

**BEFORE THE HON'BLE MAHARASHTRA ADMINISTRATIVE
TRIBUNAL AT MUMBAI.**

ORIGINAL APPLICATION NO. OF 2024

DIST: Thane

Nandkumar S/o Ramrao Kenche

... **APPLICANT**

AND

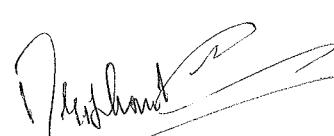
The State of Maharashtra and others

... **RESPONDENTS**

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DATE: 23 /09/2024
PLACE: MUMBAI


(PRASHANT M. NAGARGOJE)
ADVOCATE FOR APPLICANT.

**BEFORE THE HON'BLE MAHARASHTRA ADMINISTRATIVE
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... **APPLICANT**

AND

The State of Maharashtra and others

... **RESPONDENTS**

SYNOPSIS

SR. No.	Dates	Particulars of events.
1.	22.08.2024	By way of this original application, applicant is challenging the impugned transfer order 22.08.2024 issued by respondent No.3 transferring applicant out of Commissionerate area of Thane to Mumbai City in view of election commission guidelines dated 31.07.2024.
2.		Applicant at present is working as a Police Inspector at Khadakpada Police Station, Thane. <u>Applicant belongs to Latur District. Applicant till today is not relieved from Khadakpada Police Station, Thane in view of transfer order dated 22.08.2024.</u>
		The applicant is due to retire in the month of January 2025.
	27.08.2024	This Hon'ble Court in O.A. No. 1057/2024 and other connected matters had requested the Commissioner of Police Thane to come with data regarding availability of non-executive post in Thane Commissionerate Area. Accordingly, there are around 13 posts vacant in Control Room, therefore applicant can be

		adjusted on non-executive post in view of his representation dated 21.09.2024.
	--	Hence this original application.

POINTS FOR CONSIDERATION:

Whether the impugned order dated 22.08.2024 issued by respondent No.3 transferring applicant from out of Commissionerate area of Thane to Mumbai City, because of letter dated 31.07.2024 issued by ECI before completing 6 years tenure is arbitrarily, illegal and same deserves to be quashed and set-aside by the Hon'ble Tribunal as prayed by applicant.

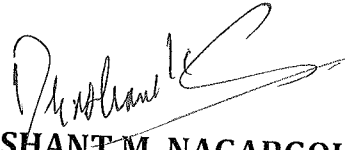
ACT AND RULES TO BE REFERRED:

1. Administrative Tribunal Act
2. Maharashtra Police Act, 1951

AUTHORITIES TO BE CITED:

At present Nil

DATE: 23 /09/2024
PLACE: MUMBAI


(PRASHANT M. NAGARGOJE)
ADVOCATE FOR APPLICANT

**BEFORE THE HON'BLE MAHARASHTRA ADMINISTRATIVE
TRIBUNAL AT MUMBAI.**

ORIGINAL APPLICATION NO. _____ OF 2024

DIST: Thane

BETWEEN

Nandkumar S/o Ramrao Kenche

... **APPLICANT**

AND

The State of Maharashtra and others

... **RESPONDENTS**

I) PARTICULARS OF THE APPLICANT:

Nandkumar S/o Ramrao Kenche,
Age 57 Years, Occu. Service as
Police Inspector, presently posted at
Khadakpada Police Station Khadakpada
Tq. Dist. Thane. R/o: Near Shivaji Putla,
Nilesh Apartment Ghule Nagar, Wadgaon
Budruk, Sinhgad Road Pune Tq. Dist. Pune.
Mobile No. 9823905122.

II) PARTICULARS OF THE RESPONDENTS:

1. The State of Maharashtra
Home Department
Through its Secretary
Mantralaya Mumbai. 400 001
2. The Director General of Police
Office at Shahid Bhagatsing Marg,
Colaba, Mumbai-400 001
3. The Additional Director General of Police
(Establishment) Office at Maharashtra State Police
Head Quarter office at Shahid Bhagatsing Marg,
Colaba, Mumbai-400 001

BEFORE ME


SHIVKUMAR B. PATIL
Notary Govt. of India
Reg. No. 6724

4. The Commissioner of Police,
Office at Thane City Tq. Dist. Thane 400 601.

III) PARTICULARS OF THE IMPUGNED ORDER:

By way of this original application, the applicant is challenging the impugned transfer order dated 22.08.2024 (Sr. No.2), whereby applicant came to be transferred from Commissionerate area of Thane City to Mumbai City. The said impugned order is contrary to Sec.22 of Maharashtra Police Act, 1951 and the same is issued malafidely, without any public interest and same is arbitrarily before completing tenure of 6 years of the applicant in his respective region. The applicant till today is not relieved from Khadakpada Police Station, Thane Police Commissionerate Area. Copy of the impugned transfer order dated 22.08.2024 issued by respondent No. 3 and Station Dairy dated 21.09.24 & 22.09.24 of Khadakpada Police Station Thane Commissionerate Area are annexed herewith and marked **ANNEXURE-A-1-**.

IV) LIMITATION:


The applicant declares that, application is filed within the period of limitation as provided U/Sec.21 of Maharashtra Tribunal Act, 1985. Hence, this original application is filed within the prescribed period of limitation.


BEFORE

SHIVKUMAR D. PATIL
Notary (Govt. of India)
Reg. No. 6724

V) FACTS OF THE CASE:

1. The applicants submit that, applicant joined duty in police force after serving in Indian Air Force for almost 20 years and for last almost 16 years he is working in Maharashtra Police Force. Applicant's mother is bedridden due to old-age diseases. Applicant belongs to Latur District. The applicant submits that, he is due to retire in the month of January 2025. Copy of the Adhar card is annexed herewith and collectively marked at **ANNEXURE-A-2**.
2. The applicants submit that, applicant joined at Thane Commissionerate Area on 17.08.2021. The applicants submit that, subsequently he was internally transferred in Thane District. On 21.08.2021 applicant was transferred to Khadakpada Police Station. Copies of the relevant transfer orders are annexed herewith and marked at **ANNE -A-3**.
3. The applicants submit that, on 31.07.2024 the Election Commission of India issued Election guidelines. Copy of the Election Commission of India guidelines dated 31.07.2024 is annexed herewith and marked at **ANNEXURE-A-4**.
4. The applicant submits that, the respondent authorities effected transfers of several Police Inspectors in connection



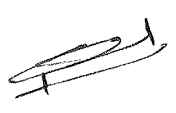
BEFORE ME

SHIVKUMAR D. PATHI
Notary Govt. of India
Reg. No. 9724

with ensuing General Elections to the house of people (Loksabha-2024). In accordance with the guidelines of Election Commission of India letter dated 21.12.2023 specifically as mentioned in Para No.5.3 officers who had not completed 06 years term in one district were protected by this Hon'ble Tribunal. The copy of the common judgment and order dated 19.07.2024 passed in OA 124/2024 with connected OA is annexed herewith and marked at **ANNEXURE-A-5.**

5. The applicant submits that, till today Election dates are not declared by the Election Commission of India. Elections are postponed for an indefinite period. Elections of Haryana State are scheduled in the month of October / November. There is a possibility of holding an election in the State of Maharashtra in January / February 2025.
6. The applicant submits that, the respondent No. 3 by issuing a letter dated 08.08.2024 and considering earlier circular of Home Department and policy of the State Government had requested / directed Thane Commissioner of Police / other Police Commissioners to adjust Police Officers, who come under criteria of Election Commission dated 31.07.2024. The

respondent No. 4 could have adjusted applicant on non-executive post in view of vacancy in Police Commissionerate Area. This Hon'ble Court in O.A. No. 1057/2024 and other connected matters had requested the Commissioner of Police Thane to come with data regarding availability of non-executive post in Thane Commissionerate Area. Accordingly, there are around 13 posts vacant in Control Room, therefore applicant can be adjusted on non-executive post. The copy of the letter dated 08.08.2024, copy of the order dated 27.08.2024 passed in OA 1057/2024 and other relevant documents are annexed herewith and marked at **ANNEXURE-A-6.**

7. The applicant submits that, applicant had requested respondent No. 4 by giving representation on 21.09.2024 to transfer applicant from Police Station to non-executive post in view of his retirement date scheduled on 31.01.2025. The applicant can be adjusted to non-executive post in view of various circulars of Home Department, so that officers like present applicant does not come under criteria of Election Commission of India. The copy of the representation dated 21.09.2024 is annexed herewith and marked **ANNEX-A-7.**



BEFORE ME
SHIVKUMAR B. PATIL
Notary Govt. of India
Reg. No. 8744

8. The applicant submits that, as per Sec.22 (N) (1) applicant has not completed 06 years term under his Commissionerate area. Therefore, he cannot be transferred out of district as he is not covered under guidelines of the by Election Commission of India letter dated 31.07.2024 and even as per Sec.22 (N) (d). Even applicant has not completed six years tenure.
9. The applicants submit that, the applicant is now transferred from Thane City to Mumbai City by way of impugned transfer order and this is mid-term transfer as per Sec.22 (N) (d) of the Maharashtra Police (Amendment) Act, 2005 when as per Sec.22 (N) (1) (b) the term of Police Sub Inspectors / Asst. Police Inspector / Police Inspector is of minimum 06 years in one Commissionerate area. Whereas as per Sec. 2 (6) (a), the General Transfer is defined as posting of police personnel in the police force from one post, office or department to another post, office or department in the month of April and May of every year after completion of normal tenure as mentioned in Sub-Section 1 of Sec.22 (N) of the Act.

The applicant is not due for transfer from the present post. The impugned transfer order is issued in the month of

August is clear case of mid-term as well as mid-tenure transfer and it can be done only in special circumstances on account of administrative exigency. That impugned transfer was issued only on the basis ECI letter dated 31.07.2024 and there is no other reason or public interest shown or justification while passing impugned order dated 22.08.2024.

10. The applicant submits that, it was obligatory on part of respondents to act fairly, transparently, reasonably and therefore it is arbitrary and irrational action on part of respondents. Therefore, the impugned transfer order and letter are ex-facie illegal, bad in law and if it is acted, upon the proposal of Election Commission of India to respondents' office, then it would be a mid-term transfer. Therefore, there was no need on part of respondents to propose applicant to the office of respondent to effect his transfer out of district when as per Election Commission guidelines time to time had clarified that, in view of compliance the transferring authority can transfer police officers / officers from executive to non-executive.

BEFORE ME

SHYKUNAR B. PATIL
Notary Govt. of India
Reg. No. 6726


11. The applicant submits that, the impugned transfer order and letter based on impugned order dated 22.08.2024 transferring applicant to out of district before completing of tenure suffers from malice in law and even it was not placed before the Police Establishment Board and even applicant is not liable to be transfer as per Election Commission of India letter dated 31.07.2024.

12. The applicant seeks liberty to add, amend, alter, delete or modify any other paragraphs with prior permission of this Hon'ble Court.

VI) INTERIM RELIEF SOUGHT:

A. Pending hearing and final disposal of the original application, the applicant may kindly be allowed to continue to work as Police Inspector at Khadakpada Police Station Tq. And Dist. Thane and execution and implementation of transfer order dated 22.08.2024 issued by respondent No. 3 may kindly be stayed to the extent of applicant and further not to relieve applicant from Khadakpada Police Station Tq. And Dist. Thane.

B. Pending hearing and final disposal of present original application, respondents may kindly be directed allow applicant to work on non-executive post in Thane



DR. J. K. KADAM
JUDGE, COURT OF APPEAL
THANE, DIST. THANE

Commissionerate Area till his retirement scheduled on 31.01.2025 in view of his representation dated 21.09.2024.

- C. Ad-interim relief in terms of prayer Clause "A" or "B" may kindly be granted.

VII) FINAL RELIEF SOUGHT:

In view of the above circumstances, this Hon'ble Tribunal graciously may be pleased to pass order as under:


- A. This Original Application may kindly be allowed.
- B. This Hon'ble Court may be pleased to quash and set aside the impugned transfer order dated 22.08.2024 to the extent of applicant, whereby applicant was transferred from Commissionerate area of Thane City to Mumbai City and repost at Thane Commissionerate Area with immediate effect.
- C. Any other appropriate relief to which the applicant is entitled to may please be granted in favour of the applicant.


VIII) (DETAILS OF INDEX) & INDEX IN DUPLICATE CONTAINING THE DOCUMENTS BE RELIED UPON IS ANNEXED HEREWITH.

IX) LIST OF ENCLOSURE.

X) Postal Order No. _____ dated _____.

DATE: 23 /09/2024
PLACE: MUMBAI


(PRASHANT M. NAGARGOJE)
ADVOCATE FOR APPLICANT


BEFORE ME
SHRIKUMAR B. PATIL
Notary Public, Mumbai
Reg. No. 5724

VERIFICATION


I, Nandkumar S/o Ramrao Kenche, Age 57 Years, Occu. Service as Police Inspector, presently posted at Khadakpada Police Station Khadakpada Tq. Dist. Thane. R/o: Near Shivaji Putla, Nilesh Apartment Ghule Nagar, Wadgaon Budruk, Sinhgad Road Pune Tq. Dist. Pune, do hereby state on oath and solemn affirmation that, all contents of this original application including legal grounds & prayers made therein are true and correct to the best of my personal knowledge, information and belief. All contents are read over and explained in Marathi language to me by my Advocate.

Hence, it is signed and verified on this 22 day of September 2024 at Ch. Sambhajinagar.

Identified and
Explained by

DEPONENT


(Nandkumar S/o Ramrao Kenche)


Prashant M. Nagargoje
Vishnu B. Narke
Advocate

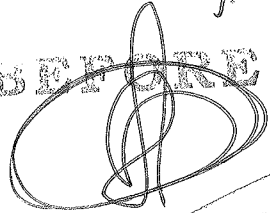
AFFIDAVIT

I solemnly affirmed before me

by Shri/Smt.

No. _____

BEFORE ME



SHIVKUMAR BHANWANTRAO PATIL
Advocate & Notary Govt. of India
(Reg. No. 8724)

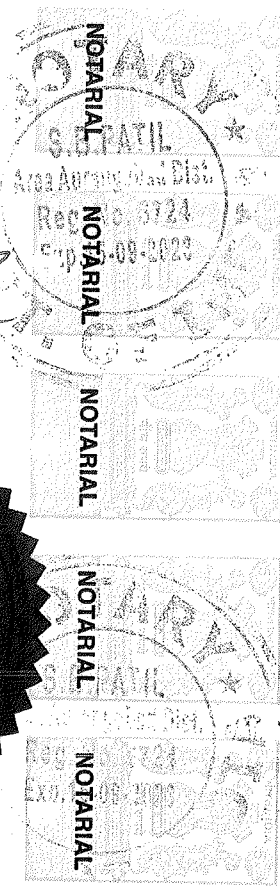
NOTED & REGISTERED

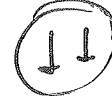
AT SR.No. _____

THIS DOCUMENT CONTAINS

10 PAGES

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ORIGINAL APPLICATION NO. _____ OF 2024

DIST: Thane

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DATE: 23/09/2024
PLACE: MUMBAI


(PRASHANT M. NAGARGOJE)
ADVOCATE FOR APPLICANT.



महाराष्ट्र शासन

पोलीस महासंचालक कार्यालय, महाराष्ट्र राज्य

महाराष्ट्र राज्य पोलीस मुख्यालय, शहीद भगतसिंग मार्ग, कुलाबा, मुंबई ४०० ००९

(महाराष्ट्र पोलीस राजपत्र, विभागीय, भाग-६ अ करिता)



क्र.पोमसं/३/१०/६/विधानसभा निवडणूक-२४/८५/२०२४
महाराष्ट्र राज्य पोलीस मुख्यालय,
शहीद भगतसिंग मार्ग, कुलाबा, मुंबई-४००००९.
दिनांक :- २२/०८/२०२४.

- वाचा :- १. महाराष्ट्र पोलीस कायदा-१९५१,
२. मा.भारतीय निवडणूक आयोग, नवी दिल्ली यांचे पत्र क्र.४३७/६/१/INST/ECI/FUNCT/MCC/2024, दि.३१/०७/२०२४
३. या कार्यालयाचे समक्रमांकित, दि.०२/०८/२०२४ चे ज्ञापन
४. या कार्यालयाचे समक्रमांकित, दि.०८/०८/२०२४ चे ज्ञापन
५. मा.मुख्य निवडणूक अधिकारी, महाराष्ट्र राज्य, मुंबई यांचे कार्यालयाचे क्र.संकीर्ण-२०२४/प्र.क्र.१७/२४/निवडणूक-२, दि.२२/०८/२०२४ चे पत्र.

