Subject: - Judgements dated 30.04.2001 of the Hon’ble High Court of
J&K and dated 20.04.2011 of the Division bench of Hon’ble
High Court read with order dated 27.2.2012 of the Hon’ble
Supreme Court of India – Promotion of S/Shri Ajay Sharma,
Ranjeet Singh Chib and Paramjeet Singh as Deputy
Superintendents of Police (Executive) on regular basis.

Government Order No. 121 - Home of 2015
Dated: - 04-04-2015

Whereas, Shri Ajay Sharma No.97/ NGO, Shri Ranjeet Singh
Chib No.98/NGO and Shri Paramjeet Singh No.4095/NGO were
appointed as Sub-Inspectors in J &K Police under Sports Category; and

Whereas, S/Shri Paramjeet Singh, Ranjeet Singh Chib and Ajay
Sharma approached the Hon’ble High Court through the medium of SWP
No.1001/97 titled Paramjeet Singh & others v/s State and others, praying
therein for similar treatment as was given to Shri Dushyant Sharma and
Shri Sanjay Sharma (Private respondent Nos.3-4) who were similarly
situated but were appointed as Inspectors on Sports background; and

Whereas, the Hon’ble High Court of J&K disposed of the
above writ petition vide its judgement dated 30.04.2001, the operative
portion of which reads as under:-

"This petition is accordingly disposed of with a direction that
respondent authorities would grant the same benefit to the
petitioners also as was done in the case of aforesaid Sanjay
Sharma. This is because the petitioners also possess the
requisite eligibility certificate. This certificate was relied
upon in the Review Petition. This eligibility certificate can be
made available even now to Administrative department. The
petitioners shall also be entitled to all consequential benefits.
The respondent authorities would pass the appropriate order
in this regard within a period of two months from the date
copy of this order is made available to the respondents by the
petitioners."

\[P_{1/5}\]
Whereas, the State respondents filed LPA No.318/2001 CMP No.364/2001 titled State of J&K Vs Paramjeet Singh and others against the judgement dated 20.04.2001 of the Single Judge. The Hon’ble Division Bench disposed of the said on 20.04.2011 with the following orders:

"... in the result, the LPA stands disposed of, the order of the learned Single Judge stands confirmed insofar as it related to the contesting respondents Shri Paramjit Singh Malhotra and Shri Ranjit Singh. Insofar as it related to Shri Ajay Sharma, the appellant is directed to collect his credentials as listed out in Annexure-‘A’, forward the same to the Jammu and Kashmir Sports Council, call for their report as to his status as to whether he would fall under the category of Outstanding Sportsman and, in the event the Council certifying to that effect, extend the very same benefit as was applicable to M/S Paramjit Singh Malhotra and Rajit Singh and otherwise maintain the original position as was done at the time of his initial appointment.

Appeal stands disposed of on the above terms."

Whereas, the State Government filed SLP against the judgement of the Division Bench. The SLP filed by the State Respondents was dismissed by the Apex Court vide its Order dated 27.02.2012; and

Whereas, in compliance with the judgement of the Hon’ble High Court passed in SWP No.1007/97 titled Paramjeet Singh & others v/s State and others read with judgement dated 20.04.2011 of the Hon’ble Division Bench passed in LPA No.318/2001, CMP No.364/2011 titled State and others v/s Paramjeet Singh Malhotra and others, upheld by the Hon’ble Supreme Court of India vide its order dated 27.02.2012, opinion of the General Administration Department conveyed vide their O.M No.GAD (Legal) F-117611997/617 dated 28.03.2013 and in modification of the Government order No.285 of 1990 dated 11.11.1990, sanction was accorded to the appointment of:

i. Shri Ajay Sharma (No.97/NGO) as Inspector (Executive) w.e.f 23.04.1993, i.e the date on which he had represented for his appointment as Inspector, vide Government Order No.Home-273 of 2013 dated 10.07.2013.
ii. Shri Ranjeet Singh Chib (No.98/NGO) as Inspector (Executive) w.e.f 23.04.1993, i.e the date on which he had represented for his appointment as Inspector, vide Government Order No.Home-274 of 2013 dated 10.07.2013.

iii. Shri Paramjeet Singh, No.4095/NGO as Inspector (Armed) w.e.f 28.04.1993 and as Inspectors (Executive) w.e.f 23.04.1993, i.e the date on which they had represented for their appointment as Inspectors vide Government Order No.Home-275 of 2013 dated 10.07.2013.

