

The Indo-Tibetan Border Police Force, Judge Attorney General (Additional Deputy Inspector General) Additional Attorney General (Commandant) Deputy Judge Attorney General (Deputy Commandant) And Attorney (Assistant Commandant) Recruitment And Conditions Of Service Rules, 1999

UNION OF INDIA

India

The Indo-Tibetan Border Police Force, Judge Attorney General (Additional Deputy Inspector General) Additional Attorney General (Commandant) Deputy Judge Attorney General (Deputy Commandant) And Attorney (Assistant Commandant) Recruitment And Conditions Of Service Rules, 1999

Rule

THE-INDO-TIBETAN-BORDER-POLICE-FORCE-JUDGE-ATTORNEY-GENERAL-RECRUITMENT-AND-CONDITIONS-OF-SERVICE-RULES-1999

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The Indo-Tibetan Border Police Force, Judge Attorney General (Additional Deputy Inspector General) Additional Attorney General (Commandant) Deputy Judge Attorney General (Deputy Commandant) And Attorney (Assistant Commandant) Recruitment And Conditions Of Service Rules, 1999 Published vide Notification Gazette of India, Extraordinary, Part 2, Section 3(i), dated 24th September, 1999(w.e.f. 14th September, 1999)

1957.

G.S.R. 636 (E), dated 14th September, 1999. - In exercise of the powers conferred by such section (1) read with Cl. (p) of sub-Sec. 156 of the Indo Tibetan Border Police Force Act, 1992 (35 of 1992), the Central Government hereby makes the following rules in the Indo Tibetan Border Police Force,

General (Additional Deputy Inspector General) Additional Attorney General (Commandant) Deputy Judge Attorney General (Deputy Commandant) And Attorney (Assistant Commandant) namely.

1. Short title and commencement.

(1) These rules may be called the Indo-Tibetan Border Police Force, Judge Attorney General (Additional Deputy Inspector General), Additional Judge Attorney General (Commandant), Deputy Judge Attorney General (Deputy Commandant) and Judge Attorney (Assistant Commandant) Recruitment and conditions of Service Rules, 1999. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Number of posts classification and scale of pay.

- The number of the said posts, their classification and the scales of pay attached thereto shall be as specified in columns (2) to (4) of the Schedule annexed to these rules.

3. Method of recruitment, age limit and other qualifications.

- The method of recruitment to the said posts, age-limit, qualifications and other matters relating thereto shall be as specified in columns (5) to (14) of the said Schedule.

4. General.

-(i) Service rendered as Judge Attorney General (Additional Deputy Inspector General), Additional Judge Attorney General (Commandant), Deputy Judge Attorney General (Deputy Commandant) and Judge Attorney (Assistant Commandant) shall be deemed to be judicial service and shall reckon as such for all purpose.

5. Physical Fitness.

- Physical fitness as laid down for medical category SHAPE-I F is essential for appointment/promotion of any person.

6. Seniority.

- Seniority of Judge Attorney General (Additional Deputy Inspector General), Additional Judge Attorney General (Commandant), Deputy Judge Attorney General (Deputy Commandant) and Judge Attorney (Assistant Commandant) shall be determined in accordance with the following principles namely : (i) an officer appointed in a substantive capacity shall be senior to an officer appointed in an officiating capacity. (ii) seniority of officers appointed to any post in a substantive capacity shall be determined in accordance with the date of appointment to that post in a substantive capacity and where two or more officers are appointed in a substantive capacity on the same date, their seniority shall be determined in accordance with their seniority while holding such posts in an officiating capacity, and (iii) seniority of officers appointed to any post in an officiating

capacity shall be determined in accordance with the order of selection for appointment to the posts.

7. Other conditions of Service.

- The conditions of service of the Judge Attorney General (Additional Deputy Inspector General), Additional Judge Attorney General (Commandant), Deputy Judge Attorney General (Deputy Commandant) and Judge Attorney (Assistant Commandant) in respect of matters for which no provision or insufficient provision has been made under these rules, shall, unless the Central Government by an order in writing otherwise directs, be the same as are applicable from time to time to other officers of the Indo-Tibetan Border Police Force holding the corresponding ranks or status.

