete his/her normal/extended tenure of deputation already sanctioned with the approval of competent authority, provided his total basic pay does not exceed the maximum of Pay in Pay Band plus grade pay of the deputation post. No extension in the period of deputation shall be allowed to him/her after completing the sanctioned period of deputation.

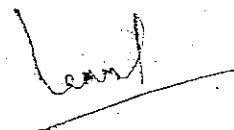
12. A CAPF personnel proposed to be absorbed by the borrowing Organisation/Department should have a minimum of 18 years of service on the date, on which the absorption is proposed by the borrowing Organisation/Department. Also, the person proposed to be absorbed should already be on deputation with the said Organisation/Department. This condition of 18 years shall be read as 15 years in case of low medical category personnel.

13. A requisition made by borrowing Organisation/Department or willingness tendered by a person for absorption, will not automatically confer any right on an individual or the borrowing department to claim absorption as a matter of right. The discretion to accept or reject, a request for absorption will be exclusively with the parent CAPF or the cadre controlling authority, i.e. Ministry of Home Affairs, as the case may be. In the case of Subordinate Officers and Other Ranks, the proposal for absorption shall be decided by the Director General of the CAPF concerned.

14. No person of any rank should be sent on deputation if the number of vacancies in that rank exceeds 10% of the total sanctioned strength.

15. Personnel above the age of 50 years in low medical category would ordinarily be permitted to be absorbed in any borrowing Organisation/Department where they are working on deputation.

16. All the cases of deputation of Subordinate Officers and Other Ranks of CAPFs, including from one CAPF to another, shall be decided by an officer not below the rank of IG(Pers/Admn) of the lending Force. The CAPF concerned may however set up a board of officers for scrutiny of such requests, which can be as under :-



For Subordinate Officers & Other Ranks.

- Chairman - DIG level  
Members - 1) Commandant  
              2) Dy Commandant

(as nominated by the DG of concerned CAPF)

17. As regards the deputation of Officers of Group "A" including from one CAPF to another CAPF, since the deputation has to be approved by the competent authority in the Ministry of Home Affairs, the DG of the lending CAPF shall forward the same to Ministry of Home Affairs with his recommendations. The DG concerned may set up a board of officers as under for initial scrutiny of such requests :-

For Officers

- Chairman - ADG/IG level  
Member - 1) DIG  
              2) Commandant

(as nominated by the DG of concerned CAPF)

18. Any Subordinate Officer and Other Ranks personnel, aggrieved by the rejection for permanent absorption in an organisation outside the force, may prefer a representation to the DG of the concerned Force. To consider any such representation, the DG of concerned CAPF shall constitute a Committee as follows :-

- a) Representative of the concerned CAPF (Spl. DG/ADG level)
- b) Representative of another Force (at least DIG level)
- c) Representative of MHA (at least Under Secretary level)

The Committee after careful scrutiny of the representation, keeping in view all the facts relating to the issue and taking into account the Standard Operating Procedure (SOP), Transfer Rules and any other rules/instructions issued on the subject from time to time, will make appropriate recommendations to the DG of the concerned CAPF. The recommendations made by the Committee, will be considered by the DG of the concerned CAPF for final decision. The decision so taken will be conveyed to the official concerned within a period of 10 days of taking such decisions.

19. It will be open to the CAPF/MHA to send personnel on deputation to NSG, SPG and NDRF without inviting willingness from the person concerned,



as the CAPFs are obliged to provide personnel to these forces as they are purely deputationist forces.

20. Notwithstanding the above, provision of the Tenure Rules, Recruitment Rules, and instructions issued by DOP&T from time to time, will be applicable, as hitherto and shall prevail to the extent of any repugnancy in the above guidelines. Thus, in case of any conflict between these guidelines and the instructions of DOP&T, the instructions of Department of Personnel & Training shall prevail.

21. Where the Central Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of this Policy with respect to any individual, class or category of individuals.

22. It would be open to the Central Government to send personnel on deputation even without ascertaining their willingness, if such deputations are considered to be expedient in the national/public interest.

This issues with the approval of Home Minister.

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To

The Director General

~~GRAND CHIEF OF POLICE, BANGALORE~~

Director, IB

*Pers. I / Pers. II Sections, MHA*