Whereas, pursuant to the above orders, the Director General of Police, J&K has fixed the inter-se-seniority of the three petitioners in the seniority list of Inspectors issued by PHQ vide Order No.3615 of 1998 dated 26.10.1998 in the following manner:

i. Vide PHQ Order No.11 of 2014 dated 01.01.2014, the seniority of Shri Ajay Sharma has been fixed below Shri Sanjeev Kumar Sharma No.3607/NGO and above Shri Ranjeet Singh Chib No.98/NGO.

ii. Vide PHQ Order No.12 of 2014 dated 01.01.2014, the seniority of Shri Ranjeet Singh Chib has been fixed below Shri Ajay Kumar Sharma No.97/NGO and above Shri Paramjeet Singh No.4095/NGO.

iii. Vide PHQ Order No.12 of 2014 dated 01.01.2014, the seniority of Shri Paramjeet Singh below Shri Ranjeet Singh Chib No.98/NGO and above Shri Nasir Ahmad No.3835/NGO.

Whereas, S/Shri Ajay Sharma and Ranjeet Singh Chib have been placed as I/C Dy.SPs vide Government order No.Home-18 (P) of 2003 dated 16.01.2003 and Shri Paramajeet Singh has been placed as I/C Dy.SP vide Government Order No.Home-581 (P) of 2011 dated 02.06.2011. The officer junior to them, namely Shri Nasir Ahmad (3835/NGO) has been promoted as DySP from 01.03.2002 on regular basis vide Government Order No.Home-367 (P) of 2007 dated 01.08.2007. Since the officer junior to the three petitioners has been promoted as DySP w.e.f. 01.03.2002 and to comply with the Hon’ble Court/Hon’ble Supreme Court Orders, the petitioners are required to be
promoted as DySPs notionally from the date their junior has been promoted as such and regularly from the date they have been placed as I/C DySPs in a stop-gap arrangement.

Now, therefore, in compliance with the Judgements dated 30.04.2001 of the Hon’ble High Court of J&K and dated 20.04.2011 of the Division bench of Hon’ble High Court read with order dated 27.2.2012 of the Hon’ble Supreme Court of India, sanction is hereby accorded to the promotion of:

i. Shri Ajay Sharma as DySP notionally with effect from 01.03.2002 and regularly from 16.01.2003.
ii. Shri Ranjeet Singh as DySP notionally with effect from 01.03.2002 and regularly from 16.01.2003.
iii. Shri Parmjeet Singh as DySPs notionally w.e.f 01.03.2002 and regularly w.e.f 02.06.2011.

It is further ordered that:

i. the notional promotions of the above officers shall count for fixation of pay and seniority only.
ii. these promotions shall, however, be without prejudice to the final seniority list of DYSPs (Executive) and any review upon notification of the said final seniority list of DySPs and shall also be subject to the outcome of the writ petition(s), if any, pending consideration before any competent Court of law.


Sd/-
(B.R. Sharma) IAS
Principal Secretary to Government
Home Department

No. Home/Gaz/Prom/Sports/12/2004
Dated 7.04.2015

Copy to: -
1. Principal Secretary to Hon’ble Chief Minister.
2. Director General of Police, J&K Jammu.
3. Concerned Officers.
4. Private Secretary to the Principal Secretary to Government, Home Department
5. Incharge Website, Home Department.

(Sarib Sahran) KAS
Under Secretary to Government
Home Department
Email: us.jkhome@gmail.com