

File No.I-15011/5/2012-IPS-I
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

16 OCT 2017

New Delhi, the October, 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, a 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 List 2010 in respect of Uttarakhand Cadre was prepared during the period from 01.02.2010 to 18.04.2012 on 17.02.2011.

4. And, therefore, the seniority/year of allotment of the officers appointed by promotion to IPS of Uttarakhand Cadre from the Select List- 2009 has been revised in terms of pre-amended seniority rules as follows in supersession of this Ministry's order No. 15011/5/2012-IPS-I dated 05.06.2012.

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/-



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	Vijay Kumar Singh Karki	2009	08.01.1994	15	4	2005	14	4	2005
2	Bimla Gunjyal	2009	14.06.1990	19	5	2005*	18	6	2005*

* The year of allotment in respect of the officer has been restricted in pursuance to first proviso to Rule 3 (3) (ii) of Indian Police Service (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 Vijay Kumar Singh Karki & Smt Bimla Gunjyal**, shall be placed enblock below **Shri Nilesh Anand Bharne (RR: 2005)**, the junior most direct recruit, IPS officer of 2005 batch to the Uttarakhand Cadre of IPS and above **Shri Ajay Joshi, (SPS: 2005)**, the SPS IPS officer of 2005 batch of Uttarakhand Cadre.

(Ajay Kumar Singh)

Under Secretary to the Government of India

Tel. 2309 4517

Dated, October, 2017

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To,

1. The Chief Secretary, Government of Uttarakhand, Dehradun {Kind Attn. {Kind Attn. : **Dr Umakant Panwar, Principal Secretary (Home)**} - 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, Uttarakhand, Dehradun.
3. Director General of Police, Uttarakhand, Dehradun.
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