

SUPREME COURT OF INDIA

Manish Kumar

Vs.

Union of India

WP(Civil)No.183/2013

(Jagdish Singh Khehar Dr.D.Y.Chandrachud, JJ.,)

24.04.2017

ORDER

State of Uttar Pradesh

1. 11,376 vacant posts of Sub-Inspector of Police, are to be filled up by way of direct recruitment. Mr. Debasish Panda, Principal Secretary (Home), Government of Uttar Pradesh, who is present in Court in person, affirms, that 3200 vacancies of the posts of Sub-Inspector of Police, will be filled up each year over four years commencing from the year 2018. The advertisement notifying the vacancies for 2018 will be issued in the month of January, 2018, the result of the selection process will be declared in October, 2018, the training of the selected candidates will commence in February, 2019, and will conclude in January, 2020. The schedule for the next three years, we are assured, will remain the same, as for the year 2018.

2. Insofar as the posts of Constables of Police are concerned, which are also to be filled up by direct recruitment, it was submitted, that 30000 Constables will be recruited annually for four years, i.e., during the years 2017, 2018, 2019 and 2020. The annual process of issuing the advertisement, notifying the vacancies will be published in August every year. The results thereof will be declared in June of the following year. For each process of selection, training will commence in the month of October in the year of the declaration of the result, and the training process will conclude in the month of September of the next following year.

3. We hereby approve the recruitment process for selection of direct recruits, at the level of Sub-Inspector of Police, as also, that of Constables of Police.

4. We also further direct, that promotions to the various ranks shall be made from time to time as may be feasible, depending on the cadre strength.

5. Mr. Debasish Panda, Principal Secretary (Home), Government of Uttar Pradesh, who is present in Court in person, shall ensure that the selection, recruitment and training is conducted in the manner indicated hereinabove (which is truly the proposal submitted by the

State Government itself). For ensuring that the submission made to this Court is not breached, we direct the Principal Secretary (Home), Government of Uttar Pradesh to ensure, that the Chairman of the Police Recruitment and Selection Board shall not be changed midstream, i.e., during the period intervening the issuance of the advertisement notification(for filling up the vacancies of different cadres) till the process of selection is completed.

6. In case of breach of the time lines indicated hereinabove, the officer mentioned hereinabove, shall be personally responsible.

State of Karnataka

1. The following vacancies are available in the State of Karnataka. These vacancies are to be filled up, by way of direct recruitment:

S.No.	Carde	2016-17	2017-18	2018-19	Total
1	PSI (Civil)	165	164	164	493
2	RSI (Car/Dar)	39	38	38	115
3	SPL. RSI (KSRP)	28	28	28	84
4	PSI (FPB)	5	5	5	15
5	PSI (Wireless)	9	9	8	26
6	PSI (KSISF)	18	17	17	52
7	PSI (CTD)	12	12	12	36
8	PSI (Int)	41	40	40	121
	Total	317	313	312	942

Police Sub-Inspectors

S.No.	Carde	2016-17	2017-18	2018-19	Total
1	PC	2112	2111	2111	6334
2	APC (CAR/CAR)	688	688	688	2064
3	PC (FPB)	3	3	2	8
4	RPC(KSRP)	849	849	849	2547
5	PC (KSISF)	396	395	395	1186
6	Total	4048	4046	4045	12139

2. In the Road Map for filling up the vacancies during the year 2016-17, we are informed by Shri Raghavendra Auradkar, IPS, Additional Director General of Police (Recruitment), Government of Karnataka, that the following process of selection is on-going:

Sl.No.	Post	Number of Vacancies	Present Status

		Notified	
1	Police Sub-Inspector (Civil)	418	Provisional Select List has been published and process of document verification is in progress.
2	Police Sub-Inspector (FPB)	24	Provisional Select List has been published and process of document verification is in progress
3	Police Sub-Inspector (Wireless)	28	Provisional Select List has been published and process of document verification is in progress.
4	Police Sub-Inspector (CID)	12	Written examination has been conducted. The process of conducting viva-voce will be held from 24.4.2017 and 25.4.2017 after which Provisional Select List will be published.
5	Sub-Inspector (KSISF)	18	Written examination has been conducted. The process of conducting viva-voce will be held from 3.5.2017 and 4.5.2017 after which Provisional Select List will be published.
6	Police Sub-Inspector (Civil)	59	Written examination has been conducted. The process of conducting viva-voce will be initiated in the Second week of May, 2017 after which Provisional Select List will be published.
7	Police Sub-Inspector (State Intelligence)	41	Written examination has been conducted. The process of conducting viva-voce will be initiated in the Third week of May, 2017 after which Provisional Select List will be published.
8	Reserve Sub-Inspector (CAR/DAR)	97	Written examination has been conducted. The process of conducting viva-voce will be initiated in the Fourth week of May, 2017 after which Provisional Select List will be published.
9	Special Reserve Sub-Inspector (KSRP)	28	Written examination has been conducted. The process of conducting viva-voce will be initiated in the Third week of June, 2017 after which Provisional Select List will be published.
10	Total	725	

Police Constables

Sl.No.	Post	Number of	Present Status
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		Vacancies Notified	
1	Police Sub-Inspector (Civil)	3992	Provisional Select List has been published and process of document verification is in progress.
2	Armed Police Constable (CAR/DAR)	1834	Provisional Select List has been published and process of document verification is in progress
3	Special Reserve Police Constable (KSRP)	1976	Merit List has been generated after the written examination. The provisional select list will be published in the First week of May, 2017..
4	Police Constable (KSISF)	396	Written examination has been conducted. Merit List will be generated and the provisional select list will be published in the Second week of May, 2017.
5	Police Constable (Wireless)	226	Merit List has been generated after the written examination. The provisional select list will be published in the last week of April, 2017.
	Total	8424	

3. It is pointed out, that in the above process of selection, the consideration has proceeded up to the finalisation of the provisional select list. It is submitted, that appointments, out of the provisional select list, will be made by July, 2017. In the selection processes, referred to above, wherein the written examination has been conducted, it is submitted, that the provisional select list will be finalised by May, 2017, and the appointment orders will be issued by July, 2017. We place on record the manner of filling up of direct recruit vacancies in the police cadre during the year 2016-2017.

4. It is submitted, that for filling up of remaining vacancies, the following time schedule has been determined by the High Court:

"A. For filling up of vacancies in the Cadre of Police Sub Inspector (Civil)

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	End of March
2.	Publication of Notification	2nd week of April
3.	Issue of Paper advertisement	2nd week of April
4.	Inviting applications through on-line	3rd week of April
5.	Conduct of ET & Police Station	4th week of May
6.	Conduct of Written examination	4th week of June
7.	Conduct of Viva-voce	4th week of July
8.	Publication of Select List	1st week of August

B. For filling up of vacancies in the Cadre of Reserve Sub Inspector (CAR/DAR):

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	End of March
2.	Publication of Notification	2nd week of April
3.	Issue of Paper advertisement	2nd week of April
4.	Inviting applications through on-line	3rd week of April
5.	Conduct of ET & Police Station	4th week of June
6.	Conduct of Written examination	4th week of July
7.	Conduct of Viva-voce	4th week of August
8.	Publication of Select List	1st week of Sept.

C. For Filling up of vacancies in the Cadre of Reserve sub Inspector (FPB) and (Wireless):

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	End of March
2.	Publication of Notification	2nd week of April
3.	Issue of Paper advertisement	2nd week of April
4.	Inviting applications through on-line	3rd week of April
5.	Conduct of ET & Police Station	4 th week of June
6.	Conduct of Written examination	1th week of August
7.	Conduct of Viva-voce	4th week of August
8.	Publication of Select List	1st week of September

D. For filling up of vacancies in the Cadre of Spl. Reserve Sub Inspector (KSRP):

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	End of March
2.	Publication of Notification	2nd week of April
3.	Issue of Paper advertisement	2nd week of April
4.	Inviting applications through on-line	3rd week of April
5.	Conduct of ET & Police Station	4th week of July
6.	Conduct of Written examination	1th week of Sept.
7.	Conduct of Viva-voce	4th week of Sept.
8.	Publication of Select List	1st week of Oct.

