

INDIAN POLICE SERVICE (CADRE) RULES, 1954

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INDIAN POLICE SERVICE (CADRE) RULES, 1954

In exercise of the powers conferred by sub-section (1) of Sec. 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 (Cadre) Rules, 1954.

2. Definitions :-

In these rules unless the context otherwise requires,-

(a) 'cadre officer', means a member of the Indian Police Service;

(b) 'cadre post' means any of the posts specified [under item 1 of each Cadre in the Schedule to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955].

(c)' State' means [a State specified in the First Schedule to the Constitution and includes a Union Territory.] [x x x]

[(d) State Government concerned in relation to Joint Cadre, means the Joint Cadre Authority.]

GOVERNMENT OF INDIA'S DECISIONS : ¹. The Government of India have held that a cadre post as defined in the Rules means only the post specified under item 1 of the cadre strength of each State. A non-cadre post does not become a cadre post simply, on being declared equivalent to a cadre post. It would become a cadre post only after it has been included in and specified as such under item 4 of the cadre strength of each State as shown in the schedules to the I.A.S., I.P.S., (Fixation of Cadre Strength) Regulations, 1955.

1. [G.I., M.H.A. letter No. 14/51/65-AIS(III), dated 21st February, 1966.]

3. Constitution of Cadres :-

(1) There shall be constituted for each State or group of States an Indian Police Service Cadre.

(2) The Cadres so constituted for a State and a group of States are hereinafter referred to as a 'State Cadre' and a 'Joint Cadre' respectively.

4. Strength of Cadres :-

(1) The Strength and composition of each of the cadres constituted under Rule 3 shall be as determined by regulations made by the Central Government in consultation with the State Governments in this behalf and until such regulations are made shall be as in force immediately before the commencement of these rules.

(2) The Central Government shall, at intervals of every three years, re-examine the strength and composition of each such Cadre in consultation with the State Government or the State Governments concerned and may make such alterations therein as it deems fit : Provided that nothing in this sub-rule shall be deemed to affect the power of the Central Government to alter the strength and composition of any cadre at any other time: Provided further that the State Government concerned may add for a period not exceeding one year [and with the approval of the Central Government for a further period not exceeding two years], to a

State or Joint Cadre one or more posts carrying duties or responsibilities of a like nature to cadre posts.

GOVERNMENT OF INDIA'S DECISIONS ¹1. Posts included in the cadre acquire the character of permanency. ²2. Temporary additions to or subtractions from a cadre are not to be taken into account for cadre calculations or for calculating the number of selection grade posts. ³3.2 The scale of pay of the post, temporarily added to the cadre should also be the same as that of the cadre post to which it corresponds. Thus, where the pay of the post of Secretary in the cadre is in the senior time-scale, it would not be in order, to add temporarily to the cadre post of Secretary in the super time-scale. ⁴4.2 Both these provisions are independent of each other and are not inter-connected. The second proviso to rule 4(2) of the Cadre Rules empowers the State Government to make temporary additions to the cadre for the period not exceeding the limit indicated therein. Rule 9 of the Pay Rules, on the other hand, provides for the regulation of pay of cadre officers appointed to non-cadre (ex-cadre) posts. The State Governments are competent to appoint cadre officers to such posts under their control to the extent that the appointments should not exceed the number of posts in the deputation reserve of the State cadre. The non-cadre (ex-cadre) posts to which cadre officers are appointed would not result in the posts becoming temporary additions to the cadre within the scope of the second proviso to rule 4(2) of the Cadre Rules. ⁵5.4 If no cadre officer is available, a temporary post created with whatever designation, should not be added to the IAS/IPS cadre. If the post is held by State Civil/Police Service Officer whether in the Select List or not, it will be a temporary addition to the State Civil/Police cadre of the State or an ex-cadre post counted against deputation reserve, if any, provided in that cadre or it may be an isolated post in the State Civil/Police Service to which the State Civil/Police Service Officer could be appointed with the approval of the State Public Service Commission, if so required by the State Rules. ⁶6. It has been held that State Governments are not competent to exceed the number of posts specified against items 2 and 5 to 8 of the cadre schedules without the prior sanction of the Central Government under rules 4(2) or the proviso thereto, ⁷7. Recruitment to the IAS/IPS, on the results of annual competitive examinations, is made on the basis of the posts shown in item 4 of the IAS/IPS cadre of each state, items 5 to 8 are the various reserves in the cadre calculated on the basis of that item

