

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.183 OF 2013

MANISH KUMAR ... PETITIONER(S)

VS.

UNION OF INDIA AND OTHERS ... RESPONDENT(S)

O R D E R

State of West Bengal :

1. Mr. A.K. Ganguli, learned Senior Advocate, has assisted us with reference to the vacancies in the cadre of police personnel in the State of West Bengal. In turn, he has been assisted by Mr. Swapan Kumar Paul, Additional Secretary, Department of Home, Government of West Bengal, who is present in Court in-person. It is brought to our notice, that there were 25,722 vacancies in the cadre of Constables as on 1.1.2017. Additional vacancies in the cadre of Constables (based on the dates of retirement of existing personnel) are indicated as 1,119 (during the year 2017), 1,234 (during the year 2018), 1,003 (during the year 2019) and 766 (during the year 2020). Based on the above vacancy position, it is submitted, that 25,487 Constables will have to be appointed upto the year 2020.

2. To fill up the vacancies referred to in the foregoing

paragraph, it was submitted, that 4,357 posts of Constables will be filled up by 31.12.2017 (from out of the ongoing process of selection). Thereafter, in every recruitment year, 8,000 Constables will be appointed annually. Thus viewed it was asserted, that by the year 2020, 28,357 Constables will be appointed, leaving only 1,487 vacancies in the cadre of Constables. It is submitted, that all remaining vacancies in the cadre of Constables, whether on account of retirement or for any other reason, will be positively filled up by the year 2020-21.

3. We take on our record the above statement made on behalf of the State of West Bengal, as has been narrated in the foregoing paragraph.

4. We hereby direct, that the time lines, indicated hereinabove will be meticulously adhered to, wherein the regular process of selection will be conducted by the West Bengal Police Recruitment Board. We also hereby direct, that in case of breach of the above time lines, the concerned Director General of Police (Recruitment), as also, the Additional Secretary, Department of Home, Government of West Bengal, shall be personally responsible.

5. Learned counsel also points out, that besides the posts of Constables, there are 1,173 vacancies in the cadre of Junior Constables, out of which 465 Junior Constables will be appointed within one month from today, and all the remaining vacancies in the cadre of Junior Constables will

be filled up by the end of the year.

6. We take on record the statement made to us with reference to the cadre of Junior Constables. The time lines indicated hereinabove, shall also be duly complied with in the manner indicated in the foregoing paragraph.

7. The only other rank, for which appointments are to be made by direct recruitment, is at the rank of Sub-Inspector (AB&UB). It was submitted, that the vacancy position for direct recruitment in the instant cadre was 2,285, as on 1.1.2017. It was pointed out, that further vacancies, likely to arise during the year 2017 are 253 (keeping in mind the Sub-Inspectors, scheduled to retire on attaining the age of superannuation during the year 2017). Likewise, the vacancies likely to arise in the cadre of Sub-Inspectors are 251 for the year 2018, 215 for the year 2019, and 171 for the year 2020. Thus viewed, till December 2018, 1,289 vacancies in the cadre of Sub-Inspectors are likely to be available. Calculated in the above manner, the total vacancies in the cadre of Sub-Inspector up to the end of the year 2020 will be 3,175.

8. It is undertaken, that during the year 2017, 700 vacancies in cadre of Sub-Inspectors will be filled up by direct recruitment, and for the subsequent years, 800 Sub-Inspectors of police will be appointed annually. Based on the numbers and the time lines indicated hereinabove, it was submitted, that all vacancies in the cadre of

Sub-Inspectors will be filled up by the year 2020. The above statement is also taken on record. The same will also abide by the position indicated hereinabove.

9. In addition to the appointments by way of direct recruitment to the various ranks, posts in the rank of Deputy Superintendent of Police are also filled up by way of direct recruitment through the West Bengal Public Service Commission. It was submitted, that there are 76 existing vacancies in the rank of Deputy Superintendent of Police, for which a requisition has already been sent by the State Government, to the West Bengal Public Service Commission, and the process of selection and recruitment is going on.

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

State of Bihar :

1. Mr. Ranjan Kumar Sinha, Additional Secretary, Department of Home, who is present in Court in-person, has furnished some details, which are not acceptable to this Court. The affidavit, as also, the compilation given in Court, are returned for reconsideration.

2. Post for further consideration on 5.5.2017, so far as State of Bihar is concerned.

For the remaining States :

Post for hearing on 3rd May, 2017, as Part-heard.

