

File No.I-15011/13/2012-IPS-I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

11 OCT 2017
New Delhi, the September, 2017

// ORDER //

Whereas, Ministry of Personnel, Public Grievances and Pensions, DOP&T vide O.M. No. 14014/14/2014-AIS-I dated 21.08.2017 intimated that in the wake of Hon'ble High Court of Punjab and Haryana order dated 01.02.2010 in CWP No. 15798/2009 in the case of Praveen Kumar, an State Civil Service officer of Punjab cadre Vs Union of India as confirmed by Hon'ble Supreme Court, issued notification dated 18.04.2012 for making amendment in the respective seniority regulations for IAS/IPS/IFoS. These amendments were however made applicable to the Select Lists prepared as per the ratio laid down in the case of Praveen Kumar and accordingly, seniority/year of allotment of the officers included in the said Select Lists were determined as per the amended seniority regulations.

2. Whereas, consequent upon dismissal of SLP No. 4930-4931 of 2016 and Review Petition No. 001428-001429/2017 filed by the DoP&T in case of F R Jamadar and other connected court cases filed by this Ministry, it has now been decided to apply the amended seniority regulations prospectively i.e. wef 18.04.2012. Accordingly, Seniority/year of allotment of the IPS officers appointed during 01.02.2010 to 18.04.2012 from the Select Lists prepared as per ratio laid down in the Praveen Kumar case would need to be re-determined as per the pre-amended seniority Regulations.

3. Whereas, Select Lists 2009-A & 2010 in respect of Assam Segment of Joint A&M Cadre was prepared during the period from 01.02.2010 to 18.04.2012 as per ratio laid down in the case of Praveen Kumar on 25.02.2011 & 14.02.2012.

4. And, therefore, the seniority/year of allotment of the officers appointed by promotion to IPS of Jammu & Kashmir Cadre from the Select Lists 2009-A & 2010 has been modified in terms of pre-amended seniority rules as follows in supersession of this Ministry's order No. 15011/13/2012-IPS-I dated 12.06.2012.

Weightage Formula as per pre-amended Seniority Rules is as under :-

Completed years of qualifying service	Weightage in years
12	4
15	5
18	6
21	7
23	8
25	9
27	10 (Maximum)

Contd..2/-


(अजय कुमार सिंह)
(AJAY KUMAR SINGH)
अवर सचिव
Under Secretary
गृह मंत्रालय/MHA

Sl. No.	Name of the officer(S/Shri)	Select List	Date from which holding rank not below that of Dy. SP or Equivalent	Completed year of service rendered in the rank not below that of Dy. SP or equivalent till 31 st day of December of the year for which the SCM was held to prepare the select list on the basis of which the said officer was appointed to IPS (Fraction if any are to be ignored)	Total weightage in years in terms of the IPS (Regulation of Seniority) Rules, 1988 as amended vide notification No. 14014/54/96-AIS (I) dtd 31.12.97 , 14014/14/2000-AIS(I) dtd 30.08.2005 & 14014/4/2011-AIS(I)-B dated 18.04.2012 (Years)	Year of allotment as per order dated 18.04.2012.	Completed year of service rendered in the rank not below that of Dy. SP or equivalent till 31 st day of December of the year immediately before the year for which the SCM was held to prepare the select list on the basis of which the said officer was appointed to IPS (Fraction if any are to be ignored)	Total weightage in years in terms of the IPS (Regulation of Seniority) Rules, 1988 as amended vide notification No. 14014/54/96-AIS (I) dtd 31.12.97 , 14014/14/2000-AIS(I) dtd 30.08.2005 .(Years)	Revised year of allotment as per Supreme Court order dated 01.08.2017.
1	2		3	4	5	6	7	8	9
1	Debojit Hazarika	2009-A	01.06.1992	17	4	2005	16	5	2004
2	Pradip Pujari	2009-A	01.06.1992	17	4	2005	16	5	2004
3	Rana Bhyuan	2009-A	01.06.1992	17	4	2005	16	5	2004
4	Deboraj Upadhyaya	2009-A	01.06.1992	17	4	2005	16	5	2004
5	Mridul Kumar Dutta @	2010	01.06.1992	18	5	2005	-	-	-
6	Mridulananda Sarma @	2010	01.06.1992	18	5	2005	-	-	-
7	Dilip Kumar Dey @	2010	01.06.1992	18	5	2005	-	-	-
8	Prasanta Kumar Dutta	2010	01.06.1992	18	5	2005	17	5	2005
9	Prasanta Kumar Bhuyan	2010	01.06.1992	18	5	2005	17	5	2005
10	Nitul Gogoi	2010	01.06.1992	18	5	2005	17	5	2005
11	Satya Raj Hazarika@	2010	01.06.1993	17	4	2006	-	-	-
12	Jitomol Doley	2010	01.09.1993	17	4	2006	16	5	2006*
13	Shymal Prasad Saikia	2010	01.09.1993	17	4	2006	16	5	2006*
14	Luish Aind	2010	01.09.1993	17	4	2006	16	5	2006*
15	Mainul Islam Mondal	2010	01.09.1993	17	4	2006	16	5	2006*
16	Abu Sufian	2010	01.09.1993	17	4	2006	16	5	2006*
17	Ainul Haque	2010	01.09.1993	17	4	2006	16	5	2006*
18	Arabinda Kalita	2010	01.09.1993	17	4	2006	16	5	2006*