and the posts shown in these items are also available for the direct recruits. The posts shown in items 7 and 8 of the cadre are in the junior time-scale but those shown in items 5 and 6 will generally be in the senior time-scale. Thus Posts shown in items 5 and 6 of the cadre, viz., the 'Deputation Reserve' and 'Leave Reserve' when remunerative in the senior time-scale are also 'senior posts' to be manned by examination recruits. Thus direct recruits are not only entitled to senior posts shown in item 4 of the cadre of each state but also to posts shown in items 5 and 6 thereof when remunerated in the senior scale of the IAS/IPS.⁸8.3 When a post temporarily added to the IAS/IPS cadres is held by a cadre officer a declaration of equivalence under rule 9 of the IAS/IPS (PAY) Rules, 1954, it will not be necessary for the purpose of fixation of his pay under the IAS/IPS (Pay) Rules, 1954 the duties and responsibilities of such post being already analogous to a cadre post vide the second proviso to rule 4(2) of the IAS/IPS (Cadre) Rules, 1954.⁹9.3. The posts which are ex-cadre of IAS/IPS Cadre are to be manned by cadre officers and counted against deputation reserve provided in the Cadre. There is restriction on the powers of the State Government for the creation of such posts as the number of such posts is not to exceed the number shown against deputation reserve in the Cadre. If a member of Services is not going to be appointed to an ex-cadre post, the temporary post can be created either as ex-cadre post of the State/Police Service or just ad hoc post without equivalence as clarified in paras 6 and 9 of the Ministry of Home Affairs, D.O, letter No. 27-28/64-AIS (III), dated 24th March, 1966. It would however, be appropriate that when the temporary post is to be held by a State Civil/Police Service Officer it should be created in the time-scale of the State Civil/Police Service.

GOVERNMENT OF INDIA'S INSTRUCTIONS : 1.1 The Government of India have clarified certain fundamentals regarding the management of the All India Services cadres, as follows : 1.2 At the time of the constitution of the IAS/IPS in 1947, it was decided to include the following categories of posts in the IAS cadres :- .

- (a) All superior posts in the administrative departments of and above the rank of District Officers, i.e.. Collectors, Commissioner, Members, Board of Revenue, Secretaries, Deputy Secretaries etc.
- (b) A proportion of miscellaneous posts including those of Heads of Departments. In the IPS, corresponding ranks were substituted, the principle remaining the same. Provision was made in the rules for triennial review of the cadre strength to adjust it according to

the growing and changing needs of each State. 1.3 The senior posts as notified in the schedule of each State cadres were divided into three main categories, viz:- (a) Senior posts under the State Government; (b) Central Deputation Quota; (c) Deputation reserve. The other categories and reserves, such as leave and training reserves and the junior posts are ancillary to the three main categories described above. 1.4 Posts that fulfil the qualifications described in 2 above should, therefore, be enumerated as the senior posts under the State Government. The intention also has always been that all posts in the State which are required on a long-term basis and which carry duties and responsibilities similar to such senior cadre posts should be included in the cadre. At the time of the triennial review a realistic estimate should be made of the new posts required during the next 4 to 6 years on the basis of the previous rate of expansion of the cadre and of the additional posts required in connection with the Five Year Plans and the growing business of Government and the cadre strength should be fixed after taking these needs into consideration. 1.5 The Central Deputation Quota fixes the share of the Government of India out of the State cadre for the various requirements of the Centre. By and large this quota may be taken to be the limit of deputation to the Government of India. 1.6 The Deputation Reserve is intended to provide a cushion to the State Government for its temporary and unforeseen demands of cadre officers for manning such ex-cadre posts which are required temporarily for short periods and which do not qualify for inclusion in the IAS cadre. The very name suggests that it is intended to cover short-term needs; long-term posts being brought into the cadre as soon as it is known that they would continue over a period of time. 1.7 Select Lists are intended to provide a ready list of screened State Service Officers who can be appointed to vacancies that may occur in the promotion quota during a particular year. It can also be utilized to fill short-term vacancies and to meet any minor emergency requirements on a temporary basis. It has never been intended to become a parallel cadre for manning long-term vacancies either in the cadre or in ex-cadre equivalent posts. 1.8 If the cadre strength is adequately fixed keeping in view the normal rate of growth of the cadre and the requirements of the Plan etc. and if recruitment to the cadre has been on an adequate scale, the need for filling cadre posts by Select List Officers should rarely arise. There should be no long-term ex-cadre posts. If there are any, they ought to go into the cadre. For short-term ex-cadre posts, the deputation reserve in the

