

**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 APASIs 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.  
(3) PHQ Order No.A3/Spl.Team/8774/2012 Dated 4.06.2012  
(4) PHQ Order No. T4/72814/2012 Dated 03.08.2012.

**Order No. A3/Spl.Team/76548/2012 Dated 26.08.2012**

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,** (further stands extended upto 9.09.2012) 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 list of Havildars with effect from 18.01.1984 to 1.01.1998 has been finalized and published vide paper 3<sup>rd</sup> read above and the select list of Havildars fit for promotion as APASIs has also been approved vide paper read as 4<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. The extract of the suggestions applied in this list are reproduced below:-

**"11. In the case of appointments to the ranks of Havildar and ASI, there were no vacancies in the regular cadre to absorb the appointees, such posts in which they were appointed will be deemed supernumerary and such posts will be shown as supernumerary till such time as persons appointed in those posts are absorbed in regular vacancies.**

**12. A Sports supernumerary APASI appointee will be absorbed in the regular cadre of ASI only in the vacancies arising in the ASI cadre after the date of his appointment. Vacancies which existed prior to this supernumerary appointment or promotion should go to those eligible (prior to that date) in the regular cadre of Havildars.**

**13. The principles referred to in the above two paragraphs will apply to supernumerary Havildars appointed as Havildars or supernumerary Havildars given out of turn promotion as APASIs"**

Similarly as part of complying with the Government direction vide G.O read as paper 2<sup>nd</sup> cited, a provisional seniority list of APASIs with effect from 18.01.1984 to 1.08.1998 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 APASIs 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 and appointments 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 APASIs 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 (9 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 personnel appointed against supernumerary posts/appointed against supernumerary posts, is regulated as per the article 69 of KFC. As such, the service of those who were promoted earlier as APASIs 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 APASIs as they were already occupying the posts prior to the appointment of such sports personnel.
- (vi) Preferential claim for getting regularization of service of those sports contract appointees (APASIs) is admitted and the service of those sports supernumerary APASIs 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) 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. Similarly, the Objections/ representations relating to this seniority list received should have to be forwarded to PHQ direct within the time limit itself.
- (viii) **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 be furnished 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.

**(ix) 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.

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 Principal PTC for information and necessary action.