



PROCEEDINGS OF THE STATE POLICE CHIEF KERALA,
THIRUVANANTHAPURAM
PRESENT : LOKNATH BEHERA IPS

Sub:- Provisional Seniority list of Armed Police Sub Inspectors w.e.f 18/01/1984 to 31/12/2011-Finalized – Orders issued

Ref :- (1) Order dated 16/09/2014 of the Hon'ble Kerala Administrative Tribunal in OA 1752/2012 and connected cases.
(2) This Office Order No A3/99387/2015 dated 28/04/2016.
(3) This Office Order No A3/99387/2015 dated 04/10/2016.

ORDER NO: A3/99387 /2015 DATED: 17/11/2016

1. In the light of the Government direction vide GO(Rt) No 188/12/Home dtd 21.01.2012, the seniority lists in the category of Havildar, APASI, APSI and API were revised and published. The regularization process of the personnel appointed in the Police Department under Sports Quota was carried out as per the Special Rules and as per the recommendations of the High Level Committee constituted for the purpose of regularization of the sports personnel. However several Original Applications were filed before the Hon'ble Kerala Administrative Tribunal against the said seniority lists by the Sports personnel who were appointed under Sports Quota in supernumerary posts and the Hon'ble Tribunal quashed the Seniority Lists and the Govt Order.

2. The point that was considered by the Hon'ble Kerala Administrative Tribunal for decision for the disposal of the Original Applications was “ *the date with effect from which the sports personnel appointed under Sports Quota in supernumerary posts will get seniority; whether it is from the date of appointment or from the date the incumbent is subsequently accommodated in a regular vacancy.*” The Original applications were finally disposed by the Hon'ble Kerala Administrative Tribunal arriving at a conclusion that such appointees are entitled to get seniority with effect from the date they were appointed in the supernumerary posts. The same point was delivered by the Hon'ble Kerala Administrative Tribunal in another Order dated 17/09/2014 while disposing the Transferred Applications 6407/2012 and 3994/2012. As such, the entire regularization that had been made earlier needs to be revised. The Department has decided to revise the Seniority lists from the category of Havildar onwards in view of the observations of the Hon'ble Kerala Administrative Tribunal.

3. Accordingly, a Revised Finalized Seniority List of Havildars and Armed Police Assistant Sub Inspectors had been published. In continuation to this, a Revised Provisional Seniority List of Armed Police Sub Inspectors from the year 1984 was published vide order read as 3rd paper above calling for objections against the

Seniority List. The Select List of APASIs fit for promotion as APSIs has been revised from the year 1987 onwards and the APSIs prior to the year 1987 have been included as in the case of previous Seniority Lists. The principle followed in fixing the Seniority of the personnel is as follows-

(i) The Sports Personnel who were appointed in Supernumerary posts were given seniority with effect from their *date of appointment* as ordered by the Hon'ble Kerala Administrative Tribunal.

(ii) The personnel who were directly appointed to the cadre of APSI by the Kerala Public Service Commission were assigned seniority with effect from their *date of advice*.

(iii) Those who were promoted to the cadre of APSI were assigned seniority from the *date they were subsequently regularized* in a regular vacancy.

4. Consequent to the publication of the Revised Provisional Seniority List, the following personnel have submitted objections against the Seniority List. All the petitions have been examined in detail with reference to the concerned records and relevant portions of KSSRs and the remarks on their petitions are furnished herein after. The requests that are found genuine and could be admitted as per the rules and records have been allowed and necessary corrections/modifications are made in the list.