cadre should be adequate. If there is an imbalance between the number of the ex-cadre posts and the deputation reserve, then it can be redressed either by reducing the number of ex-cadre posts or increasing the deputation reserve. 1.9 It is not at all necessary that new senior posts which are created must be declared equivalent to cadre posts. Rule 9(1) of the Indian Administrative Service (Pay) Rules, 1954, requires that members of the Service should not be appointed to an ex-cadre posts unless the State Government had declared it equivalent to a cadre post. In exceptional circumstance, of course for reasons to be recorded in writing, the equation may not be made [Sub-rule (4) of rule 9]. It is, therefore, only when a member of the service is to be appointed to an ex-cadre post that it has to be declared equivalent to a cadre post and even then it is not necessary in all cases. If a member of the service is not going to be appointed to an ex-cadre post, declaration of equivalence is not required at all. These can be created either as ex-cadre posts of the State Civil or Police Services or just ad hoc posts without equivalence. 1.10 The adequacy of recruitment rate for the All India Services is vital to the proper functioning and management of Government. Two measures are needed to ensure this. The first is the prompt encadrement of new posts likely to last over an extended period and the second is to assess future needs in advance on the basis of the past experience and the future plan, A failure in either of the two requirements will affect the adequacy of cadre strength thus leading to strains and stresses which some of the States are facing today. ¹⁰1.11 Once the cadre strength has been determined at the triennial review which can be made more frequent if required the rate of annual recruitment must be adequate to fill up all the posts within two or three years. In some of the States the recruitment rate has been rather low with the result that gaps continue in the cadre for years and longer. Select Lists are required to meet the cadre shortages. This has two-fold disadvantages; it affects the seniority of the direct recruits and the State Service Officers develop hopes and expectations beyond those provided for in the scheme of the All India Services. ¹¹(iv) Posts under an international organisation, an autonomous body not controlled by the Government, or a private body. ¹²3.3 The Government of India have also decided that copies of the current Select Lists and the orders issued under rule 9 of the I.A.S./I.P.S. (Cadre) Rules, 1954, from time to time should be supplied to the Accountants General to enable them to carry out the abovementioned scale check. They will, no doubt, treat the Select

Lists as confidential documents and utilise them for official use only, as required under the existing instructions. **13** 4. Rule 4 of the Cadre Rules provides for a review of the strength and composition of the cadre at the interval of every three years. The State Governments are, therefore, requested to sponsor their triennial review proposals after taking into consideration their requirements at least for 3 years to avoid frequent proposals for amendments to the cadre schedule. However, cases where changes in the cadre are considered unavoidable and cannot be delayed till the next triennial review, in such circumstances proposals may be made once in a year i.e., in the month of January. The State Governments are therefore, requested to adhere to this procedure for proposing amendments to the Cadre Schedule.

1. [G.I., M.H.A. letter No. 6/25/64-AIS(I), dated 1st June, 1964.]
2. [G.I., M.H.A. letter No. 5/24/58-AIS(II), dated 5th May, 1958.]
3. [G.I., M.H.A. letter No. 6/9/63-AIS(I), dated 9th February, 1965.]
4. [G.I., M.H.A. letter No. 6/25/65-AIS(I), dated 12th April, 1965.]
5. [G.I. M.H.A. letter No. 14/53/65-AIS(III), dated 21st March, 1966.]
6. [G.I. M.H.A. letter No. 14/51/66-AIS(III), dated 21st February, 1966 and File No. 14/14/65-AIS(II).]
7. [G.I., M.H.A. letter No. 14/17/65-AIS(III), dated 20th November, 1965.]
8. [G.I., M.H.A. letter No. 15/39/66-AIS(III), dated 22nd April, 1966.]
9. [G.I., M.H.A. letter No. 40/5/66-AIS(III), dated 27th December, 1966.]
10. [G.I., Deptt. of Per. and A.R. letter No. 6/10/68-AIS(I), dated 24th March, 1966.]
11. [G.I., Deptt. of Personnel and AR Letter No. 4/12/70-AIS(I), dated 26th May, 1971.]
12. [G.I., M.H.A. letter No. 16/5/66-AIS(III), dated 23rd June, 1966.]
13. [G.I., Deptt. of Per. and AR letter No. 6/10/68-AIS(I), dated 27th February, 1968.]

