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**CONTROVERSY OVER CENTRAL  
ARMED POLICE FORCES (GENERAL  
ADMINISTRATION) BILL, 2026**

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## CONTROVERSY OVER CENTRAL ARMED POLICE FORCES (GENERAL ADMINISTRATION) BILL, 2026

### Context

- Recently, the **Central Armed Police Forces (General Administration) Bill, 2026** was introduced in the Rajya Sabha that seeks to formalize the **deputation of Indian Police Service (IPS) officers** into senior leadership roles within the CAPFs.

### About

- The Bill fixes the **proportion of senior leadership posts that must be held by Indian Police Service (IPS) officers** brought in on deputation, as opposed to officers who have risen through the CAPF cadre itself.
- The Bill also **grants the Union Government sweeping rule-making powers** over recruitment, promotion, and service conditions, with a 'notwithstanding' clause allowing these rules to **supersede any existing law or court direction** — the most legally contested element of the legislation.

### Key Features of the Bill

- **Unified Statutory Framework:** Repeals and replaces the CRPF Act (1949), BSF Act (1968), CISF Act (1968), ITBP Act (1992), and SSB Act (2007) with a single law, bringing administrative uniformity across all five forces for the first time since Independence.
- **Rule-Making Power:** Empowers the Union Government to frame rules for recruitment, deputation, promotion, and service conditions. And, the Bill contains a 'notwithstanding' clause that allows these rules to override any existing laws or court orders, the most legally contested provision of the Bill.
- **Statutory Deputation Quotas:** Translates IPS deputation from flexible executive orders which any Home Minister could modify into binding legal provisions requiring a fresh Act of Parliament to change. The mandated quotas are:
  - ♦ **Inspector General (IG):** Up to 50% of posts reserved for IPS officers on deputation.
  - ♦ **Additional Director General (ADG):** Minimum 67% posts must be filled by IPS officers.
  - ♦ **Special Director General (SDG) and Director General (DG):** 100% posts exclusively for IPS.
- **Protection of Existing Benefits:** Saves and continues all existing financial benefits granted to Group 'A' officers prior to the Act — including Non-Functional Financial Upgradation (NFFU) won through years of litigation.
- **Personnel Coverage:** Applies to Group A executive officers from the rank of Assistant Commandant upward, IPS officers on deputation, and Army officers on deputation or re-employment within the CAPFs.
- **Removal of DIG-Level IPS Quota:** The Bill reportedly removes the earlier 20% IPS reservation at the Deputy Inspector General (DIG) level — a marginal concession to cadre officers that does not offset the entrenchment at higher levels.

### Need for the Bill

- **Ending Decades of Administrative Fragmentation:** Each of the five CAPFs has operated under its own Act since the 1940s–1990s, producing divergent service rules, promotion norms, and pay structures.
- **Preserving the Centre-State Security Link:** CAPFs do not operate in isolation from state governments. Counter-insurgency in Chhattisgarh, election deployment across 543 constituencies, and disaster response all require real-time coordination between CAPF commanders and State DGPs and ADGs, who are invariably IPS officers.
- **Institutional Continuity Amid Judicial Uncertainty:** The Supreme Court's 2025 direction to reduce IPS deputation 'progressively' left the timeline and modalities undefined, creating uncertainty about future

appointments. A statutory framework ends this ambiguity by establishing clear, legally predictable rules for all stakeholders.

- **Codifying the All India Services Mandate Under Article 312:** The IPS was created under Article 312 of the Constitution as an All India Service specifically to serve as a structural link between the Union and States in matters of law enforcement and security. Statutorily embedding IPS leadership in CAPFs is presented as consistent with this constitutional design.
  - ♦ Example: Home Minister Amit Shah's Statement of Objects and Reasons for the Bill explicitly invokes Article 312, arguing that IPS officers' rotation between state and central postings gives them a breadth of governance exposure that is uniquely suited to leading national security forces.
- **Operational Efficiency and Mandatory Central Stints:** Mandatory IPS postings to CAPFs foster inter-service familiarity and cement operational bonds between IPS leaders and CAPF cadre officers.