5. The following personnel have requested to include them in the Seniority List.

- (i) Sri. Lal Babu, API (Grade)
- (ii) Sri. Mohandas. D. A, API (Grade)
- (iii) Sri. T.K Ganeshan, API (Grade)
- (iv) Sri. S. Suresh, API (Grade)
- (v) Sri. Sudheesh. S, API (Grade)
- (vi) Sri. P. Unnikrishnan, API (Grade)
- (vii) Sri. Bosco Joseph, API (Grade)
- (viii) Sri. Justin. C, API (Grade)
- (ix) Sri. Dhamodaharan. K, API (Grade)
- (x) Sri. Useph. A. K, APSI
- (xi) Sri. R. Manoj, API (Grade)
- (xii) Sri. G. Manoharan, API (Grade)
- (xiii) Sri. Rajendran. R, APSI
- (xiv) Sri. Dominic Xavier, API (Grade)
- (xv) Sri. Salu. K. Thomas, API (Grade)

On verification of the records, it is found that they are not eligible to be included in the Seniority List of APSIs up to the year 2011 as per the revised seniority position in the cadre of APASI which was finalized vide Order read as 2nd paper above. The petitions cannot be considered and hence are rejected.

6. Sri. P.K Stephen, API (Grade) has submitted representation that many of his juniors as per the Provisional Seniority List are now enjoying a higher rank. So he has requested to promote him urgently. There is no objection against the Seniority List and he will be considered for promotion in due course, as per rules.

7. Sri. P.S Raveendran, API (Grade) has submitted a representation challenging the Seniority position of S/Sri. Ajith (SI No 426), Rajesh (SI No 427), Manoj. K. Nair (SI No 428), Abdul Rahman (SI No 383), Manoj Sebastian (SI No 359), K.S Binu (SI No 402) and Muhammed Nazeer (SI No 460).

On verification of the records it is seen that S/Sri. Ajith, Rajesh and Manoj. K. Nair were directly recruited APSIs and they were given seniority with effect from their **date of advice**. S/Sri. Abdul Rahman, Manoj Sebastian, K.S Binu and Muhammed Nazeer have been assigned seniority as per the Seniority List of APASIs finalized vide order read as 2nd paper above, where they are senior to the petitioner. Sri. Muhammed Nazeer was given out of turn promotion to the cadre of APASI vide GO(Rt) No 3318/86/Home dtd 04/12/86 and the seniority in the cadre of APASI has been determined accordingly. He reported for duty after long leave on 15.05.2006 and was considered for inclusion in the Seniority List in the first vacancy that arose after his return. Hence the petition deserves no merit and is rejected.

8. Sri. Gopan. V, API (Grade) has submitted objection that he has been regularized only in the year 2007, and requested for regularization in the year 1994. The regularization of promotion can be made only against actual vacancies and as such he is eligible for inclusion only in the year 2007 as per the availability of vacancy and as per the seniority in the cadre of APASI which was finalized vide order read as 2nd paper above. Hence the petition deserves no merit and is rejected.

9. Sri. Thankappan. S, APSI (Rtd) has submitted objection against the placement of directly recruited Armed Police Sub Inspectors, recruited in the year 2003, 2006 & 2007, and who were placed above his position. The directly recruited APSIs are eligible for seniority with effect from their **date of advice**. The petitioner was regularized against a vacancy which arose in the quota prescribed for promotees. The petitioner is eligible for only the same as per the revised seniority in the cadre of APASI which was finalized vide order read as 2nd paper above. Hence the petition deserves no merit and is rejected.

10. Sri. Harilal. V.V, Deputy Commandant and Jose Kurian Deputy Commandant (Rtd) have submitted objections that a number of personnel are deliberately excluded from the Seniority List. All the APSIs who were in service prior to the year 1984 are now included in the finalized Seniority List. The petitioners were reappointed as Armed Police Inspector in the year 1989 and the seniority will be granted to them with effect from their date of appointment as API. Hence there is no justification for their objection and they are rejected.

11. Sri. C. Asokan , Assistant Commandant has submitted representation for placement above Sri. T.P. Syam Sundar who is at SI No 227. Both of them were appointed directly as APASI and their Seniority in the cadre of APASI had already

been finalized vide order read as 2nd paper above, by granting them seniority with effect from their **date of appointment**, where Sri.T.P. Syam Sundar is senior to the petitioner. The Seniority in the cadre of APSI is reckoned accordingly. The petition deserves no merit and is rejected.

