



North Block, New Delhi-01
Dated the 22nd November 2016.

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Subject: **POLICY GUIDELINES FOR DEPUTATION OF
COMBATISED CAPFs & AR PERSONNEL IN OTHER
ORGANISATIONS**

In supersession of this Ministry's Circular No.A-12011/8/2011/Pers-III dated **17.1.2012** and subsequent OM dated **28.7.2016**, a uniform policy guidelines for deputation of Central Armed Police Forces(CAPFs) & Assam Rifles(AR) personnel are as under:-

DEPUTATION:

2. Eligibility for deputation: Any CAPF & AR 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:-

(i) For First Time Deputation:

- a) Should have
 - i) **Completed 10 years service**(for all ranks), including probation period;
 - ii) Minimum 03 years service in a Duty Battalion;
 - iii) Given his/her willingness to proceed on deputation; and
 - iv) Good service records.
- b) Must be clear from disciplinary/vigilance angle.
- c) Preference shall be given to such personnel:-
 - i) Who have served for at least 03 years in the hard areas like Jammu & Kashmir, North East region, Naxal affected States or any other notified hard areas.
 - ii) Who have low medical category 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.
- e) **These guidelines will not be applicable in the case of deputation to SPG, NSG and NDRF as they are purely deputationist Forces. However, the terms & conditions for deputation to these Organisations as prescribed by these specialized borrowing Organisations be followed.**

(ii) For Subsequent Deputation:

There shall be a minimum **cooling off period of 03 years** between two deputations, **out of which at least one year should be in the notified hard areas.** This shall also apply to personnel who have served on deputation/deployment in UN Peace Keeping Missions abroad **and in NSG, SPG & NDRF.**

- (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 if 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. For example, Army officers getting posted in Assam Rifles on deputation have their retiring age in Army as 57 years, However, as per RR,s they are able to serve in Assam Rifles up to the age of 60 years.

3. **PERIOD OF DEPUTATION:**

- (A) (i) Extension of tenure of all CAPF's personnel has to be done by the **Police-II Division, MHA.** The borrowing Organisation has to write to Police-II Division and the Police-II Division would get the requisite clearance; not the borrowing and lending Organisations.
- (ii) **No extension beyond the fifth year shall be considered and no case for extension of deputation beyond five years shall be referred to MHA.**
- (iii) The period of deputation in respect of CAPFs & AR personnel with **State Govt., Public Sector Undertakings, Autonomous Bodies, Universities, Union Territories Administration, Local Bodies etc. and vice versa** should be for a period of **05 years (initially for a period of 04 years extendable up to a period of 05 years).**

(B) (i) The tenure of deputation to other CAPF and **Central Government** Organisations such as :-

- CAPFs- (AR, BSF, CISF, CRPF, ITBP, NSG, SSB)
- CPOs - (IB, CBI, BPR&D, NCRB, SVPNPA, NEPA, NICFS)
- NDRF

- **Any other Central Government Organisations except as mentioned in Para-3(A) above** will initially be **05 years** and further **extendable up to 07 years**, one year at a time with prior consent of the lending Organisation by the competent authority, on specific request from the borrowing Organisation/Department.

(ii) On account of specialised nature of job, the appointment on deputation to **Narcotics Control Bureau (NCB) and National Investigation Agency (NIA)** will be **07 years at the time of initial appointment itself. No further extension will be granted in any case as per the guidelines of Department of Personnel & Training. These organisations are required to take advance steps well in advance to get a suitable replacement appointed.**

(iii) **Deputation period in R&AW and SPG shall be regulated as per terms & conditions of these Organisations.**

4. An individual shall normally not be allowed to proceed on more than two deputations during his/her entire service career.

5. 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.

6. 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.

7. The deputationist officer, including those who are presently on deputation shall stand 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 and no salary is paid beyond the deputation period. Head of the organisation shall fix the responsibility of the erring officers in such cases.

8. If the deputation is approved for a specific post then the deputation/job profile should not be changed by the borrowing department during the deputation tenure without informing MHA. For example, an officer is appointed on deputation in some organisation for a particular post with specific

job profile, he **should not** be given other post with different job profile by that organisation without the prior consent of the Ministry of Home Affairs. It is also incumbent on the officer on deputation to inform his parent department/MHA of such change. Failure to do so on the part of Borrowing Department will render termination of deputation order automatically.

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 counting as service for the purpose of pension, etc. and that any increment due during the period of unauthorized overstay shall be deferred, till the date on which the officer rejoins his parent CAPF with cumulative effect. **In addition to this, the authority/ individual who has permitted such officers for overstaying shall also be liable for similar actions.**

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 Performa promotion in the parent cadre, the official concerned becomes entitled to a higher pay scale 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 the competent authority, provided his total basic pay does not exceed the maximum of Pay in Pay Scale of the deputation post. He will have the option to be reverted back to his parent cadre to avail the benefits of promotion.

12. 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.

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

14. 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/Adm) 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 - i) Commandant
ii) Dy.Commandant
- (As nominated by the DG of concerned CAPF)

15. As regard 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 the 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 level
 - Members - i) DIG
ii) Commandant
- (As nominated by the DG of concerned CAPF)

16. 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. The criteria of this process may be clearly set out by the respective organisation and deliberation may be minuted .

ABSORPTION

17. 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. This condition of 18 years shall be read as 15 years in case of low medical category personnel.

18. A requisition made by the 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 proposals for absorption shall be decided by the Director General of the CAPF concerned in consultation with Ministry of Home Affairs.

19. Any Subordinate Officer and Other Ranks personnel, aggrieved by the rejection of 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 the concerned CAPF shall constitute a Committee as follows:-

- a) Representation of the concerned CAPF (Spl. DG/ADG level)
- b) Representation of another Force (at least DIG level)
- c) Representation of MHA (at least Dy. Secretary/ Director 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 decision.

20. Notwithstanding the above, **provision of the Tenure Rules, Recruitment Rules and instructions issued by DoP&T from time to time**, will be applicable 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 DoP&T 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.

These issues with the approval of Hon'ble Home Minister.



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To

The Directors General
CRPF/BSF/CISF/ITBP/SSB/NSG/ARs/SPG/NDRF/NIA/NCB
NHRC/NCRB/BPR&D
Director, IB/CBI/R&AW
All Divisions/Sections of MHA
SO(NIC), MHA for uploading in the MHA website.