@ Officers mentioned in Srl No. 5, 6, 7 & 11 were inducted into IPS after 18.04.2012, as such, their seniority are not re-determined.

* The year of allotment in respect of Srl No. 12 to 18 are restricted to 2006 in pursuance with first proviso to Rule 3(3)(ii) of IPS (Regulation of Seniority) Rules, 1988.

5. As per Rule 4 of the IPS (Regulation of Seniority) Rules, 1988, the placement of above officers in the Select List will be as under as per Civil List- 2017 :-

(i) **Shri Debojit Hazarika, Pradip Pujari, Rana Bhyuan and Deboraaj Upadhyaya** shall be placed enblock below **Shri M K Dkhar (SPS: 2004)**, the junior most SPS IPS officer of 2004 batch to the Assam & Meghalaya Joint Cadre of IPS and above **Dr V. Siva Prasad Ganjala, (RR: 2005)**, the senior most direct recruit IPS officer of 2005 batch of Assam & Meghalaya Joint Cadre of IPS.

(ii) **Shri Mridul Kumar Dutta, Mirdulananda Sarma, Dilip Kumar Dey, Prasanta Kumar Dutta, Prasanta Kumar Bhuyan and Nitul Gogoi** shall be placed enblock below **Shri Prithipal Singh, IPS, (RR: 2005)** the junior most direct recruit IPS officer of 2005 batch of the Assam & Meghalaya Joint Cadre and above **Smt Sanjukta Parasor, IPS (RR: 2006)**, the senior most direct recruit officer of 2006 batch of Assam & Meghalaya Joint Cadre of IPS.

(iii) **Shri Satya Raj Hazarika, Jitomol Doley, Shymal Prasad Saikia, Luish Aind, Mainual Islam Mondal, Abu Sufian, Ainul Haque and Arabinda Kalita** shall be placed enblock below **Shri Vivek Raj Singh, IPS, (RR: 2006)** the junior most direct recruit IPS officer of 2006 batch of the Assam & Meghalaya Joint Cadre and above **Shri G M Choudhury, IPS (SPS: 2006)**, the senior most SPS recruit officer of 2006 batch of Assam & Meghalaya Joint Cadre of IPS.



(Ajay Kumar Singh)

Under Secretary to the Government of India

Tel. 2309 4517

To,

1. The Chief Secretary, Government of Assam, Dispur {Kind Attn. **Shri D K Mishra**, Deputy Secretary, (Home Deptt.)} With the request that the concerned officers may also be intimated in this regard. It is also requested that necessary steps may be taken to withdraw all the cases on the similar issue pending in any Court of law.
2. The Accountant General, Assam, Dispur.
3. Director General of Police, Assam, Dispur.
4. IPS-II, IPS-III, IPS-IV, ACR Cell/Seniority Seat/ Civil List seat.
5. ✓ SO (IT) for uploading this order on the website of MHA- IPS Management >SPS to IPS > Seniority Fixation.



(Ajay Kumar Singh)

Under Secretary to the Government of India