विधानसभा सार्वत्रिक निवडणूका-२०२४ च्या अनुषंगाने उपरोक्त संदर्भ क्र. २ च्या पत्रान्वये, मा.भारतीय निवडणूक आयोग, नवी दिल्ली यांनी दिलेल्या मार्गदर्शक सूचना / निर्देशानुसार सर्व पोलीस आयुक्त (लोहमार्ग वगळून) व परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / पोलीस उप महानिरीक्षक यांच्याकडून बदलीपात्र पोलीस अधिकाऱ्यांची माहिती उपरोक्त संदर्भ क्र. ४ च्या ज्ञापनान्वये मागविण्यात आली होती.

२. त्यानुसार महाराष्ट्र पोलीस अधिनियम, १९५१ मधील कलम-२२ न (२) मधील तरतुदीनुसार पोलीस आस्थापना मंडळ क्र.२ यांनी अपवादात्मक प्रकरण, जनहितार्थ आणि प्रशासकीय निकडीनुसार सक्षम प्राधिकारी म्हणून प्रदान असलेल्या अधिकाराचा वापर करून, तसेच, मा.भारतीय निवडणूक आयोग, नवी दिल्ली यांनी दिलेल्या निर्देशाप्रमाणे खालील नमूद पोलीस निरीक्षकांच्या त्यांच्या नावांसमोर दर्शविलेल्या रकाना क्र.४ मध्ये नमूद केलेल्या ठिकाणी बदली करण्याचा पोलीस आस्थापना मंडळ क्र. २ यांनी मा.मुख्य निवडणूक अधिकारी, महाराष्ट्र राज्य यांच्या कार्यालयाचे सल्लामसलतीने निर्णय घेतला असून, मा.मुख्य निवडणूक अधिकारी, महाराष्ट्र राज्य यांचे कार्यालयाने उपरोक्त संदर्भ क्र. ५ च्या पत्रान्वये सदरहु बदल्या करण्यास सहमती दिलेली आहे:-

अ.क्र.	पोलीस निरीक्षक यांचे नाव	सध्याची नेमणूक	नवीन नेमणूकीचे ठिकाण
१	२	३	४
१	अजय कल्याण आफळे	ठाणे शहर	मुंबई शहर
२	नंदकुमार रामराव कैचे	ठाणे शहर	मुंबई शहर
३	गंगाराम जैत्या वळवी	ठाणे शहर	मुंबई शहर
४	महादेव शिवाजी कुंभार	ठाणे शहर	मुंबई शहर

(13)

// 2 //

अ.क्र.	पोलीस निरीक्षक यांचे नाव	सध्याची नेमणूक	नवीन नेमणूकीचे ठिकाण
५	स्वाती अर्जुन पेटकर (स्वाती राजकुमार अलकुटे)	ठाणे शहर	मुंबई शहर
६	शुभदा रविंद्र शितोळे-शिंदे	ठाणे शहर	मुंबई शहर
७	अशोक संभाजी भगत	ठाणे शहर	मुंबई शहर
८	चंद्रहार मानसिंग गोडसे	ठाणे शहर	मुंबई शहर
९	अनिल देवराम पडवळ	ठाणे शहर	मुंबई शहर
१०	अनिल गोविंद जगताप	ठाणे शहर	मुंबई शहर
११	संदीप परमेश्वर धांडे	ठाणे शहर	मुंबई शहर
१२	अतुल सुरेश अडुरकर	ठाणे शहर	मुंबई शहर
१३	विजयकुमार हाशन्ना पन्हाळे	नवी मुंबई	मुंबई शहर
१४	संजीव दत्तात्रय धुमाळ	नवी मुंबई	मुंबई शहर
१५	दिलीप श्रावण ठाकुर	नाशिक शहर	छत्रपती संभाजीनगर शहर
१६	अशोक उमाजी शरमाळे	नाशिक शहर	छत्रपती संभाजीनगर शहर
१७	कुंदन जोतीराम जाधव	नाशिक शहर	छत्रपती संभाजीनगर शहर
१८	ब्रम्हा संताराम गिरी	छत्रपती संभाजीनगर शहर	अमरावती शहर
१९	गौतम केशव पातारे	छत्रपती संभाजीनगर शहर	अमरावती शहर
२०	राजेंद्र नारायण होळकर	छत्रपती संभाजीनगर शहर	अमरावती शहर
२१	जनार्दन सुभाष साळुंके	छत्रपती संभाजीनगर शहर	अमरावती शहर
२२	रेखा दत्तात्रय लोंढे	अमरावती शहर	छत्रपती संभाजीनगर शहर

Kumhar 22.08.24
(के. एम. मल्लिकार्जुन प्रसन्ना)

विशेष पोलीस महानिरीक्षक (आस्थापना),
पोलीस महासंचालक, महाराष्ट्र राज्य यांचेकरिता.

प्रत,

पोलीस आयुक्त, मुंबई शहर (सन्नेह सादर)

पोलीस आयुक्त, नवी मुंबई / ठाणे शहर / नाशिक शहर / सोलापूर शहर / छत्रपती संभाजीनगर शहर /
अमरावती शहर

- उपरोक्त नमूद घटक प्रमुखांनी बदलीवरील नियुक्तीच्या ठिकाणासंदर्भात मा.न्यायालयाचे अथवा मा.न्यायाधिकरणाचे स्थगिती आदेश असल्यास ते विचारात घेवून पुढील कार्यवाही करावी.
- मा.भारतीय निवडणूक आयोग, नवी दिल्ली यांनी दि.३१/०७/२०२४ च्या पत्रान्वये तसेच वेळोवेळी देण्यात आलेल्या सूचनांचे काटेकोरपणे पालन करण्यात यावे व या सूचनांचा भंग होणार नाही याची दक्षता घ्यावी.
- सदरचे आदेश घटक कार्यालयाकडून प्राप्त झालेल्या माहितीच्या आधारे निर्गमित करण्यात येत असून त्यामध्ये काही त्रुटी राहिल्या असल्यास तसे या कार्यालयास कळवून पुढील आदेशाची वाट पहावी / काही अधिकाऱ्यांची तक्रार

५. उपरोक्त घटक प्रमुखांनी त्यांच्या घटकात हजर झालेल्या पोलीस निरीक्षकांची नावे व त्यांच्या घटकातून बदली ठिकाणी कार्यमुक्त केलेल्या पोलीस निरीक्षकांची नावे हजर झालेल्या / कार्यमुक्त केलेल्या दिनांकासह या कार्यालयास कळवावीत. जे पोलीस निरीक्षक बदली ठिकाणी कार्यमुक्त करूनही अद्याप हजर झालेले नाहीत त्यांचा कार्यमुक्त केल्याचा दिनांक या कार्यालयास कळवून त्यांच्याविरुद्ध घटक प्रमुखांनी या कार्यालयाचे क्र.पोमसं/३/५५०७/०६/९७, दि.१३/०२/१९९७ च्या परिपत्रकातील सूचनांप्रमाणे शिस्तभंगविषयक कार्यवाही तातडीने सुरु करावी. सदरची माहिती या कार्यालयातील लक्षवेध:- कार्यासन अधिकारी, का.क्र. ३ यांना ई-मेलद्वारे [desk3.dgoffice@mahapolice.gov.in] पाठवावी.

प्रत सविनय सादर,

मा.मुख्य निवडणूक अधिकारी, सामान्य प्रशासन विभाग, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मुंबई-३२.

अपर मुख्य सचिव (गृह), महाराष्ट्र शासन, मंत्रालय, हुतात्मा राजगुरु चौक, मुंबई-३२.

(लक्षवेध :- कक्ष अधिकारी, पोल-५ब)

महालेखाकार-०१, महाराष्ट्र राज्य, मुंबई / महालेखाकार-०२, महाराष्ट्र राज्य, नागपूर.

प्रत आवश्यक त्या कार्यवाहीसाठी,

कार्यालय अधीक्षक, का. क्र. २ / ९ / ११ / ३६ व ४० (पोमसं कार्यालय).

प्रत,

पोलीस उप अधीक्षक, संगणक कक्ष, पोमसं., कार्यालय, मुंबई.

२/- यांनी सदरचे आदेश विधानसभा सार्वत्रिक निवडणुका - २०२४ च्या अनुषंगाने पोलीस निरीक्षक यांचे बदली आदेश (Transfer order of Police Inspector for General Elections to Vidhansabha - २०२४) या विषयाखाली पोलीस महासंचालक कार्यालयाच्या www.mahapolice.gov.in या संकेतस्थळावर ०१ महिन्यासाठी उपलब्ध करून द्यावेत.

TRUE COPY

PRASHANT M. NAGARGOJE
ADV

15

General Diary Details
ठाणे दैनंदिनी तपशील

State (राज्य): महाराष्ट्र

District (जिल्हा): ठाणे शहर

P.S. (पोलीस ठाणे): खडकपाडा पोलीस स्टेशन

1. G.D. No. (ठाणे दैनंदिनी क्र.): 016

2. G.D. Date & Time (ठा. दै. दिनांक आणि वेळ): 21/09/2024 13:45 वाजता

3. G.D. Type (ठाणे दैनंदिनी प्रकार): इतर

4. Entry for (officer) (करिता नोंद(अधिकारी)): AMBIKANATHAGHASTE /पोलीस उपनिरीक्षक

5. Case Type (प्रकरणाचा प्रकार) :

6. G.D. Brief (ठाणे दैनंदिनी संक्षिप्त):

नमुद वेळी आम्ही पोलीस निरीक्षक (प्रशासन) एन.आर. केंचे नोंद घेतो की, आम्ही पोलीस ठाण्याचे हद्दीत 12:00 वा ते 13:00 वा दरम्यान पेट्रोलिंग केली पेट्रोलिंग दरम्यान हद्दीतील मज्जिद, मर्मस्थळ, ईव्हीएम गार्ड चेक केले आहे. म्हणून नोंद.

7. G.D. Subject (ठा. दै. चा विषय):

नोंद

8. Acts & Sections (अधिनियम आणि कलम):

Sr.No.	Acts (अधिनियम)	Sections (कलम)
--------	----------------	----------------

Report Printed on

(अहवाल मुद्रित केलेला दिनांक): 22/09/2024

Report Printed by (द्वारे अहवाल मुद्रित केला):

Name (नाव): AMARNATH RAMCHANDRA

Rank (पद): I (Inspector)

Signature of G.D. Entry By (ठा. दै. नोंद करणाऱ्याची सही):

Name (नाव): AMARNATH

Rank (पद): I (Inspector)

No.(क्र.): PBMH47912

TRUE COPY

PRASHANT M. NAGARGOJE
ADV

16

General Diary Details

ठाणे दैनंदिनी तपशील

State (राज्य): महाराष्ट्र

District (जिल्हा): ठाणे शहर

P.S. (पोलीस ठाणे): खडकपाडा पोलीस स्टेशन

1. G.D. No. (ठाणे दैनंदिनी क्र.): 022

2. G.D. Date & Time (ठा. दै. दिनांक आणि वेळ): 22/09/2024 21:00 वाजता

3. G.D. Type (ठाणे दैनंदिनी प्रकार): इतर पायी गस्त बाबत

4. Entry for (officer) (करिता नोंद(अधिकारी)): ARJUNPRALHADDANDEGAOKAR /पोलीस उपनिरीक्षक

5. Case Type (प्रकरणाचा प्रकार):

6. G.D. Brief (ठाणे दैनंदिनी संक्षिप्त):

नमुद वेळी जनरल ड्युटी अंमलदार नोंद घेतात की, आज रोजी खडकपाडा पोलीस स्टेशन हद्दीत 19:00 ते 20:00 वा.चे दम्यान पोनि/केंचे सोबत 2 अधिकारी व 10 कर्मचारी यांनी बारावे गाव नविन रोड परिसरात पायी गस्त केली म्हणून नोंद.

7. G.D. Subject (ठा. दै. चा विषय):

पायी गस्त बाबत

8. Acts & Sections (अधिनियम आणि कलम):

Sr.No.	Acts (अधिनियम)	Sections (कलम)
--------	----------------	----------------

Report Printed on

(अहवाल मुद्रित केलेला दिनांक): 22/09/2024

Report Printed by (द्वारे अहवाल मुद्रित केला):

Name (नाव): AMARNATH RAMCHANDRA

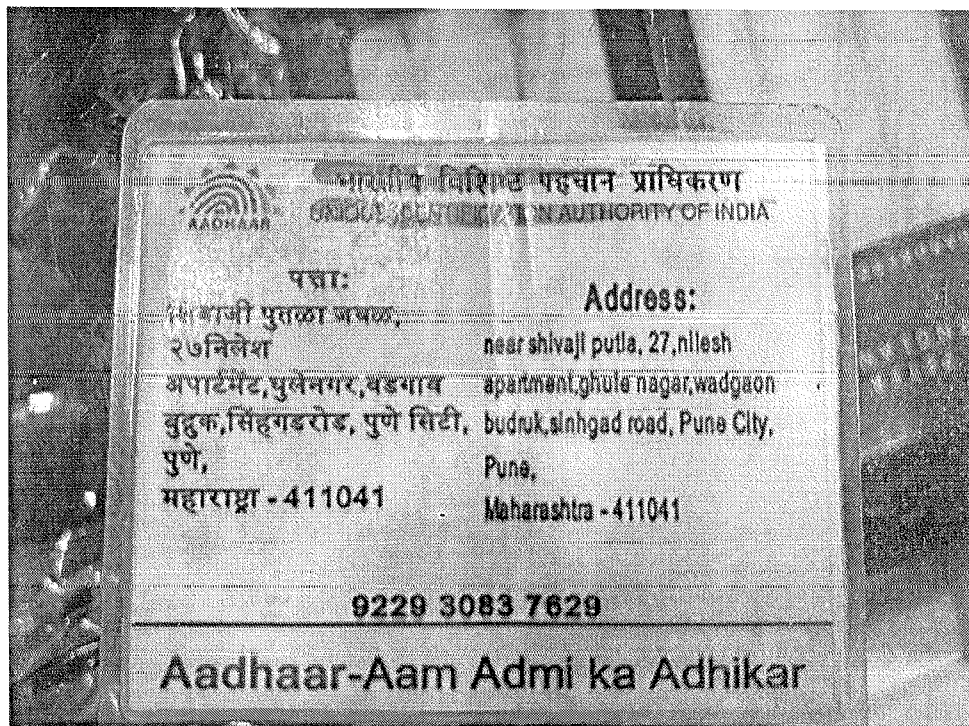
Rank (पद): I (Inspector)

Signature of G.D. Entry By (ठा. दै. नोंद करणाऱ्याची सही):

Name (नाव): AMARNATH

Rank (पद): I (Inspector)

No.(क्र.): PBMH47912



ANNEXURE-A - 3 (18)



ठाणे शहर

जा.क्र.ठाआ/आस्था-१/गोशा-२/पोनि/नेमणूक/२९८-९ /२०२१
पोलीस आयुक्त कार्यालय ठाणे शहर
दिनांक : ३१/०८/२०२१

- संदर्भ :- १) सन २०१४ चा महाराष्ट्र अधिनियम क्रमांक २४, दि.२५ जुन २०१४ व
२) सन २०१५ चा महाराष्ट्र अधिनियम क्रमांक ११, दि.०६ एप्रिल २०१५
३) मा.पोलीस महासंचालक, महाराष्ट्र राज्य, मुंबई यांचेकडील आदेश क्र.पोमसं/३/१०/६
/सार्वत्रिक बदल्या-२०२०/१०/२०२० दि.०७/१२/२०, समक्रमांक दि.२९/१०/२०२०,
४) मा.पोलीस महासंचालक, महाराष्ट्र राज्य, मुंबई यांचेकडील आदेश क्र.पोमसं/३/१०/६
/अतिरीक्त पदे-पोनि/१२७/२०२१ दि.१०/०६/२०२१
५) मा.पोलीस महासंचालक, महाराष्ट्र राज्य, मुंबई यांचेकडील आदेश क्र.पोमसं/३/१०/६
/सार्वत्रिक बदल्या-२०२१/५७/२०२१ दि.१४/०८/२०२१, समक्रमांक २९/०८/२०२१

विषय :- निःशस्त्र पोलीस निरीक्षक यांना हजर करून घेवून नेमणुकीबाबत..

