

PROCEEDINGS OF THE STATE POLICE CHIEF, KERALA,
THIRUVANANTHAPURAM

Present: Jacob Punnoose IPS

Sub :-Compliance of Hon. High Court direction in the Judgment in WP(C) 16441/2011 filed by Sri. Benni EF, AC, KAP I Bn- Revision of Seniority List in the category of Havildars in the AP Bns with effect from 18.01.1984 to 01.01.1998 - Revised - Orders issued.

Read:-(1) GO(P) 6/1984/Home Dated 18.01.1984.
(2) GO (Rt) No. 188/2012/Home Dated 21.01.2012.

Order No. A3/Spl.Team/8774/2012 (1) Dated 23.03.2012

Government vide GO read as first paper above, ordered that the SPC will take essential steps to revise the Seniority List and Select List in the cadre of the Armed Police Sub Inspectors with effect from 1.01.1987 to 31.12.1999, by strictly following the guidelines of the High Level Committee and that the process should be completed **within a period of two months**, after observing the following facts, in the existing seniority lists of all categories of AP Battalions, in compliance of High Court directions in the WP(C) 16441/2011 filed by E.P. Benni Assistant Commandant KAP I Bn, as mentioned below:-

(i) It was found that the strength of the personnel in the battalion remained exceeded beyond the actual strength in all the ranks, due to the filling up of vacancies of Special Units also, by which regular personnel in the battalion have preferential claim to get regularization of their promotion first than those sports personnel against supernumerary posts. But personnel appointed under sports merit alone are considered for regularization and assigned earlier seniority in the respective ranks with effect from such appointment/reappointment and out of turn promotions etc.

(ii) The provision of Article 69 of KFC relating to those appointed against supernumerary posts and their subsequent regularization in the permanent cadre and thereafter assigning their seniority in the entry cadre as per Rule 27(a) of KS&SSRs is seen violated in all the

seniority lists published by regularizing those appointed/promoted by creating supernumerary posts to that of the posts of those who were promoted earlier by filling up the vacancies in the Special Units from battalions.

In light of the above Government direction, the finalized seniority list of Havildars published vide order no. A1/6051/2004 APB (1) Dated 15.01.2011 has been examined in detail with reference to the Special Rules read as 1st paper above, as well as with the Report of the High Level Committee of Officers vide Letter No. 152/Camp/ADGP (Trg)/2005 dated 11.03.2005. It is found that in the above seniority list, the service condition of those 56 sports Havildars appointed on contract basis, to be regulated as per suggestion No. 9 of the Report of the High Level Committee of Officers, is not seen carried out. Similarly the service of those appointed against supernumerary posts/reappointed/promoted on out of turn basis are also not seen regulated as per the Report of the High Level Committee of Officers. Those who remain appointed in the category of Havildar from among sportsmen needs to be taken to the main stream in the respective categories based on their nature of appointment to the AP Battalions, as per the suggestions of the High Level Committee of Officers and also in conformity with High Court directions as per the Common Judgment in WA no. 462/2002 as most of the appointments are on contract basis, out of turn promotions, reappointments, and temporary promotions against supernumerary posts. As such, it became essential to modify the seniority lists of Havildars, APASIs and APSIs with effect from 18.01.1984, ie from the date on which the Special Rules for the categories of personnel from Police Constable to Armed Police Sub Inspector came into force, by publishing year wise seniority lists of each category with effect from 18.01.1984.

In the above circumstances the year wise seniority lists of Havildars of AP Battalions with effect from 18.01.1984 is published and appended herewith based on the following criteria, strictly in conformity with the Report containing guidelines of the High Level Committee, and limiting the regularization process of sports appointments within the limit of Common Judgment in WA No. 462/2002.

- (a) The date of regular appointment of those appointed on contract appointment (Under Rule 9 A of KS&SSRs) in any category under sports quota is regulated as per suggestion no. 9 of the High Level Committee ie, the date followed by training period for the respective post (9 months/12 months, as the case may be) plus the period for completion of such contract appointment and the seniority in the category to which appointed is reckoned with effect from the date followed by such contract appointment.
- (b) The date of regular appointment of those personnel appointed against supernumerary posts/promoted on out of turn basis, in excess of what was permitted as per rules, against supernumerary posts, is regulated as per the article 69 of KFC. As such, those who were promoted earlier even by filling up the vacancies in the Special Units from battalions, as on the date of appointment of such category of sports personnel, have preferential claim to get regularization in the respective posts that they were already occupying the posts prior to the appointment of such sports personnel.

The Unit Heads will strictly ensure that sufficient copies of this seniority list are taken and circulated among those Havildars without any delay, giving top priority to the matter. Similarly, the Objections/representations relating to this seniority list received should have to be forwarded to PHQ direct within the time limit itself. **In this regard, if there are any complaints of laxity in circulating this seniority list to the concerned, and in forwarding the Objections/representations relating to this seniority list to Police Headquarters within the time limit, received from any corner, will be dealt with by the Unit Head himself as per rules and disposed. Those who have any complaints/objections against this provisional seniority list should furnish within 10 days from the date of its publication to the undersigned through proper channel. If no complaints received as stipulated above, the provisional seniority list will be finalized accordingly. Those complaints received not through proper channel, and those complaints received through proper channel**

after the stipulated time limit, will not be entertained on any account.

The Unit heads concerned are instructed to arrange circulation of this list to those who went on deputation from their units.

This list is also published in the official Website of Kerala Police.

Sd/
State Police Chief.

To

The ADGP, AP Bn/ADGP (Int)/Director KEPA/IGP SCRIB for necessary action.

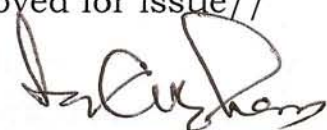
IGP SCRIB will publish this list in the Official Website forthwith.

The DIG AP Battalions.

The Commandants SAP, MSP, KAP1, KAP2, KAP3, KAP4, & KAP5, IR Bn and RRRF for necessary action.

Copy to the IGP SCRIB for publishing this list in the Official Website.

//Approved for issue//



S. Abdul Hameed Khan,
Sr. Superintendent.