

<p>OFFICE OF THE DIRECTOR GENERAL OF POLICE PUNJAB, CHANDIGARH.</p>	 <p>ਪ੍ਰਸ਼ਾਸਨ ਵਿੰਗ (ਅਮਲਾ ਸਾਖਾ)</p>	<p>ਦਫਤਰ, ਡਾਇਰੈਕਟਰ ਜਨਰਲ ਪੁਲਿਸ, ਪੰਜਾਬ, ਚੰਡੀਗੜ੍ਹ।</p>
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To

All Heads of Police offices in Punjab.

No. **5326-5425 /E-1(5)**

dated chd the:- **09.05.2017**

Subject: Tentative seniority lists of Head Constables.

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Please refer to this office order No. 2673-2774/E-1(5) dated 07-03-2017 the subject noted above.

2. In COCP No. 1492 of 2015 in CWP No. 4829 of 2011 filed by Pardeep Singh and others in Hon'ble High Court. In this case, Hon'ble High Court has passed the following orders on 08.03.2017 :-

"An additional affidavit dated 06.03.17 of Sukhwant Singh Gill, IPS, Asstt. Inspector General of Police, Personnel, Punjab filed on behalf of respondent Nos. 1 to 5 is taken on record. Copy furnished.

Learned counsel for the petitioners has pointed out that the judgment of Hon'ble Supreme Court rendered in the case of S.I Paras Kumar and others Vs. S.I Ram Charan and others 2004 (2) SCT 399 has to be addressed while fixing seniority of the Police Personnel, who have gained out of turn promotions.

Learned State counsel prays for some time assuring the court that the authorities are aware of the said judgment and the same would be duly considered while doing so.

List on 29.08.17."

3. The operative part of the judgement dated 12.04.2004 in SI Paras Kumar V/s Ram Charan is as under :-

"We are of the opinion that those officials who are promoted within the 10% limit of Rule 13.8 (2) could be given regular promotion and those who are beyond the 10% limit of Rule 13.8(2) could be given ORP promotion which is designated to encourage and reward the good work of meritorious officers without excessively burdening the exchequer."

As per P.P.R rule 13.8, seniority of police personnel is based on the Lower School Course merit. Constables who qualified Lower School Course have been promoted to the rank of Head Constable. In CWP Nos. 13788, 13789, 13790 of 1997 and 1815 of 1999 the Hon'ble High Court had directed that no promotion of a Constable on promotion list C-II can be given over and above the prescribed 10% quota. Rule 13.8 (2) provide that in cases where a constable who have not passed

the Lower School Course at PPA Phillaur but are otherwise considered suitable may, with the approval of DIG (Now DGP) be promoted to Head Constable up to a maximum of 10% of vacancies.

4. A Committee was constituted to finalized the parameters for preparation of seniority list. A committee has recommended that provision contained in rule 13.8 & 13.8(2) be strictly applied while giving promotions in the rank of Head Constable. The officials of C-II (Exemptee) will be placed below the batch of C-I in view of the 10% C-II quota .

5. As regard implementations of judgment of Ajit Singh Janjua Versus State of Punjab, it is mentioned that Govt. vide their letter dated 30.03.1979 has been issued following instructions:-

“ There are three promotion courses, namely the Lower School Course, Inter level courses and the Upper School Course, only after passing which constables, Head Constables and ASI are considered eligible for further promotion to the rank of Head Constable, ASI & SI respectively. While reservation has already been made in favour of members of SCs and BCs in the promotions, adequate representation of these castes and classes has not been achieved in the absence of reservation in their favour in the promotion courses. The Governor of Punjab has, therefore, been pleased to order that with immediate effect, reservation shall be made in favour of the members of Scheduled Castes and Backward Classes in the promotion courses of the Home (Police) Deptt., the percentage of reservation being the same as in the case of corresponding promotion post. The extent instructions regarding maintenance of roster, dereservation etc. shall also apply motatis mutandis to such reservation in the promotion courses, as they apply to in the corresponding promotion posts.

6. In view of the above, reservation policy has been adopted in this department at the time of selection for Lower School Course from the result received from PTC, Phillaur no excess employees have been sent to Lower School course. While preparing the seniority of Head Constables it has been made strictly as per merit list and not on the basis of roster point.

7. The tentative seniority list of Head Constables have been prepared keeping in view the following parameters:-

- i) After obtaining the service particulars from Ranges/units, the seniorities of constables have been prepared, keeping in view their merit list of list C-I.
- ii) Number of posts in the rank of Head Constables filled by various units be kept in mind while giving revised dates as per the revised seniority.
- iii) In CWP No. 13788, 13789,13790 of 1997 and 1815 of 1999 the Hon'ble High Court has directed that no promotion of a constable on promotion list C-II can be given over and above the prescribed 10% quota. Rule

13.8(2) provide that in cases where a constable who have not passed the Lower School Course at PPA, Phillaur but are otherwise considered suitable may with the approval of DIG (Now DGP) be promoted to Head Constable upto a maximum of 10% of vacancies. As per the rule, the committee of the opinion that this rule may be strictly applied while giving promotions in the rank of Head Constable. The officials of C-II (Exemptee) will be placed below the batch of C-I in view of the 10% C-II quota.

8. State Govt. vide their instructions No. 11/4/88-1PP (1) / 4960 dated 08.04.1991 has de-linked the confirmation from the permanent posts immediate effect. The Punjab Civil Services (General and Common condition of service) rule, 1994 came into effect on 04.05.94. The above position changed w.e.f 4.05.94, when the Punjab Civil Services (General and Common condition service) rules, 1994 came into effect and rule 8 of these rules became overriding in the light of rule 20. The seniority inter-se of persons appointed to posts in each cadre of a service shall be determined by the length of continuous service on such post in that cadre of service.

9. You are therefore, requested to circulate this tentative seniority lists of Head Constables amongst all the concerned officials/Officers serving under your control. If any officials/officers have been left out from the list or have any objection regarding seniority than his representation may be obtained and sent to this office along with your comments and service particulars within a period of 15 days positively from the date of issue of this seniority list. No representation will be entertained after the expiry prescribed period of 15 days.

Sd/-
AIG/Pers.,
for Director General of Police,
Punjab, Chandigarh.

No. **5426** /E-1(5) dated Chd the:- **09.05.2017**

A copy of the above is forwarded to the Incharge website Punjab Police Hqrs. Chandigarh with the request to upload the above tentative seniority list of Head Constables today positively.

Sd/-
AIG/Pers.,
for Director General of Police,
Punjab, Chandigarh.