8. 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 any of the said posts. Provided that the Central 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.

9. Initial constitution

-(i) Personnel holding the posts specified in the schedule annexed herein, immediately before commencement of these Rules on the regular basis shall be deemed to have been appointed in accordance with the provisions of these rules. (ii) The regular continuous service of personnel referred in sub-rule (1) in the respective grades immediately before commencement of these rules shall count for the purpose of probation period, qualifying service for promotion, confirmation and pension in the service.

10. Power to Relax. - Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order is of the reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category or persons.

11. Saving.

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

Schedule

Name of the Post	Number of Posts	Classification	Scale of pay
1	2	3	4
1. Judge Attorney General (Additional Deputy Inspector General)	1*(1999)* Subject to variation dependent on workload.	General Central Service Group 'A', Gazetted (Non-Ministerial).	Rs.14,300-400 -18,300/- Plus Rs.400/- Allowance
Educational and other qualifications required for direct recruits.	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation, if any.	Method of recruitment: whether by direct recruitment or by promotion or by deputation/absorption. percentage of the posts to be filled by various methods.
8	9	10	11
Not applicable	Not applicable	Not applicable	By promotion failing which deputation/failing both by re-employment.
In case of recruitment by promotion/ deputation/ absorption, grade from which promotion/ deputation/ absorption to be made.			
By Promotion: By promotion of an officer who is or has been an Additional Judge Attorney General (Commandant) of the Force with [two years]			12
[Substituted by Notification No. G.S.R. 799(E), dated 23.10.2001 (w.e.f.			

14.9.1999)]regular service
in the grade and eighteen
years of Group 'A' service in
the Force having eighteen
years of experience in
dealing with legal matters/
court cases and being in
Medical category
SHAPE-I. By Deputation: By deputation
of a person who :-(i) is or
has been an officer of
the rank of Colonel with
three years service in the
grade in the Department of
the Judge Advocate General
in Army
/Navy/Air Force; (ii) is or
has a member of the
State Judicial Service for a
period of not less than
eighteen years; or (iii) from
amongst
Central/State Government
officer of the Legal
Department who; (a) is or
has been a Deputy
Legal Advisor or equivalent
in the pay scale of
Rs. 12,000-375-16,500
having eight years of regular
service in the grade with
eighteen years in
dealing with legal matters/
court cases; or (b) is or has
been an Additional Legal
Advisor or equivalent in the
pay scale of Rs.
14,300-400-18,300 having
three years of
regular service in the grade
with eighteen years of
experience in dealing with
legal matters/court
cases. By re-employment: By re-employment

of person who is or has
been an officer of the
rank of Colonel with three
years of service in the grade
in the Department of Judge
Advocate General in Army
/Navy/Air Force. Note.-
Period of deputation
including of deputation
another Ex-Cadre post held
immediately preceding of
this appointment in the
same or other organisation/
department of Central
Government shall ordinarily
not exceed three
years. The maximum age
limit for eligibility for
deputation shall be fifty six
years on the date of receipt
of application.

If a Departmental
Promotion Committee
exists what is its
composition.

Circumstances in which Union Public
Service Commission is to be consulted
in making recruitment.

13

.Group 'A' Departmental
Promotion
Committee consisting of :-
1. Director General,
Indo-Tibetan Border Police
Force.
2. Joint
Secretary, Ministry of Home
Affairs.
3. Inspector General,
Indo-Tibetan Border Police
Force.
4. Inspector General, Central
Reserve Police Force or
any Central Police
Organisation.

