

**GOVERNMENT OF HIMACHAL PRADESH  
DEPARTMENT OF HOME  
SECTION—D**

No. Home(D)E(3)-1/88-III. Dated , Shimla-2

26<sup>th</sup> May, 2012

**MEMORANDUM**

**Whereas**, the Final Seniority List of Himachal Pradesh Police Services (hereinafter to be referred to as "HPPS") Officers as it stood on 1<sup>st</sup> January, 1985 was circulated vide this Department's Memorandum No. Home(D)(B-2)-2/80 dated 8<sup>th</sup> February, 1988; **and**

**Whereas**, Sh. O.C.Thakur & others had challenged the aforementioned seniority list by filing an O.A. No. 137/88 before the erstwhile H.P. Administrative Tribunal; **and**

**Whereas**, Hon'ble H.P. Administrative Tribunal decided the O.A. on 30<sup>th</sup> November, 2000 and held that the benefit of Army service has rightly been given to S/Shri Kashmir Singh Rana and Kashmir Chand Sadyal as per provisions of Demobilized Armed Forces Personnel (Reservation of Vacancies in the Himachal State Non-Technical Services) Rules, 1972 and Demobilized Indian Armed Forces Personnel(Reservation of vacancies in the H.P. Administrative Services) Rules, 1974; **and**

**Whereas**, aggrieved with the orders passed by the H.P. Administrative Tribunal, Shri O.C.Thakur & ors filed a Civil Writ Petition No. 143/2001 in Hon'ble High Court of Himachal Pradesh; **and**

**Whereas**, the Hon'ble High Court of Himachal Pradesh vide their order dated 28<sup>th</sup> July, 2005 have allowed the Writ Petition and set aside the orders of erstwhile Hon'ble H.P. Administrative Tribunal. Hon'ble High Court of Himachal Pradesh directed the State Government to re-draw the seniority list by assigning proper placement of the petitioner in the seniority list by treating 1972 Rules wholly in-applicable and Rules of 1974 being applicable only and with effect from 17<sup>th</sup> October, 1981 (i.e) from the date of applicable of the Demobilized Indian Armed Forces Personnel (Reservation of vacancies in the H.P. Administrative Services) Rules, 1974 to H.P. Police Services) and extended benefit of military service only from 17<sup>th</sup> October, 1981; **and**

**Whereas**, aggrieved with the orders of Hon'ble High Court, Shri Kashmir Singh Rana and Shri Kashmir Chand Sadyal preferred an Appeal Civil No. 1839 of 2007 in Hon'ble Supreme Court. The Hon'ble Supreme Court while disposing of the said appeal on 28<sup>th</sup> July, 2011 passed a detailed order, the operative part of which is as under:-

"...A bare perusal of the above rule shows that approved military

service has to be added to the service in the police for the purpose of seniority. The conditions mentioned in rule 4 only apply between the inter-se-seniority of two groups of ex-army personnel. Admittedly, the respondents herein are not ex-army personnel and hence these conditions have no application in the present case.

The 1974 Rules gave benefit of military service to those joining the administrative service, and in October, 1981 this benefit was extended to those joining the police. In our opinion, the High Court has wrongly held that the appellants will only get the benefit of military service from 1981. In our opinion, there is no question of retrospectively, and they will get the benefit of the entire army service.

Parties before us agreeable that the benefit of rule 4 will be given only to those who were appointed in the police service after 17<sup>th</sup> October, 1981 irrespective of whether they were appointed in the army before 1981 or after 1981. In our view, the High Court has wrongly denied the benefit of rule 4 to the appellants.

With these observations, this appeal is allowed and the impugned judgment of the High Court is set aside to that extent...."

**Whereas**, after considering the matter in the light of judgment dated 28<sup>th</sup> July, 2005 passed by the Hon'ble High Court of Himachal Pradesh endorsed with clarification by Hon'ble Supreme Court vide its judgment dated 28<sup>th</sup> July, 2011, a tentative seniority list of HPPS Officers as it stood on 1<sup>st</sup> January, 1985, was circulated among members of the said service for inviting their objections, if any ;  
**and**


**Whereas**, against the said tentative seniority list representations from as many as 07 Officers of HPPS, namely S/Shri A.N.Sharma, Sh. R.L.Sood, Sh. O.C.Thakur, Sh. Kashmir Singh Rana, Sh. Pradeep Kumar, Sh. Vijay Pal Singh and Sh. S.P.Kaushal were received ; **and**