आदेश :-

(I)

उपरोक्त संदर्भात नमुद केल्याप्रमाणे महाराष्ट्र पोलीस अधिनियम-१९५१ मधील कलम २२ न (१) अन्वये प्रदान केलेल्या अधिकाराचा वापर करून खालील नमुद निःशस्त्र पोलीस निरीक्षक यांची त्यांचे नावासमोर दर्शविलेल्या घटकातून प्रशासकीय कारणास्तव ठाणे शहर आयुक्तालयाचे आस्थापनेवर पदस्थापना झाल्याने ते रकाना क्र.४ मध्ये दर्शविलेल्या दिनांकास ठाणे शहर येथे हजर झालेले आहेत.

त्यांना ठाणे शहर पोलीस आयुक्तालयाचे आस्थापनेवर हजर करून घेण्यात येवून त्यांची रकाना क्र.५ मध्ये दर्शविलेल्या ठिकाणी नेमणूक करण्यात येत आहे.

अ.क्र.	निःशस्त्र पोलीस निरीक्षक	यापुर्वीचे नेमणूकीचे ठिकाणी व कार्यमुक्त दिनांक	ठाणे शहर आयुक्तालयात हजर दिनांक	नियमीत नेमणूकीचे ठिकाण
१	२	३	४	५
०१	पोनि/लक्ष्मण अनंत कांबळे	सायबर व महिला अत्याचार प्रतिबंधक मुंबई दि.१४/१२/२०२० म.नं.	दि.१६/१२/२०२०	महात्मा फुले चौक पो.स्टे.
०२	पोनि/सुधाकर बापु खोत	अ.ज.प्र.त.स. ठाणे १७/०८/२०२१ म.पु.	१७/०८/२०२१ म.नं.	बाजारपेठ पो.स्टे.
०३	पोनि/सर्जेराव शंकर पाटील	ना.ह.सं. १७/०८/२०२१ म.नं.	१८/०८/२०२१ म.पु.	खडकपाडा पो.स्टे.
०४	पोनि/नंदकुमार रामराव कैचे	रा.गु.वि. १७/०८/२०२१ म.नं.	१८/०८/२०२१ म.पु.	खडकपाडा पो.स्टे.
०५	पोनि/अनिल परशुराम ताकसांडे	नागपुर शहर १८/०८/२०२१ म.नं.	२१/०८/२०२१ म.पु.	ठाणेनगर पो.स्टे.
०६	पोनि/स्वाती अर्जुन पेटकर (स्वाती अलकुटे)	ना.ह.सं. मुंबई १८/०८/२०२१ म.नं.	२०/०८/२०२१ म.पु.	लिणूनगर पो.स्टे.

By Speed Post/E-mail

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.437/6/1/INST/ECI/FUNCT/MCC/2024

Dated: 31st July, 2024

To

1. The Chief Secretary to the Government of
 - a.) Haryana, Chandigarh;
 - b.) Jharkhand, Ranchi;
 - c.) Maharashtra, Mumbai;
 - d.) UT of Jammu and Kashmir, Srinagar.
2. The Chief Electoral Officer of
 - a.) Haryana, Chandigarh;
 - b.) Jharkhand, Ranchi;
 - c.) Maharashtra, Mumbai;
 - d.) UT of Jammu and Kashmir, Srinagar.

Subject:- General Elections to Legislative Assemblies in the States of Haryana, Jharkhand & Maharashtra and UT of Jammu and Kashmir due in the year 2024 - Transfer/Posting of officers - regarding.

Sir/Madam,

I am directed to state that the terms of existing State Legislative Assemblies of Haryana, Jharkhand & Maharashtra are upto 3rd November, 2024, 5th January, 2025 and 26th November, 2024, respectively and election are due in the year 2024. Further, the election to Legislative Assembly of UT of Jammu and Kashmir is also due in near future.

2. The Commission has been following a consistent policy that officers directly connected with conduct of elections in an election going State/UT are not posted in their home districts or places where they have served for considerably long period.

3. Hence, the Commission has decided that no officer connected directly with elections shall be allowed to continue in the present district (revenue district) of posting:-

(i) if she/he is posted in her/his home district.

(ii) if she/he has completed three years in that district during last four (4) years or would be completing 3 years on or before 30th September, 2024 for UT of Jammu and Kashmir, 31st October, 2024 for Haryana, 30th November, 2024 for Maharashtra and 31st December, 2024 for Jharkhand;

While calculating the period of three years, promotion to a post within the district is to be counted.

4. If any small State/UT with a few numbers of districts, face any difficulty in compliance of the above instruction, then it may refer the specific case with reasons to the Commission through CEO for exemption and the Commission would issue directions, if considered necessary.

5. Applicability

5.1 District Officers: -These instructions shall cover not only officers appointed for specific election duties like DEOs, Dy. DEOs, RO/AROs, EROs/AEROs, officers appointed as nodal officers of any specific election works but also district officers like ADMs, SDMs, Dy. Collector/Joint Collector, Tehsildar, Block Development Officers or any other officer of equal rank directly deployed for election works.

5.2 Officers other than District Officers: These instructions shall also cover the Divisional Commissioners, Municipal Commissioners, and the other officers deputed in Municipal Corporations and Development Authorities, etc.

5.3 Police Officers: -These instructions shall be applicable to the police department officers such as Range ADGs/IGs, DIGs, Commandants of State Armed Police, SSPs, SPs, Addl. SPs, Sub-Divisional Head of Police, SHOs, Inspectors, Sub-Inspector, RIs / Sergeant Majors or equivalent ranks, who are responsible for security arrangement or deployment of police forces in the district at election time. The police officials who are posted in functional departments like computerization, special branch, training, etc. are not covered under these instructions. Following shall be followed:

- (i) The Police Sub-Inspectors and above should not be posted in their home district.
- (ii) If a Police Sub-Inspector has completed or would be completing a tenure of 3 years out of four years on or before the cutoff date in a police sub-division, then he should be transferred out to a police sub-division which does not fall in the same AC. If that is not possible due to small size of district, then he/she should be transferred out of the district.

In case a Police Commissionerate consists of multiple districts, the concerned officer should be transferred out of the Commissionerate, instead of the revenue district.

5.4 Prohibition and Excise Officers: - Further, these instructions shall also be applicable to the officers of the Prohibition and Excise Department of the State of the rank of Sub-Inspector and above.

6. Categories of Officers not covered under transfer policy

During an election, a large number of employees are drafted for different types of election duty and the Commission has no intention of massive dislocation of state machinery by large scale transfers. Hence, the aforesaid transfer policy is normally not applicable to the categories of officers mentioned below:

- (i) Officers posted in the State headquarters of the department concerned.
- (ii) Officers/Officials who are not directly connected with elections like doctors, engineers, teachers/principals etc. However, if there are specific complaints of political bias or prejudice against any such govt. officer, which on enquiry, are found to be substantiated, then CEO/ECI may order not only the transfer of such official but also appropriate departmental action against the said officer.
- (iii) The officers appointed as Sector Officer/Zonal Magistrate involved in election duties are not covered under these instructions. However, the observers, CEO/DEOs and ROs should keep a close watch on their conduct to ensure that they are fair and non-partisan in the performance of their duties.
- (iv) It is further directed that the officers/officials against whom the Commission had recommended disciplinary action in past and which is pending or which has resulted in a penalty or the officers who have been charged for any lapse in any election or election related work in the past, shall not be assigned any election related duty. However, an officer who was transferred during any past election under the Commission's order without any recommendation of disciplinary actions will not be, just on this ground, considered for transfer, unless specifically so directed by the Commission. A copy of the Commission's instruction number 464/INST/2008-EPS dated 23rd December 2008 regarding tracking of names of tainted officers is enclosed. CEOs must ensure its compliance.
- (v) The Commission further desires that no officer/official, against whom a criminal case related to official functioning is pending in any court of law, be associated with/deployed on election related duty.
- (vi) Any officer, who is due to retire within the coming six months will be exempted from the purview of the Commission's directions mentioned in para-3. The six months period shall be reckoned backwards from 30th September, 2024 for UT of

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4

Jammu and Kashmir, 31st October, 2024 for Haryana, 30th November, 2024 for Maharashtra and 31st December, 2024 for Jharkhand. Further, officer falling in the category (home district/3 years+ criteria and due to retire within 6 months) if holding an election related post mentioned in para 5, shall be relieved of that charge and not be associated with any election related duty. It is however, reiterated that such retiring officer need not be transferred out of the district.

(vii) All the officials of the State (except those posted in the office of the Chief Electoral Officer), who are on extension of service or re-employed in different capacities, will not be associated with any election related work.

7. The transfer orders in respect of officers/officials, who are engaged in the electoral rolls revision work, if any, during an election year shall be implemented only after final publication of the electoral rolls, in consultation with the Chief Electoral Officer concerned. In case of any need for transfer due to any extra ordinary reasons, prior approval of the Commission shall be taken.

8. The Chief Electoral Officer of the State/UT shall invariably be consulted while posting the persons in place of present incumbents who stand transferred as per the above policy of the Commission. A copy of each of the transfer orders issued under these directions shall be given to the Chief Electoral Officer without fail.

9. All election related Officers will be required to give a declaration in the format given below to the DEO concerned, who shall inform to CEO accordingly.

DECLARATION

(To be submitted within 2 days after the last date of nomination papers)

I.....(Name).....presently postedfrom.....(Date)
Do hereby make a solemn declaration, in connection with the current General/Bye election to Lok Sabha/.....(Legislative Assembly that.....

(a) I am not a close relative of any of the contesting candidates in the current election/leading political functionary of the state/district at the aforesaid election.

(b) No criminal case is pending against me in any court of law.

Note- If answer of (a) or (b) above is 'YES', then give full details in a separate sheet.

Dated.....

(Name)
Designation

NOTE- Any false declaration made by any officer shall invite appropriate disciplinary actions.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI

O.A. NO.124 OF 2024 WITH O.A. NO.125 OF 2024 WITH
O.A. NO.150 OF 2024 TO O.A. NO.153 OF 2024 WITH
O.A. NO.298 OF 2024 TO O.A. NO.300 OF 2024 WITH
O.A. NO.318 OF 2024 WITH O.A. NO.319 OF 2024 WITH
O.A. NO.127 OF 2024 WITH O.A. NO.279 OF 2024 WITH
O.A. NO.603 OF 2024 WITH O.A. NO.277 OF 2024 WITH
O.A. NO.278 OF 2024 WITH O.A. NO.422 OF 2024 WITH
O.A. NO.452 OF 2024 WITH O.A. NO.562 OF 2024 WITH
O.A. NO.464 OF 2024

Shri K.D. Patil & Ors. (Group - 1)

.....APPLICANTS

O.A. NO.260 OF 2024 WITH O.A. NO.264 OF 2024 WITH
O.A. NO.265 OF 2024 WITH O.A. NO.266 OF 2024 WITH
O.A. NO.269 OF 2024 WITH O.A. NO.270 OF 2024 WITH
O.A. NO.283 OF 2024 WITH O.A. NO.284 OF 2024 WITH
O.A. NO.285 OF 2024 WITH
O.A. NO.287 OF 2024 TO O.A. NO.292 OF 2024 WITH
O.A. NO.310 OF 2024 WITH O.A. NO.311 OF 2024 WITH
O.A. NO.313 OF 2024 WITH O.A. NO.314 OF 2024 WITH
O.A. NO.323 OF 2024 WITH O.A. NO.324 OF 2024 WITH
O.A. NO.329 OF 2024 WITH O.A. NO.354 OF 2024 WITH
O.A. NO.367 OF 2024 WITH O.A. NO.385 OF 2024 WITH
O.A. NO.545 OF 2024 WITH
O.A. NO.555 OF 2024 TO O.A. NO.557 OF 2024 WITH
O.A. NO.328 OF 2024 WITH O.A. NO.331 OF 2024 WITH
O.A. NO.325 OF 2024 WITH O.A. NO.662 OF 2024 WITH
O.A. NO.663 OF 2024 WITH O.A. NO.701 OF 2024 WITH
O.A. NO.330 OF 2024 WITH M.A. NO.160 OF 2024 WITH
O.A. NO.703 OF 2024 TO O.A. NO.595 OF 2024 WITH

A.K. Padekar & Ors. (Group - 2)

.....APPLICANTS

O.A. NO.371 OF 2024 TO O.A. NO.378 OF 2024 WITH
O.A. NO.446 OF 2024

V.V. Adagale (Group - 3)

.....APPLICANTS

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**O.A. NO.705 OF 2024 WITH O.A. NO.706 OF 2024 WITH
O.A. NO.724 OF 2024**

B.H. Ahilwale (Group - 4)

.....APPLICANTS

Versus

The State of Maharashtra & Ors.

.....RESPONDENTS

SUBJECT: TRANSFER

Smt. Punam Mahajan, Shri R.G. Panchal and Shri A.M. Misal, learned Advocate for the Applicant in '**Group - 1**'

Shri M.D. Lonkar, Shri S.S. Dere & Shri K.R. Jagdale learned Advocates for Applicants, Shri P.M. Nagaroje, learned Advocate for Applicant No.1 in O.A. 283/2024 and Applicant No.5 in O.A. No. 287/2024 through 'Video-Conference' in '**Group - 2**'

Smt. P.G. Kotkar, learned Advocate for the Applicants in '**Group - 3**'

Shri P.M. Nagaroje, learned Advocate for Applicant through 'Video-Conference' in '**Group - 4**'

Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents alongwith Shri A.J. Chougule, Shri A.D. Gugale, Smt Archana B.K., Shri D.R. Patil and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents in '**Group - 1 to Group - 4**'.

CORAM : DEBASHISH CHAKRABARTY, MEMBER (A)

DATE : 19.07.2024.

JUDGMENT

1. Heard Smt. Punam Mahajan, Shri R.G. Panchal and Shri A.M. Misal, learned Advocate for the Applicant in '**Group - 1**', Shri M.D. Lonkar, Shri S.S. Dere & Shri K.R. Jagdale learned Advocates for Applicants, Shri P.M. Nagaroje, learned Advocate for Applicant No.1 in O.A. 283/2024 and Applicant No.5 in O.A. No. 287/2024 through 'Video-Conference' in '**Group - 2**', Smt. P.G. Kotkar, learned Advocate for the Applicants in '**Group - 3**', Shri P.M. Nagaroje, learned Advocate for Applicant through 'Video-Conference' in '**Group - 4**' and Ms. S.P.

Manchekar, learned Chief Presenting Officer for Respondents alongwith Shri A.J. Chougule, Shri A.D. Gugale, Smt Archana B.K., Shri D.R. Patil and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents in '**Group - 1 to Group - 4**'.

2. The 'Group of O.A's' have been filed to challenge large scale 'Transfer Orders' of 'Police Personnel' issued just prior to 'General Elections Lok Sabha: 2024' as per directions in (a) Election Commission of India letter dated 21.12.2023 (b) Election Commission of India letter dated 19.01.2024 (c) Election Commission of India letter dated 24.01.2024. The Applicants in these 'Groups of O.A's' are 'Police Personnel' in ranks of 'P.I., A.P.I. & P.S.I.' who have been transferred only on grounds of (a) 'Serving in Home District' and/or (b) 'Completion of 3 years tenure during last 4 Years in 'Revenue District'.

(A) Transfer Orders

1. The 'P.E.B.-1' was expected to extensively deliberate and comprehensively address issues relating to large scale 'Mid-Term' & 'Mid-Tenure' transfers of 'Police Personnel' in ranks of 'P.I., A.P.I., & P.S.I.' as recorded in explanatory observations made in Order dated 30.04,2024 in O.A. No.260/2024 & Others.

2. The 'P.E.B.-1' constituted under 'Section 22(C)' of 'The Maharashtra Police Act, 1951' had met on 28.06.2024. Thus approved 'Minutes of Meeting' were to be made available within reasonable time; so as to facilitate expeditious redressal of grievances of 'Police Personnel' serving in ranks of 'P.I., A.P.I. & P.S.I.' who have challenged their 'Transfer Orders' under 'Section 19' of 'The Administrative Tribunal Act, 1985'.

3. The 'Joint Secretary' of 'Home Department' was therefore directed to remain present on 19.07.2024 and submit 'Minutes of Meeting' of

'P.E.B.-1' held on 28.06.2024. However he informed on 19.07.2024 that 'Minutes of Meeting' of 'P.E.B.-1' were yet to be approved by 'Highest Competent Authority'. Further on query 'Joint Secretary' of 'Home Department' admitted that 'P.E.B.-1' in its meeting held on 28.06.2024 could not arrive at judicious conclusions in respect of few issues recorded in detailed observations made in Order dated 30.04.2024. The 'Joint Secretary' of 'Home Department' thereupon mentioned that it would be necessary to hold another meeting of 'P.E.B.-1' alongwith officers representing 'Principal Secretary and Chief Electoral Officer, Maharashtra State'.