### Issues & Criticism Surrounding the Bill

- **A Permanent Glass Ceiling for 13,000 Officers:** By reserving all high posts for IPS officers by law, the Bill forecloses any possibility of a CAPF cadre officer ever leading the force they have served in for thirty years.
  - ♦ **Example:** An officer who joined the BSF as an Assistant Commandant in 1995, served through the Kargil conflict, conducted hundreds of border operations, and reached Additional DG — cannot become Director General of the BSF under this Bill. That post must go to an IPS officer. The Supreme Court in 2025 called this arrangement a structural violation of equality norms.
- **Threat to Separation of Powers:** The 'notwithstanding' clause, which gives the Bill's provisions primacy over court orders, will almost certainly be challenged as transgressing the Basic Structure of the Constitution, of which judicial review and separation of powers are components.
- **Equality in Public Employment (Articles 14 and 16):** The Constitution guarantees every citizen equal opportunity in matters of public employment. A law that creates two permanent classes of government servant — one eligible for the highest posts, one permanently barred by virtue of their service entry point — is facially discriminatory and will face a serious constitutional challenge.
- **Morale and Human Cost of Institutional Stagnation:** The promotion crisis in CAPFs is not abstract, it has measurable human consequences that directly affect operational readiness. A demoralised force is a compromised force, and the Bill does nothing to address the root causes of personnel distress.
  - ♦ Example: Between 2021 and 2025, 749 CAPF personnel died by suicide, 46,000 officers took voluntary retirement, and 9,532 resigned. In the CISF, it takes nearly three decades for a cadre officer to reach ADG rank.
- **Short-Tenure Command and Its Operational Costs:** An IPS officer arrives in a CAPF posting for a fixed tenure of two to three years, learns the force's terrain, doctrine, and personnel, and then rotates out. The institutional knowledge they build leaves with them. Cadre officers provide the continuity of command that complex security operations require.

### Way Ahead

- **Standing Committee Referral Before Enactment:** The Bill must be referred to the Parliamentary Standing Committee on Home Affairs with mandatory representation from CAPF cadre officer associations.
- Legislation of this constitutional weight affecting 10 lakh personnel and directly engaging Articles 14, 16, 141, and 312 must bear the scrutiny of thorough parliamentary deliberation before it becomes law.
- **Delink Administrative Reform from Deputation Entrenchment:** The genuine reform goals of the Bill a unified statute, codified grievance redressal, transparent promotion norms, welfare frameworks can and should be achieved without simultaneously mandating IPS quotas in statute. Separating these two aims would allow the administrative modernisation to proceed without triggering the constitutional controversy.

- **Implement the Supreme Court's Cadre Review Directive:** The 2025 SC judgment directed the Ministry of Home Affairs to complete a cadre review within six months — a deadline that passed without compliance.
- **A Statutory Glide Path for Deputation Reduction:** Rather than locking quotas permanently, the law could prescribe a defined, time-bound trajectory: for example, reducing the IPS share of IG posts from 50% to 30% over five years, with a review at each stage. This would honour the Supreme Court's direction, give the administration adjustment time, and avoid the constitutional vulnerability of permanence.
- **Mandatory Force-Specific Training for Deputed Officers:** Any IPS officer deputed to a CAPF command should be required to complete rigorous, force-specific induction covering counter-insurgency doctrine, border law, high-altitude operations, or industrial security as relevant — before assuming command. This builds genuine operational competence and addresses the 'parachute leadership' critique that cadre officers most resent.
- **Create a CAPF Welfare and Redressal Authority:** Given the alarming data on suicides, resignations, and voluntary retirements, a statutory body with independent monitoring powers, annual reporting obligations to Parliament, and a direct mandate to address career stagnation and mental health within the forces should be created independent of the leadership structure debate.

Source: TH

### Daily Mains Practice Question

- [Q] The CAPF (General Administration) Bill, 2026 seeks to replace five separate force-specific Acts with a single unified statute. Examine its need and significance for India's internal security architecture.

