

No.13017/29/2022-AIS.I
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi.
Dated: 11.11.2022.

Office Memorandum

Subject: Consolidated guidelines on change of cadre of All India Service officers – policy regarding.

- References: 1. O.M. No. 13017/16/2003-AIS(I) dated 08.11.2004;
2. O.M. No. 13017/34/2011-AIS-I dated 22.08.2012;
3. O.M. No. 13017/08/2011-AIS-I dated 25.03.2013;
4. O.M. No. 13017/5/2016-AIS-I dated 14.02.2017; and
5. O.M. No. 13017/16/2003-AIS-I dated 05.09.2017.

The undersigned is directed to say that the change of cadre of All India Service officers is governed by Rule 5(2) of the IAS (Cadre) Rules, 1954 and analogous Rules in the IPS (Cadres) Rules, 1954 and IFS (Cadre) Rules, 1966, which is as follows:-

"5(2) The Central Government may, with the concurrence of the State Governments concerned transfer a cadre officer from one cadre to another cadre."

2. The Department of Personnel and Training (DoPT) has from time to time issued various instructions/guidelines to be followed by the concerned Cadre Controlling Authorities while processing requests for inter-cadre transfer under Rule 5(2). An effort has been made to consolidate and update the said guidelines at one place for better understanding and guidance as follows.

3. The Competent Authority in supersession of this Department's O.Ms cited above has decided that inter-cadre transfer may be availed of by AIS officers with the following conditions:-

- a. Inter-cadre transfer shall be permitted for members of All India Service officers on marriage to another member of an All India Service, where the officer or officers concerned have sought a change. Inter-cadre transfer shall also be permitted on grounds of extreme hardship in the rarest of cases.
- b. Inter-cadre transfer shall not be permitted to the home State of the officer.
- c. In cases of inter-cadre transfer on grounds of marriage, efforts should be made in the first instance to ensure that the cadre of one officer accepts his or her spouse.
- d. Only in instances where both States have refused to accept the other spouse, the officers will be considered for transfer by the Government of India to a third cadre subject to the consent of the Cadres concerned for such transfer.

- e. Inter-cadre transfer shall not be permitted to All India Service officers on marriage to an officer serving in a Central Service/State Service/Public Sector Undertaking/any other Organization.
- f. 'Extreme hardship' for purposes of inter-cadre transfer, is defined to include (a) threat to the life of the officer or his immediate family and (b) severe health problems to the officer or his immediate due to the climate or environment of the State to which he is allotted.
- g. In cases of request on grounds of threat or health, the Central Government shall have the genuineness of the request assessed by an independent Central agency or group of at least two independent experts.
- h. If a request on grounds of threat or health is found to be genuine, the Central Government may initially send the officer on a three years deputation to a State of its (Central Government) choice. The situation may be re-assessed after the three years period. If the situation so warrants, the Central Government may permanently transfer the officer to that State.
- i. Third cadre transfer: In case of inter cadre transfer of officers on ground of marriage, the couple should normally be transferred to one of the two cadres on which they are borne. In case of refusal of both cadres to accept the officers, in the first instance, the matter should be taken up formally a second time with both the cadres. In cases of continued refusal of both the cadres to accept the officers on grounds that are deemed by the Central Government to be genuine and satisfactory, the couple shall be transferred to one of the deficit cadres with concurrence of the State Government concerned. The matter shall be revisited after the category of deficit cadres ceases to exist.
- j. Deficit cadre: *"A deficit cadre is one where there is a maximum percentage of shortfall of direct recruit officers vis-à-vis the direct recruit cadre strength. Shortfall may be computed on the basis of Civil List of AIS prevailing at the time of the application for Inter-Cadre Transfer. In case of continued refusal by the cadres on which they are bore the officers would be considered for transfer to a third cadre and for this purpose Central Government will first identify three cadres, which have maximum deficit of direct recruit officers as a percentage of all the DR officers sanctioned post and then give a choice to the couple seeking transfer to a third cadre to choose one of those cadres. Thereafter, the concurrence of the concerned cadre would be taken before the couple is transferred to third cadre."*
- k. Special guidelines for the cases where none of the officers i.e. husband and wife can opt for the cadre of their spouse being their respective Home cadre are as under:
 - i. In the case where neither of the officers can opt for the cadre of the spouse being his/her respective home cadre, the officers may choose the immediate next cadre opted by them in the detailed application form submitted to UPSC below the present cadre allotted.

- ii. In the case of non receipt of preference within the stipulated time from the concerned officers, they can be assigned the most deficit cadre between the two subject to receipt of No Objection Certificate from the parent cadre as well as recipient cadre.
- iii. After receipt of the request of such cadre in terms of (i) above, the officers shall be allowed change of cadre to the opted cadre subject to the concurrence of the concerned State Governments. Further, in case of refusal of both the cadres so opted to accept the officers, the couple shall be transferred to one of the most deficit cadres (as per 'j' above) with concurrence of the State Government concerned.

i. Guidelines for inter cadre transfer in respect of North-East:

- i. All India Service officers belonging to North East State and borne on any Cadre including North East Cadres may be allowed change of cadre to one of the cadres in North East except their Home State subject to availability of deficit in the insider quota. However, no officer shall be allowed change of cadre to any joint cadre in case he/she belongs to one segment of such joint cadre.
- ii. In case of marriage between an All India Service lady officer borne on the North East Cadre and an officer of another cadre, the lady officer would be mandatorily accommodated in the cadre of her spouse not being her Home State, if she so opts.

4. The Ministry of Home Affairs and the Ministry of Environment and Forests are requested to consider all the requests for inter-cadre transfers of All India Service(s) officers in accordance with the above consolidated guidelines. All such requests of exceptions to the above guidelines shall continue to be processed and submitted for the consideration of the Appointments Committee of the Cabinet after obtaining approval of the Minister-in-charge.



(Udai Bhan Singh)

Under Secretary to the Government of India

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Copy to:

1. The Secretary,
Ministry of Home Affairs,
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2. The Secretary,
Ministry of Environment, Forests & Climate Change,
Parvayaran Bhawan, New Delhi.
3. Director General of Forests and Special Secretary,
Ministry of Environment, Forests & Climate Change,
Parvayaran Bhawan, New Delhi.

Copy also forwarded for information and necessary action:-

1. Establishment Officer & Additional Secretary,
Department of Personnel and Training,
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