

CWP No.14990 of 2017 (O & M) alongwith CWPNos.14992, 14991, 10252, 12924, 15474, 15216, 10877, 11432, 14993, 14994, 14998, 15011, 15026, 15179, 15184, 15254, 15276, 15426, 15485, 15493, 15626, 25249, 28620 of 2017, 169 and 3695 of 2018 (O & M)-----26 cases -1-

***IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH***

1. **CWP No.14990 of 2017 (O & M)**
Date of Decision:-30.7.2018

Sukhbir Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

2. **CWP No.14992 of 2017 (O & M)**

Gurbax Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

3. **CWP No.14991 of 2017 (O & M)**

Om Parkash and others

...Petitioners

Versus

State of Punjab and others

...Respondents

4. **CWP No.10252 of 2017**

Tarsem Singh

...Petitioner

Versus

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State of Punjab and others

...Respondents

5. **CWP No.12924 of 2017**

Malkit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

6. **CWP No.15474 of 2017 (O & M)**

Amarjeet Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

7. **CWP No.15216 of 2017**

Head Constable Sukhwinder Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

8. **CWP No.10877 of 2017**

Nachhatter Singh and another

...Petitioners

Versus

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State of Punjab and others

...Respondents

9. **CWP No.11432 of 2017 (O & M)**

Jung Bahadur

...Petitioner

Versus

State of Punjab and others

...Respondents

10. **CWP No.14993 of 2017**

ASI Charanjit Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

11. **CWP No.14994 of 2017 (O & M)**

Head Constable Baljit Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

12. **CWP No.14998 of 2017**

Satpal Singh and others

...Petitioners

Versus

CWP No.14990 of 2017 (O & M) alongwith CWP Nos.14992, 14991, 10252, 12924, 15474, 15216, 10877, 11432, 14993, 14994, 14998, 15011, 15026, 15179, 15184, 15254, 15276, 15426, 15485, 15493, 15626, 25249, 28620 of 2017, 169 and 3695 of 2018 (O & M)-----26 cases -4-

State of Punjab and others

...Respondents

13. **CWP No.15011 of 2017**

Punjab Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

14. **CWP No.15026 of 2017 (O & M)**

Bhupinder Singh HC

...Petitioner

Versus

State of Punjab and others

...Respondents

15. **CWP No.15179 of 2017 (O & M)**

Major Singh ASI and another

...Petitioners

Versus

State of Punjab and others

...Respondents

16. **CWP No.15184 of 2017 (O & M)**

Paramjit Singh ASI and others

...Petitioners

Versus

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State of Punjab and others

...Respondents

17. **CWP No.15254 of 2017 (O & M)**

Rajwant Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

18. **CWP No.15276 of 2017 (O & M)**

Sukhminder Singh, ASI

...Petitioner

Versus

State of Punjab and others

...Respondents

19. **CWP No.15426 of 2017 (O & M)**

Head Constable Ranjit Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

20. **CWP No.15485 of 2017 (O & M)**

Head Constable Darshan Singh and others

...Petitioners

Versus

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State of Punjab and others

...Respondents

21. **CWP No.15493 of 2017 (O & M)**

Head Constable Harjinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

22. **CWP No.15626 of 2017 (O & M)**

Head Constable Gurmail Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

23. **CWP No.25249 of 2017 (O & M)**

Amandeep Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

24. **CWP No.28620 of 2017 (O & M)**

Amandeep Singh

...Petitioner

Versus

CWP No.14990 of 2017 (O & M) alongwith CWP Nos.14992, 14991, 10252, 12924, 15474, 15216, 10877, 11432, 14993, 14994, 14998, 15011, 15026, 15179, 15184, 15254, 15276, 15426, 15485, 15493, 15626, 25249, 28620 of 2017, 169 and 3695 of 2018 (O & M)-----26 cases -7-

State of Punjab and others

...Respondents

25. **CWP No.169 of 2018 (O & M)**

Nirmal Singh HC

...Petitioner

Versus

State of Punjab and others

...Respondents

26. **CWP No.3695 of 2018 (O & M)**

Surinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present:- Mr. G.S. Bal, Sr. Advocate with
Ms. Harmanpreet Kaur, Advocate
for the petitioner(s) (in CWP Nos.14990, 14992 and 15276 of
2017).