12. Sri. Satheesh Chandran Nair, API (Grade) has stated that his promotion to the cadre of APSI had already been regularized in the year 1994 and there were almost 84 vacancies in the cadre of APSI in the year 1994 due to retirement. On verification it is seen that there was no regular vacancy in the cadre of APSI in the year 1994 due to retirement. The argument of the petitioner deserves no merit as it could not be justified on any ground as the cadre strength of APSI reserved for promotees during the year 1994 was only 100 which was full. Hence his objection deserves no merit and is rejected.

13. Sri. K.C Kuriachan, Assistant Commandant has submitted objection against the placement of S/Sri. P.T Mehaboob, K.V Jayanth, K.M Siraj, Henry Shajan and M. Babu Rajan, who were placed above him in the Seniority List. The seniority assigned to them is based on the finalized Seniority List of APASI published vide order read as 2nd paper above issued on the basis of the orders from the Hon'ble KAT. They were seniors to the petitioner and hence the petition deserves no merit and is rejected.

14. Sri. Benny Joseph, Assistant Commandant has submitted objection against the placement given to him in the Seniority List. The Seniority has been reckoned as per the finalized Seniority Lists of Havildars and APASIs. His objection against the provisional seniority list of Havildars has already been rejected while finalizing the same.

15. S/Sri. K.C Ayyappan API (Grade), Sasidharan. K.V API (Grade), N. Raveendran APSI, C. Sreekumar APSI, Chandran. D APSI, Vinayakumar. D APSI have submitted representations that they had already been regularized in the cadre of APSI on an earlier date than that appeared in the Provisional Seniority List and claimed for seniority as per the earlier regularization.

As there is a fixed quota for direct appointment and promotion in the cadre of APSI, the seniority can be assigned only within the sanctioned strength. The cadre strength of promotees was 100 up to the year 1995 and 124 from 25.08.1995. A finalized Seniority List in the cadre of APSI as on 31.12.1999 had already been published vide L1/252/2005 dated 03.01.2005 after regularizing the promotions against actual vacancies. Only the person who is at Serial No 209 in that list has been regularized within the year 1999. The petitioners were at SI Nos 240, 307, 314, 317, 348 and 349 respectively and far below in the list to be regularized within the year 1999. Due to the revision of seniority as ordered by the Hon'ble KAT, some sports personnel have also been given seniority above the petitioners. As such S/Sri. Ayyappan & Sasidharan are eligible to be included in the list for the years 2005 & 2008 respectively. S/Sri. Raveendran & Sreekumar are eligible to be included for the year 2009. S/Sri. Chandran and Vinayakumar are not eligible to be included in the Seniority List of APSIs up to the year 2011. Hence the petitions deserve no merit and are rejected.

16. Sri. K.M Sajeew, Assistant Commandant has submitted objection against the placement of S/Sri. Anilkumar, C. Jayakumar, T.J Baby, Mathew Thomas, A. Zakeer, P.A Santhosh, P.T, Mehaboob, K.V Jayanth, K.M Siraj, P.P Henry Shajan and M. Babu Rajan who were placed above him in the Seniority List. The Seniority has been assigned as per the finalized Seniority List of APASIs and the objection of the petitioner was already rejected while finalizing the same.

17. Sri. K.M Siraj, API(Grade) has requested to place him above S/Sri. K.S Sudarsanan and K.N Aravindan who are directly recruited APSIs. The APSIs been given seniority with effect from their date of advice and the petitioner is eligible to be regularized for the vacancy that arose in 1995 only. The claim deserves no merit and is rejected.

18. Sri. M. Vijayakumar API (Rtd), Sureshkumar. K.S API, Rajeswarakumar. C API (Rtd), Anilkumar. B.S API, Joseph Sartho, Assistant Commandant, Harikumaran Nair, Assistant Commandant have submitted representations that they had already been regularized in the cadre of APSI on an earlier date than that appeared in the Provisional Seniority List and claimed for seniority as per the earlier regularization. As there is a fixed quota for direct appointment and promotion in the cadre of APSI, the seniority can be given only within the sanctioned strength. The cadre strength of promotees was 100 up to the year 1995 and 124 from 25.08.1995. A finalized Seniority List in the cadre of APSI as on 31.12.1999 had already been published vide L1/252/2005 dated 03.01.2005 after regularizing the promotions against actual vacancies.