5. Allocation of members to various cadres :-

(1) The allocation of cadre officers to the various cadres shall be made by the Central Government in consultation with the State Governments or State Government concerned.

(2) The Central Government may, with the concurrence of the State Governments concerned, transfer a cadre officer from one cadre to another cadre.

GOVERNMENT OF INDIA'S DECISIONS¹: It has been decided that, while allocating candidates selected on the basis of the annual competitive examinations to the various State Cadres, the recommendation of the States Reorganisation Commission, that at least 50 per cent of the new entrants in any State Cadres should be from outside the State concerned, shall be borne in mind.

1. [G.I., M.H.A. File No. 1/66/60-AIS(I).]

6. Deputation of cadre officers :-

(1) A cadre officer may, with the concurrence of the State Government or the State Governments concerned and the Central Government, be deputed for service under the Central Government or another State [Provided that in case of any disagreement the matter shall be decided by the Central Government and the State Government or State Governments concerned shall give effect to the decision of the Central Government.]

(2) A cadre officer may also be deputed for service under,-

(i) a company, association or body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by a State Government, a Municipal Corporation or a Local Body, by the State Government on whose cadre he is borne, and

(ii) an international organisation, an autonomous body not controlled by the Government, or a private body, by the Central Government in consultation with the State Government on whose cadre he is borne : Provided that no cadre officer shall be deputed to any organisation or body of the type referred to in item (ii), except with his consent : Provided further that no cadre officer shall be deputed under sub-rule (1) or sub-rule (2) to a post carrying a prescribed pay which is less than, or a pay scale, the maximum of which is less than the basic pay he would have drawn in the cadre post but for his deputation.

GOVERNMENT OF INDIA'S DECISIONS ¹1 . The terms of deputation of a cadre officer deputed to another State shall be finalised by the borrowing Government in consultation with the lending Government, if there is any point of difference between them, it may be referred to the Government of India. ²2.2 Whenever it is proposed by a State Government to depute a member of the Indian Administrative Service to a University full

particulars of the terms of deputation which are proposed to be allowed to him should be furnished to the Central Government in order to enable it to examine the proposal and issue necessary orders. ³

1. [G.I., M.H.A. letter No. 22/6/57-AIS(II), dated 30th May, 1957.]
2. [G.I., Deptt. of Per. and AR letter No. 13/1/74-AIS(II), dated 28th January, 1974.]
3. [G.I., Deptt. of Per. A.R. letter No. 13/27/74-AIS(II), dated 17th January, 1975.]

7. Postings :-

All appointments to cadre posts shall be made,-

(a) in the case of a State Cadre, by the State Government; and

(b) in the case of a Joint Cadre, by the State Government concerned : ¹[Provided that for the purpose of filling leave vacancies or, for making ² [temporary arrangements], for a period not exceeding three months, the State Government may, delegate to Heads of Departments, its powers of making appointments to cadre posts.]

1. Proviso deleted by MHA Notification No.13/21/56-AIS-(III), dated 28th February, 1958.
2. Modified by D.P. and A.R. Notification No. 11051/1/76-AIS(I)-B, dated 10th January, 1977.

8. Cadre and ex-cadre posts to be filled by cadre officers :-

(1) Save as otherwise provided in these rules, every cadre post shall be filled by a cadre officer.

(2) A Cadre officer shall not hold an ex-cadre post in excess of the number specified for the concerned State under item 5 of the Schedule to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.

(3) The State Government may, with the prior approval of the Central Government, appoint a cadre officer to hold an ex-cadre post in excess of the number specified for the concerned State in item 5 of the Schedule to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955 and, for so long as the approval of the Central Government remains in force, the said ex-cadre post shall be deemed to be an addition to the number specified in item 5 of the said Schedule;]

9. Temporary appointment of non-cadre officer to cadre post :-

¹[(1) A Cadre post in State shall not be filled by a person who is not a cadre officer except in the following cases; namely :-

(a) if there is no suitable cadre officer available for filling the vacancy: Provided that when a suitable cadre officer becomes available, the person who is not a cadre officer, shall be replaced by the cadre officer: Provided further that if it is proposed to continue the person who is not a Cadre officer beyond a period of three months, the State Government shall obtain the prior approval of the Central Government for such continuance;

(b) if the vacancy is not likely to last for more than three months: Provided that if the vacancy is likely to exceed a period of three months, the State Government shall obtain the prior approval of the Central Government for continuing the person who is not a cadre officer, beyond the period of three months.

