

**GOVERNMENT OF KERALA****Abstract**

Home Department -Police Establishment- Order of the Hon'ble Kerala Administrative Tribunal dated 12.01.2024 in OA 86/2024 filed by Sri Shaji M K, Inspector of Police - Complied with - Orders Issued.

HOME (A)DEPARTMENT

G.O.(Rt)No.1031/2025/HOME Dated,Thiruvananthapuram, 27-03-2025

Read 1 1. Order of Hon'ble Kerala Administrative Tribunal dated 12.01.2024 in OA 86/2024 filed by Sri Shaji M K, Inspector of Police.

ORDER

The Hon'ble Kerala Administrative Tribunal as per the order read as 1st paper above has ordered that if the DPC meeting for the assessment of suitability for promotion to the post of Deputy Superintendent of Police is conducted, the applicants name(Sri Shaji M K, Inspector of Police)shall also be included for consideration on provisional basis, subject to further orders in this Original Application.

2.Accordingly the Departmental Promotion Committee (Higher) Meeting was held on 04.02.2025 .The name of Sri Shaji M K was also included in the zone of consideration for inclusion in the Select List of Inspectors of Police fit for promotion as DySPs for the vacancies in the year 2025.His case was considered by the DPC (H) and decided to supersede him from the Select List due to the following reasons:

"He was exonerated in an Oral Enquiry ordered vide order

No.A2/648/2020/NZ dtd 27.01.2020 of IGP North Zone, for the charges of failure occurred from his part in taking prompt action in handling the conflict between SF1. DYFI, Muslim League activists at Thirur Town on 10.08.2017, vide order No.A2/648/2020/NZ dtd 26.06.2020. Later Government reviewed the above disciplinary proceedings as per the Rule 36 (A) of KPDIP&A Act 1958 and awarded a punishment of Increment bar for one year without cumulative effect vide order G.O(Rt) No.2142/2022/Home dtd 04.08.2022. "

3. The DPC (Higher) examined the case of Sri Shaji M K based on the order of Hon.KAT dated 12.01.2024, in OA No.86/2024 filed by Sri. Shaji M.K Inspector of Police . The DPC is duty bound to examine the Service records of the candidate for the past three years to assess their eligibility in terms of merit and ability for inclusion in the Select List. As per Rule 28(b)(i) KS&SSRs, the selection process is rooted on merit and seniority to be considered only when merit is equal. Accordingly, the DPC examined the Service records of the candidate for the past three years to assess his eligibility in terms of merit and ability for inclusion in the Select List. The Committee found that the Oral Enquiry pending against him culminated in awarding a punishment of Increment Bar for one year

without CE on 04.08.2022, during the period of scrutiny, for a serious delinquency on his part. Thus, the DPC held that an officer who has been punished during the period of scrutiny for such delinquency cannot be placed at equal footing on merit & ability vis -a- vis other officers having good service records. The DPC decided not to include him in the Select List based on the statutory provisions above and based on the below par service records during the period of scrutiny. Based on the decision of Departmental Promotion Committee (Higher), Sri Shaji M K, Inspector of Police was superseded from the select list of Inspector of Police fit for promotion to the cadre of Deputy Superintendents of Police for the year 2025.

4.Thus the order of Honble Kerala Administrative Tribunal read above is complied herewith .

(By order of the Governor)
BINIL V V
DEPUTY SECRETARY

To:

The State Police Chief, Kerala, Thiruvananthapuram

Sri Shaji M K, Inspector of Police(Through State Police Chief)

The Advocate General, Kerala, Thiruvananthapuram (with C/L)

The Principal Accountant General (A&E)/(Audit), Kerala,
Thiruvananthapuram.

Information & Public Relations Department (Web & New Media) (For
publishing in the official website)

Stock File (HOME-A2/25/2024-HOME)

Forwarded ^{Signed by Deepu B K}
By order
Date: 27-03-2025 10:24:57

Section Officer