Mr. A.S. Manaise, Advocate
for the petitioner(s) (in CWP Nos.10252, 10877, 15474,
14991, 15011 and 15026 of 2017).

Mr. Nakul Sharma, Advocate
for the petitioner(s) (in CWP Nos.12924-2017 & 3695-2018).

Mr. R.P.S. Dhillon, Advocate for
Mr. R.K. Arya, Advocate
for the petitioner(s) (in CWP Nos.15216, 14993, 14994, 15426,
15485, 15493, 15626 of 2017).

CWP No.14990 of 2017 (O & M) alongwith CWP Nos.14992, 14991, 10252, 12924, 15474, 15216, 10877, 11432, 14993, 14994, 14998, 15011, 15026, 15179, 15184, 15254, 15276, 15426, 15485, 15493, 15626, 25249, 28620 of 2017, 169 and 3695 of 2018 (O & M)-----26 cases -8-

Mr. B.S. Sidhu, Advocate
for the petitioner(s) (in CWP No.28620 of 2017).

Mr. B.S. Bhalla, Advocate
for the petitioner(s) (in CWP Nos.14998, 15179, 15184 of 2017
and 169 of 2018).

Mr. Ritesh Pandey, Advocate
for the petitioner(s) (in CWP No.11432 of 2017).

Mr. Mandeep K. Sajjan, Advocate
for the petitioner (in CWP No.15254 of 2017).

Mr. Gurpal Singh Sandhu, Advocate
for the petitioner (in CWP No.25249 of 2017).

Ms. Devaki Anand Sullar, AAG, Punjab.

JITENDRA CHAUHAN J. (Oral)

CM-9980-CWP-2018 in CWP-14991-2017

Notice in civil miscellaneous.

2. At the asking of the Court, Ms. Devaki Anand Sullar, AAG Punjab accepts notice on behalf of respondent-State.

3. In view of the grounds mentioned in the application, the same is allowed and amended written petition is taken on record.

4. Learned State counsel submits that she does not wish to file fresh reply to the amended petition.

CM-16106-CWP-2018 in CWP-14992-2017,
CM9644-CWP-2018 in CWP-15276-2017 &
CM-15426-CWP-2017 in CWP-14990-2017

5. After hearing learned counsel for the parties and in view of the grounds mentioned in the applications, the same are allowed and amended writ petitions are taken on record.

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Main case

6. The aforementioned batch of 26 petitions is being decided by way of common judgment as common questions of law and facts are involved in these petitions. For the sake of brevity, the facts are being taken up from CWP No.14990 of 2017.

7. The petition(s) have been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing the impugned order dated 07.7.2017 (Annexure P-1) passed by respondent No.2-Director General of Police vide which the petitioners have been transferred from Ferozepur Range Ferozepur to different Districts out of Ferozepur Range, their native place.

8. Brief facts of the case are that the petitioners basically belong to District Ferozepur and were recruited as Constables in different districts and presently serving in District Ferozepur. Their services have been appreciated by the superior officers and they have also been awarded various commendation certificates, which are recorded in their character rolls.

9. Respondent No.2-DGP issued a letter dated 06.6.2017 (Annexure P-2) to all the Senior Superintendents of Police directing them to furnish the list of such police personnel who had developed direct or indirect interest with Drug Traffickers or had not shown interest in taking action against drug traffickers or enjoyed poor reputation in public. In response to Annexure P-2, respondent No.3-Senior Superintendent of Police, Ferozepur, sent a list of police personnel to the office of respondent

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No.2-DGP, reflecting the names of the petitioners, on the basis of which respondent No.2-DGP passed the impugned order dated 07.7.2017 (Annexure P-1).

