

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF NOVEMBER, 2021

PRESENT

THE HON'BLE MR. RITU RAJ AWASTHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.23225 OF 2019 (GM-RES) PIL

BETWEEN:

HIGH COURT OF KARNATAKA
REPRESENTED BY ITS
REGISTRAR GENERAL
BENGALURU - 560 001

... PETITIONER

(SUO MOTU PETITION)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
CHIEF SECRETARY
VIDHANA SOUDHA
BENGALURU - 560 001
2. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
HOME DEPARTMENT
II FLOOR, VIDHANA SOUDHA
BENGALURU - 560 001
3. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
DEPARTMENT OF LAW AND JUSTICE
VIDHANA SOUDHA
BENGALURU - 560 001
4. THE DIRECTOR GENERAL AND
INSPECTOR GENERAL OF POLICE
NRUPATHUNGA ROAD
BENGALURU - 560 001

... RESPONDENTS

(SRI S.RAJASHEKARA, ADDITIONAL GOVERNMENT ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A DIRECTION TO THE RESPONDENTS TO FILL ALL EXISTING VACANCIES IN DIFFERENT POSTS IN THE POLICE FORCES IN THE STATE AND ETC.

THIS PETITION COMING ON FOR ORDERS THIS DAY, **CHIEF JUSTICE** MADE THE FOLLOWING:

ORDER

This *suo motu* writ petition was initiated for issuing a direction to the respondents to fill up all the existing vacancies of different posts in the Police Forces in the State.

2. When the case was taken up on the last date, i.e. on 18.11.2021, an affidavit was filed by learned Additional Government Advocate reporting compliance of the order dated 22.09.2021. It was stated in the said affidavit that substantial compliance has been made and remaining vacancies of 1142 posts of Police Sub-Inspector and 4000 posts of Police Constable would be filled up by July 2022. The Court had directed learned Additional Government Advocate to seek specific instructions as to within what minimum time the said posts can be filled up.

3. In compliance of the order dated 18.11.2021, an affidavit has been filed giving details of the posts to be filled

up within a specific period. Paragraphs 2 to 6 are relevant which are reproduced:

"2. I respectfully submit that, as per the Affidavit dated 10.12.2019, Action plan was submitted to fill up 2547 of PSI Posts and 14291 PC Posts contributing to a total of 16,838 Posts from Nov-2019 to March-2022 as below;

Commitments	PSI	PC	Total
<i>To be filled by Nov-2019</i>	346	5185	5531
<i>To be filled by Dec-2019 (Promotional vacancies)</i>	451	0	451
<i>To be Filled by March-2020</i>	615	4540	5155
<i>To be filled by March-2021</i>	592	4000	4592
<i>To be filled by March-2022</i>	543	566	1109
Total	2547	14291	16838

3. I respectfully submit that, as per the Affidavit dated 10.12.2019, Action taken report was filed before the Hon'ble Court on 17.11.2021 wherein it was informed to the Hon'ble Court that, steps have been taken to fill-up the vacancies as per the Action Plan.

4. I respectfully submit that, in the order dated 18.11.2021 Hon'ble court has made following observation "In the affidavit that substantial compliance has been made and with regard to remaining vacancies of 1142 posts of Police Sub-Inspector and 4000 posts of Police Constable and to seek specific instructions as to within what minimum time these posts can be filled up". As per Hon'ble court direction detailed compliance report along with Plan of action is re-submitted as below:

i) Point No.1 (details of filling up of 1142 vacancies of PSIs and time screen)

Commitments	PSI	Compliance	Reasons if any
To be filled by March-2021	592	Recruited 162 Ongoing Recruitment 545	<p>During 2020-21, approval was issued for 707 PSI posts to be recruited. Out of 707, 162 have already been recruited. But due to amendment of Cadre and Recruitment Rules, Recruitment process for 545 posts was delayed. Now physical and written exams have been completed and following procedures are yet to be done.</p> <p>1) Presently scanning process is going on. After the completion of this process evaluation will be conducted in the second week of Dec-2021 for 10 days. After this provisional select list will be published by the end of Dec-2021.</p> <p>2) Next step is to conduct the Medical examination in the month of Jan-2022, for the candidates who have provisionally selected. After this second provisional select list will be published by the end of Jan-2022.</p> <p>3) After the second provisional select list the Police Verification/ character and antecedent and Document verification i.e., SSLC & Degree Marks cards through digilockersystem and Caste and Income</p>

