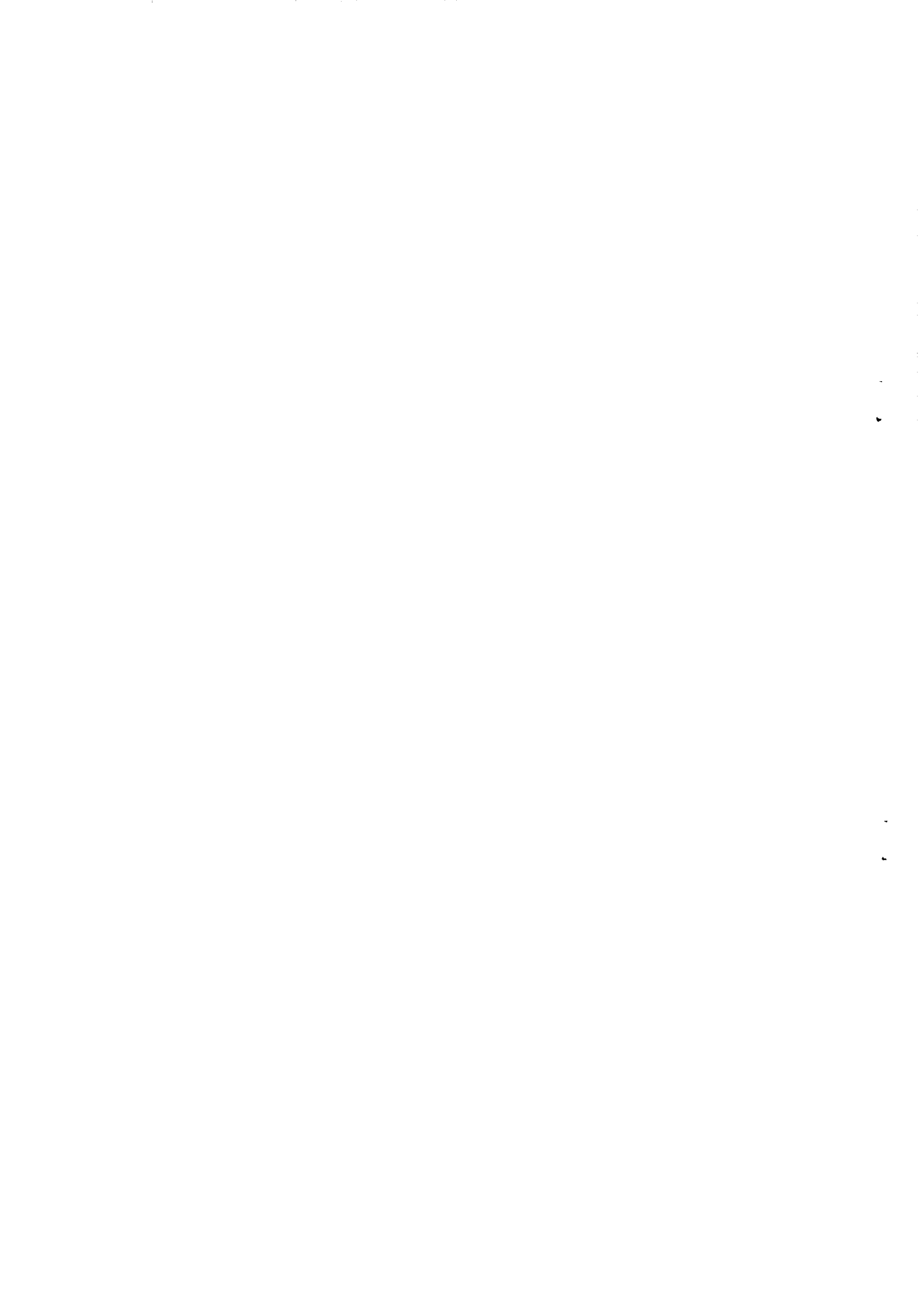




PONDICHERRY POLICE

SERVICE RULES, 2003

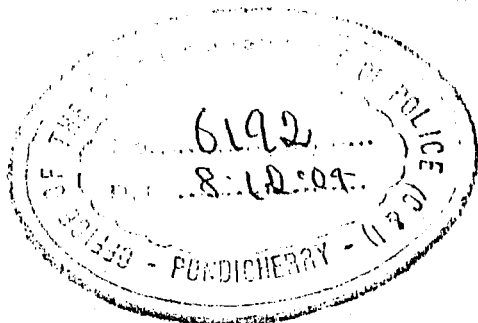


GOVERNMENT OF PONDICHERRY

(Home Department)

Dated, the 6th December, 2004.