4. The elucidative observations recorded in Order dated 30.04.2024 were only to facilitate indepth deliberations in meeting of 'P.E.B.-1' and enable it to suggest an implementable road map for expeditious redressal of grievances of Applicants about their 'Transfers Orders issued just prior to 'General Elections Lok Sabha: 2024'. The expectation about early feedback from 'P.E.B.-1' was not exceptional given the fact that 'Police Personnel' constitute separate class of 'Government Servants' exclusively governed as they are by 'The Maharashtra Police Act 1951'. The 'P.E.B.-1' which functions at the 'Apex Level' with (a) 'Additional Chief Secretary, Home Department' as 'Chairperson' and (b) 'DGP, Maharashtra State' as 'Vice Chairperson' was therefore the appropriate forum to have such indepth deliberations against the specific backdrop of (i) 'Hon'ble Bombay High Court's' Judgment dated 07.12.2016 in Writ Petition No. 9499 of 2016 which had exhorted the 'State Government' to frame proper policy for future and (ii) 'Hon'ble Bombay High Court's' Judgment dated 04.04.2018 in Writ Petition No. 6041 of 2017 & Others which had even suggested option of re-transfer of affected 'Government Servants'.

5. The 'P.E.B.-1' did meet belatedly on 28.06.2024 as per directions in Order dated 30.04.2024 in O.A. No. 260/2024 & Others but there has been unexplained delay in confirmation of 'Minutes of Meeting'. Even

discounting the fact that 'Minutes of Meeting' of 'P.E.B.-1' have to be approved by 'Highest Competent Authority; yet it is evident that it could have been expedited as 'P.E.B.-1' had met thereabout once again as 'Home Department' has issued few 'Transfer Orders' of 'Dy. S.P' / 'A.C.P.' on 03.07.2024. Similarly; 'D.G.P. Maharashtra State' upon holding meetings of 'P.E.B.-2' has issued large scale 'Transfer Orders' of 'P.I.' on 30.06.2024 and 'A.P.I.' & 'P.S.I' on 28.06.2024 including those based on requests even before completion of 'Normal Tenures' under 'Section 22N(1)' of 'The Maharashtra Police Act, 1951'.

6. The 'Home Department' and 'D.G.P. Maharashtra State' had been directed by Order dated 30.04.2024 to keep posts of 'P.I., A.P.I., & P.S.I' vacant in 'Functional Departments' which have been so categorised by Home Department Circular dated 16.02.2009 especially in respondent 'Police Establishments' viz (a) 'Commissioners of Police' and (b) 'Superintendents of Police'. However against backdrop of 'Orders' passed on 30.04.2024 as several fresh 'Transfer Orders' have been issued by (a) 'Home Department' for 'Dy. S.P' / 'A.C.P.' on 03.07.2024 (b) 'D.G.P. Maharashtra State' for 'P.I.' on 30.06.2024 (c) 'D.G.P. Maharashtra State' for 'A.P.I.' & 'P.S.I' on 28.06.2024 the 'Law Officer' from the office of 'D.G.P. Maharashtra State' was informed to submit 'Tabular Chart' of 'Vacant Posts' of 'Police Personnel' in ranks of 'P.I.', 'A.P.I.' & 'P.S.I.' in respondent 'Police Establishments' Viz (a) 'Commissioners of Police' and (b) 'Superintendents of Police' which were to be kept vacant as per 'Orders' dated 30.04.2024.

7. The 'Law Officer' from office of 'D.G.P. Maharashtra State' who was present on 16.07.2024 has submitted the following 'Tabular Chart' about 'Vacant Posts' of 'Police Personnel' in ranks of 'P.I.', 'A.P.I.' & 'P.S.I.' as on 12.07.2024:-



“Tabular Chart”

दिनांक 12/07/2024

मा. न्यायाधिकरणाच्या दिनांक ३०/०४/२०२४ च्या आदेशाप्रमाणे ठेवण्यात आलेली रिक्त पदे

अ.क्र.	पदनाम	दिनांक 30/04/2024 च्या आदेशातील मुळ अर्ज व अधिकारी		घटक	रिक्त ठेवण्यात आलेली पदे		एकुण
		मुळ अर्ज	अधिकारी		Functional	Nonfunctional	
१	२	३	४	५	६	७	८
१	पोलीस निरीक्षक	३	३	नाशिक शहर	३	०	३
२	सहायक पोलीस निरीक्षक	७	२३	नाशिक शहर	१०	७	१७
				पिंपरी चिंचवड	२७	-१	२६
				पुणे शहर	७४	-३१	४३
३	पोलीस उप निरीक्षक	१६	३६	नाशिक शहर	१५८	-११	१४७
				पिंपरी चिंचवड	४३	४	४७
				पुणे शहर	७	२७	३४

The ‘Vacant Posts’ of ‘P.I., A.P.I. & P.S.I.’ in above ‘Tabular Chart’ have been shown in both categories of ‘Functional Posts’ and ‘Non Functional Posts’ but only in respect of establishments of (i) ‘Commissioner of Police, Nashik’ (ii) ‘Commissioner of Police, Pimpri Chinchwad’ (iii) ‘Commissioner of Police, Pune’. However, information of such ‘Vacant Posts’ of ‘P.I.’, ‘A.P.I.’, and ‘P.S.I.’ in respondent establishments of (i) ‘Commissioner of Police, Thane’ (ii) ‘Special I.G.P. Kolhapur Range’ (iii) ‘S.P., Pune (Rural)’ (iv) ‘S.P., Satara’ were also expected to be included in ‘Tabular Chart’. Nonetheless, it must be fairly believed that ‘D.G.P., Maharashtra State’ would have kept adequate ‘Vacant Posts’ of ‘P.I.’, ‘A.P.I.’, ‘P.S.I.’ even in other respondent establishments of (i) ‘Commissioner of Police, Thane’ (ii) ‘Special I.G.P. Kolhapur Range’ (iii) ‘S.P., Pune (Rural)’ (iv) ‘S.P., Satara’.

8. The ‘Mid-Term’ & ‘Mid-Tenure’ transfers of ‘Police Personnel’ in rank of ‘P.I., A.P.I. & P.S.I.’ were effected as per directions in (a) Election Commission of India letter dated 21.12.2023 (b) Election Commission of

India letter dated 19.01.2024 (c) Election Commission of India letter dated 24.01.2024 considering importance of ensuring 'Free and Fair' conduct of 'General Elections Lok Sabha: 2024'. Now as 'General Elections Lok Sabha: 2024' are over the challenge to 'Transfer Orders' by Applicants who are 'Police Personnel' in ranks of 'P.I., A.P.I & P.S.I.' have to be decided based on specificity of criteria laid down by law as encapsulated under 'Section 22N(1)' of 'The Maharashtra Police Act, 1951' which in turn not only has foundations in assurance to 'Police Personnel' of 'Normal Tenure' on any particular 'Post' which is defined in 'Section 2(11B)' of 'The Maharashtra Police Act 1951' but also stands interwoven around the rank held by such 'Police Personnel' and category of 'Police Establishment' viz (i) 'Commissioner of Police' or (ii) 'Superintendent of Police' or (iii) 'Specialized Agency'.

9. The extant provisions of 'Section 22N(1)' of 'The Maharashtra Police Act, 1951' does not include any restrictive criteria including of 'Home District' which makes 'Police Personnel' ineligible to hold any particular 'Post' in 'Police Establishments' located in their 'Home District'; although it came to be widely invoked to effect large scale 'Mid-Term' & 'Mid-Tenure' transfer of 'Police Personnel' in ranks of 'P.I., A.P.I. & P.S.I.' as per directions in (a) Election Commission of India letter dated 21.12.2023 (b) Election Commission of India letter dated 18.01.2024 (c) Election Commission of India letter dated 24.01.2024.

10. The 'Statutory Powers' vested under 'Section 22C' to 'Section 22J-4' of 'The Maharashtra Police Act, 1951' were indeed invoked as 'Transfer Orders' of 'Police Personnel' in ranks of 'P.I., A.P.I. & P.S.I.' were undoubtedly issued based on recommendations made by 'P.E.B.- I' or 'P.E.B. - II' or 'P.E.B.'s' at level of (i) 'Commissioners of Police' or (ii) 'Special I.G.Ps.' and (iii) 'Superintendents of Police' and with approval of respective 'Competent Authority' under 'Section 22N(1)' of 'The Maharashtra Police Act, 1951' but as elucidated above the large scale 'Mid-Term' & 'Mid-Tenure' transfer of 'Police Personnel' in ranks of 'P.I.,

A.P.I. & P.S.I.' did not achieve perceptible degree of congruity with extant provisions of 'Section 22N(1)' of 'The Maharashtra Police Act 1951'.

11. The 'Section 22N(1)' of 'The Maharashtra Police Act 1951' allows aggregation of tenures of 'Police Personnel' in ranks of 'P.I. A.P.I. & P.S.I.' upto '4 Years' at 'District Level' and upto '8 Years' at 'Range Level' and '6 Years' or '8 Years' in establishments of 'Commissioners of Police' alongwith an assurance of 'Normal Tenures' on any particular 'Post' as specified under 'Section 22N(1)' of 'The Maharashtra Police Act, 1951'; notwithstanding the fact that 'Police Personnel' can still be transferred under its 'Proviso Clause' by the 'State Government' or in 'Exceptional Cases' either in 'Public Interest' or on account of 'Administrative Exigencies' by 'Competent Authority' as designated under 'Section 22N(2)' of 'The Maharashtra Police Act, 1951'. The provisions of law do not envisage universal curtailment of 'Normal Tenures' under 'Section 22 (N)(2)'. Further an eventuality which may arise only once in 5 Years during elections conducted by 'Election Commission of India' or 'State Election Commission' cannot be construed as 'Exceptional Cases'. Such large scale 'Med-Term' and 'Mid-Tenure' transfers of 'Police Personnel' in ranks of 'P.I. A.P.I. & P.S.I.' on grounds of serving in 'Home Districts' and / or on completion of tenures of '3 Years' during last '4 Years' in any 'Revenue District'; therefore become rather vulnerable as on one hand ineligibility to hold any post in 'Home District' is not envisaged by law, while on other hand law does allow aggregations of tenures upto '4 Years' at 'District Level' and upto '8 Years' at 'Range Level' and '6 Years' or '8 Years' in establishments of 'Commissioners of Police'. Therefore such 'Transfer Orders' of 'Police Personnel; in rank of 'P.I., A.P.I. & P.S.I.' must to be held to be perishable since they cannot have lasting effect even after conduct of elections by 'Election Commission of India' or 'State Election Commission'. The 'Transfer Orders' of 'Police Personnel' in ranks of 'P.I., A.P.I & P.S.I' which are effected only to ensure 'Free and Fair' conduct of elections by 'Election Commission of India' or 'State

Election Commission' if allowed to survive would contribute to flagrant impermissible contravention of law under 'The Maharashtra Police Act, 1951'.

12. The 'Additional Chief Secretary, Home Department' and 'D.G.P., Maharashtra State' also would not consent to such egregious violation of law under 'The Maharashtra Police Act, 1951' which is the 'State Statute' to exclusively governs 'Transfer & Postings' of 'Police Personnel' through instruments of 'Section 22N(1)' & 'Section 22N(2)'. The 'Additional Chief Secretary, Home Department' and 'D.G.P., Maharashtra State' and all 'Heads' of 'P.E.B.'s.' are duty bound to uphold provisions of law including rules and regulations as has been adjured by 'Sur generis' provision of 'Section 22K' of 'The Maharashtra Police Act 1951'. Hence it was expected that these substantive aspects of law would not only be deeply acknowledged and expeditiously deliberated but even acted upon with alacrity by 'P.E.B.-1' as it stands perched at 'Apex Level' of 'Police Administration' with expansive powers to recommend 'Policy Guidelines' not only regarding 'Transfer & Posting but significantly in respect of any 'Other Service Matters' of 'Police Personnel' under provisions of 'Section 22D' of 'The Maharashtra Police Act, 1951'.

13. The **Hon'ble Bombay High Court** in its Judgment in '**Writ Petition No.3717 of 2024 dated 20.03.2024**' relating to transfer of 'I.P.S. Officer' who was serving on post of 'Spl. IGP Nashik Range, Nashik' based on directions in 'Election Commission of India letter dated 21.12.2023' has observed the following in 'Para 28' with respect of 'Mid-Term' & 'Mid-Tenure' transfers of 'Police Personnel' referred to in 'Section 2(6B)' of 'The Maharashtra Police Act, 1951'.

"28. As far as the arguments made by learned counsel for the parties based on the provisions of section 22N of the Police Act is concerned, though normal tenure of posting of a police officer at a particular place of posting is two years and thereafter he can be transferred, however, as per section 2(6B), every transfer, other than the general transfer, is a mid-term transfer and for a mid-term

transfer sub-section (2) of section 22N is to be observed. It is not a general transfer for the reason that the phrase "General Transfer" has defined in section 2(6A) to mean posting of police personnel in the police force from one post, office or department to another post, office or department in the month of April and May of every year after completion of normal tenure as mentioned in sub-section (1) of section 22N. According to section 2(6B), "Mid-term Transfer" means transfer of a police personnel in the police force other than the general transfer. Thus, even if respondent no. 1 has completed two years' tenure of posting at Nashik, his transfer cannot be termed to be general transfer, rather as per the definition clauses 2(6A) and 2(6B), it has to be treated as mid-term transfer and for resorting to mid-term transfer, requirement of sub-section (2) of section 22N is to be fulfilled. According to sub-section (2) of section 22N, mid-term transfer can be resorted to in exceptional cases in public interest and/or on account of administrative exigencies. As per the judgment of a coordinate Bench of this Court in the case of Sachin Ashok Patil (supra), once an officer is being subjected to mid-term transfer, there ought to be at least one reason of the nature referred to in the proviso to sub-section (1) or any of those in sub-section (2) of section 22N of the Police Act. Sachin Ashok Patil (supra) clearly holds that in case of absence of the conditions as given in the proviso appended to sub-section (1) of section 22N or any of those in sub-section (2) thereof, if transfer of a police officer is recommended then the purpose of the statute providing a normal tenure would be defeated merely on the ipse dixit of the Board (Police Establishment Board)."

14. The 'Mid-Term' & 'Mid-Tenure' transfers of 'Police Personnel' under 'Section 6(2B)' thus necessitates fulfilment of atleast one of the reasons referred to in 'Proviso Clause' of 'Section 22(N)(I)' or any of those in 'Section 22N(2)'. However, pertinent to note is that 'Section 22N(2)' is applicable only to 'Exceptional Cases'. Thus 'Section 22N(2)' cannot be extrapolated to effect large scale 'Mid-Term' & 'Mid-Tenure' transfers of 'Police Personnel' on grounds which are not 'intra legem' such as (a) Serving in 'Home District' and / or (b) Completion of '3 Years' tenure during last '4 Years' in 'Revenue District'. Further, 'Exceptional Cases' under 'Section 22N(2)' must be understood as those which require

exceptions to be made to what is provided in law and not be liberally interpreted as exceptions which can even be made to what is extraneous to law. Further it would be pertinent to not overlook the fact that through 'Section 22(N)(1)' and 'Section 22(N)(2)' exist independently these reside amicably under 'The Maharashtra Police Act, 1951'.

15. The extracts from the following Judgments passed by (i) 'Hon'ble Supreme Court of India' (ii) 'Hon'ble High Court of Bombay' (iii) 'Hon'ble High Court of Jharkhand' and (iv) 'Hon'ble High Court of Karnataka' are reproduced for contextual clarity about plenary powers of 'Election Commission of India' under 'Article 324' of 'Constitution of India' and nature of transient provisions of 'Section 28A' of 'The Representations of Peoples Act, 1951'.

16. The '**Hon'ble Supreme Court of India**' in its Judgement (**A.C Jose v. Sivan Paillai**) as reported in **(1984) 2 SCC 656** in 'Paragraph 25' has held as under:-

"25. To sum up, therefore, the legal and constitutional position is as follows:

(a) When there is no Parliamentary legislation or rule made under the said legislation, the Commission is free to pass any orders in respect of the conduct of elections.

(b) where there is an Act and express Rules made thereunder it is not open to the Commission to override the Act or the Rules and pass orders in direct disobedience to the mandate contained in the Act or the Rules. In other words, the powers of the Commission are meant to supplement rather than supplant the law (both statute and Rules) in the matter of superintendence, direction and control as provided by Art. 324,

(c) where the Act or the Rules are silent, the Commission has no doubt plenary powers under Art. 324 to give any direction in respect of the conduct of election, and

(d) where a particular direction by the Commission is submitted to the government for approval, as required by the Rules, it is not open to the Commission to go ahead with implementation of it at its own sweet will even if the approval of the Government is not given.

