

No. 310/POL/Estt.I(A)/A2/2016
GOVERNMENT OF PUDUCHERRY
POLICE DEPARTMENT

OFFICE OF THE
SUPDT. OF POLICE (EAST)
No. 3026 1SPZ/GR/16
Dated..... 28/07/16

* * * *

Dt. 25.07.2016

ORDER

WHEREAS in the year 2015, 102 Police Constables (63 UR + 39 SC) were given promotion to the post of Head Constables vide Memorandum No. 3-1/Estt.I(A)/Pol/2015, Dt. 28.05.2015.

2. AND WHEREAS, the following 19 Police Constables

- | | |
|-------------------|------------------------|
| 1. V. Baskaran | 11. G. Arumugam |
| 2. Sivakumar | 12. M. Santhirasegaran |
| 3. G. Anbarasan | @ Segar |
| 4. P. Shanmugham | 13. R. Nageswara Rao |
| 5. R. Rajendiran | 14. V. Karhirvel |
| 6. K. Kothadapani | 15. L.V. Ravi |
| 7. Pattabiraman | 16. M. Viravel |
| 8. R. Gopathy | 17. Albert Madhavan |
| 9. V. Ravi | 18. V. Eswaramoorthi |
| 10. S. Masilamani | 19. Radjavelou |

filed an O.A. No. 310/00224/2016 (MA 310/00096/2016) in the CAT, Madras Bench seeking the following relief :

"a. setting aside the order passed by the third respondent by the order of the second respondent in so far as the excess Police Constable promoted under reserved candidates in proceedings No. 3-1/A2/Estt-1/Pol/2015, Dt. 28.05.2015

and

b. Consequently direct the second respondent Board to re-fix the seniority of the applicants and promote them in the promotional post of 'Head Constable' in place where the excess police constables promoted under reserved candidate column with all seniority benefit and monetary benefits from the date of the impugned order dated 28.05.2015 was taken effect."

3. AND WHEREAS, the judgement pronounced on the OA is that :

"The applicants are at liberty to make a fresh representation jointly with in a period of 15 days from the date of receipt of copy of this order to the respondent authority concerned, and within a period of two months thereafter the representatives of the applicants should be given a personal hearing by the respondent authority concerned and he shall explain to them under what basis 38 SC Police Constables were accommodated as Head Constables and there upon let the authority concerned pass a speaking order and communicate the same; to the applicants and if the applicants still have any grievance, they are at liberty to file a fresh OA."

forwarded to Mr. Uthayakumar, J.P. Muthialpet

29/7
SUPDT. OF POLICE (EAST)
PUDUCHERRY

INSPECTOR OF POLICE
MUTHIALPET CIRCLE
PUDUCHERRY

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4. AND WHEREAS, in accordance with the Court Direction the above said 19 Police Constables have made their representation individually.

5. AND WHEREAS, they were then called for by sending a Memo. No. 310/Pol/E.I(A)/2016, Dt. 12.04.2016 for personal hearing by the Supdt. of Police (HQ), Puducherry. Except Thiru. R. Gopathy, all were present on the date prescribed, i.e., on 15.04.2016 at 5.00 PM in the chamber of SP(HQ). They were all given the following explanation :

1) the PBR was prepared based on the guidelines of DOPT communicated vide O. M. No. 36012/2/96-Estt.(RES), Dt. 02.07.1997, and got approved by the Enforcement Cell, Chief Secretariat, Puducherry.

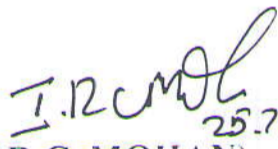
2) as per the approved PBR at the time of promotion there were overall sanctioned strength of 515 HC posts. Out of which 438 posts were enmarked for UR and 77 posts were enmarked for SC.

3) as on date of the PEB, i.e., on 28.05.2015, out of 77 posts enmarked for SC people, only 38 PCs were there. Likewise, out of 438 posts enmarked for UR people, only 375 PCs were there. Therefore, 39 SC posts and 63 UR posts were shortage as per the PBR approved by the Enforcement Cell, Puducherry.

4) the PEB held on 28.05.2015 for filling up these 102 (39 SC + 63 UR) vacancies, had recommended 102 PCs for promotion to the post of HC according to seniority and procedure/guidelines for promotion strictly without any violation of rules and procedure existing and in force.

6. NOW, THEREFORE, the direction of Court given in O.A. No. 310/00224/2016 (MA 310/00096/2016) has been followed and the representation of all the above said 19 PCs are accordingly disposed of.

// By order of the DGP //


(I.R.C. MOHAN)
25.7.16
SUPDT. OF POLICE (HQ)

To

1. V. Baskaran	11. G. Arumugam
2. Sivakumar	12. M. Santhirasegaran
3. G. Anbarasan	@ Segar
4. P. Shanmugham	13. R. Nageswara Rao
5. R. Rajendiran	14. V. Karhirvel
6. K. Kothadapani	15. L.V. Ravi
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“ THROUGH PROPER CHANNEL ”