

F. No. 4/13/2022-AIS
Union Public Service Commission
Dholpur House, Shahjahan Road, New Delhi-110 069
All India Services Branch

Dated, the 26th September, 2023.

To,

1. The Secretary to the Government of India,
Ministry of Home Affairs,
North Block, New Delhi.

(Kind Attn: Shri A. K. Saran, Joint Secretary)

2. The Chief Secretaries of all the States

Subject: Amendments in the Guidelines of the Commission for empanelment of officers for appointment to the post of DGP (HoPF)-Reg.

Sir,

I am directed to say that in implementation of Order dated 22.09.2006 and 11.01.2007 of the Hon'ble Supreme Court in WP (Civil) No.310/1996 in Prakash Singh & Others Versus Union of India & Others, the Commission framed Guidelines in the year 2009 which lay down the modalities for preparing a panel of officers for appointment to the post of DGP (HoPF) of the States.

2. The Revised Guidelines supersedes the Guidelines framed in the year 2009 and Commission's decision dated 22.05.2019.
3. The Revised Guidelines will be applicable with immediate effect.

Yours faithfully,



(Rajiv Kumar)
Joint Secretary (AIS)

Amended as on 22nd September, 2023.

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Guidelines for empanelling officers for appointment as Director General of Police (Head of Police Force)

1. Composition of the Empanelment Committee

A Committee consisting of the following shall be constituted for empanelling officers for appointment as DGP (Head of Police Force) of the State Government:-

- (i) Chairman or in his absence, Member, UPSC - President.
- (ii) Home Secretary to Govt. of India or his nominee not below the rank of Special Secretary to Govt. of India.
- (iii) Chief Secretary of the State Government concerned.
- (iv) Director General of Police of the State Government concerned.
- (v) An officer from amongst the head of CPOs/ CPMFs not belonging to the cadre for which selection is being made, nominated by the Govt of India, Ministry of Home Affairs

The Chairman or the Member of the Commission shall preside at all meetings of the Committee. The proceedings of the Committee shall be valid only if the Chairman or the Member of the Commission is present and more than half the members of the Committee attend the meeting.

2. Zone of consideration

- (a) The normal zone of consideration shall consist of officers who are holding the post of Director General of Police (DGP) in the State cadre in Level-16 of the Pay matrix.
- (b) Where no eligible officer of Level-16 is available for consideration for empanelment as Director General of Police, Head of Police Force [In short, DGP(HoPF)] in a State, or the Empanelment Committee does not find any officer suitable to be included in the panel, the zone of consideration shall consist of all officers holding the post of ADG in the State cadre in Level-15 of the Pay matrix and who have completed at least 30 years of service as on the date of occurrence of the

vacancy, (*for which the panel is prepared*), from the 1st January of the allotment year in the IPS. The Committee shall assess all the officers in the zone.

(c) Further, if no officer of Level-15 with 30 years of service is available for consideration, the zone of consideration shall consist of all officers holding the post of ADG in the State cadre in Level-15 of the Pay matrix and who have completed at least 25 years of service as on the date of occurrence of the vacancy, (*for which the panel is prepared*), from the 1st January of the allotment year in the IPS. The Empanelment Committee shall assess all the officers in the zone.

(d) The Officer(s) should have residual service of six months or more from the date of occurrence of vacancy in the post of DGP (HoPF).

3. Method of Selection for empanelment

- (i) Selection shall be merit based,
- (ii) Suitability of officers to be included in the panel shall be adjudged on the basis of very good record and range of experience for heading the police force.

4. Size of the Panel

The number of officers included in the Panel shall not exceed 03(three). However, the Panel may consist of less than 03(three) officers in exceptional circumstances for the reasons to be recorded in writing.

5. Proposal to be sent to the Commission

The State Government shall send a proposal to the Commission for convening the meeting of the Empanelment Committee, complete in all respects, at least three months in advance of the occurrence of the vacancy. The proposal shall be sent with the following records:

- (i) Seniority list of officers duly notified.
- (ii) A list of officers who meet the eligibility conditions. If some of the officers appearing in the seniority list are not included in this eligibility list, reasons thereof must be furnished.
- (iii) Bio-data of the officers in the zone of consideration indicating the posts held, nature of duties performed, academic and professional achievements, etc.