(2) A cadre post shall not be filled by a person who is not a cadre officer except in accordance with the following principles, namely:-

(a) if there is a Select List in force, the appointment or appointments shall be made in the order of the names of the officers in the Select List;

(b) if it is proposed to depart from the order of names appearing in the Select List, the State Government shall forthwith make a proposal to that effect to the Central Government together with reasons therefor and the appointment shall be made only with the prior approval of the Central Government;

(c) if a Select List is not in force and it is proposed to appoint a non-Select List Officer, the State Government shall forthwith make a proposal to that effect to the Central Government, together with reasons therefor and the appointment shall be made only with the prior approval of the Central Government.]

[(3)] Where a cadre post is likely to be filled by a person who is not a cadre officer for a period exceeding six months, the Central Government shall report the full facts to the Union Public Service Commission with the reasons for holding that no suitable officer is available for filling the post and may in the light of the advice given by the Union Public Service Commission give suitable directions to

the State Government concerned.

GOVERNMENT OF INDIA'S DECISIONS² One of the objects of the procedure laid down in this rule is to ensure that a non-cadre officer is not appointed to a cadre post if a suitable cadre officer is available. Thus, while the suitability of an officer included in the Select List for officiation in a cadre post cannot ordinarily be in doubt, the question to be examined in making all appointments to cadre posts is whether a suitable cadre officer is available or not, vide sub-rules (3) and (4). It has, therefore, been decided that even in a case where an officer included in the Select List is appointed in an officiating capacity to a cadre post, the requirements of this rule should be fully complied with.³ 2. As the filling of a cadre post by a non-cadre officer is permitted under rule 9, it has been held that it would be within its scope if a non-cadre officer, while holding a non-cadre post in addition discharges the duties and functions of a cadre post. Such arrangements should not, however, last for more than three months.⁴ 3.2 It was further being held that no benefit in the matter of seniority, pay and probation will be admissible to a Select List Officer appointed to a cadre post out of turn beyond the period of three months from the date of his temporary appointment.⁵

GOVERNMENT OF INDIA'S INSTRUCTIONS : Rule 191. The Government of India have advised the State Governments that they should keep in view the legal position explained in the note appended to the Ministry of Home Affairs letter No. 14/51/65-AIS(11), dated 21st February, 1966 regarding the scope of regulation 8 of the I.A.S. (Appointment by Promotion) Regulations, 1955 and rule 9 of the I.A.S. (Cadre) Rules, 1954, while appointing non-cadre officers (Select List Officers) to officiate in cadre posts. 1.2. The State Governments have also been advised that while making reference to the Government of India, they should furnish information in the revised proforma, reproduced below:⁶ Note.-The phrase 'Cadre post' wherever used in Parts I and II of this proforma means senior duty post specified in item I of the Cadre Strength.⁷ 2.2 The State Governments have been advised to keep the above instructions in view while sending reports' proposals under rule 9 of the Cadre Rules to the Government of India.

1. Subs. by G.S.R. 428(E), dated 5th April, 1988.

2. [G.I., M.H.A. letter No. 9/30/62-AIS(I), dated 31st August, 1962.]

3. [G.I., M.H.A. letter No. 6/17/64-AIS(I), dated 8th April, 1965.]
4. [G.L, M.H.A. letter No. 14/51/65-AIS(III),dated 21st February, 1966.]
5. [G.I., M.H.A. letter No. 15/79/66-AIS(111),dated 17th October, 1966.]
6. [G.I., M.H.A. letter No. 6/54/64-AIS(1),dated 26th March, 1966.]
7. [G.I., M.H.A. letter No. 1/1/67-AIS(III),dated 11th January, 1967.]

10. Reports to the Central Government of vacant cadre posts :-

Cadre posts shall not be kept vacant or held in abeyance for periods exceeding six months without the approval of the Central Government. For this purpose, the State Government shall make a report to the Central Government in respect of the following matters, namely:-

- (a) the reasons for the proposals;
- (b) the period for which the State Government proposes to keep the post vacant or hold it in abeyance;
- (c) the provision, if any, made for the existing incumbent of the post; and
- (d) whether it is proposed to make any arrangements for the performance of the duties of the post to be kept vacant or held in abeyance, and if so, the particulars of such arrangements.]