10. Learned counsel for the petitioner(s) contend that the petitioners were initially recruited as Constables on different dates and after getting promotions as Head Constables, almost all the petitioners have been awarded a number of commendation certificates, which are recorded in their respective character rolls. On account of their good services, most of the petitioners were given charge/promotion to the post of Assistant Sub Inspectors (ASI) on different dates and posted for different period of times on different assignments. Despite there being no complaints or charge-sheets against them, their names have been noticed in the impugned order. It is further contended that upon seeking information under RTI Act by petitioner No.4, reply in the shape of letter dated 1.9.2017 (Annexure P-4) annexed with copy of letter dated 17.6.2017 (Annexure P-5) was supplied, which was issued by respondent No.4 and addressed to respondent No.2-DGP, Punjab in which four persons were named who had allegedly directly or indirectly had developed vested interests with drug traffickers and 44 persons who have poor reputation in public or within force regarding connection with elements involved in drug traffickers. Further information in tabulated form was supplied in respect of 22 persons regarding their association with drug smugglers/traffickers, prepared by respondent No.5 (Annexure P-6) in compliance of letter (Annexure P-2). After seeking information by petitioner No.4, respondent No.5 on his own changed the

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said information and submitted to respondent No.3 vide his letter dated 16.6.2017 (Annexure P-7). A comparison of the particulars in respect of petitioner No.4 are highlighted just as an example, where in the report (Annexure P-6) he is stated to be covered all the three heads mentioned in letter (Annexure P-2) whereas in the report (Annexure P-7) regarding his first two items he is stated to be not associated with the drug smugglers and not having taken action against drug traffickers. As regard 3rd column in respect of reputation in public or Police Department, a note was given that he is outspoken and complaint made by the public is being got investigated. Similar changes made by respondent No.5 in his reports (Annexures P-6 and P-7). It is contended that the order dated 7.7.2017 (Annexure P-1) is passed in violation of the Punjab Police Rules and therefore all the petitioners have approached this Court and vide order dated 13.7.2017 passed in CWP No.14990 of 2017, notice of motion was issued and operation of the impugned order dated 7.7.2017 (Annexure P-1) was stayed.

11. It is next contended that after stay of the impugned order by this Court, most of the petitioners have been retained at Ferozepur and given postings at crucial and important posts involving public dealings. Learned counsel for the petitioners have argued that the petitioners had never remained posted either in Narcotic Cell or in any Police Station or in CIA Staff, where they could have had any dealing with the drug traffickers etc. and no complaint against the petitioners has ever been received. Till date no inquiry proceedings have been initiated against the petitioners in pursuance of order (Annexure P-8). The petitioners have apprehension that

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they are being falsely implicated in false cases but till date of filing of the amended petition the respondents have not been able to find any alleged misconduct committed by the petitioners. It is also contended that if the conduct of the petitioners was doubtful, they could not have been put on important duties involving public dealings, for example, petitioner No.1 has been now posted as In-charge, Police Post, Chogattewala, Police Station Kulgarhi.

12. There is further reference to Section 4(b) of the Punjab Police Act, 2007 as per which seniority of the District Police Personnel is required to be maintained at Central level, yet Section 85 of the Act, specifically provides that Punjab Police Rules, 1934 framed under the Police Act, 1861 (Central Act No.5 of 1861) shall remain in force, unless these Rules are specifically superseded. Under these circumstances the provisions of Punjab Police Rules, 1934 are still intact and transfer can be ordered under Rule 14.15 thereof, which is reproduced below for ready reference :-

“Rule 14.15 Postings and transfers - liability to and authority for. - (1) All enrolled police officers are, under Section 22 of the Police Act, liable for service in any part of the general district.

(2) The authorities empowered to post and transfer police officers are shown in the following table :-

Authority for transfer	Rank of officer	Restrictions
1. Governor	Superintendents	
2. Inspector-General	(1) Assistant, and Deputy Superintendents (2) Inspectors and all officers of lower rank	

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Authority for transfer	Rank of officer	Restrictions
3. Deputy Inspectors-General	(1) Inspectors (2) Sergeants (3) Sub-Inspectors and all lower ranks	(1) Except European Inspectors, prosecuting inspectors and inspectors in charge of Lahore, Amritsar and Rawalpindi cities and of Anarkali
4. Assistant Inspector-General, Government Railway Police	(1) Inspectors (2) Sergeants (3) Sub-Inspectors and all lower ranks	
5. Superintendent	(1) Sub-Inspectors (2) Assistant Sub-Inspectors and all lower ranks	(1) In the case of officers in charge of police stations with the approval of the District Magistrate
6. Additional Superintendents of Police	Transfer of such lower subordinates as the Superintendent of Police may, with the approval of the Deputy Inspector-General depute to him.	