OFFICE OF THE
PONDICHERRY
No. 2575
Date: 8/12/04



NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India read with Home Ministry's Notification No.24/78/68/DH(S) dt.24th August, 1968 and in supersession of the Pondicherry Police Service Rules, 1972, notified in G.O.Ms.No.119 Home (I) dt.4th September 1972 and published in Gazette No.14, dt.31st October 1972 except as regards things done or omitted to be done before such supersession, the Lieutenant Governor, Pondicherry hereby makes the following rules, namely:-

1. Short title and commencement:- (1) These rules may be called the Pondicherry Police Service Rules, 2003.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions:- In these rules, unless the context otherwise requires:-
 - (a) "Administration" means the Government of the Union Territory of Pondicherry.
 - (b) "Administrator" means the Lieutenant-Governor appointed under article 239 of the Constitution for the Union Territory of Pondicherry.

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- (c) "Appointing Authority" in relation to any grade means the authority empowered under the Central Civil Services (Classification, Control and Appeal) Rules, 1965 to make appointments to that grade;
- (d) "Appointed Day" means the date on which these rules shall come into force;
- (e) "Approved Service" in relation to any grade means period or periods of regular service rendered in that grade, including period or periods during which a member of the Service could have held a post on regular basis in that grade but for his/her being on leave or otherwise not being available to hold such posts, from the 1st day of July of the year -
- (a) following the year in which the examination was held in respect of an officer appointed directly to that grade;
- (b) for which the recruitment was made on regular basis in respect of an officer appointed to that grade by promotion.
- (f) "Cadre" means the group of posts in the grades as specified in Rule 3; hereof;
- (g) "Cadre controlling Authority" means the Government of Pondicherry;
- (h) "Commission" means the Union Public Service Commission;

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- (i) "Departmental Promotion Committee" means a Committee constituted to consider promotion and confirmation in any grade, as specified in Schedule-III;
- (j) "Duty Post" means any post included in schedule-I;
- (k) "Government" means the Government of Pondicherry;
- (l) "Grade" means any of the grades specified in rule 3;
- (m) "Schedule" means a Schedule appended to these rules;
- (n) "Service" means the Pondicherry Police Service constituted under rule 3;

NOTE: The expression "Scheduled Castes" and "Scheduled Tribes" shall have the same meaning as are assigned to them by Clause (24) and (25) respectively of Article 366 of the Constitution of India.

3. Constitution of the Service and its classification;-

- (1) There shall be constituted a Service known as the Pondicherry Police Service consisting of persons appointed to the Service under rules 6 and 7.
- (2) The service shall have 4 grades as specified in Schedule-I.
- (3) The posts, in Junior Administrative Grade-I, Junior Administrative Grade-II and Selection Grade shall be classified as C.C.S. Group 'A' posts and those in the Entry Grade shall be classified as C.C.S. Group "B" posts.

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4. Grades, strength and its review:-

(1) The duty posts included in the various grades, their number and scales of pay on the date of commencement of these rules shall be as specified in Schedule-I.

Ten percent and twenty percent of the sanctioned strength of the posts in the Service shall be non functional grades of Junior Administrative Grade-I and Selection Grade respectively, and these shall be operated within the respective number of posts specified in B and C of Schedule-I.

(2) Notwithstanding anything contained in sub-rule(1), the Government may-

(a) from time to time, make temporary additions or alterations to the duty posts in various grades.

(b) in consultation with the Commission include in the Service such posts as can be deemed to be equivalent to the posts included in the Service in status, grade, pay scale and professional content or exclude from the Service a duty post already included in the Service; and

(c) in consultation with the Commission, appoint the regular incumbent of the post which has been included in the Service as a duty post to the appropriate grade of the Service and fix his/her seniority taking into account the regular service rendered by him/her in the said posts or analogous grade.