.....CJI.
[JAGDISH SINGH KHEHAR]

.....J.
[Dr. D.Y. CHANDRACHUD]

.....J.
[SANJAY KISHAN KAUL]

New Delhi;
2nd May, 2017.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No(s).183/2013

MANISH KUMAR

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(With appln.(s) for exemption from filing O.T., exemption from
filing O.T., extension of time and impleadment)

(For final disposal)

Date : 02/05/2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s) In-person

For Respondent(s) : Mr. Maninder Singh,ASG
NCT of Delhi Dr. Abhishek Atrey,Adv.
Ms. Sushma Manchanda,Adv.
Mr. Ajay Kumar Singh,Adv.
For Mr. B. Krishna Prasad,Adv.State of AP Mr. Guntur Prabhakar,Adv.
Ms. Prerna Singh,Adv.State of Arunachal Pradesh Mr. Anil Shrivastav,Adv.
Mr. Rituraj Biswas,Adv.State of Assam Mr. Shuvodeep Roy,Adv.
Mr. Sayooj Mohandas M.,Adv.State of Bihar Mr. Rudreshwar Singh,Adv.
Mr. Gautam Singh,Adv.
Ms. Isha Singh,Adv.
Ms. Snehil Sonam,,Adv.
Ms. Priya Mishra,Adv.
for Mr. Samir Ali Khan,Adv.State of Chhattisgarh Mr. C.D. Singh,Adv.(AAG)
Ms. Bansuri Swaraj,Adv.

State of Gujarat	Ms. Hemantika Wahi, Adv. Ms. Jesal Wahi, Adv. Ms. Mamta Singh, Adv.
State of Haryana	Mr. Anil Grover, Adv. (AAG) Ms. Noopur Singhal, Adv. Mr. Sanjay Kr. Visen, Adv. Mr. Manik Garg, Adv.
State of HP	Mr. Dinesh Kumar Thakur, Adv. (AAG) Mr. Varinder Kumar Sharma, Adv.
State of Jharkhand	Mr. Tapesk Kumar Singh, Adv. Mr. Kumar Anurag Singh, Adv. Mohd. Waquas, Adv. Mr. Aditya Pratap Singh, Adv.
State of MP	Mr. Mishra Saurabh, Adv.
State of Maharashtra	Mr. Nishant R. Katneshwarkar, Adv. Mr. Arpit Rai, Adv.
State of Punjab	Mr. Kuldip Singh, Adv.
State of Nagaland	Mr. Edward Belho, Adv. (AAG) Ms. K. Enatoli Sema, Adv. Mr. Amit Kumar Singh, Adv. Mr. Z.H. Isaac Haiding, Adv. Mr. K. Luikang Michael, Adv. Ms. Elix Gangmei, Adv.
State of Sikkim	Ms. Aruna Mathur, Adv. Mr. Avneesh Arputham, Adv. Ms. Anuradha Arputham, Adv. Mr. Amit Arora, Adv. For M/s. Arputham, Aruna & Co., Adv.
State of Tamil Nadu	Mr. M. Yogesh Kanna, Adv. Ms. Nithya, Adv. Ms. Mahalakshmi, Adv. Mr. Partha Sarathi, Adv.
State of Telangana	Mr. S. Udaya Kumar Sagar, Adv. Mr. Mrityunjai Singh, Adv.
State of Tripura	Mr. Gopal Singh, Adv. Mr. Rituraj Biswas, Adv. Ms. Varsha Poddar, Adv.

State of UP	Mr. Aviral Saxena,Adv. Mr. Ravi Prakash Mehrotra,Adv.
State of Uttarakhand	Mr. Rajiv Nanda,Adv.
State of WB	Mr. Amol K. Ganguli,Sr.Adv. Mr. Raja Chatterjee,Adv. Mr. Chanchal Kumar Ganguli,Adv. Mr. Adeel Ahmed,Adv.
Andaman & Nicobar	Mr. Bhupewsh Narula,Adv. Mr. K.V. Jagdishvaran,Adv. Ms. G. Indira,Adv.
Govt. of Puducherry	Mr. V.G. Pragasam,Adv. Mr. Prabu Ramasubramanian,Adv. Mr. Milind Kumar,Adv. Mr. P.V. Yogeswaran,Adv. Mr. V.N. Raghupathy,Adv. Mr. Sudarshan Singh Rawat,Adv. Mr. Krishnayan Sen,Adv. Mr. Ranjan Mukherjee,Adv. Mr. Mukesh Kumar Maroria,Adv. Mr. Ashok Kumar Singh,Adv. Mr. Shreekant N. Terdal,Adv. Mr. M. Shoeb Alam,Adv. Mr. Shishir Deshpande,Adv.

UPON hearing the counsel the Court made the following
O R D E R

The matter is directed to post for hearing on 5th May, 2017, as Part-heard, so far as State of Bihar is concerned, and for remaining States the matter is directed to be posted on 3.5.2017, in terms of the signed order.

(Sarita Purohit)
Court Master

(Renuka Sadana)
Assistant Registrar

(Signed order is placed on the file)