In that Seniority List Sri. Rajeswarakumar was regularized in the year 1995. S/Sri.M. Vijayakumar, B. S. Anilkumar, Joseph Sartho, Harikumaran Nair and K. S. Sureshkumar were regularized in the year 1998. They got regularization in the same years in the revised seniority list also. Hence as their representations does not deserve consideration, they are rejected.

19. Sri. Jiju Samuel, APSI has submitted representation for including him in the Seniority List. He was not included in the Seniority List of APASI, hence he is not considered for inclusion in the Select List of APASIs fit for promotion as APSIs. No objection was submitted by him while finalizing the same. Hence his representation is rejected.

20. Sri. A.R Mohanakumar, API(Grade) has requested to include him in the Seniority List for the year 1999. His representation has been examined with connected records. On verification of the records, it is seen that he can be accommodated only against the vacancy that arose in the year 2007 as per the revised Seniority in the cadres of Havildar and APASI and ranked accordingly.

21. Sri. S. Chandrachoodan, Assistant Commandant has requested to place him above Sri. B. Ajithkumar, who is at SI No 230. Sri B. Ajithkumar was appointed as APSI under sports quota vide GO(MS) No 67/90/Home dated 23.04.1990 by creating supernumerary post and Sri. Chandrachoodan was recruited as APSI through KPSC by the advice dated 05.10.1991. As such Sri. Ajithkumar is eligible to be

placed above the petitioner and hence the request of the petitioner is rejected as it has no merits.

22. Sri. K.S. Bhadrakumar, Assistant Commandant has requested to include him in the Seniority List for the year 1990. His representation has been examined with connected records. As per the revised seniority in the cadre of Havildar and APASI, he is eligible to be included only for the vacancy that arose in 1993. His request deserves no merit and is rejected.

23. Sri. P. Gopi, Assistant Commandant (Rtd) has submitted objection against the placement of the personnel who were appointed under sports quota. The seniority has been assigned as per the Order of Hon'ble KAT in OA 1752/2012 and connected cases. The objection deserves no merit and hence is rejected.

24. Sri. C. Chandrababu, API has submitted objection against his placement given in the Seniority List. His representation has been examined with connected records. He is eligible to be included in the vacancy that arose only in 2004 within the sanctioned strength as per the revised seniority. The directly recruited APSIs have to be given seniority with effect from the date of advice and his contention to place him above the directly recruited APSIs deserves no merit and hence is rejected.

25. Sri. Shaji Joseph, APSI has submitted representation for including him in the Seniority List of APSI. He was included in the Seniority List of APASI and shown as "removed from service in 2006" as per the available records. There is no objection submitted by him while finalizing the same. Hence he was not considered while preparing the Select List of APASIs fit for promotion as APSIs. His request is rejected as it is devoid of merits.

26. Sri. E.F Benny, Assistant Commandant has submitted a representation that SI Nos 65 to 73 were intentionally placed above Sri. M. Bhaskaran Nair to include some of the promotees in 75% quota. On verification, it is seen that the above mentioned personnel were enjoying seniority in all the previously published Seniority Lists and they are eligible for that seniority. He also submitted objection against the placement of SI No 231, 232, 242 & 243 who were placed above him in the Seniority List. The said sports personnel were directly appointed to the cadre of Armed Police Sub Inspector before the appointment of the petitioner. They were given seniority with effect from their date of appointment. The objections raised by the petitioner deserve no merit and hence are rejected.