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(3) Notwithstanding anything contained in clauses (b) and (c) of sub-rule (2), in case any regular incumbent of the post which has been encadared in the Service is not found suitable for appointment to the Service under clause (c) of sub-rule (2), he/she will continue to hold the post and for the purpose the post will be treated to have been excluded from the Service till such time it is held by such incumbent. The suitability of such persons for induction into the Service will be reviewed every year.

5. Member of the Service:-

(1) The following persons shall be the members of the Service:-

- (a) Persons appointed to duty posts under rule 6; and
- (b) Persons appointed to duty posts under rule 7.

(2) A person appointed under clause (a) of sub-rule (1) shall, on such appointment, be deemed to be the member of the Service in the appropriate grade applicable to him in Schedule-I.

(3) A person appointed under clause (b) of sub-rule (1) shall be the member of the Service in the appropriate grade applicable to him in Schedule-I from the date of such appointment.

6. Initial constitution of Service:-

(1) All existing officers holding duty posts on regular basis in Grade-I and Grade-II of Pondicherry Police Service shall be members of the Service in the respective grades.

(2) The regular continuous service of officers referred to in sub-rule (1) before the commencement of these rules shall count for the purpose of probation, qualifying service for promotion, confirmation and pension in the Service.

(3) To the extent the Controlling Authority is not able to fill up the authorized regular strength of various grades in accordance with the provisions of this rule, the same shall be filled in accordance with the provisions of rules 7 and 8.

7. Future maintenance of the Service:-

(1) The vacancies in any of the grades referred to in Schedule-I after the initial constitution under rule 6, shall be filled in the manner hereinafter provided in this rule.

(2) (a) Fifty percent of the posts in Entry Grade shall be filled by direct recruitment and the remaining fifty percent by promotion.

(b) The vacancies in the direct recruitment quota shall be filled on the basis of the Civil Services Examination conducted by the Commission.

(c) The vacancies in the promotion quota shall be filled by selection from amongst Inspectors of Police under the Government of Pondicherry with three years of regular service in the grade on the basis of the recommendations of the Departmental Promotion Committee.

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- (3) All the vacancies in the grades of Junior Administrative Grade-I, Junior Administrative Grade-II and Selection Grade shall be filled by promotion from amongst the officers in the immediate respective lower grade with the minimum qualifying service as specified in Schedule-II.
- (4) (a) The promotion to the Junior Administrative Grade-II and Entry Grade shall be made by "selection" subject to the bench mark grade prescribed by the Central Government from time to time for this level of posts under the Central government.
- (b) The promotion to the Junior Administrative Grade-I and Selection Grade shall be made in the order of seniority subject to re-jection of unfit.
- (5) The selection in each case under sub-rule(4) shall be on the recommendations of the Departmental Promotion committee.
- (6) If any officer appointed to any grade in the Service is considered for the purpose of promotion to the higher post, all persons senior to him in the grade shall also be considered, provided they are not short of the requisite qualifying/eligibility service by more than half of such qualifying/eligibility service or two years whichever is less, and have successfully completed their probation period for promotion to the next higher grade alongwith their juniors, who have already completed such qualifying/eligibility service.

NOTE-1: The eligibility list for promotion shall be prepared with reference to the date of completion of the qualifying service in the respective grade/post. If the crucial date for one or more officers coming from different sources is one and the same, the officer senior in age will be placed higher in the eligibility list.

NOTE-2: The Junior Administrative Grade of Rs.12000-375-16500 shall be available to the members of the service prospectively. Similarly, the Non-functional grade of Rs.14,300-400-18300 equivalent to 10% of the total number of duty post in the Service will be extended prospectively.

8. Filling of duty posts by deputation – Notwithstanding anything contained in Rule 7, where the Government is of the opinion that it is necessary or expedient to do so, it may, for reasons to be recorded in writing and in consultation with the Commission, fill a duty post in any grade by transfer on deputation, including short term contract for such period as per the instructions of the Government of India issued from time to time. The qualifications, experience and the eligibility service required for appointment to any grade of the Service under this rule shall be decided by the Government in consultation with the Commission on each occasion.

9. Seniority:-

(1) The relative seniority of members of the Service appointed to a grade of the Service, at the time of initial constitution

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of the Service under rule 6, shall be as obtaining on the date of commencement of these rules;

Provided that if the seniority of any such member has not been specifically determined on the said date, the same shall be as determined on the basis of the rules governing the fixation of seniority as were applicable to the members of the Service prior to the commencement of these rules.