**Whereas**, the representations have been carefully considered in the context of the judgements of the Hon'ble Courts as well as the clarifications/opinion tendered by the Law Department and for reasons recorded on file, all the representations (except made by Sh. Vijay Pal Singh and Sh. S.P.Kaushal) were found to be without adequate merit; **and**

**Whereas**, the representations/objections raised by Sh. Vijay Pal Singh and Sh. S.P.Kaushal shall be addressed only after the finalization of the seniority list as the matter is to be taken with Ministry of Home Affairs, Government of India and Union Public Service Commission to review the meetings of Selection Committee for

induction of State Police Service Officers in Indian Police Service ; and

Now, therefore, in view of the above, the tentative seniority list circulated vide this Department's Memorandum of even number dated 14<sup>th</sup> December, 2011 is hereby finalized. No representations on any ground except clerical and patent errors shall be entertained.


  
Deputy Secretary (Home) to the  
Government of Himachal Pradesh.

S/Sh./Ms. \_\_\_\_\_

through the Director General of Police,  
Himachal Pradesh, Shimla-171002.

Endst. No. As above      Dated Shimla-2,      26 May, 2012.

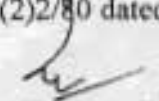
Copy forwarded to the Director General of Police, H.P., Shimla-171002 alongwith spare copies with request to circulate the same among all concerned.

  
Deputy Secretary (Home) to the  
Government of Himachal Pradesh.

**FINAL SENIORITY LIST OF HP POLICE SERVICES OFFICERS AS ON  
1<sup>ST</sup> JANUARY, 1985:**

Sr. No.	Name of Officer with source of Recruitment S/Sh.	Date of Birth	Date officiating of appointment	Date of Appt. To HPPS or DHANIPS
1.	I.J.Kumar (DHANIPS)	25.5.1939	--	04.01.1969
2.	D.S.Amist (DHANIPS)	05.07.1943	--	22.11.1967
3.	B.C.Negi (DHANIPS)	04.05.1939	--	20.01.1967
4.	Sarup Singh (DT)	08.10.1937	---	08.07.1974 (Deemed date is 25.1.1971)
5.	S.B.Dogra (DT)	24.03.1939	--	08.09.1975 (Deemed date is 25.7.1971)
6.	Chuni Lal (P)	22.02.1927	23.09.1965	12.02.1974
7.	Rajinder Singh (P)	15.09.1936	03.05.1968	12.02.1974
8.	Amar Singh Guleria (P)	30.07.1927	05.05.1968	12.02.1974
9.	Bhagwant Singh (P)	10.10.1928	--	12.02.1974
10.	Ashok Kumar (DT)	05.06.1947	--	06.07.1974
11.	Vijay Pal Singh (DT)	05.06.1947	--	04.07.1974
12.	Mohan Lal (DT)	05.11.1946	--	03.07.1974
13.	Jagjit Kumar (DT)	04.08.1952	--	08.09.1975
14.	Dharam Pal (DT)	05.07.1950	--	01.11.1976
15.	Satya Pal (DT)	25.06.1947	--	01.11.1976
16.	Roshan Lal Aggarwal (P)	18.4.1930	31.07.1975	13.04.1977
17.	Kashmir Chand Sadyal (DT)	01.01.1954	--	19.10.1984 (Deemed date of appointment shall be 10.08.1977)
18.	Kashmir Singh (DT)	10.12.1948	--	01.11.1977
19.	O.C.Thakur (DT)	10.11.1950	--	01.11.1977
20.	Prem Singh Kaushal (P)	01.04.1931	--	05.10.1978
21.	Roshan Lal Sood (DT)	15.11.1950	--	10.1.1979
22.	Pardeep Kumar (DT)	13.04.1952	--	31.1.1979
23.	Amar Nath Sharma (DT)	14.11.1951	--	16.08.1979
24.	J.K.Monga (DT)	28.03.1945	--	06.05.1980
25.	Jog Raj Thakur (DT)	06.01.1952	--	13.05.1980

**Note:-** The seniority positions of Officers appearing at Sr. No. 26 to 50 shall remain unchanged as finalized vide Memorandum No. Home(D)B(2)2/80 dated 8<sup>th</sup> February, 1988.

  
**Deputy Secretary(Home) to the  
Government of Himachal Pradesh.**