27. Sri. P. Jamalu, API (Grade) has submitted objection against the placement given in the Seniority List. As there is a fixed quota for direct appointment and promotion in the cadre of APSI, the seniority can be given only within the sanctioned strength. The cadre strength of promotees was 100 up to the year 1995 and 124 from 25.08.1995. A finalized Seniority List in the cadre of APSI as on 31.12.1999 had already been published vide L1/252/2005 dated 03.01.2005 after regularizing the promotions against actual vacancies. Only the person who is at Serial No 209 in that list has been regularized within the year 1999. The petitioner was at Serial No 229. He is eligible for regularization only within the regular vacancies that arose during the

years 2000 to 2011. Due to the revision of seniority, as ordered by the Hon'ble KAT, some sports personnel have also been given seniority above to the petitioner. As such he is eligible to be considered for the vacancy that arose in 2003 only. The request of the petitioner deserves no merit and hence is rejected.

28. Sri. C.M. Sudheerkumar, Assistant Commandant has submitted objection against the placement given to him in the Seniority List. He was directly appointed as APASI and given seniority with effect from the date of appointment. Further promotion to the cadre of APSI can only be regularized within the sanctioned strength and he is eligible to be included for the vacancy that arose in 1993 only and ranked accordingly. The objection raised by the petitioner deserves no consideration and is rejected.

29. Sri. G. Muraleedharan Nair, API(Grade) has submitted objection against the Seniority List that the percentage of the directly recruited APSIs has been exceeded in the Seniority List. His contention that the percentage of direct recruits is about 60 in the Seniority List cannot be justified as only 23 APSIs are still continuing in the cadre of APSI as on 31.12.2011 whereas the sanctioned strength of APSIs in the Battalion is 166.

30. Sri. Ajithkumar. B, Jose. V. George and Sigimon George Assistant Commandants have submitted objection against the Seniority List that about hundred personnel who were not included in the Seniority List of APASIs are now included in the Seniority List of APSIs. Only those APASIs who got regularization from the year 1984 were included in the finalized Seniority List of APASIs. The personnel pointed out by Sri. B. Ajithkumar had already been promoted to the cadre of APASI prior to the year 1984 and they became APSI in the year 1984 and got regularization in the cadre of APSI in the year 1984. The Select List of APASIs fit for promotion as APSIs had been revised from the year 1987 and the Seniority List of APSIs had been prepared accordingly. However all the APSIs who were in service from the year 1984 onwards are included in the Seniority List.

Another contention of the petitioner is about the inclusion of Sri. K. N Vasudevan. The Select List of APASIs fit for promotion as APSIs has been revised from the year 1987 and the Seniority List is prepared accordingly. Sri. K. N Vasudevan was included in the previous Seniority Lists of APSIs for the year 1986 and he retired as an Assistant Commandant. Hence there is no discrepancy in his inclusion.

S/Sri. Chandrasekharan Nair, A.J Thomas, Johny Augustine and T.P Syam Sundar were directly appointed APASIs and their seniority has been re-fixed with effect from their date of appointment. As such they are eligible to be included in the Seniority List of APSI above to the petitioner. S/Sri. Alex Abraham and M. Rajan had been given out of turn promotion by creating supernumerary posts vide GO(MS) No 113/89/Home dated 07.09.1989. Their seniority has been reckoned accordingly as per the order of Hon'ble KAT in OA 1752/2012 and connected cases. S/Sri. Jose. V George and Sijimon George were appointed in excess of the quota as prescribed in the Special Rules. However they have been given seniority with effect from their date of

appointment as per the order of Hon'ble KAT in OA 1752/2012 and connected cases Hence the contentions of the petitioners deserve no merit and are rejected.

31. S/Sri. Jayaraj. K. S Asst Commandant (Rtd), N. K Sugathan Asst Commandant (Rtd), Krishnankutty. P. C, Deputy Commandant, Viswambharan. E.K Deputy Commandant (Rtd), K.O Rajan Asst Commandnt, S/Smt. Shani. S. J (W/o The Late T.M Gopi, Asst Commandant) and Lelitha. K.K (W/o The Late P.A Vijayan, Asst Commandant) have submitted objections against the Seniority List. The petitions are of similar nature and disposed off accordingly. The main contention of the petitioners is that the Seniority List is being prepared violating the specified quota. They have requested to return their seniority as finalized vide L1/252/2005 dated 03.01.2005.