17. The '**Hon'ble Bombay High Court**' in its Judgment dated 04.04.2018 in **Writ Petition No. 6041 of 2017** has observed the following:-

(i) *"The petitioners and others were transferred on consideration of guidelines/directives of the State Election Commission and in view of the initiation of process of election for local authorities and since the purpose for which they were shifted before completion of their normal tenure, is already over and the process of election has come to an end long back, it would be open for the State to pass appropriate orders of transfer for reposting them at an appropriate place, in observance of the procedure prescribed under the Transfer Act."*

(ii) *"Apart from this, it also deserves to be considered that the orders of transfer have been given effect more than a year back and any interference, at this stage, would amount to displacement of several employees thereby creating difficulties in the administration. The orders of transfer are expected to be issued considering the administrative exigencies. However, as has been noted above, interference at this stage, would, instead of, protecting interest of the administration, would created difficulties, as has been canvassed by the State. In this view of the matter and for the reasons recorded above, according to us, orders passed by the Maharashtra Administrative Tribunal, directing to quash the orders of transfer under the impugned judgment and order dated 24.04.2017, deserves to be quashed and set aside and same is accordingly quashed and set aside. It is, however, made clear that it would be open for the State to pass appropriate orders transferring the employees, if deemed necessary for administrative exigencies while effecting regular process in the months of April-May, 2018".*

18. The '**Hon'ble Bombay High Court**' in its Judgment dated 07.12.2016 in **Writ Petition No. 9499 of 2016** has observed the following:-

(i) *"It is likely that in some cases, some inconvenience could be caused to the employees who had been transferred due to holding of elections in a particular district or local area, but keeping in view the larger*

public interest, if the State Election Commissioner had taken a decision, the State Government would implement the same keeping in view constitutional intent and spirit and for holding free and fair elections. It is informed that in the State of Maharashtra, election process relating to elections of Corporations, Councils, Panchayats, Zilla Parishad, Village Panchayat is already set in motion”.

(ii) “The State Government and the State Election Commissioner are free to contemplate on the issue of transfer of officers keeping in view various aspects for consideration and frame a proper policy for future with sole objective of holding free and fair election”.

19. The ‘**Hon’ble High Court of Jharkhand**’ in its Judgement (**Anurag Gupta v. The Election Commission of India & Ors**) as reported in **W.P.(S) No.1714 of 2019** in ‘Paragraph 25’ to ‘Paragraph 28’ has observed the following:-

“25. From perusal of Section 28A, it is clear that all the Officers, like Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer and any other officer appointed under Part IV of the Act of 1951 and any police officer designated for the time being by the State for conduct of any elections shall be deemed to be on deputation to the Election Commission for the period commencing on and from the date of notification calling for such election till the date of declaration of the result. The said Section 28A also provides that all such Officers, during the aforesaid period, shall be subject to the control, superintendence and discipline of Election Commission.

26. Thus, this clause provides that not only the designated police officer will be on deputation to the Election Commission, but, they shall during the said period will be under the control, superintendence and discipline of the Election Commission of India.

27. In terms of Section 28A, the State of Jharkhand has issued a notification bearing No. 13/P-1-101-2019-1498 on 19th March, 2019 designating, amongst others, Additional Director Generals of Police as “designated officers”. The petitioner, in the instant case is Additional Director General of Police, thus, there is no

doubt that the petitioner is also a designated officer for the purpose of Section 28A of the Representation of the People Act for the 17th Lok Sabha Elections.

28. Once the petitioner is designated by notification, as a "designated officer", as per Section 28A of the Act of 1951, he is deemed to be on deputation to the Election Commission for the entire period of election. By virtue of such deputation and by virtue of Section 28A of the Act of 1951, he is also under direct control, superintendence and discipline of the Election Commission of India.

20. The '**Hon'ble High Court of Karnataka**' in its Judgement (**Election Commission of India v. State of Karnataka & Ors**) as reported in **W.P. Nos.17123-124 of 2013, 17295-297 of 2013 & 17298-299 of 2013 (S-CAT)** in 'Paragraph 27' to 'Paragraph 30' has held as under:-

"27. Therefore under the scheme of the Act, clause (6) of Article 324 of the Constitution, read with Section 13CC of 1950 Act and Section 28A of the 1951 Act, makes it clear that the Government officials who are under the control of the Government when they are deputed to the Election Commission for the purpose of conduct of elections, their deputation would commence on and from the date of notification calling for such election and ending with the date of declaration of the results of such election. There is no law passed by the Parliament or the State Legislature providing for such transfer or deputation or appointment during the period of General Election. When there is no Parliamentary legislation or Rule made under the said legislation, the Commission is free to pass any orders in respect of the conduct of elections. Once the area is not covered by any legislation, then Article 324 being a reservoir of power, confers on the Election Commission power to pass such appropriate orders or issue such appropriate direction for conduct of free and fair election.

28. It is by virtue of such power conferred on the Election Commission, it has issued directions to the State Government to make available the officers who in their opinion are needed for conduct of election. In obedience of the said direction issued, the Government

has passed the impugned order of transfer. Though in the impugned order, the word 'transfer' is used, it is to be understood in the context in which it is passed. It is not a transfer which is governed by All India Services Rules framed under the All India Services Act, 1951. The said Rule does not provide for transfer of a person appointed to the All India Service, to the Election Commission during election. Therefore when the said law is silent about how the services are to be utilized during elections, the Election Commission has a free hand and if it requests or directs the Government, the Government is bound to honour the said request/direction. The Election Commission has not assigned any reasons why they are displacing these applicants. The Election Commission has no obligation to give reasons for opting for such officers. Similarly, they are under no obligation to give reasons why the person incumbent is not required. It is the matter of confidence the Election Commission has in a particular officer. Having regard to the number of days these persons are going to be displaced, there is no obligation cast on the Election Commission either to give reasons or point out in what circumstances these transfers are effected. It is made clear that when a Government servant is transferred on a direction issued by the Election Commission, the said direction is to be understood in the context of conducting free and fair election. It has no reflection on the integrity or character or the capacity or competence of the said person. It cannot, under any circumstances, be held against him. The apprehension of the applicants that in the eye of the public or otherwise, it may amount to stigma, is without any substance. The impugned order does not cast any stigma on the applicant. Once the election process is over, they will be reverted back to their original position and therefore they cannot have any grievance whatsoever. As the period during which the transfer will be in force is a very short period and the purpose of such transfer being to conduct free and fair election, the said action cannot be found fault with on any count. In the matter of election, when the ultimate responsibility is that of the Election Commission, being a Constitutional authority, they have onerous responsibility of conducting free and fair election in order to preserve democracy in the country. It is to achieve the said object, for a limited period, the impugned order is passed.

29. The argument that the Election Commission, even though they chose to requisition the services of these officers from the Government for election work and if they are to be transferred and posted before the expiry of the minimum tenure, they should make a request to the State Government, which in turn should make a request to the Committee to consider their case and make recommendation and then only they can be posted, holds no water. The said rule is not meant to deal with a situation where elections are announced to the Legislative Assembly. It is not a case of transfer. It is a case of deemed deputation. The said rule is silent and therefore under Article 324 of the Constitution, the Commission has the power to issue directions to transfer and post the officials for the proper conduct of the elections.

30. In the instant case, after preliminary preparations are made for conducting election, before issue of notification calling for the elections, the Election Commission wanted these respondents-4 to 10 to be posted in place of applicants during the period of election. Once they are so posted, after the issue of notification, they are deemed to be on deputation to the Election Commission for the period commencing on and from the date of the notification calling for such election and ending with the date of declaration of results of such election and accordingly such officers shall, during that period are subject to control, superintendence and discipline of the Election Commission. Therefore the order passed by the Election Commission directing the State to post these officers in the place suggested by them would result in deemed deputation to the Election Commission for the aforesaid period. Once declaration of results of such election is announced, the said deputation comes to an end and at the end of the deputation, the officers are reverted back to their parent organization (previous post held by them)."

21. The 'Notification' if any under 'Section 28-A' of 'The Representation of People's Act, 1951 in respect of 'Police Personnel' in ranks of 'P.I., A.P.I. & P.S.I.' has ceased to have effect upon completion of 'General Elections: Lok Sabha 2024'. So also the period of 'Deemed Deputation' to 'Election Commission of India' of such 'Police Personnel' is now over

and they are now reverted back automatically to their respective 'Police Establishments'. Hence, 'Transfer Orders' of (i) D.G.P. Maharashtra State dated 30.01.2024 of 'P.I.' (ii) 'D.G.P. Transfer Order dated 20.02.2024, 24.02.2024 and 26.02.2024 of 'A.P.I. & P.S.I.' as well as those issued by (a) 'Special I.G.P Kolhapur Range (b) 'S.P. Pune, (Rural) (c) 'S.P. Satara for reasons elaborated above do not pass 'Testum Lex'. Only conclusion that can be arrived at is that Applicants who are 'Police Personnel' in ranks of 'P.I., A.P.I. & P.S.I.' are now required to be reposted back to their earlier 'Police Establishments' from where they were transferred just prior to 'General Elections Lok Sabha: 2024' based on criteria extrinsic to law such as 'Serving in Home Districts'. Further those Applicants who were not 'Serving in Home District' and had not just not completed 'Normal Tenure' of '2 Years' or '3 Years' on any 'Post' but even had not completed '4 Years' at 'District Level' or '8 Years' at 'Range Level' or '6 Years' or '8 Years' in establishment of 'Commissioner of Police' but yet were transferred because they had completed aggregated tenure '3 Years' during last '4 Years' in 'Revenue District'; are also required to be reposted back to their earlier 'Police Establishments'.

22. The new 'Transfer Orders' of Applicants who are 'Police Personnel' in ranks of 'P.I., A.P.I. & P.S.I' are to be issued by 'D.G.P. Maharashtra State' notwithstanding partial disclosure of 'Vacant Posts' of 'P.I., A.P.I. & P.S.I', in 'Tabular Chart' in respect of all respondent 'Police Establishments' which include (i) 'Commissioner of Police, Pimpri Chinchwad' (ii) 'Commissioner of Police, Pune City' (iii) 'Commissioner of Police, Thane', (iv) 'Special I.G.P. Kolhapur Range' (v) 'Superintendent of Police, Pune (Rural)' (vi) 'Superintendent of Police, Kolhapur' (vii) 'Superintendent of Police, Satara'. The exercise as above to begin forthwith upon uploading of this Order dated 19.07.2024 on 'Website' and thereupon new 'Transfer Orders' of Applicants who are 'Police Personnel' in ranks of 'P.I., A.P.I. & P.S.I' are to be issued by 15.08.2024 by 'D.G.P., Maharashtra State' and 'Heads' of Respondent 'Police

Establishments'. The 'D.G.P. Maharashtra State' is further informed to oversee prompt implementation of this Order dated 19.07.2024.

(B) Home District Change

23. The 'O.A. No.124/2024, O.A. No.125/2024, O.A. No.150/2024, O.A. No.316/2024, O.A. No.328/2024' form 'Sub Class' amongst these 'Groups of O.As' as they are also seek redressal of grievances of Applicants therein relating to their claims for change of 'Home District'.

24. The 'Spl. I.G. (Establishment)' in office of 'D.G.P. Maharashtra State' had been directed to give opportunity of 'Personal Hearing' to these Applicants from this 'Sub Class' of 'O.A. No.124/2024, O.A. No.125/2024, O.A. No.150/2024, O.A. No.316/2024, O.A. No.328/2024' and decide the about their pending representations about claims for change of 'Home District'. However, representations submitted by these Applicants came to be rejected by 'Spl. I.G. (Establishment)' with approval of 'Additional D.G. (Establishment)' in office of 'D.G.P. Maharashtra State'.

25. The claims for change of 'Home District' are often sought by 'Police Personnel'; thus 'Spl. I.G. (Establishment)' in office 'D.G.P. Maharashtra State' was informed to produce copies of earlier orders which have been passed approving claims of 'Police Personnel' for change of their 'Home District'. Accordingly one such earlier order was submitted on behalf of 'Spl. I.G. (Establishment)' in office of 'D.G.P. Maharashtra State'.

26. The perusal of this singular order about approval granted for change of 'Home District' indicates that many of the documentary evidences produced by Applicants from this 'Sub Class' of 'O.A. No.124/2024, O.A. No.125/2024, O.A. No.150/2024, O.A. No.316/2024, O.A. No.328/2024' are similar to one which were produced in the referred to earlier case by concerned 'Police Personnel'. Hence '*prima-*

facie it does appear that full appreciation of all documentary evidence in its entirety was not made at the time of decisions were taken by 'Spl. I.G. (Establishment)' in office of 'D.G.P. Maharashtra State'; although 'Personal Hearing' was granted to Applicants. Hence; based on precedence which are often relied upon in such matters another fair opportunity needs to be given to Applicants so that their grievances could be considered afresh through better appreciation of all documentary evidence submitted by Applicants in support of their claims for change of 'Home Districts'.

27. The provisions of 'Section 22(D)' of 'The Maharashtra Police Act, 1951' deals with wide range of functions assigned to 'P.E.B.-II' which includes 'other service matters' of 'Police Personnel' upto rank of 'Police Inspectors'. Therefore, 'D.G.P. Maharashtra State' against aforesaid backdrop is informed to place cases of Applicants in next meeting of 'P.E.B.-II' for appropriate decision to be taken '*de-novo*' within 'Two Weeks'. The 'P.E.B.-II' is thus designated to act as 'Reviewing Authority' since it was informed that 'Home Department' has not designated any other 'Senior Officer' above 'Additional D.G. (Establishment)' in office of 'D.G.P. Maharashtra State' to be an 'Appellate Authority' for cases relating to claims made by 'Police Personnel' for change of 'Home Districts'.

28. The 'P.E.B. - I' is placed at the 'Apex Level' of 'Police Administration' empowered to make recommendations which can evolve into 'Policy Decisions'. Hence, it is imperative that 'P.E.B.-1' continues to deliberate insightfully about the important issue of large scale 'Mid-Tenure' & 'Mid-Term' transfers of 'Police Personnel' which happen during elections conducted by 'Election Commission of India' or 'State Election Commission' and diligently strive to formulate a 'Special Policy'.

29. The 'P.E.B.-1' to especially keep in mind that 'General Elections Maharashtra Legislative Assembly: 2024' are just round the corner and there is much likelihood that 'The Wheel Will Turn Full Circle'.

30. The 'Group of OAs' are accordingly thus disposed off. 'No Order as to Costs'.

31. The copy of this Order dated 19.07.2024 to be forwarded immediately to (a) 'Additional Chief Secretary, Home Department' & (b) 'D.G.P. Maharashtra State' (c) Principal Secretary & Chief Electoral Officer, Maharashtra State.

Sd/-
(Debashish Chakrabarty)
Member (A)

Place: Mumbai
Date: 19.07.2024
Dictation taken by: N.M. Naik.

Uploaded on:_____

D:\NAIK\2024\03-Judgment 2024\07-July 2024\O.A. No.124-24 & Ors. w O.A. No.260-24 & Ors. w O.A. No.371-24 & Ors._19.07.2024 (Transfer).doc

TRUE COPY

PRASHANT M. NAGARGOJE
ADV



सत्यमेव जयते
महाराष्ट्र शासन

पोलीस महासंचालक कार्यालय, महाराष्ट्र राज्य

महाराष्ट्र राज्य पोलीस मुख्यालय, शहीद भगतसिंग मार्ग, कुलाबा, मुंबई ४०० ००९

कालमर्यादीत / निवडणूक प्राथम्य

क्र.पोमसं/३/१०/६/विधानसभा निवडणूक-२४/८५/२०२४

मुंबई, दि. ०८/०८/२०२४.

संदर्भ :- १. मा.भारतीय निवडणूक आयोग, नवी दिल्ली यांचे पत्र क्र.437/6/1/INST/EC/

FUNCT/MCC/2024, दि.३१/०७/२०२४

२. या कार्यालयाचे जापन समक्रमांक दि.०२/०८/२०२४

विषय :- विधानसभा सार्वत्रिक निवडणूक-२०२४

निवडणूक आयोगाच्या मार्गदर्शकसूचनांनुसार पोलीस अधिकाऱ्यांच्या बदल्यांबाबत

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१. संदर्भ क्र. १ मध्ये नमूद मा.भारतीय निवडणूक आयोग, नवी दिल्ली यांचे पत्र क्र.437/6/1/INST/EC/ FUNCT/MCC/2024, दि.३१/०७/२०२४ च्या पत्राची प्रत (एकूण पृष्ठ ८) सोबत संलग्न केली आहे. या पत्रामध्ये विधानसभा निवडणूक-२०२४ च्या अनुषंगाने करावयाची कार्यवाही / बदलीबाबत आदेश देण्यात आलेले आहेत.

