

**PROCEEDINGS OF THE STATE POLICECHIEF, KERALA, THIRUVANANTHAPURAM**

**PRESENT : T.P SENKUMAR IPS**

**Sub: Provisional Seniority list of Armed Police Assistant Sub Inspectors with effect from 01/01/1984 to 31/12/1997-Finalized -Orders issued-reg**

**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 03/03/2016.**

**ORDER NO A3/99387 /2015 DATED 28/04/2016**

A provisional seniority list of Armed Police Assistant Sub Inspectors with effect from 01/01/1984 to 31/12/1997 has been published vide reference 2<sup>nd</sup> paper above and communicated to all concerned calling for objections ,if any against the same, giving a reasonable time.

Against the seniority list, a total no of 32 representations have been received. All the representations have been examined in detail with reference to the concerned records and relevant portions of KSSRs and the remarks on their petitions are furnished below. 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.

1. Sri.C.Chandrababu Armed Police Inspector has requested to place him above Sri.Mehaboob who is at Sl No 210 in the provisional seniority list.Sri.Mehaboob was promoted to the cadre of APASI on 07/09/1989 and he was given seniority as per Rule 27(a) KSSRs and also Govt have clarified the same vide Letter No 77018/A1/97/Home dated 27/05/1999 which was up held by the Hon'ble Kerala Administrative Tribunal in OA 1752/2012 and connected cases. Sri.Chandrababu has been promoted to the cadre of APASI on 30/10/1992 only. Hence the claim of the petitioner deserves no merit and is rejected

2. Sri.K.S Sureshkumar Armed Police inspector has requested for seniority in the cadre of Havildar wef 06/12/1985 and in the cadre of APASI wef 22/01/1991.His representation has been examined in detail. He got seniority in the cadre of Havildar in the revised list wef 01/01/1986 only and the position in the

cadre of APASI has been fixed on account of this seniority. Hence the claim of the petitioner deserves no merit and is rejected

3. Sri.C.Sathyakumar Armed Police Inspector has requested to grant seniority based on the prior regularization issued in the cadre of APASI. But it cannot be considered, as the seniority revision in a cadre should affect the entire regularizations that were made earlier. The claim deserves no merit and hence rejected.

4. Sri.K.M Sajeev, Assistant Commandant has requested to lower the seniority of 12 personnel who were placed above him in the seniority list. But they have been given the seniority as per Rule 27(a) KSSRs and also Govt have clarified the same vide Letter No 77018/A1/97/Home dated 27/05/1999 which was up held by the Hon'ble Kerala Administrative Tribunal in OA 1752/2012 and connected cases. Hence the claim of the petitioner deserves no merit and is rejected.

5. Sri.P.S Satheshkumar Assistant Commandant (Rtd) has requested to lower the seniority of 15 personnel who were placed above him in the seniority list. But they have been given the seniority as per Rule 27(a) KSSRs and also Govt have clarified the same vide Letter No 77018/A1/97/Home dated 27/05/1999 which was up held by the Hon'ble Kerala Administrative Tribunal in OA 1752/2012 and connected cases. Hence the claim of the petitioner deserves no merit and is rejected.

6. Sri.B.V Sunil Raj, Armed Police inspector has requested for seniority based on the prior regularization issued in the cadre of APASI. But it cannot be considered, as the seniority revision in a cadre should affect the entire regularizations that were made earlier. The claim deserves no merit and hence rejected.

7. Sri.B.S Anilkumar, Armed Police Inspector has requested to lower the seniority of some personnel who were placed above him in the seniority list. But their seniority has been determined as per Rule 27(a) KSSRs and also Govt have clarified the same vide letter No 77018/A1/97/Home dtd 27/05/1999 which was up held by the Hon'ble Kerala Administrative Tribunal in OA 1752/2012 and connected cases. Hence the claim of the petitioner deserves no merit and is rejected.

8. Sri.P.S Raveendran,Armed Police Inspector(Grade) has submitted objection against the position of 33 persons who were directly recruited to the Police Department as Havildars through special recruitment. They have been given seniority in the cadre of Havildar with effect from their date of advice as stipulated in Rule 27(c) KSSRs and the petitioner has been given seniority with effect from his date of appointment order. The seniority in the cadre of APASI is determined accordingly.Hence the claim of the petitioner deserves no merit and is rejected.

9. Sri.B.Lalbabu,Armed Police Inspector(Grade) , Sri.G Muraleedharan Nair,Armed Police Inspector (Grade) and salu.K.Thomas,Armed Police Inspector (Grade) have submitted objection against the position of S/Sri.Bhasi Nair,Prakash.V Nair,Anilkumar,M.John,Baburaj,Vijayakumaran Nair who were placed above him in the seniority list and have requested to lower their seniority. The petitions have been examined with the connected records and found no merit.Hence rejected.

10. Sri.Bosco Joseph,Armed Police Inspector(Grade) raised objection against the position of the personnel at SI No 407 to 432 who have been placed above him. But they have been given seniority as per the finalized seniority list of Havildars and the petition of Sri.Bosco Joseph had already been considered and disposed while finalizing the seniority list of Havildars. Hence the claim of the petitioner deserves no merit and is rejected.

11. S/Sri.T.P.Syam Sundar,C.M Sudheerkumar and Johny Augustine and C.Ashokan Assistant Commandants have submitted objection against the ranking of some personnel who were placed above them. The petitioners were directly recruited Armed Police Assistant Sub Inspectors and they were given seniority as per the Order of Hon'ble KAT. The other personnel were given seniority as per the Select list of Havildars fit for promotion as APASIs prepared as per the finalized seniority list of Havildars. Hence the petition deserves no merit and hence rejected.