The representations have been examined with connected details. The Seniority Lists are being revised consequent to the order dated 16.09.2014 of Hon'ble KAT in OA 1752/12 and connected cases. Only four directly recruited APASIs who have been given seniority as ordered by Hon'ble KAT in OA 1752/2012 and connected cases have appeared newly in the revised Seniority List who are above to the petitioners when compared with the Seniority List published vide L1/252/2005. They have been given seniority in the cadre of APASI with effect from their date of appointment and hence they were eligible to get regularized above the petitioners. For that reason, the four APSIs who got regularization in the previous Seniority List, above the petitioners are now lowered. Thus there is no merit in the petitions and hence are rejected.

32. Sri. Abdul Jabbar and Joseph Russel D' Cruz Assistant Commandants have submitted objection that some Police personnel who were included in the finalized seniority list of APASI were not considered in the provisional seniority list. The petitions have been examined with connected documents. The personnel at SI Nos 26 to 39 in the finalized seniority lists of APASIs, indicated by the petitioner have been given notional promotion in different cadres of the Armed Police Battalion, after their retirement, reckoning their initial appointment in the MSP III Bn, as per the Orders of the Hon'ble High Court. Their promotion was purely on notional basis subject to the position of their immediate juniors and their inclusion /exclusion will not affect the quota/seniority of others in any way. SI No 45, 60, 69 and 90 were not included in any of the previously published Seniority Lists of APSIs. S/Sri. Ajithkumar, Jose. V. George, M.B Sadasivan and Sigimon George Kareethra were appointed in Sports Quota and they have been given seniority with effect from their date of appointment as per the Order of Hon'ble Kerala Administrative Tribunal in OA 1752/2012 and connected cases. The seniority in respect of S/Sri. T.P Shyam Sundar and C. Asokan in the cadre of APASI has already been finalized vide order referred 2nd above. Hence the objection deserves no merit and are rejected.

33. Sri. Sajan. K. Thomas, APSI has submitted objection that some Police personnel who were included in the finalized seniority list of APASI were not considered in the provisional seniority list. The petition has been examined with connected documents. The personnel at SI Nos 26 to 39 in the finalized seniority lists of APASIs, indicated by the petitioner have been given notional promotion in

different cadres of the Armed Police Battalion after their retirement reckoning their initial appointment in the MSP III Bn, as per the Order of Hon'ble High Court. Their promotion was purely on notional basis subject to the position of their immediate juniors and their inclusion /exclusion will not affect the quota/seniority of others in any way. Another contention of the applicant is regarding the exclusion of Sri. Appu, Krishnamoorthy Naidu and Alavi. They have not been included in any of the previously published Seniority Lists of APSIs. S/Sri. Parameswarankutty, Sivadasan Nair and Rajagopalan Nair were not included in the Seniority List of APASI and thus they have not been considered. The objection raised has no merits and is rejected.

34. Sri. Devaki Das APSI has submitted objection against the number of vacancies assigned for the year 2007. His contention is that there were only 5 vacancies. The request has been examined with connected documents. There arose 12 vacancies in 2007 due to promotion, 2 vacancies due to retirement and 2 vacancies due to death. Accordingly 16 personnel were given regularization. The petition therefore deserves no merit and hence is rejected.

35. Sri. Starmon. R. Pillai APSI has submitted objection against the non inclusion of some Police personnel in the provisional Seniority List who were included in the finalized Seniority List of APASI. All of them were not included in the Select List of APASIs fit for promotion as APSIs as they left the Battalion. Sri. Rajendran.R is not eligible to be included in the Seniority List of APSIs up to the year 2011 as per the revised seniority in the cadre of APASI. Sri. Rajendran.K (Hav 5113 SAP) was not included in the Seniority List of APASIs and so he was not included in the Select List of APASIs fit for promotion as APSIs. The request deserves no merit and hence is rejected.