- (2) The seniority of the persons recruited to the Service after the initial constitution shall be determined in accordance with the general instructions issued by the government in the matter from time to time.

10. Probation:-

- (1) Every officer on appointment to the Entry Grade of the Service either by direct recruitment or by promotion shall be on probation for a period of two years;

Provided that the Government may extend the period of probation in accordance with the instructions issued by the Central Government from time to time in this behalf;

- (2) The services of persons appointed on probation are liable to be terminated without assigning any reason.

11. Confirmation:-

- (1) On completion of the period of probation or any extension thereof, directly recruited officers shall, if considered fit for confirmation in the Service, be confirmed in terms of the extant orders of the Central Government.

(2) If, during the period of probation or any extension thereof, as the case may be, Government is of the opinion that an officer is not fit for confirmation in the Service, Government may discharge the officer or revert him to the post held by him prior to his appointment in the Service, as the case may be.

(3) During the period of probation or any extension thereof, an officer may be required by Government to undergo such courses of training or to pass such examination or tests (including examination in Hindi) as the Government may deem fit as condition for satisfactory completion of probation.

(4) As regards other matters relating to probation, the members of the Service shall be governed by the orders or instructions issued by the Central Government in this regard from time to time.

12. Appointment to the Service:-

All appointments to the Service shall be made by the Appointing Authority to the Junior Administrative Grade-I or Junior Administrative Grade-II or Selection Grade or Entry Grade of the Service and not against any specific post included in the Service.

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13. Posting:-

Every member of the Service shall, unless he/she is appointed to an Ex-cadre post, or is otherwise not available for holding a duty post owing to the exigencies of the public service, be posted against a duty post under the Administration by the Administrator concerned.

14. Disqualification:-

No person,

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

(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 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 that there are other grounds for so doing, exempt any person from the operation of this rule.

15. Other conditions of service:-

The conditions of the service of members of the Service in respect of matters for which no specific provision or inadequate provision has been made in these rules, shall be the same as are applicable, from time to time, to officers of equivalent rank of the Government.

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16. Power to relax:-

Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, and in consultation with the Commission, relax any of the provisions of these rules with respect to any class or category of persons.

17. Saving:-

Nothing in these rules shall affect reservations, relaxation in age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Government from time to time in this regard.

18. Interpretation:-

If any question arises relating to the interpretation of these rules, it shall be decided by the Government in consultation with the Commission.

SCHEDULE-I
[See Rule 4(1)]

Name, number and scale of pay of duty posts in the grades of the Pondicherry Police Service.

A.	Grades and sanctioned strength of the service	
(a)	Grades of the Service	Scales of pay
	1. Junior Administrative Grade I (Group A)	Rs.14,300-400-18,300
	2. Junior Administrative Grade II (Group A)	Rs.12,000-375-16,500
	3. Selection Grade (Group A)	Rs.10,000-325-15200
	4. Entry Grade (Group E)	(I) Rs.6500-200-10,500 (on Initial appointment)

		(to Rs. 8,000/- to Rs. 13,500/- (on completion of four years approved service subject to vigilance and integrity clearance)
(b)	Sanctioned strength	
1.	Specific posts	15
2.	Deputation, Leave and Training Reserves at 32% of 15	5
	Total	20
B.	Posts in the Junior Administrative Grade I and Junior Administrative Grade II	
(i)	Superintendent of Police (Special Branch)	1
(ii)	Commandant (Pondicherry Armed Police)	1
	Total	2
C.	Posts in Entry Grade and Selection Grade	
(i)	Superintendent of Police (Head Quarters)	1
(ii)	Superintendent of Police - North	1
(iii)	Superintendent of Police - South	1
(iv)	Superintendent of Police (CID)	1
(v)	Superintendent of Police (Home Guards)	1
(vi)	Superintendent of Police (Food Cell)	1
(vii)	Superintendent of Police (Motor Transport)	1
(viii)	Superintendent of Police (Karaikal)	1
(ix)	Superintendent of Police (Mahe)	1
(x)	Superintendent of Police (Traffic)	1
(xi)	Superintendent of Police (Training and Welfare)	1
(xii)	Superintendent of Police (Protection of Civil Rights Cell)	1
(xiii)	ADC to the I.L. Governor	1
	Total	13
	Total of B and C (2+13)	15
	Deputation, Leave and Training Reserves	5
	GRAND TOTAL	20