२. तरी सर्व संबंधित घटक प्रमुखांनी विधानसभा निवडणूक-२०२४ च्या अनुषंगाने संदर्भ क्र.१ मध्ये दिलेल्या मा.भारतीय निवडणूक आयोगाचे निर्देश / सूचनांनुसार खालीलप्रमाणे कार्यवाही करावी.

अ. पोलीस अधीक्षक यांचे स्तरावर करावयाची कार्यवाही : विधानसभा निवडणूक-२०२४ च्या अनुषंगाने बदली / पदस्थापना बाबतची कार्यवाही दि.१२/०८/२०२४ पर्यंत पूर्ण करावी. ज्या अधिकाऱ्यांच्या बदल (PSI to SP) त्यांचे स्तरावर कार्यवाही करणे शक्य नसेल, त्या अधिकाऱ्यांचे प्रस्ताव परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / पोलीस उप महानिरीक्षक यांचेकडे दि.१२/०८/२०२४ पर्यंत सादर करावेत.

ब. परिक्षेत्रीय स्तरावर करावयाची कार्यवाही : (i) विधानसभा निवडणूक-२०२४ च्या अनुषंगाने पोलीस उप निरीक्षक ते पोलीस निरीक्षक दर्जाच्या अधिकाऱ्यांच्या बाबतीत बदली / पदस्थापना बाबतची कार्यवाही दि.१४/०८/२०२४ पर्यंत पूर्ण करावी. ज्या अधिकाऱ्यांना परिक्षेत्रामध्ये सामावून घेणे शक्य नसेल त्या अधिकाऱ्यांचे प्रस्ताव दि.१४/०८/२०२४ पर्यंत या कार्यालयास पाठवावेत.

(ii) संदर्भ क्र.१ मध्ये दिलेल्या निकषानुसार ज्या उपविभागीय पोलीस अधिकारी / अपर पोलीस अधीक्षक / पोलीस अधीक्षक यांची बदली करणे आवश्यक आहे त्या अधिकाऱ्यांचे प्रस्ताव पोलीस आस्थापना मंडळ क्र.१ यांचे निर्णयकरिता दि.१४/०८/२०२४ पर्यंत या कार्यालयास पाठवावेत.

क. पोलीस आयुक्त स्तरावर करावयाची कार्यवाही : विधानसभा निवडणूक-२०२४ च्या अनुषंगाने बदली / पदस्थापना बाबतची कार्यवाही दि.१४/०८/२०२४ पर्यंत पूर्ण करावी. ज्या अधिकाऱ्यांच्या बदल (PSI to CP) त्यांचे स्तरावर कार्यवाही करणे शक्य नसेल त्या अधिकाऱ्यांचे प्रस्ताव दि.१४/०८/२०२४ पर्यंत या कार्यालयास पाठवावेत.

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३. परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / पोलीस उप महानिरीक्षक, पोलीस आयुक्त यांनी या कार्यालयास प्रस्ताव पाठवितांना पदनिहाय किती अधिकाऱ्यांना प्रस्ताव पाठविला आहे, ती संख्या खालील तक्त्या मध्ये भरून पाठवावी. तसेच त्या अधिकाऱ्यांची पदनिहाय माहिती सोबत जोडलेल्या विवरणपत्रामध्ये भरून पाठवावी. प्रत्येक अधिकारीची स्वतंत्र माहिती प्रपत्र-अ मध्ये सुध्दा द्यावी. प्रस्ताव, विवरणपत्र आणि प्रपत्र-अ वर घटक प्रमुखांनी स्वतः स्वाक्षरी करावी.

तक्ता

अ. क्र.	पदनाम	पोलीस महासंचालक कार्यालयास प्रस्तावित करण्यात आलेले बदल्यांची संख्या
१.	PSI	
२.	API	
३.	PI	
४.	SDPO / Division ACP	
५.	Addl.SP / SP / Zonal DCP	
६.	Addl.CP / DIG Range	
७.	Jt.CP (L & O) / IG Range	
८.	Spl.C.P.	
९.	C.P.	

४. सदर प्रकरणी केलेल्या कार्यवाहीबद्दल पोलीस आयुक्त व परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / पोलीस उप महानिरीक्षक यांनी प्रमाणपत्र-ब प्रमाणे, व पोलीस अधीक्षक यांनी प्रमाणपत्र-क प्रमाणे प्रमाणपत्र या कार्यालयास दि.१४/०८/२०२४ पर्यंत पाठवावे.

५. पोलीस अधीक्षक, परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / पोलीस उप महानिरीक्षक, पोलीस आयुक्त यांनी संदर्भ क्र.१ मध्ये दिलेल्या निर्देशानुसार त्यांचेस्तरावर केलेल्या बदलीबाबत पोलीस आस्थापना मंडळाचे इतिवृत्त तसेच त्यांची पदनिहाय माहिती सुध्दा अनुक्रमे दि.१२/०८/२०२४, दि.१४/०८/२०२४, दि.१४/०८/२०२४ पर्यंत या कार्यालयास पाठवावेत.

६. या कार्यालयास सादर करण्यात येणारी सर्व माहिती या कार्यालयाचे desk3.dgoffice@mahapolice.gov.in या ई-मेलवर पाठवावी.

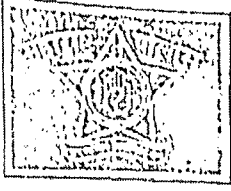
hp
8/8/2024
(संजीव कुमार सिंघल)
अपर पोलीस महासंचालक (आस्थापना),
पोलीस महासंचालक, महाराष्ट्र राज्य यांचेकरिता.

प्रति,

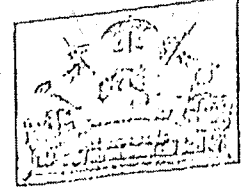
पोलीस आयुक्त, बृहन्मुंबई (सस्नेह).
सर्व पोलीस आयुक्तालये (बृहन्मुंबई व लोहमार्ग, मुंबई वगळून)
सर्व परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / पोलीस उप महानिरीक्षक.
सर्व पोलीस अधीक्षक (लोहमार्ग, वगळून)

hp

TC
N



45



पोलीस महाराष्ट्र शासन, महाराष्ट्र राज्य

महाराष्ट्र राज्य पोलीस मुख्यालय, शहीद भगतसिंग मार्ग, फुलवारा, मुंबई ४०० ००१

कालमर्यादीत / निवडणूक प्राधाय

क्र.पोमसं/३/१०/६/निवडणूक आयोग-सूचना/१९०/२०२३

मुंबई, दि.०३/०१/२०२४

संदर्भ :- १. मा.भारतीय निवडणूक आयोगाच्या यांचे पत्र क्र.437/6/1/INST/ECI/FUNCT/MCC/2023, दि.२१/१२/२०२३

२. या कार्यालयाचे जापन समक्रमांक दि.०४/०९/२०२३

विषय :- लोकसभा निवडणूक -२०२४ च्या अनुषंगाने करावयाच्या बदल्यांबाबत.

* * * * *

१. संदर्भ क्र. १ मध्ये नमूद मा.भारतीय निवडणूक आयोगाच्या क्र.437/6/1/INST/ECI/FUNCT/MCC/2023, दि.२१/१२/२०२३ च्या पत्राची प्रत (एकूण पृष्ठ ६) सोबत संलग्न केली आहे. या पत्रामध्ये लोकसभा निवडणूक-२०२४ च्या अनुषंगाने करावयाची कार्यवाही / बदलीबाबत आदेश देण्यात आलेले आहेत.

२. तरी सर्व संबंधित घटक प्रमुखांनी लोकसभा निवडणूक-२०२४ च्या अनुषंगाने संदर्भ क्र.१ मध्ये दिलेल्या मा.भारतीय निवडणूक आयोगाचे निर्देश / सूचनानुसार खालीलप्रमाणे कार्यवाही करावी.

अ. पोलीस अधीक्षक यांचे स्तरावर करावयाची कार्यवाही : लोकसभा निवडणूक-२०२४ च्या अनुषंगाने पोलीस उप निरीक्षक ते पोलीस निरीक्षक दर्जाच्या अधिकाऱ्यांच्या बाबतीत बदली / पदस्थापना बाबतची कार्यवाही दि.०९/०१/२०२४ पर्यंत पूर्ण करावी. ज्या अधिकाऱ्यांच्या बदल त्यांचेस्तरावर कार्यवाही करणे शक्य नसेल, त्या अधिकाऱ्यांचे प्रस्ताव परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / पोलीस उप महानिरीक्षक यांचेकडे दि.०९/०१/२०२४ पर्यंत सादर करावेत.

ब. परिक्षेत्रीय स्तरावर करावयाची कार्यवाही : १. लोकसभा निवडणूक-२०२४ च्या अनुषंगाने पोलीस उप निरीक्षक ते पोलीस निरीक्षक दर्जाच्या अधिकाऱ्यांच्या बाबतीत बदली / पदस्थापना बाबतची कार्यवाही दि.१२/०१/२०२४ पर्यंत पूर्ण करावी. ज्या अधिकाऱ्यांच्या बदल त्यांचेस्तरावर कार्यवाही करणे शक्य नसेल ; परिक्षेत्रामध्ये सामावून घेणे शक्य नसेल त्या अधिकाऱ्यांचे प्रस्ताव पोलीस आस्थापना मंडळ क्र.२ यांचे निर्णयकरिता या कार्यालयाने पाठवावेत.

२. संदर्भ क्र.१ मध्ये दिलेले निकष अनुसार ज्या उपविभागीय पोलीस अधिकारी / अपर पोलीस अधीक्षक / पोलीस अधीक्षक यांची बदली करणे आवश्यक आहे त्या अधिकाऱ्यांचे प्रस्ताव पोलीस आस्थापना मंडळ क्र.१ यांचे निर्णयकरिता या कार्यालयाने पाठवावेत.

क. पोलीस आयुक्त स्तरावर करावयाची कार्यवाही : लोकसभा निवडणूक-२०२४ च्या अनुषंगाने पोलीस उप निरीक्षक ते पोलीस उप आयुक्त दर्जाच्या अधिकाऱ्यांच्या वाढतीत बदली / पदस्थापना वाढतीत कार्यवाही दि.१२/०१/२०२४ पर्यंत पूर्ण करावी. ज्या अधिकाऱ्यांच्या बदल त्यांचे स्तरावर कार्यवाही करणे शक्य नसेल / आयुक्तालयामध्ये सामावून घेणे शक्य नसेल त्या अधिकाऱ्यांचे प्रस्ताव पोलीस आस्थापना मंडळ क्र.१ / २ यांचे निर्णयकरिता या कार्यालयास पाठवावेत.

३. पोलीस आयुक्त / परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / परिक्षेत्रीय पोलीस उप महानिरीक्षक यांनी पोलीस आस्थापना मंडळ क्र.२ साठी या कार्यालयात प्रस्ताव पाठवितांना अधिकाऱ्यांना परिक्षेत्र / आयुक्तालयात का सामावून घेता येत नाही याचे कारण नमूद करून पदनिहाय (पोलीस उप निरीक्षक / सहायक पोलीस निरीक्षक / पोलीस निरीक्षक / पोलीस उप अधीक्षक, उपविभागीय पोलीस अधिकारी / पोलीस उप आयुक्त, अपर पोलीस अधीक्षक, पोलीस अधीक्षक) परिपूर्ण प्रस्ताव पाठवावेत. प्रस्तावासोबत प्रत्येक अधिकारीची स्वतंत्र साहिती प्रपत्र-अ मध्ये पाठवावी.

४. पोलीस अधीक्षक यांनी केलेली कार्यवाहीचा अहवाल (पदनिहाय), जिल्हा स्तरावरील पोलीस आस्थापना मंडळाचे इतिवृत्तसह दि.१०/०१/२०२४ पर्यंत तसेच पोलीस आयुक्त / परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / परिक्षेत्रीय पोलीस उप महानिरीक्षक यांनी केलेल्या कार्यवाहीचा अहवाल (पदनिहाय), त्यांचे स्तरावरील पोलीस आस्थापना मंडळाचे इतिवृत्तसह दि.१३/०१/२०२४ पर्यंत या कार्यालयातील कार्यासन क्र.३ यांना ई-ऑफिस प्रणालीमार्फत / खारस दुतामार्फत पाठवावेत.

५. मा.भारतीय निवडणूक आयोग यांचे दि.२१/१२/२०२३ चे निर्देशाची पूर्तता करण्याकरिता काही अडचण असल्यास या कार्यालयास (लक्षवेध :- कार्यासन क्र.३) दि.०९/०१/२०२४ पूर्वी कळवावे.

६. मा.भारतीय निवडणूक आयोगाचे दि.२१/१२/२०२३ चे निर्देशांचे काटेकोरपणे पालन होईल याची दक्षता घ्यावी.

(संजीव कुमार सिंगल)

अपर पोलीस महासंचालक (आस्थापना),
पोलीस महासंचालक, महाराष्ट्र राज्य यांचेकरिता.

प्रति,

सर्व पोलीस आयुक्त (लोहमार्ग, मुंबई वगळून)
सर्व परिक्षेत्रीय विशेष पोलीस महानिरीक्षक / पोलीस उप महानिरीक्षक.
सर्व पोलीस अधीक्षक (लोहमार्ग, वगळून)

प्रत सविनय सादर,

अपर मुख्य सचिव (गृह), महाराष्ट्र शासन, मंत्रालय, हुतात्मा राजगुरू चौक, मुंबई-३२.
(लक्षवेध :- कक्ष अधिकारी, पोल-५६)

प्रत योग्य त्या कार्यवाहीकरिता :-

कार्यालय अधीक्षक, का.क्र. १, २, ३-अ, ४ व ५.

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 27.08.2024

O.A.No.1057/2024

A.D. Padwal

....Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Counsel has submitted that Applicant joined at Thane Commissionerate Area from Mumbai City on 04.12.2021 (Exhibit-A3) and the same is also mentioned in paragraph 2, page 3 in averment in O.A.

3. On instructions learned P.O. has submitted that Applicant joined at Thane City on 02.10.2021. However, by order dated 22.08.2024 he was transferred from Thane City to Mumbai City. Learned P.O. has pointed out that as per the Clause 3(ii) of the guidelines of Election Commission, New Delhi dated 31.07.2024 (Exhibit A-4) for Maharashtra the completion of three years is to be counted upto 30.11.2024.

4. Applicant has already been working for eight years in Mumbai and therefore he is given posting out of Mumbai. The Applicant requests that he may be given posting out of Mumbai as it is difficult to work in Mumbai for another eight years. It is noted that the transfer is the policy decision and the courts are also slow to interfere in the said decisions unless illegality is noticed. However, some humanitarian consideration which may be reasonable can be taken into account by the concern authority and therefore the Additional Director General of Police may consider the request of giving the Applicant posting not in Mumbai, but may be in some other place.

5. Adjourned to 28.08.2024. To be shown under the caption 'For Urgent Admission'.
Hamdast.

Sd/-

/ (Mridula Bhatkar, J.)

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 30.08.2024

**O.A.No.1050 of 2024 with O.A.No.1051 of 2024
with O.A.No.1057/2024 with O.A.No.1063/2024**

A.G. Jagtap

C.M. Godse

A.D. Padwal

S.P. Dhande

....Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicants in O.A.No.1050/2024, O.A.No.1051/2024 and O.A.No.1057/2024, Mr. S.S. Dere, learned Counsel for the Applicant in O.A.No.1063/2024, Mr. A.J. Chougule, learned Presenting Officer for the Respondents in O.A.No.1050/2024, O.A.No.1051/2024, O.A.No.1063/2024 and Ms. K.S. Gaikwad learned Presenting Officer for the Respondents in O.A.No.1057/2024.

2. In view that the facts in all the O.As are similar, these matters are tagged together by consent of all the parties.

3. By order dated 28.08.2024 passed by this Tribunal learned P.O. was directed to seek instructions from the Commissioner of Police, Thane City whether the C.P.O. can accommodate the applicants on non-executive posts.