36. Sri. Ajithkumar C. P APSI has submitted objection against the vacancy position in the year 1999 & 2000. The representation has been examined with connected details. There exist only 4 vacancies in the year 1999 due to the promotion of 4 APSIs to APIs. But 9 personnel were mistakenly regularized in the year 1999. This mistake has been corrected. There were two vacancies in the year 2000 and only a correction is needed to change the date of occurrence of vacancy. The same is also corrected. On further verification it is seen that there was a vacancy in the year 2002 due to the death of Sri. Viswakumar, APSI on 07.04.2002. As such one APSI is regularized wef 08.04.2002. The seniority in respect of S/Sri. Habeeb Rahman, Manoj Sebastian and K.S Binu has been determined as per their seniority in the finalized Seniority List of APASIs.

37. Sri. Mathew Thomas, Assistant Commandant has submitted objection against the placement given to him in the Seniority List. The regularization of promotion can be made only against actual vacancies and as such he is eligible for inclusion only in the year 1993 as per the availability of vacancy and as per the seniority in the cadre of APASI which was finalized vide order read as 2nd paper above. Hence the petition deserves no merit and is rejected.

38. Sri. N.J Devasya, Armed Police Inspector(Grade) has submitted objection against the placement given to S/Sri. Habeeb Rahman, Manoj Sebastian,

K.S Binu, Ajith, Rajesh. R and Manoj. K. Nair. Even though S/Sri. Habeeb Rahman, Manoj Sebastian and K.S Binu were appointed in the cadre of Havildar, after the date of appointment of the petitioner, they got out of turn promotion to the cadre of APASI and thus their seniority has been determined accordingly. S/Sri. Ajith, Rajesh. R and Manoj. K. Nair were directly appointed APSIs and they have been given seniority with effect from their **date of advice**. The petitioner is eligible to be regularized only against the vacancy that arose in 2005 below the aforesaid personnel. The petition deserves no merit and hence is rejected.

39. Krishnankutty. V API(Grade) has submitted request for including him in the position above to that of SI No 511. This officer (SI No 511) and others up to SI No 521 are directly recruited APSIs and are eligible to get seniority with effect from their **date of advice**. The petitioner is eligible to get regularized in a vacancy that arose only after the date of advice of the directly recruited APSIs. The petition deserves no merit and hence is rejected.

40. Sri. B. Mohanan, Assistant Commandant has submitted representation for regularizing his promotion for the year 1991. The representation has been examined with connected documents. He is eligible to be regularized in the vacancy in the cadre of APSI that arose in 1993 according to his seniority position in the cadre of APASI. The regularization given in the Seniority List is correct. His objection deserves no merit and hence is rejected.

In the provisional Seniority List of APSIs, only those APSIs who were regularized after 01.01.1984 were included. Several representations were received to include all the APSIs who were in service as on 01.01.1984. As such all the APSIs who were in service as on 01.01.1984 have been included in the finalized Seniority List. SI No 322 and 323, S/Sri. Rajmohan Nair and Parameswaran Nair were mistakenly included in the Seniority List for the year 1995. They had been given notional promotion in the cadre of APSI for the year 1985, after their retirement, considering their service rendered in the MSP III Bn as per the judgment in OP 20428/95. SI No 327, Sri. J. Rajan was not included in any of the previously published Seniority List of APSIs. Hence he is also excluded. Sri. M. John APSI who was included in the Provisional Seniority List of APSIs for the year 2011 is also excluded from the year 2011 for want of vacancy.

The Provisional Seniority List of APSIs published vide reference 3rd cited is hereby finalized.

STATE POLICE CHIEF

- Copy To : The Additional Director General of Police (AP Bn)/IGP (AP Bn) for information and necessary action.
- : The ADGP Intelligence/IGP (Trg) KEPA for information and necessary action
- : All Commandants/Principal PTC for information and necessary action.
- : The Director General of Police SCRB for publishing in the Official Website of Kerala Police