SCHEDULE - II
[RULE - 7 (3)]

Sl. No.	Grade	Method of promotion	Eligibility for Promotion
1.	Junior Administrative Grade-I	By promotion in the order of seniority subject to rejection of unfit on the recommendations of the Departmental Promotion Committee.	A regularly appointed Junior Administrative Grade-II officer with a minimum of eighteen years approved service shall be eligible to be considered for promotion to the Junior Administrative Grade I.
2.	Junior Administrative Grade II	By promotion on selection on the recommendations of the Departmental Promotion Committee.	A regularly appointed Selection Grade officer with a minimum of thirteen years approved service shall be eligible to be considered for promotion to the Junior Administrative Grade II.
3.	Selection Grade	By promotion in the order of seniority subject to rejection of unfit on the recommendations of the Departmental Promotion Committee.	A regularly appointed Entry Grade officer with a minimum of eight years approved service shall be eligible to be considered for promotion to the Selection Grade.

NOTE: The crucial date for determining the eligibility of an officer for promotion shall be the **1st January of the year** in which the vacancy has occurred.

SCHEDULE - III
[See Rule 7 (2) and (5)]

Sl. No.	Grade	Composition of the Departmental Promotion Committee
1	2	3
(1)	Junior Administrative Grade I.	(i) Chairman or Member of the Union Public Service Commission - Chairman (ii) Joint Secretary in charge of the Union Territories Division in the Ministry of Home Affairs - Member (iii) Chief Secretary, Government of Pondicherry - Member (iv) Inspector General of Police, Pondicherry - Member

(2) Junior Administrative Grade-II	(i) Chairman or Member of the Union Public Service Commission - Chairman. (ii) Joint Secretary in charge of the Union Territories Division in the Ministry of Home Affairs - Member. (iii) Chief Secretary, Government of Pondicherry - Member. (iv) Inspector General of Police, Pondicherry - Member.
(3) Selection Grade	(i) Chairman/Member, UPSC - Chairman. (ii) Chief Secretary, Government of Pondicherry - Chairman (iii) Deputy Secretary/Director in the Ministry of Home Affairs in charge of the Union Territory of Pondicherry - Member (iv) Inspector General of Police, Pondicherry - Member (v) Secretary (Finance), Government of Pondicherry - Member
(4) Entry Grade (on initial appointment by promotion and confirmation of direct recruits)	(i) Chief Secretary, Government of Pondicherry - Chairman (ii) Deputy Secretary/Director in the Ministry of Home Affairs in charge of the Union Territory of Pondicherry - Member (iii) Inspector General of Police, Pondicherry - Member (iv) Secretary (Finance), Government of Pondicherry - Member

Note: 1. The absence of a member, other than the Chairman, shall not invalidate the proceedings of the Departmental Promotion Committee if more than half the members, including the Chairman of the Committee, had attended its meeting(s).

Note: 2. The proceedings of the Departmental Promotion Committee relating to promotion to Selection Grade shall be sent to the Commission for approval. If, however, these are not approved by the Commission, a fresh meeting of the prescribed Departmental Promotion Committee to be presided by the Chairman or a Member of Commission shall be held. The proceedings of the Departmental Promotion Committee for appointment of Entry Grade (by promotion and induction and confirmation of direct recruits) shall not, however, require the approval of/consultation with the Commission.

(By Order of Lieutenant-Governor)

(S. S. S. S. S.)
DEPUTY SECRETARY TO GOVT. (HOME)

To
The Director, Directorate of Stationery & Printing, Pondicherry - To publish in the next issue of Gazette and to forward 50 copies thereof to this Department.
Copy to:
✓ The Inspector General of Police, Pondicherry.

Copy forwarded to

- 1) Secretary, Ministry of Home Affairs, North Block, New Delhi, with reference to their letter No.14016/38/2000-UTS-II dated 24.04.2003.
- 2) Secretary, Department of Personal & Training, North Block, New Delhi.
- 3) Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi.
- 4) Guard File.

sd/-

(A. KULLANI)

DEPUTY SECRETARY TO GOVT. (HOME)