12. Sri.Jabeer, Armed Police Inspector has submitted objection against the placement of Sri.Habeeb Rahman SI No 253 in the provisional seniority list.Sri.Habeeb Rahman has been promoted to the cadre of APASI on 14/12/1990 by invoking Rule 39 of the General Rules and he has been assigned seniority accordingly. Hence the claim of the petitioner deserves no merit and is rejected.

13. Sri.Benny.E.F,Assistant Commandant has submitted representation against the seniority position of S/Sri.T.P Syam sundar and Sri.C.Ashokan as their initial appointment was to the Armed Reserve. But they are eligible for the seniority as per rules and the position given in the provisional seniority list is correct.

14. Sri.S.Gopakumaran Nair,Armed Police Inspector has submitted representation for getting seniority as per the regularization that was issued earlier. But it cannot be considered, as the seniority revision in a cadre should affect the entire regularizations that were made earlier.The claim deserves no merit and hence rejected.

15. Sri.I.C Pradeepan,Armed Police Inspector(Grade) has requested to exclude the names of S/Sri.Kanakaraj.L, Premlal.S and K.A Anson who were at SI Nos 370,371 & 446 as they were promoted only in 2005 and 2009.The request has been examined with connected records and found correct. So they are excluded from the seniority list. Also he has requested to exclude the names of S/Sri.Sebastian Netto and Babu Jose who were at SI Nos 448 & 450.They left Department on 14/06/1991 and 20/03/1992 respectively. As such they are also excluded from the seniority list.

16. Sri.Shajan George ,Armed Police Inspector has requested for getting seniority as per the regularization that was issued earlier. But it cannot be considered, as the seniority revision in a cadre should affect the entire regularizations that were made earlier .The claim deserves no merit and hence rejected.

17. Sri.Raju Abraham,Armed Police Inspector(Grade) has submitted a representation to change a wrong entry "Removed from service in 2006" which was furnished against his name in the seniority list. The same is deleted.

18. Sri.R.Manoj Armed Police Inspector(Grade) raised objection against the seniority of the personnel at SI Nos 407 to 432 and that of Sri.Bosco Joseph who is at SI No 444.All the personnel mentioned above were seniors to the petitioner as per the revised finalized seniority list of Havildars and they have been given seniority in accordance with the Select list prepared based on the

seniority list of Havildars. Hence the claim of the petitioner deserves no merit and is rejected.

19. S/Sri.K.Gopalakrishnan Nair,A.Mohanachandran Nair,T.V Gangadharan and G.Rajasekharan Nair Armed Police Inspectors(Retired) have requested to reassign the seniority that have been given to the personnel who were appointed under sports quota. But the request cannot be considered as the seniority of the sports personnel has been revised based on the Order of Hon'ble Kerala Administrative Tribunal. Hence the claims of the petitioners deserve no merit and are rejected.

20. Sri.Ajithkumar.B Assistant Commandant raised objection that some of the personnel in the Havildar seniority list have not been included in the provisional seniority list of APASIs. The provisional seniority list is prepared on the basis of the select list of Havildars fit for promotion as Armed police Assistant Sub Inspectors. He has also reported that the APASIs directly recruited on sports quota in supernumerary posts cannot be accommodated in the same year. It is not justifiable as the revision of seniority is made because of the Order of Hon'ble KAT in OA 1752/ 2012 and connected cases in which it is specifically ordered to assign the seniority with effect from the date of appointment.

21. Sri.Sajan.K.Thomas,Assistant Commandant has requested to exclude the names of S/Sri.Ambukunhi, Bhargavan Pillai and K.V John .They have been included in the seniority list as per the Select list of Havildars.Also the judgment regarding the seniority of Sri.Sadasivan will be considered while preparing the Seniority list of Armed Police Sub Inspectors.

22. S/Sri.Sudheesh.S Armed Police Inspector(Grade),K.Sukumara Pillai Armed Police Inspector (Rtd) and Pravi.E.V Armed Police Sub Inspector have represented that they have not been included in the seniority list. The seniority list is prepared based on the Select list of Havildars. They have not been included in the Select list of Havildars. Their representation will be considered by the Ad hoc DPB and they will be given appropriate placement subject to their eligibility.

S/Sri.Kanaka Raj,(SI No 370)Prem Lal(SI No 371),Anson(SI No 446),Sebastian Netto(SI No 448),Babu Jose(SI No 450),John Mathew(SI No 309),K.Saseendran(SI No 434) and Shaji.A.T(SI No 316) who are included in the provisional seniority are excluded from the list as they were found ineligible for inclusion.Also the name of Sri.Raju Abraham was repeated at SI Nos 251 and 308.His exact position at SI No 251 is retained and the one at SI No 308 is excluded. Due to the exclusion of these nine personnel, the next senior most nine personnel as per the Select List are also included.

The provisional seniority list of APASIs for the period from 01/01/1984 to 31/12/1997 is thus finalized and published herewith for information among all concerned. The Seniority list published herewith will be subject to the outcome of the appeal petition OP(KAT) No 400/2014 which is filed before the Hon'ble High Court by Sri.Shanmugaraj and others.

  
~~STATE POLICE CHIEF~~

Copy To : The Additional Director General of Police(AP Bn)/IGP (AP Bn) for information and necessary action.

The Director, State Intelligence Bureau/ Kerala Police Academy for information and necessary action.

The Additional Director General of Police SCRB for publishing in the Official Website of Kerala Police

All Commandants/Principal PTC for information and necessary action.