

**PROCEEDINGS OF THE STATE POLICE CHIEF, KERALA,**  
**THIRUVANANTHAPURAM**

***Present: K.S. Balasubramanian IPS***

Sub:-Compliance of Hon. High Court direction in the Judgment in WP(C) 16441/2011 filed by Sri. Benni E.F, AC, KAP I Bn- Revised Seniority List in the category of APSIs in the AP Bns with effect from 18.01.1984 to 31.12.1999 – 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.

(3) Order No. A3/Spl.Team/76548/2012 Dated 27.10.2012 and 20.11.2012.

(4) PHQ Order No. T4/72814/2012 Dated 03.08.2012.

(5) PHQ Order No. T4/112876/2012 Dated 07.12.2012.

**Order No. A3/Spl.Team/122142/2012 Dated 31.12.2012**

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,** (Subsequently extended as per request) 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:-

- (a) ***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.***
- (b) ***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 revised combined seniority lists of Havildars and Armed Police Assistant Sub Inspector with effect from 18.01.1984 to 1.01.1998 have been revised and finalized and the corresponding select lists of Havildars fit for promotion as Armed Police Assistant Sub Inspectors, and Armed Police Assistant Sub Inspectors fit for promotion as Armed Police Sub Inspectors up to the year 1998, have also been notified vide paper read as 4<sup>th</sup> and 5<sup>th</sup> above, strictly in conformity with the Report of the High Level Committee of Officers vide Letter No. 152/Camp/ADGP (Trg)/2005 dated 11.03.2005.

Special Rules vide GO (P) 6/1984/Home Dated 18.01.1984 read as first paper above, permits 25% of direct appointments in the rank of Armed Police Sub Inspectors and 10% of the 25% of the quota are limited for direct recruitment of APSIs under Sports Quota. As such 75% of the vacancies of Armed Police Sub Inspectors are filled up by promotion, 22.5% through Kerala Public Service Commission and 2.5% by direct recruitment through Sports Quota, after getting prior approval from Government for each category upto APSI. The Special Rules also permits out of turn promotions from PCs up to APSIs only by the Director General of Police, and thereafter by Government for specified excellence in sports once in service.

The extract of the suggestions of High Level Committee of Officers applied in this list are reproduced below:-

- "5. Direct appointment to the rank of SIs are limited to 10% of the 25% quota for direct recruitment (ie., 2.5% of the total vacancies of SIs). Excess if any has to be regulated within the quota**
- 6. Non-supernumerary appointments made within the limits prescribed in the rules will be considered a normal appointment.**
- 9. Sports appointments which are normal as per the rules will normally be deemed to have taken place from the date of actual joining for duty or on the date of the order as may be applicable. If the date of appointment was on contract basis, and if the person was allowed to continue beyond the contract period without any further order being issued, he may be deemed to be a regular appointee from the date on which the contract would have been normally terminated.**

**20. ASIs/SIs in the non-sports channel should not lose their seniority by the direct supernumerary appointment of sports persons over and above the quota fixed for such appointments. Such supernumerary posts should be considered as additions to the cadre so that eligible non-sports personnel can be promoted in the normal posts”**

Accordingly, as part of complying with the Government direction vide G.O read as paper 2<sup>nd</sup> above, a revised provisional seniority list of APSIs with effect from 18.01.1984 to 31.12.1999 is hereby published for circulation among all concerned, strictly based on the following guidelines.

- (i)** Under sports category of appointments, there were two types of appointments made, ie Contract Basis appointments under Rule 9A of KS&SSRs for one year/five year, and appointments against supernumerary posts under Rule 31 of KS&SSRs.
- (ii)** Seniority of those sports APSIs appointed under the above two categories are to be regulated based on the 20 Suggestions as per the report No. 152/Camp/ADGP(Trg)/2005 dated 11.03.2005 of the High Level Committee of Officers, based on Common judgment dated 20.06.05 in WA. No 462/02, WP(C) No. 36955/04, CCC No. 1293/00 & OP Nos 22547/2000, & 4880/2001 and WP(C) No. 36955/2004 of the Hon. High Court of Kerala and based on GO(Rt) No 188/2012/Home Dated 21.01.2012 complying the Judgment of the Hon. High Court of Kerala.
- (iii)** It may be noted that all the above such sports appointments are made when Special Rules as per GO (P) 6/1984/Home Dated 18.01.1984 became operative, whereas the appointments were to be based on Rule 3(f) of the Special Rules, provided the candidates are possessing qualifications prescribed for the post.
- (iv)** All contract appointments of APSIs under sports category made from 1984 have been treated as regular by regulating their service as per suggestion no. 9 of the Report of the High Level Committee, ie the date followed by training period for the respective post, 12 months 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.
- (v)** The date of regular appointment of those APSIs, re-appointed against supernumerary posts, is regulated as per the article 69 of KFC. As such, the service of those who were promoted earlier

as APSIs even by filling up the vacancies in the Special Units from battalions, as on the date of appointment of sports personnel included in this seniority list, have been given regularization as APSIs, as they were already occupying the posts prior to the appointment of such sports personnel as APSI.

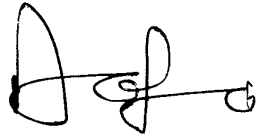
- (vi) Preferential claim for getting regularization of service of those sports contract appointees (APSIs) is admitted and the service of those sports supernumerary APSIs appointed and included in this seniority list are given regularization of their service as per suggestions of the above Report of the High Level Committee, after the sports contract appointees.
- (vii) Followed by the Special Rules vide GO (P) 6/1984/Home Dated 18.01.1984, 24 vacancies of APSIs as on 31.12.1985 had been reported to the Kerala Public Service Commission vide PHQ Letter No. L1/39307/84 Dated 14.09.1984. The total number of APSIs up to 1995 being 133, and thereafter 166, these vacancies were to be reserved for direct recruits, only 75% of APASIs alone are eligible to remain as APSIs in the quota meant for them, till the direct recruits report for duty. Accordingly only 10% posts of Direct APSIs of 25% alone are eligible for regular appointment and absorption in the main stream against the Sports Quota.

The Unit Heads will strictly ensure that sufficient copies of this seniority list are taken and circulated among the concerned without any delay, giving top priority to the matter. **Those who have any complaints/objections against this provisional seniority list, should be furnished within 10 days** from the date of its publication to the undersigned **through proper channel only.** **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.** Similarly, the Objections/ representations relating to this seniority list received should have to be forwarded to PHQ by Unit Heads 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, should have to be dealt with by the Unit Head himself as per rules and disposed.**

**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.

  
STATE POLICE CHIEF  
31/12/14

To

The ADGP AP Bn/ADGP(Int)/IGP SCRB for information and n/a. The IGP SCRB will publish this in the official website forthwith.  
The DIG AP Bn/DIG (Trg), KEPA for information and n/a.  
The Commandants SAP/MSP/KAP 1/KAP 2/KAP 3/KAP 4/KAP 5/IR Bn and RRRF Bn for information and n/a.  
The Principal PTC for information and n/a.  
SS/JS L Section for information.