Exempted from the purview of the
Union Public Service
Commission consultation

Chairman

Member

Member

Member

1

2

3

4

2.Additional Judge Attorney General (Commandant)	01*(1999)*Subject to variation dependent on workload	General Central Service Group 'A', Gazetted (Non-Ministerial).	Rs.14,300-400-18,300/
8	9	10	11
Not applicable	Not applicable	Not applicable	By promotion failing which deputation/ failing both there-employment
			12

By Promotion: By promotion of an officer who is or has been a Deputy Judge Attorney General (Deputy Commandant) of the Force with [six years service in the grade and fifteen years of Group 'A' service in the Force having fifteen years experience in dealing with legal matters/ court cases] [Substituted by Notification No. G.S.R. 799(E), dated 23.10.2001 (w.e.f. 14.9.1999)] and being in Medical category

SHAPE-I. By Deputation: By deputation of a person who:-(i) is or has been an officer of the rank of Colonel or equivalent in the Department of the Judge Advocate General in Army/Navy/Air Force; (ii) is or has a member of the State Judicial Service for a period of not less than fifteen years or; (iii) for amongst Central/State Government officers of the Legal Department who; (a) is or has been an Assistant Legal

Advisor or equivalent in the
pay scale
of Rs. 10,000-325-15,200 having
nine years of regular service
in the grade with eighteen
years of experience in
dealing with legal
matters/court cases; or (b) is
or has been a Deputy
Legal Advisor or equivalent
in the pay scale
of Rs. 12,000-375-16,500 having
five years of regular service
in the grade with eighteen
years of experience in
dealing with legal matters/
court cases. (c) is or has
been an Additional Legal
Advisor or equivalent in
the pay scale of Rs.
14,300-400-18,300 having
fifteen years of
experience in dealing with
legal matters/ court
cases. (iv) From amongst the
Prosecution Counsel in the Central/State
Government having fifteen
years of experience
in dealing with legal
matters/ court and has held
the post of Superintendent
of Police or equivalent in the
pay scale
of Rs. 10,000-315-15,200 for nine
years. Byre-employment: Byre-employment
of person who is or has
been an officer of the
rank of
Colonel with three years of service
in the grade in the
Department of Judge
Advocate General in Army
/Navy/Air
Force. Note.-Period of

deputation including of
deputation in another
Ex-Cadrepost held
immediately proceeding of
this appointment in the
same or other organisation/
department of Central
Government shall ordinarily
not exceed
three years. The maximum
age limit for eligibility for
deputation shall be fifty six
years on the date of receipt
of application.

13

Group 'A' Departmental
Promotion Committee
consisting of:

Exempted from the purview of the
Union Public Service
Commission consultation

1. Director General,
Indo-Tibetan Border Police
Force.

Chairman

2. Inspector General,
Indo-Tibetan Border Police
Force.

Member

3. Director/Deputy
Secretary, Ministry of
Home Affairs.

Member

4. Deputy Inspector
General/Chief
Administrative
Officer, Indo-Tibetan
Border Police Force.

Member

5. Judge Attorney General,
Indo-Tibetan Border Police
Force

Member

1

2

3

4

3. Deputy Judge Attorney
General (Deputy
Commandant)

02*(1999)*Subject
to General Central Service
variation dependent on
workload. Group 'A', Gazetted, (Non-Ministerial).

Rs.10000-325-15,200/-

8

9

10

11

Not applicable

Not applicable

Not applicable

By promotion failing which
deputation/failing both
by re-employment.

12

By Promotion: By promotion
of an officer who is or has
been a Judge
Attorney (Assistant
Commandant) of the Force
with six years
regular service in the grade
and being in Medical
category
SHAPE-I. By Deputation: By deputation
of a person who :-(i) is or
has been an officer of
the rank of Major or
equivalent in the
Department of the
Judge Advocate General in
Army /Navy/Air Force;
or (ii) is or has a member of
the State Judicial Service for
a period of not less than six
years; or (iii) is or has been
an officer having degree in
law of a
recognised University or
equivalent and holding
Group 'A' post in the
pay scale Rs.10,000-325-15,200
in the law of a recognised
University or equivalent
and holding Group 'A' post
in the pay scale
of Rs.10,000-325-15,200 in
the legal department of
Central or State
Government; or (iv) is or has
been an officer who has
been a prosecution counsel
and holding, in a Group 'A'
post in the pay scale
of Rs.8,000-275-13,500 in