- (iv) Details of disciplinary/criminal proceedings pending against the officers with the date of issue of charge-sheet to the officer/ filing of charge sheet in the court of law and details of suspension, if any.
- (v) Statements of adverse remarks in the ACRs of officers which are yet to be communicated/communicated but either the time limit to represent is not yet over or a decision on the representation of the officer is pending.
- (vi) Statement of penalties, if any, imposed on the officer in his service career with specific period of currency.
- (vii) Complete and up-to-date ACR dossiers of the eligible officers. A statement indicating the year-wise availability of ACRs shall be furnished with valid reasons for non-availability of ACRs, if any. Further, if some of the ACRs are not reviewed or accepted by the competent authority, valid reasons shall be furnished for the same. [Certificate to this effect should also be recorded and placed in the respective ACR folders]. If some of the ACRs are written in regional language, an English translation of the same duly authenticated by an officer of the rank of Principal Secretary to the State Government shall be furnished.
- (viii) Court directions, if any, having a bearing on the empanelment.
- (ix) The Integrity Certificate on the lines prescribed by GOI, MHA letter No. 14/23/65-AIS (III) dated 28.07.1966.
- (x) Whether any communication received from MHA with respect to any eligible officer on Central Deputation. If yes, then a copy of the same shall be enclosed.
- (xi) Unwillingness of an officer, if any, who is posted in the Cadre or on deputation. If yes, then a copy of the same shall be enclosed.

6. Procedure to be observed by the Empanelment Committee

6.1 Each Committee shall adopt its own method and procedure for objective assessment of the suitability of officers in the zone of consideration. The Committee shall make assessment of the ACRs of officer with reference to the last 10 years preceding the date of meeting of the Committee. Only those officers assessed by the Committee as at least "Very Good" for each of the preceding 10 years shall be considered for inclusion in the Panel. The Committee shall also take into account the range of experience relevant for heading the police force as reflected in the bio-data of the officers for determining their suitability for inclusion in the panel. The range of experience of an officer will be considered as per **Annexure-I**.

6.2 The Committee shall also take into consideration the penalties imposed, if any, on the officers and shall exclude from the Panel any officer who is under suspension or against whom disciplinary/criminal proceedings are pending or whose Integrity Certificate has been withheld by the State Government or who has been under a penalty other than 'Censure' during the last 10 years or a penalty of 'Censure' during the last three years.

6.3 Clearance by the MHA for officer(s) on Central deputation:

If Ministry of Home Affairs intimate the State Government/Commission in writing, before preparation of a panel or during the Empanelment Committee Meeting (ECM), that it would not be possible to relieve the officer(s) on Central deputation for appointment to the post of DGP (HoPF), the Empanelment Committee will not assess such officer(s).

6.4 Consideration of eligible officer(s) posted in the cadre or on deputation who has/have expressed unwillingness

If any officer otherwise eligible expresses his/her unwillingness, in writing, for consideration for the post of DGP (Head of Police Force), the Empanelment Committee will not assess such officer(s).

7. Appointment from the Panel

(i) The appointment of DGP (Head of Police Force) shall be made by the State Government from the panel prepared by the UPSC. Where officer at the Level-15 of Pay Matrix is selected for appointment by the State Government as DGP (HoPF) in the Level-16 of Pay Matrix, prior approval of the Central Government, Ministry of Home Affairs, shall be obtained by the State Government.

(ii) If a vigilance or departmental enquiry has been subsequently initiated against an officer included in the panel before his appointment, he shall not be considered for appointment as DGP (Head of Police Force).

ANNEXURE-I

**INDICATIVE AREAS FOR ASSESSING RANGE OF EXPERIENCE OF AN
IPS OFFICER RELEVANT FOR HEADING THE POLICE FORCE**

The range of experience of an officer will be considered adequate if he has a minimum of 10 years experience in one or more of the following areas:

- (i) Law & Order District /Zonal/Range.
- (ii) Crime Branch/Crime Investigation Department (CID), Crime Against Women Cell (CAW), Economic Offences Wing (EOW), Cyber Crimes Cell, Government Railway Police (GRP), Anti Corruption/Vigilance.
- (iii) Intelligence/Special Branch, Counter/Anti-Terror Unit, Security.
- (iv) Deputation to Intelligence Bureau (IB) /Research Analysis Wing (R&AW)/Central Bureau of Investigation (CBI)/National Investigation Agency (NIA)/ Enforcement. Directorate (ED)/Narcotics Control Bureau (NCB)/Special Protection Group (SPG)/National Security Guards (NSG)/ Central Armed Police Forces (CAPFs)/Sardar Vallabhbhai Patel National Police Academy (SVPNPA).