GOVERNMENT OF INDIA'S DECISIONS: 1.1 Instances have come to the notice of the Government of India in which a State Government kept in abeyance I.A.S. cadre posts under their control, under this rule and simultaneously created in lieu, ex-cadre posts involving identical duties and responsibilities but carrying remuneration different from (generally above) that laid down for the corresponding cadre posts. 1.2 The Government of India are of the view that, as a general rule, action of this nature not only has the effect of altering the structure of the State I.A.S. cadre concerned, but also tends to defeat more than one object embodied in the All India Services Rules. The rules do not necessarily require the appointment of a cadre officer to an ex-cadre post of this type. The appointment of a non-cadre officer to what should really be a cadre post would be open to obvious objection; but so also would the appointment of a cadre officer to an ex-cadre post, which by the very nature of duties and responsibilities involved should

actually be a cadre post. The holding in abeyance of certain cadre posts and their substitution by ex-cadre posts carrying different scales or rates of pay as well as status, would thus result in an artificial exclusion of certain posts from the cadre. Such appointments generally mean a departure from the Pay Rules, and result in a distortion of the cadre structure. In certain circumstances, there may well be reason to consider the upgrading of a cadre post from the senior time-scale to super time-scale on account of enhanced responsibilities. The proper course to adopt in such cases, would, however, be for the State Government to justify the upgrading of the post in question and make appropriate proposals to the Central Government for a revision of the State Cadre Schedule, In considering such proposals, the need for maintaining a broad measure of all India uniformity would, no doubt, have to be borne in mind, 1.3 Under this rule, the State Governments are required to make a report to the Central Government in all cases in which the State Government propose to keep a cadre post vacant for a period exceeding six months. The rule also lays down the various particulars which are required to be furnished to the Central Government in such reports. The purpose of the rule is to ensure that there is adequate justification for the extension of such extraordinary arrangement beyond a period of six months, and its spirit is generally to discourage their indefinite continuance. The rule, as at present worded, leaves it to ¹ 1.6 It is also observed that instances of cadre officers holding ex-cadre posts, and of non-cadre officers holding cadre posts generally tend to be large in number. The Government of India are of the view that this is not a satisfactory position and the State Government might as a matter of general policy, employ cadre officers as far as possible on cadre posts.

1. [G.I., M.H.A.Jetter No. 6/43/62-AIS(I),dated 2nd September, 1963.)

11. Holding of more than one post by a cadre officer :-

(i) The State Government concerned in respect of the posts borne on the State Cadre or the Joint Cadre, as the case may be, may, for the purpose of facilitating leave arrangements for a period not exceeding six months, direct that any two cadre posts or a cadre post and an equivalent post may be held simultaneously by one single cadre officer: ¹[Provided that for the purpose of filling leave vacancies or for making temporary arrangements, for a 'period not

exceeding three months, ²[the State Government may, delegate to Heads of Departments] the powers of making appointments to cadre posts.]

(ii) Where the State Government is of the opinion that it is necessary so to do, it may, with the prior approval of the Central Government, order that the posts directed by it to be held simultaneously by one single cadre officer under sub-rule (i), may continue to be so held for a period beyond six months but, in any case, not beyond twelve months from the date with effect from which the posts were first directed to be so held under sub-rule (i).]

GOVERNMENT OF INDIA'S DECISIONS : 1.1 The term 'equivalent post' includes a post in a body incorporated or not which is wholly or substantially owned by the Government i.e., a post of foreign service, in view of the provisions contained in sub-rules (2) and (3) of rule 9 of the Pay Rules. Thus the provisions of rule II of the Cadre Rules are attracted where a cadre officer holds a cadre post and a post on foreign service simultaneously. ³ 1.2 Combination of Government service with foreign service in one officer, is, however, not desirable and should be resorted to only in exceptional circumstances.

1. Ins. by DP and AR Notification No.17/2/73-AIS(I), dated 6th July, 1974.

2. Modified by DP and AR Notification No.11051/1/76-AIS(I)-B, dated 10th January, 1977.

3. [G.I., M.H.A. letter No. 5/2/65-AIS(1), dated 20th April, 1965.]

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 Cl. (i) of sub-rule (2) of Rule 6 and under Rule 7, Rule 10 and Rule 11, in relation to the members of the Service serving in connection with the affairs of any of the constituent State shall be exercised by the Government of that State.]

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.]

12. Interpretation :-

If any question arises as to the interpretation of these rules the Central Government shall decide the same.]

13. Repeal and Saving :-

All rules corresponding to these rules 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.