the Central/State

Government for not less

than six years; or (v) is or

has been an officer

having degree in law of a

recognised University or

equivalent and holding a

Group 'A' post in the pay

scale

of Rs. 8,000-275-13,500 in

the

Central Government/State

Government for six years

and having experience in

dealing with legal

matters/court cases for a

period not less than six

years; or (vi) is or has been

an officer having degree in

law of a recognised

University or equivalent

and has been holding the

post of Assistant

Commandant or equivalent

in the pay scale

of Rs. 8,000-27.5-13,500 in

the Force or any other

Armed Force of the Union

or State Police for six

years with five years

experience in dealing with

legal

matters/court cases. Byre-employment:- Byre-employment

of person who is or has

been an officer of the

rank of Major with three

years of service in

the grade in the Department

of Judge Advocate General

in Army /Navy/Air

Force. Note.- Period of

deputation including of

deputation in another

Ex-Cadre post held

immediatelyproceeding of
this appointment in the
same or other
organisation/department of
Central Government shall
ordinarily not exceedthree
years. The maximum age
limit for eligibility for
deputationshall be fifty six
years on the date of receipt
of application.

13

Group'A' Departmental
Promotion Committee
consisting of :-

Exemptedfrom the purview of the
Union Public Service
Commissionconsultation.

1.Director General,
Indo-TibetanBorder Police
Force.

Chairman

2.Inspector General,
Indo-Tibetan Border Police
Force

Member

3.Director1DeputySecretary,
Ministry of Home Affairs.

Member

4.Deputy Inspector
General/ChiefAdministrative
Officer, Indo-Tibetan
Border Police Force.

Member

5.Judge Attorney General,
Indo-Tibetan Border Police
Force.

Member

1

2

3

4

4.Judge Attorney (Assistant
Commandant)

03*(1999)*Subject
to variation
dependent
onworkload.

GeneralCentral Service
Group'A',Gazetted,.(Non-Ministerial).

Rs.8000-275-13,500 /-

8

9

10

11

Notapplicable

Notapplicable

Notapplicable

Bypromotion failing wh
deputational failing both
byre-employment.

12

ByDeputation/Absorption:Bydeputation/absorption
of a person

whoBypromotion failing
which by deputationl failing
both
byre-employment..(i)is or
has been an officer
ofCentral/State
Government holding the
analogous post and is
havingthe degree in law of a
recognised University or
equivalent; or(ii)is or has
been an officerholding the
post of Assistant
Commandant or
equivalentin the pay scale
of Rs. 8,000-275-13,500 in
the Central
PoliceOrganisations having
degree in law of a
recognised University
orequivalent; or(iii)is or
has been an officer of
therank of Captain or
equivalent in the
department of the
JudgeAdvocate General in
Army/Navy
/AirForce.Byre-employment:Byre-employment
of person who is or has
been an officer of the
rankof Captain in the
Department of Judge
Advocate General in Army
/Navy/AirForce.Note.-
Period of deputation
including of deputatign,
another Ex-Cadrepst held
immediately proceeding of
this appointment in the
sameor other organisation/
department of Central
Government shallordinarily
not exceed three years.The
maximum age limit

foreligibility for deputation shall be fifty six years on the dateof receipt of application).

13

Group'A'DepartmentalPromotion Committee for confirmation consisting of:

Exemptedfrom the purviewof the Union Public Service Commission consultation.

1.Director General, Indo-TibetanBorder Police Force.

Chairman

2.Inspector General, Indo-Tibetan Border Police Force.

Member

3.Director/Deputy Secretary. Ministryof Home Affairs.

Member

4.Deputy Inspector General/ChiefAdministrative Officer, Indo-Tibetan Border Police Force.

Member