			certificate through e-sindhutva. Based on the verification report Final select list will be published and appointment orders will be issued by the end of March-2022.
To be filled by March-2022	543	597 Ongoing Recruitment	<p>Instead of 543 assured posts of PSIs, 597 posts are being recruited (including 12 posts of the year 2019-20). Out of 597 posts, Notifications have been published for the Recruitment of 422 PSI posts. physical exams for 1.44 lakhs candidates will be completed on 27.11.2021. But following procedures are yet to be completed.</p> <p>1) Scrutiny of physical test result sheet, identification of exams centres, arrangement for written exams - up to December end 2021.</p> <p>2) Written examination will be conducted in the first week of Jan-2022.</p> <p>3) After the written examination, the scanning & evaluation process will be conducted in the second, third & fourth week of Jan-2022.</p> <p>4) After this provisional select list will be published in the first week of Feb-2022.</p> <p>5) Next step is Medical examination- which will be conducted in the month of Feb-2022. After this second provisional select list will be published.</p>

		<p>6) After the second provisional select list the Police Verification/character and antecedent and Document verification i.e., SSLC & Degree Marks cards through digilocker system and Caste and Income certificate through e-sindhutva. Based on the verification report Final select list will be published and appointment orders will be issued by the end of April-2022.</p> <p>For remaining 175 posts notifications will be published after the model code of conduct is over i.e. 16.12.2021. Hence the following procedures are to be taken up:-</p> <p>1) Inviting of applications - 1 month (Jan-2022).</p> <p>2) Physical Test - 1 month (Feb-2022).</p> <p>3) Preparation of written exam - 1 month (Mar-2022).</p> <p>4) Scanning & Evaluation - 1 month (Apr-2022).</p> <p>5) Provisional select list and medical examination - 1 month (May-2022).</p> <p>6) Verification of documents, publishing of final select list and issue of appointment orders. - 1 month (Jun-2022).</p> <p>Above all steps needs approximately 5 months. But action is being taken to fill them before May-2022.</p>
Total	1142	

ii) Point No.2 (details of filling up of 4000 vacancies of PCs)

Commitments	PC	Compliance	Reasons if any
To be filled by March-2022	566	4000 Ongoing Recruitment	<p>Commitment posts were 566 of PCs posts. But as per the Government order 4000 posts are sanctioned for the year 2021-22. Hence notifications have been published to fill up the 4000 posts written examination was conducted for 3.5 lakhs candidates.</p> <p>Next following procedures have to be done.</p> <p>1) Scanning of OMR answer sheets, scrutiny of scanning reports, generation of merit list and publishing of select list in 1:5 ratio in the 2nd week of Dec-2021.</p> <p>2) Physical and Endurance Test in 1:5 ratio will be conducted in the last week of Dec-2021.</p> <p>3) Medical examination will be conducted in the month of Jan-2022.</p> <p>4) Document verification/ Police verification/Caste verification will be conducted in the month of Feb & March-2022.</p> <p>5) Final List and issue of appointment orders by the end of April-2022.</p>
Total		4000	

5. I respectfully submit that the State Government is making its endeavor to comply with all the directions issued by the Hon'ble court.

I submit that though there was huge pandemic, the recruitment of PSIs and PCs were conducted adhering to all covid-19 protocols without postponing any of the recruitments i.e., Physical Test, Written Examination, Medical Test, Document Verification was done through e-Sindhutva and Digilocker for first time.

6. *I respectfully submit that, in spite of Covid-19 financial restrictions levied on all recruitment/appointment all over the State, State of Karnataka has acted as per the directions of Hon'ble High Court and completed the recruitment process within the stipulated time."*

4. In view of the above, we direct the respondents to fill up the existing vacancies as per the time schedule indicated by them and there shall not be any laxity on their part in filling the existing vacancies.
5. The writ petition is finally disposed of.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**