E. For filling up of vacancies in the Cadre of Sub-Inspector (KSISF), PSI (CID) and PSI (INT):

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	End of August
2.	Publication of Notification	2nd week of September
3.	Issue of Paper advertisement	2nd week of September
4.	Inviting applications through on-line	3rd week of September
5	Conduct of ET & Police Station	4 th week of October
6	Conduct of Written examination	3 rd Week of November for IS (KSISF), 4 th week of November for PSI (CID) and 1 st Week of December for PSI (INT)
7	Conduct of Viva-voce	3 rd week of Dec.
8	Publication of Select List	2 nd week of January

F. For filling up of vacancies in the Cadre of Cadre of Police Constable (Civil):

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	4 th week of May
2.	Publication of Notification	2nd week of June
3.	Issue of Paper advertisement	2nd week of June
4.	Inviting applications through on-line	3rd week of June
5	Conduct of ET & Police Station	2 th week of August
6	Conduct of Written examination	1th Week of Sept.
7	Conduct of Viva-voce	4 th week of Dec.
8	Publication of Select List	2 nd week of Oct.

G. For filling up of vacancies in the Cadre of Cadre of Armed Police Constable (CAR/DAR):

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	4 th week of May

2.	Publication of Notification	2nd week of June
3.	Issue of Paper advertisement	2nd week of June
4.	Inviting applications through on-line	3rd week of June
5	Conduct of ET & Police Station	4 th week of August
6	Conduct of Written examination	3rd Week of Sept.
7	Conduct of Viva-voce	4 th week of Dec.
8	Publication of Select List	4 th week of Oct.

H. For filling up of vacancies in the Cadre of Cadre of Spl. Reserve Police Constable(KSRP):

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	4 th week of Sept.
2.	Publication of Notification	2nd week of Oct.
3.	Issue of Paper advertisement	2nd week of Oct.
4.	Inviting applications through on-line	3rd week of Oct.
5	Conduct of ET & Police Station	2 nd week of August
6	Conduct of Written examination	3rd Week of Jan.
7	Conduct of Viva-voce	4 th week of Jan.
8	Publication of Select List	1 st week of Feb.

J. For filling up of vacancies in the Cadre of Cadre of Police Constable (KSISF):

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	4 th week of Oct.
2.	Publication of Notification	2nd week of Nov.
3.	Issue of Paper advertisement	2nd week of Nov.
4.	Inviting applications through on-line	3rd week of Nov.
5	Conduct of ET & Police Station	4 th week of Dec.
6	Conduct of Written examination	3rd Week of Jan.
7	Conduct of Viva-voce	3 rd week of Feb.
8	Publication of Select List	4 st week of Feb.

K. For filling up of vacancies in the Cadre of Cadre of Police Constable (FPB)

Sl.No.	Description	Date
1.	Obtaining classification of Vacancies from the concerned Unit Officers.	4 th week of Oct.

2.	Publication of Notification	2nd week of Nov.
3.	Issue of Paper advertisement	2nd week of Nov.
4.	Inviting applications through on-line	3rd week of Nov.
5	Conduct of ET & Police Station	4 th week of Jan.
6	Conduct of Written examination	3rd Week of Feb.
7	Conduct of Viva-voce	2 nd week of Mar.
8	Publication of Select List	3 rd week of Mar.

5. We are informed on behalf of the State of Karnataka, that the Principal Secretary, Home Department, Government of Karnataka, is monitoring the recruitment process. He assures this Court, that the time lines indicated hereinabove, will be duly complied with. The statement made on behalf of the State of Karnataka, is taken on record.

6. We hereby direct, that the Principal Secretary, Home Department, Government of Karnataka, and the Additional Director General of Police (Recruitment), Karnataka shall be responsible for filling up all the vacancies, in the manner indicated to this Court on behalf of the State Government, by strictly adhering to the time lines.