4. Today learned P.O. on instructions has submitted that as on today 13 posts are vacant and there is only one non-executive post of Unarmed Police Inspector. Learned P.O. has further submitted that no muster is maintained at Control Room, instead 'कर्तव्य तक्ता' is maintained.

5. Learned P.O. is directed to produce the 'कर्तव्य तक्ता' in respect of the applicants during the period when they were working in Control Room along with the affidavit stating that no muster is maintained in the control room. Applicants are directed to continue to working at Thane, as nobody should remain without work.

6. Adjourned to 03.09.2024. Interim relief, if any, to continue.

Sd/-

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77/233
16-2-19

क्र.पोमसं/४/७/१०/लोकसभा निवडणूक-२०१९ (पोमनि/सपोनि बदली)१३/२०१९
पोलीस महासंचालक यांचे कार्यालय,
महाराष्ट्र राज्य पोलीस मुख्यालय,
शाहीद भगतसिंग मार्ग,
कुलाबा, मुंबई.

दिनांक :- १६/०२/२०१९.

- संदर्भ : १. या कार्यालयाचे क्रमांक पोमसं / ३ / मोडल / लो.स.नि.-१९ / १७ / २०१९,
दिनांक २२.०१.२०१९ चे परिपत्रक.
२. विशेष पोलीस महानिरीक्षक, नांदेड परिक्षेत्र, नांदेड यांचेकडील क्र. आस्था- १ /
पो.अधिकारी बदल्या-माहिती / २०१९ / ६६९, दिनांक ०१.०२.२०१९ व दिनांक
१२.०२.२०१९
३. विशेष पोलीस महानिरीक्षक, नांदेड परिक्षेत्र, नांदेड यांचेकडील क्र. आस्था- १ /
लो.स.नि.पो.अधि. बदल्या-माहिती / २०१९ / ७२०, दिनांक १२.०२.२०१९

विषय : लोकसभा सार्वजनिक निवडणूक - २०१९,
निवडणूक आयोगाच्या मार्गदर्शक सूचनांनुसार निःशस्त्र पोलीस उपनिरीक्षक व
निःशस्त्र सहायक पोलीस निरीक्षकांच्या बदल्याबाबत.

लोकसभा सार्वजनिक निवडणूक-२०१९ च्या अनुषंगाने मा.केंद्रीय निवडणूक आयोगाच्या दिनांक १६.०१.२०१९ च्या
पत्रान्वये दिलेल्या मार्गदर्शक सूचना / निर्देशांच्या अनुषंगाने पोलीस अधिकाऱ्यांच्या बदल्याबाबत कार्यवाही करण्यासाठी
अध्यक्षक माहिती / प्रस्ताव सादर करण्याबाबत उपरोक्त संदर्भात अ.क्र. १ अन्वये कळविण्यात आले होते. त्यानुसार
संदर्भात अ.क्र. २ व ३ अन्वये आपल्या घटकाकडून प्राप्त झालेल्या माहितीची या कार्यवाहीकडून खालीलप्रमाणे कार्यवाही आली.
तसेच, आपल्या कार्यालयाकडून करण्यात आलेल्या कार्यवाहीच्या अनुषंगाने मा.राज्य निवडणूक आयोगाशी दिनांक
१५.०२.२०१९ रोजी विचारविनिमय करण्यात आला. त्यानुसार लोकसभा सार्वजनिक निवडणूक-२०१९ च्या अनुषंगाने पोलीस
अधिकाऱ्यांच्या बदल्या / नेमणूकीबाबत अपेक्षित असलेल्या कार्यवाहीच्या अनुषंगाने खालीलप्रमाणे निर्देश देण्यात येत
आहेत.

१. ज्या निःशस्त्र पोलीस उपनिरीक्षक / सहायक पोलीस निरीक्षकांची संख्या निवडणूकीचे विकास स्वग्राम जिल्हा आहे व
ते कार्यकारी पदावर कार्यरत (पोलीस टाणे नंनातीस) असतील, त्यांना कार्यकारी पदावरून बदलून अकार्यकारी
पदावर नेमणूकीबाबत पोलीस अधीक्षक यांचे स्तरावरील आस्थापना मंडळाने तात्काळ निर्णय घ्यावा. जर, जिल्ह्यात
अकार्यकारी पदावर नेमणूक शक्य नसेल तर, जिल्ह्याबाहेर नेमणूकीसाठी तात्काळ परिक्षेत्रीय विशेष पोलीस
महानिरीक्षक यांना प्रस्ताव पाठविण्यात यावा, परिक्षेत्रीय विशेष पोलीस महानिरीक्षक यांनी सदर अधिकाऱ्यांच्या
नेमणूकीबाबत निर्णय घेतांना ते संबंधित अधिकाऱ्याच्या स्वग्राम जिल्हा व लोकसभा मतदार संघाबाबत त्यांचे
नेमणूक करावी.

७/२/१९
१६/२/१९

ज्या निःशस्त्र पोलीस उपनिरीक्षक / सहायक पोलीस निरीक्षकांचे सध्याचे नेमणुकीचे ठिकाण स्थगित जिल्हा
असेल व ते अकार्यकारी पदावर कार्यरत असतील, तर त्यांची बदली करण्याची आवश्यकता नाही.
मात्र, अकार्यकारी पदावर असले तरी निवडणूक कामकाजाशी कोणत्याही प्रकारे प्रत्यक्ष किंवा अप्रत्यक्ष
प्रकारे अशा कोणत्याही प्रकारच्या कामकाजाची जबाबदारी त्यांच्याकडे सोपविण्यात येऊ नये.

मा. केंद्रीय निवडणूक आयोगाच्या दिनांक १६.०१.२०१९ च्या पत्रातील परिच्छेद ७ (३) अन्वये विहित केल्यानुसार ज्या
निःशस्त्र पोलीस उपनिरीक्षक / सहायक पोलीस निरीक्षकांचा दिनांक २१.०५.२०१९ रोजी किंवा त्यापूर्वी मागील ०४
मार्चला न्याय्य उपविभागात ०३ वर्ष कार्यकाळ पूर्ण होत असेल व ते कार्यकारी पदावर कार्यरत (पोलीस ठाणे
मनातल्या) असतील, तर सदर अधिकाऱ्यांची घटकांतर्गत अकार्यकारी पदावर अथवा अशा घटकात अन्य पोलीस
उपविभागात बदली करण्यात यावी की, जेणेकरून ते त्याच विधानसभा मतदार संघाच्या कक्षेत येऊ नहीत. याबाबत

जर, येणेप्रमाणे जिल्ह्यात अकार्यकारी पदावर किंवा उपविभाग बदलून देणे शक्य नसेल तर, जिल्ह्याभातरे
नमणूकमार्फत तात्काळ परिक्षेत्रीय विशेष पोलीस महानिरीक्षक यांना प्रस्ताव पाठविण्यात यावा. परिक्षेत्रीय विशेष
पोलीस महानिरीक्षक यांनी सदर अधिकाऱ्यांच्या नेमणुकीबाबत निर्णय घेताना, संबंधित अधिकाऱ्यांची त्याच
विधानसभा मतदार संघाच्या कक्षेत नेमणूक होणार नाही, याची बळता घ्यावी.

ज्या निःशस्त्र पोलीस उपनिरीक्षक / सहायक पोलीस निरीक्षकांचे सध्याचे नेमणुकीचे ठिकाण दिनांक
२१.०५.२०१९ रोजी किंवा त्यापूर्वी मागील ०४ मार्चला न्याय्य उपविभागात ०३ वर्ष कार्यकाळ पूर्ण होत असेल, व
ते अकार्यकारी पदावर कार्यरत असतील, तर त्यांची बदली करण्याची आवश्यकता नाही.

मात्र, अकार्यकारी पदावर असले तरी निवडणूक कामकाजाशी कोणत्याही प्रकारे प्रत्यक्ष किंवा अप्रत्यक्ष
प्रकारे अशा कोणत्याही प्रकारच्या कामकाजाची जबाबदारी त्यांच्याकडे सोपविण्यात येऊ नये.

ज्या निःशस्त्र पोलीस उपनिरीक्षक / सहायक पोलीस निरीक्षकांवर गुन्हा दाखल आहे, त्यांना कोणत्याही परिस्थितीत
कार्यकारी पदावर नेमणुकीस देवू नये. त्यांना कार्यकारी पदावरून बदलून अकार्यकारी पदावर नेमणुकीबाबत, पोलीस
अधीक्षक यांचे स्तरावरील आस्थापना मंडळाने तात्काळ निर्णय घ्यावा. जर, जिल्ह्यात अकार्यकारी पदावर नेमणूक
शक्य नसेल तर, जिल्ह्याभातरे नेमणूकीसाठी तात्काळ परिक्षेत्रीय विशेष पोलीस महानिरीक्षक यांना प्रस्ताव पाठविण्यात
यावा, परिक्षेत्रीय विशेष पोलीस महानिरीक्षक यांनी सदर अधिकाऱ्यांना अकार्यकारी पदावर नेमणूक देण्यात यावी.

ज्या निःशस्त्र पोलीस उपनिरीक्षक / सहायक पोलीस निरीक्षकांविरुद्ध गुन्हा दाखल आहे व ते अकार्यकारी
पदावर कार्यरत असतील, तर त्यांची बदली करण्याची आवश्यकता नाही.

मात्र, अकार्यकारी पदावर असले तरी निवडणूक कामकाजाशी कोणत्याही प्रकारे प्रत्यक्ष किंवा अप्रत्यक्ष
प्रकारे अशा कोणत्याही प्रकारच्या कामकाजाची जबाबदारी त्यांच्याकडे सोपविण्यात येऊ नये.

४. दिनांक ०१.०६.२०१५ ते दिनांक २१.०५.२०१७ या कालावधीत जर आपल्या घटकात लोकरामा / विधानसभा पोट
निवडणूक झाली असेल व त्यावेळी सदर अधिकारी तेथे नेमणुकीस असेल आणि तो आजही त्याच ठिकाणी

कार्यन्तर पदावर कार्यरत (पोलीस ठाणे तैनातीस) असेल, तर सदर अधिकार्यांची अकार्यकारी पदावर अथवा अशा अन्य पोलीस उपविभागात बदली करण्यात यावी की, जेणेकरून ते त्याच विधानसभा मतदार संघाच्या कक्षेत येणार नाहीत. याबाबत पोलीस अधीक्षक यांचे स्तरावरील वास्त्यापना मंडळाने तात्काळ निर्णय घेण्यात यावा.

जर, येणेप्रमाणे जिल्ह्यात अकार्यकारी पदावर किंवा उपविभाग बदलून येणे शक्य नसेल तर, जिल्ह्याबाहेर नेमणूकीसाठी तात्काळ परिक्षेत्रीय विशेष पोलीस महानिरीक्षक यांना प्रस्ताव पाठविण्यात यावा. परिक्षेत्रीय विशेष पोलीस महानिरीक्षक यांनी सदर अधिकार्यांच्या नेमणूकीबाबत निर्णय घेतांना, संबंधित अधिकार्याची त्याच विधानसभा मतदार संघाच्या कक्षेत नेमणूक होणार नाही, याची नक्कत घ्यावी.

दिनांक ०१.०६.२०१५ ते दिनांक ३१.०५.२०१७ या कालावधीत जर आपल्या घटकात पोट-निवडणूक झाली असून व त्यावेळी सदर अधिकारी तेथे नेमणूकीस असेल आणि तो आजही त्याच ठिकाणी अकार्यकारी पदावर कार्यरत असेल, तर त्यांची बदली करण्याची आवश्यकता नाही.

मात्र, अकार्यकारी पदावर असले तरी निवडणूक कामकाजाशी कोणत्याही प्रकारे प्रत्यक्ष किंवा अप्रत्यक्ष संबंध येईल अशा कोणत्याही प्रकारच्या कामकाजाची जबाबदारी त्यांच्याकडे सोपविण्यात येऊ नये.

- परिक्षेत्रात विहित कालावधी पूर्ण झालेल्या निःशस्त्र पोलीस उपनिरीक्षक / सहायक पोलीस निरीक्षकांच्या बदल्या सर्वसाधारण बदल्या-२०१९ च्या वेळी निवडणूकीनंतर करण्यात येणार आहेत. त्यामुळे परिक्षेत्रीय विशेष पोलीस महानिरीक्षक यांनी जर सदर निःशस्त्र पोलीस उपनिरीक्षक / सहायक पोलीस निरीक्षक उपरोक्त ०४ प्रकारात येत असतील तर, त्यांची तुरंत परिक्षेत्रातच इतरत्र बदली करण्यात यावी.

तरी उपरोक्त मुद्दे विचारात घेऊन त्यानुसार प्रभावित होत असलेल्या अधिकार्यांच्या बाबतीत लोकसभा निवडणूक-२०१९ च्या आचारसंहितेच्या अनुषंगाने त्यांचा निवडणूकीच्या कामकाजाशी प्रत्यक्ष किंवा अप्रत्यक्ष संबंध येणार नाही, याबाबत विशेष दक्षता घेवून संदर्भाधिन-अ.क्र. २ येथील नमुने प्रस्तावातील अधिकार्यांच्या बदल्याबाबतची कार्यवाही तात्काळ करून त्याबाबतचा अनुपालन अहवाल दिनांक १८.०२.२०१९ रोजी १६.०० वाजेपर्यंत ई-मेलद्वारे या कार्यालयास न चुकता सादर करण्यात यावा. अनुपालन अहवाल सोबतच्या प्रपत्राप्रमाणे (अ.व.क्र.३.ई) पाठविण्यात यावा.

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पो.अ.	
अति. अ. म.	
प.स.अ. म. (ए.)	
16 FEB 2018	

(कुलवंत कुमार सारंगल)

अपर पोलीस महासंचालक (आस्थापना)

पोलीस महासंचालक, महाराष्ट्र राज्य यांचे कार्यालय,

प्रति,

विशेष पोलीस महानिरीक्षक, नांदेड परिक्षेत्र, नांदेड

प्रति,

पोलीस अधीक्षक, नांदेड / परभणी / हिंगोली / लातूर



कालमर्यादीत/
निवडणूक प्राथम्य

क्र.पोमसं/३/नोडल/लो.सा.नि.-१९/१७/२०१९
महाराष्ट्र राज्य पोलीस मुख्यालय
शहिद भगत सिंग मार्ग, कुलाबा, मुंबई-०१
दिनांक: ०६/०२/२०१९.

- वाचा:- १) भारताच्या निवडणूक आयोगाचे पत्र क्रमांक ४३७/०६/१/INST/
ECI/FUNCT/MCC/२०१९, दि.१६/०१/२०१९.
२) महाराष्ट्र शासन, गृह विभाग, परिपत्रक क्र.टीआरएन ०६१८/२००३/
प्र.क्र.७९४/पाल-५ब, दि.१६ फेब्रुवारी, २००९.

विषय:- सार्वत्रिक निवडणूकां दरम्यान निवडणूक कामकाजाशी प्रत्यक्ष संबंध
येणारे/ न येणारे पोलीस घटक व शाखा यांची वर्गवारी करणेबाबत....

सुधारित परिपत्रक निर्गमित करण्याबाबत.

परिपत्रक:-

लोकसभा किंवा विधानसभा निवडणूकीच्यावेळी भारत निवडणूक आयोगाकडून निर्गमित होणाऱ्या निकषानुसार बदली करतांना निवडणूक कामकाजाच्या संदर्भात प्रत्यक्ष संबंध नसलेल्या राज्य पोलीस दलातील विविध शाखांची यादी, जिल्हा पोलीस कार्यालय व पोलीस आयुक्तालयात निवडणूक कामकाजाच्या प्रत्यक्ष संबंध नसलेल्या कक्ष व शाखांची यादी बदलीसाठीच्या निकषातून सूट देण्यास पात्र असल्याबाबत संदर्भाधिन शासन परिपत्रक गृहविभाग, दिनांक १६/०२/२००९ अन्वये प्रसिध्द करण्यात आली आहे.

०२. शासनाकडून प्रसिद्ध करण्यात आलेल्या सदर यादीमध्ये कालपरत्वे योग्य तो बदल करणे आवश्यक आहे, म्हणून उचित बदल करण्यासाठी शासनाकडून सुधारीत मार्गदर्शक तत्वे प्रसूत करण्याबाबत या कार्यालयाचे समक्रमीकित दिनांक ०२/०२/२०१९ च्या पत्रान्वये शासनास विनंती करण्यात आली होती. त्यास अनुसरून शासन पत्र, गृहविभाग क्र.संकीर्ण-०११९/प्र.क्र.६८/पोल-५ ब, दिनांक १३/०२/२०१९ अन्वये शासनाने निवडणूक आयोगाच्या मार्गदर्शक सूचना विचारात घेऊन पोलीस महासंचालक यांनी उचित निर्णय घ्यावा असे कळविले आहे.