7. State of Tamil Nadu

“1. Mr. V.Sampath, Joint Secretary, Department of Home, Government of Tamil Nadu, and Mr. Sanjay Arora, Additional Director General of Police, are present in Court in person, to assist this Court about the manner by which direct recruitment will be made, to fill up vacancies of different ranks in the police department.

2. In the cadre of Sub-Inspectors (Taluk), we are informed, that as against the sanctioned strength of 8151 posts, 6398 sub-inspectors are in position. It is submitted, that the vacancies in the said cadre as on 1.1.2017, were 1753. Out of the above vacancies, it is pointed out, that the process of selection of 1026 Sub-Inspectors (Taluk) has been completed, and their training is in progress. It is submitted, that the above-mentioned trainees are likely to be issued appointment orders shortly, on the conclusion of their training, whereupon, they are expected to join the police force, by 1.10.2017. It is submitted, that the remaining 720 vacancies in the cadre of Sub-Inspectors (Taluk) will be initiated and completed, within four months from today.

3. Insofar as the cadre of Sub-Inspector (Armed Reserve) is concerned, it is pointed out, that it has a sanctioned strength of 1209 posts, out of which 1099 personnel are in position. As such, there are only 110 vacancies of Sub-Inspectors (Armed Reserve), which remain to be filled up. It is submitted, that the above posts are to be filled up by way of promotion, and the process of promotion to the above 110 vacancies, shall be completed, and appointment orders will be issued, within four months from today.

4. Insofar as the cadre of Sub-Inspector (Tamil Nadu Special Police) is concerned, it has a sanctioned strength of 477, out of which 400 personnel are in position. It is pointed out, that the remaining 77 vacancies in the cadre of Sub-Inspector (Tamil Nadu Special Police) are to be filled up by way of promotion, and the process of promotion to the above 77 vacancies will be completed, and appointments will be made, within five months from today.

5. Insofar as the cadre of Constables is concerned, it is submitted, that there is a sanctioned strength of 1,09,694 posts, out of which 92,105 personnel are in position. As against the remaining 17,589 vacancies, the Tamil Nadu Uniformed Services Recruitment Board has already issued an advertisement notifying 13,183 vacancies of Grade-II Police Constables (Armed Reserve and Tamil Nadu Special Police) on 23.01.2017. It is pointed out, that the provisional selection list, will be issued positively by August, 2017, whereafter, after abiding by the verification process, orders of appointment will be issued in November, 2017, requiring the selected candidates to undergo training for a period of eight months.

6. It is submitted, that the entire balance vacancies, including such vacancies which may arise in the interregnum, will be taken up, as soon as the provisional list, for the existing process of selection is published, in August, 2017. It is affirmed, that the Tamil Nadu Uniformed Services Recruitment Board, will fill up all the remaining vacancies, in the cadre of Constables of Police, within a period of eight months of the issuance of the advertisement. In the above view of the matter, it is expressly undertaken, that all the balance vacancies in the cadre of constables, will be filled up by April, 2018.

7. The aforesaid factual position brought to the notice of this Court, is taken on record. The Director General of Police, who is also the Chairman of the Tamil Nadu Uniformed Services Recruitment Board, shall be personally responsible for complying with the undertaking given to this Court.”

8. States of West Bengal, Bihar and Jharkhand

9. Even though, we had taken up for consideration the matter relating to filling up of vacancies in the police force for the States of West Bengal, Bihar and Jharkhand, we refrain ourselves from passing any final orders, in respect of the above States. Proceedings with reference to the aforesaid three States, are accordingly deferred to 1.5.2017.

10. In addition to the above three States, the three States with the next largest number of vacancies are:

Gujarat	-	28580
Telangana	-	17504
Rajasthan	-	15731

11. We therefore hereby direct, the Home Secretaries of the additional three States, referred to hereinabove, to assist this Court personally, or to nominate an officer of the department, not below the rank of Joint Secretary, to prepare a definite road map for filling up the vacancies of police personnel.

12. Post for further consideration on 01.05.2017.