०३. यास्तव भारत निवडणूक आयोगाने निवडणूकीच्या अनुषंगाने दिलेल्या मार्गदर्शक सूचनांनुसार बदलीसाठीच्या निकषातून सूट देण्यास पात्र असलेल्या राज्य पोलीस दलातील विविध शाखांची यादी अद्यावत / सुधारित करून ती खालीलप्रमाणे नव्याने प्रसूत करण्यात येत आहे.

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(अ) खालील नमूद पोलीस घटक यांचा निवडणूक कामकाजाशी प्रत्यक्ष संबंध येतो असे ग्राह्य धरण्यात यावे.

१) सर्व पोलीस जिल्हे (लोहमार्ग वगळून)

२) सर्व पोलीस आयुक्तालये (लोहमार्ग वगळून)

(ब) खालील नमूद पोलीस घटक हे अकार्यकारी शाखा म्हणून कार्य करतात व त्यांचा निवडणूक कालावधीत संरक्षण व्यवस्था व पोलीस बंदोबस्ताकरीता नेमणे / वाटप करणे या बाबींशी प्रत्यक्ष संबंध येत नाही.

१) वर नमूद (अ) मधील घटक वगळता इतर सर्व घटक / शाखा.

(क) वर नमूद (अ) मधील कार्यकारी घटकातील खालील उप घटकांचा / शाखांचा निवडणूक कालावधीत संरक्षण व्यवस्था व पोलीस दलाचे बंदोबस्ताकरीता नेमणे / वाटप करणे आणि कायदा व सुव्यवस्था राखणे या बाबींशी प्रत्यक्ष संबंध येतो.

१) पोलीस ठाणे येथे कार्यरत सर्व पोलीस अधिकारी. (सायबर पोलीस ठाणे वगळून)

(ड) वर नमूद (अ) मधील कार्यकारी घटकातील खालील उप घटकांचा / शाखांचा निवडणूक कालावधीत संरक्षण व्यवस्था व पोलीस दलाचे बंदोबस्ताकरीता नेमणे / वाटप करणे आणि कायदा व सुव्यवस्था राखणे या बाबींशी प्रत्यक्ष संबंध येत नाही.

१) पोलीस ठाणे वगळता त्या जिल्ह्यातील / पोलीस आयुक्तालयातील इतर सर्व शाखा.

०४. सदरचे वर्गीकरण हे फक्त लोकसभा / विधानसभा सार्वत्रिक निवडणुका व पोट निवडणूक यांचेकरिता लागू राहिल.

14/2

(कुलवंत कु. सारंगल)

अपर पोलीस महासंचालक (आस्थापना)

पोलीस महासंचालक यांचेकरिता.

प्रति,

पोलीस आयुक्त, बृहन्मुंबई (सस्नेह).

महासंचालक, ॲन्टी करप्शन ब्युरो, म.रा., मुंबई (सस्नेह).

आयुक्त, राज्य गुप्तवार्ता विभाग, महाराष्ट्र राज्य, मुंबई.

अपर पोलीस महासंचालक, गुन्हे अन्वेषण विभाग, म.रा., पुणे / प्रशिक्षण व खास पथके, मुंबई / लोहमार्ग, मुंबई/वाहतूक, मुंबई/द.वि.प., म.रा., मुंबई.

अपर पोलीस महासंचालक व कारागृह महानिरीक्षक, म.रा., पुणे.

सर्व पोलीस आयुक्त (लोहमार्ग-मुंबई सह, बृहन्मुंबई वगळून).

(52)

संचालक, महाराष्ट्र पोलीस अकादमी, नाशिक.

सर्व परिक्षेत्रीय विशेष पोलीस महानिरीक्षक/नक्षल विरोधी अभियान, नागपूर / व्हीआयपी-सुरक्षा,

दादर-मुंबई/फोर्स वन, मुंबई / ना.ह.सं., म.रा., मुंबई.

संचालक तथा विशेष पोलीस महानिरीक्षक, महाराष्ट्र गुप्तवार्ता प्रबोधिनी, पुणे.

पोलीस उपमहानिरीक्षक, अमरावती परिक्षेत्र, अमरावती.

पोलीस उपमहानिरीक्षक, गडचिरोली परिक्षेत्र, कॅम्प नागपूर.

सर्व पोलीस अधीक्षक (लोहमार्ग / विशेष सुरक्षा विभाग, दादर सह).

सर्व प्राचार्य, पोलीस प्रशिक्षण विद्यालये / युओटीसी, नागपूर / डीटीएस, नाशिक.

प्रत योग्य त्या कार्यवाहीकरिता सस्नेह अग्रेषित.

आयुक्त, आदिवासी संशोधन व प्रशिक्षण संस्था, २८ क्वीस गार्डन, पुणे.

महासंचालक, डॉ. बाबासाहेब आंबेडकर संशोधन व प्रशिक्षण संस्था (बाटी), पुणे तथा मुख्य समन्वयक, विभागीय जात प्रमाणपत्र घडताळणी समित्या, महाराष्ट्र राज्य, पुणे.

प्रत सविनय सादर,

अपर मुख्य सचिव, गृहविभाग,

महाराष्ट्र शासन, २ रा मजला, मुख्य इमारत, मंत्रालय,

हुतात्मा राजगुरु चौक, मुंबई-२२.

(लक्षवेध:- श्रीमती राखी चव्हाण, कार्यासन अधिकारी, पोल-५ ब).

प्रत पुढील आवश्यक त्या सत्वर कार्यवाहीसाठी,

कार्यासन अधिकारी, का.क्र.१, २, ४ व ५.

२. कार्यासन अधिकारी का.क्र.१, २, ४ व ५ यांनी वरीलप्रमाणे प्राप्त झालेली माहिती योग्य प्रकारे संकलीत करून वरीष्ठांना सादर करावी.



कालमर्बावीत /
निवडणूक प्राध्व

क्र.पोमसं/२/नोडल/म.वि.सा.नि.-१४/२०१४
पोलीस महासंचालक यांचे कार्यालय,
शाहीर भगत सिंग मार्ग, कुशावा, मुंबई-०१
त्रिांक :- १७ जुलै, २०१४.

विषय:- महाराष्ट्र विधानसभा सार्वत्रिक निवडणूक-२०१४;
निवडणूक आयोगाच्या मार्गदर्शक सूचनांनुसार पोलीस
अधिकार्यांच्या बदल्यांबाबत..

महाराष्ट्र विधानसभेच्या सार्वत्रिक निवडणूक ओक्टोबर, २०१४ मधील होण्याची शक्यता आहे. त्या
अनुषंगाने पोलीस अधिकार्यांच्या बदल्यांबाबत व या निवडणूकांच्या संबंधात मा. केंद्रीय निवडणूक
आयोगाच्या क्र.४३७/०६/१४ २०१४-सीसी अँड वीई, दिनांक १४/०७/२०१४ रोजी सूचना / मार्गदर्शक
तत्वे निर्गमित केली आहेत त्यांच्या दिनांक १४/०७/२०१४ च्या पत्राची प्रत सोबत जोडली आहे. त्यामध्य
दिलेल्या मार्गदर्शक सूचना / निर्देशांनुसार अगामी विधानसभा सार्वत्रिक निवडणूकवेळी घटकप्रमुखांनी
भुलीसममणे कार्यवाही करणे आवश्यक आहे:-

१) मा.निवडणूक आयोगाच्या मार्गदर्शक सूचनांनुसार बदलीपात्र पोलीस अधिकारी (अपर पोलीस
अधीक्षक ते पोलीस उपनिरीक्षक) यांची माहिती i) पदविहाय स्वतंत्रपणे यादी तयार करून, ii)
सेवाविवरण माहिती सोबतच्या विवरणपत्रात भरून, iii) पदविहाय स्वतंत्र पत्रान्वये व स्वतंत्र
लिफाफ्यात पाठवावी. [प्रत्येक सैवालपत्राच्या दिवरणपत्रावर संबंधीत पोलीस
अधिकारी व संबंधीत घटक प्रमुखांची स्वाक्षरी आवश्यक]

२) ज्या पोलीस अधिकार्यांच्या नेमणुका मूळ जिल्ह्यात करण्यात आल्या असतील (सेवानिवृत्ती
जवळ आल्यामुळे अथवा अन्य अनिवार्य कारणामुळे) त्यांच्या बदल्या i) जिल्ह्याबाहेर न
करता ii) निवडणूक कामकाजाची प्रत्यक्ष संबंध नसलेल्या व खाली परिच्छेद क्र.३ मध्ये
नमूद केलेल्या ठिकाणांपैकी एका ठिकाणी करण्यात येव्यात.

३. उपरोक्त प्रमाणे बदलीपात्र पोलीस अधिकार्यांच्या यादी अखिलाना ज्या पोलीस अधिकार्यांच्या
जिल्ह्यातील कार्यकाल मागील ०४ वर्षात ०३ वर्षे पूर्ण झाला आहे किंवा दिनांक ३१/१२/२०१४ रोजी
किंवा त्यापूर्वी ०२ वर्षे पूर्ण होत आहेत आणि जे पोलीस अधिकारी निवडणूक कामकाजाशी प्रत्यक्ष
संबंधीत नाहीत त्यांचा लग्न यादीमुळे समावेश करण्यात येऊ नये.

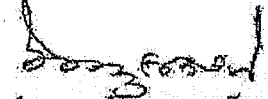
४. जिल्हास्तरावर किंवा पोलीस आयुक्तालयाच्या स्तरावर जिल्हा नियंत्रण कक्ष, अन्य नियंत्रण
कक्ष, सुरक्षा शाखा, वाहतूक शाखा किंवा पोलीस ठाण्याचे पोलीस निरीक्षक (गुन्हे) तसेच जिल्हा
स्तरावर स्थानिक गुन्हे शाखा व आयुक्तालय स्तरावर गुन्हे शाखा या व जिल्ह्यातील अशा अन्य
शाखा अस्तित्वास (त्या शाखांच्या नावासह) त्या ठिकाणी काम करणाऱ्या पोलीस अधिकार्यांच्या
निवडणूक कामकाजाशी प्रत्यक्ष संबंध येत नसल्याने अशा अधिकार्यांची नावे निवडणूकीसाठी
कर वयाच्या बदल्यांच्या यादीत समाविष्ट करण्यात येऊ नयेत.

५. तयाप्रि, जिल्ह्यातील कामकाजाच्या सर्व शाखांची / ठिकाणांच्या नावाची एकत्रित यादी तसेच तेथे
मालगान्या कामकाजाचा तपशील वा कार्यालयास सादर करावा.

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५. राज्यातील सर्व घटकप्रमुखांना द्वारे असंबंधील कळविण्यात येत आहे की, यासंबंधत भारत निवडणूक आयोगाला दिनांक २४/०७/२०१४ च्या पत्रातील सर्व मार्गदर्शक तत्वे / सूचनांचे काटेकोरपणे पालन करण्यात यावे.

६. उपरोक्त सर्व माहिती दिनांक १९/०७/२०१४ रोजी १७.०० वा. पर्यंत ह्या कार्यालयास (संबंधीत कार्यालयात म्हणजेच अफर पोअ- का.क्र.१, पौठअ-का.क्र.२, पोनि-का.क्र.३, सपोनि-का.क्र.४, व पौडनि-का.क्र.५ मध्ये पोहचेल अशा दृष्टीने) फक्त मराठी (DVB-TTSurekh) या फॉन्ट (Font) मध्ये, soft copy व Hard copy सह निश्चितपणे पाठवली. प्रस्तुत प्रकरणी विलंब झाल्यास तसेच चुकीची माहिती (संबंधितपणे) पाठविल्यास / मा.निवडणूक आयोगाच्या निकषानुसार कोणत्याही बदलीपात्र अधिकाऱ्याचे नांव वगळल्यास त्याबाबतची सर्वस्वी जबाबदारी संबंधित घटक प्रमुखांचीच राहिल, याची कुमक नोंद घ्यावी.



(अतुलचंद्र कुलकर्णी)

विशेष पोलीस महानिरीक्षक (आस्थापना)

पोलीस महासंचालक दफ्तरेकारा.

प्रति,

सर्व पोलीस आयुक्त (लोहमार्ग सह)

पोलीस आयुक्त, नवी मुंबई.

२. पोलीस आयुक्त, नवी मुंबई यांना विनंती करण्यात येते की, त्यांच्या आयुक्तालयात ठाणे जिल्हा व रंगगाड जिल्ह्यांचा भाग येत असल्याने त्यांनी त्याप्रमाणे जिल्हानिहाय माहिती पाठवावी.

सर्व पोलीस अधीक्षक (लोहमार्ग सह)

प्रति,

सर्व परिक्षेत्रीय विशेष पोलीस महानिरीक्षक.

पोलीस उपमहानिरीक्षक, गडचिरोली परिक्षेत्र, गडचिरोली.

प्रति सविनय सादर,

अफर मुख्य सचिव.

महाराष्ट्र शासन, गृहविभाग, ७ वा मजला, सेंटर "बन".

आगमिक व्यापार केंद्र, कफ परेड, मुंबई-०५.

(लक्षवेध- श्री. अजिंक्य दगाडे, कक्षा अधिकारी)

प्रति पुढील आवश्यक त्या सत्वर कार्यवाहीसाठी,

१. पोलीस उपअधीक्षक, संगणक विभाग, (पोमस कार्यालय), मुंबई.

२. सदरचे परिपत्रक व मा.केंद्रीय निवडणूक आयोगाचे परिपत्रक ह्या कार्यालयाच्या संकेतस्थळावर प्रदर्शित करावे (महाराष्ट्र विधानसभा सार्वत्रिक निवडणुका-२०१४ चे कामकाज पूर्ण होईपर्यंत सदरची वॉन्ही परिपत्रके संकेतस्थळावर ठेवावीत).

कार्यासन अधिकारी, का.क्र.१, २, ४ व ५.

२. कार्यासन अधिकारी का.क्र.१, २, ४ व ५ यांनी वरीलप्रमाणे प्राप्त झालेली माहिती योग्य प्रकारे संकलीत करून वरीलपत्रांना सादर करावी.

ANNEXURE-A

जावक क्रमांक :- १०४९३/२०२४
खडकपाडा पोलीस स्टेशन कल्याण प.
दिनांक :- २९ / ०९ / २०२४

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प्रति,

मा.पोलीस आयुक्त सो,
ठाणे शहर
यांना सविनय सादर

ANNEXURE-A-7

अर्जदार :- एन.आर. केंचे, पोलीस निरीक्षक प्रशासन नेम-खडकपाडा
पोलीस ठाणे, कल्याण पश्चिम

विषय :- ठाणे शहर येथील नियंत्रण कक्ष कल्याण अथवा कोणत्याही
अकार्यकारी शाखेत नेमणुक होणे बाबत.

संदर्भ :- क्र.पोमसं/३/१०/६/विधानसभा निवडणुक-२४/८५/२०२४
दि.२२/०८/२०२४ अन्वये.

महोदय,

उपरोक्त विषयान्वये विनंती अर्ज करतो की, वरील संदर्भान्वये येत्या विधानसभा निवडणुकीच्या निकषाप्रमाणे माझी ठाणे शहर ते मुंबई शहर अशी बदली दर्शविण्यात आलेली आहे. मी माजी सैनिक असुन भारतीय वासु सेनेमध्ये २० वर्षे सेवा केलेली आहे. माझी पोलीस दलात एकुण १५ वर्षे ०७ महिने सेवा झाली असुन सध्दस्थितीत माझी पोलीस खात्यामधुन सेवानिवृत्त होणेसाठी ०४ महिने सेवा बाकी आहे. माझी ठाणे शहर येथे ०३ वर्षे कालावधी पुर्ण झाला असल्याने व मी कार्यकारी शाखेत नेमणुकीस अल्यामुळे तसेच माझा सेवानिवृत्तीचा कालावधी खुपच जवळ आला आहे. तरी माझी नियंत्रण कक्ष कल्याण अथवा कोणत्याही अकार्यकारी शाखा ठाणे शहर अंतर्गत बदली होउन ठाणे शहर येथेच ठेवावे ही नम्र विनंती.

मा.सविनय सादर



(एन.आर. केंचे)

पोलीस निरीक्षक प्रशासन
खडकपाडा पोलीस ठाणे

१) मा.वरिष्ठ पोलीस निरीक्षक सो. यांचा अभिप्राय :-