(3) After holding charge of a police station for three years a Sub- Inspector shall ordinarily be transferred, either to another police station or to another post in the district. When the District Magistrate and the Superintendent of Police are in agreement that it is clearly in the interest of the public service that a particular Sub-Inspector should continue to hold charge of one police station for a longer period, a recommendation may be made accordingly to the Deputy Inspector-General, who is empowered freely to grant extensions up to a maximum of five years. The normal period of posting to a police station in the case of assistant sub- inspectors is also three years, but this period may be extended to a maximum of five by the Superintendent of Police on similar grounds as in the case of Sub-Inspectors.

(4) Whenever an Inspector, Sergeant, Sub-Inspector or Assistant Sub- Inspector relinquishes or assumes charge of an appointment the Superintendent of the district concerned shall, as soon as possible, submit a report to the Inspector-General or Deputy InspectorGeneral as the case may be, in Form 14.15(4).

This order does not apply to changes within the district.

(5) No police officer against whom criminal proceedings have been instituted shall be transferred to another district until the final order is passed in respect of such proceedings.

(6) Deputy Inspectors-General may, by mutual agreement, arrange the exchange of Sub-Inspectors of the same ranks.”

13. Learned counsel for the petitioners contend that as per Rule 14.15 of the Punjab Police Rules, 1934, the petitioners who belong to District Ferozepur, can be transferred in their District or in any District of their Range. However, they have been arbitrarily transferred to different districts out of their Range in violation of Rule 14.15 of the Punjab Police Rules. The law is well settled that in case there is some complaint of serious misconduct on the part of any employee, transfer is not an option. Such an employee is required to be issued a charge-sheet and after giving him an opportunity of hearing, he is liable to face disciplinary action. It is contended that respondent Nos.5, 6 and 7 have made a list recommending transfer of those persons with whom they had some grudge in their service career without there being any specific complaint against them in respect of any of three terms mentioned in letter (Annexure P-2) and submitted it to respondent No.4, who without verifying any facts or holding any discrete enquiry, forwarded the same to respondent No.2-DIG, Punjab, who in turn

issued the impugned order (Annexure P-1) qua the petitioners. It is mentioned in the impugned order that as per Section 4(b) of the Punjab Police Act, 2007, the seniority of District Police Personnel is maintained at Central Level, thus the seniority of personnel transferred to other Districts will not be effected. To this issue, learned counsel for the petitioners contend that with the enactment of the Punjab Police Act, 2007, the members of police service are liable to be posted anywhere in the State but the transfer cannot be done in an arbitrary manner as in the instant case(s). Although the earlier Police Act, 1861 has been superseded by the Punjab Police Act, 2007, but the Punjab Police Rules, 1934 framed under the old Act have been adopted in the new Act vide Section 85, which is reproduced as follows :-

“85. Continuation of Punjab Police Rules, 1934 –
The Punjab Police Rules, 1934, framed under the Police Act, 1861 (Central Act-5 of 1861), shall remain in force, unless those rules are specifically superseded.”

14. On the other hand learned State counsel has argued that the petitioners were working as ASI/CR/LR and Head Constables (P) in Ferozepur District. They were transferred from Ferozepur District to Amritsar (R), Gurdaspur and S.B.S. Nagar District vide order No.11730-71/E-2 (4) dated 7.7.2017 (Annexure P-1). She has contended that the said transfer was not made as a punishment as the seniority of the petitioners is not disturbed by virtue of the impugned transfer order (Annexure P-1) because as per enactment of Punjab Police Act, 2007, seniority of the District Police Cadre is maintained at Central Police Office level under

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Section 4(b) of the Punjab Police Act, 2007. For reference, Section 4(b) of the Punjab Police Act, 2007 is reproduced hereunder :-

Section 4. Organization and Composition of police service:- Subject to the provisions of this Act,-

(a) xx xx

(b) the officers of subordinate ranks of district police, armed police, Intelligence and technical and support services shall form separate cadres. Seniority of each cadre shall be maintained at the State level. Transfer of a member of one cadre to another cadre shall not be allowed.”

15. Learned State counsel further points out Sections 3(1) and (2) of the Punjab Police Act, 2007, which are also reproduced hereunder :-

“3. (1) There shall be one Police Service in the State.

(2) Notwithstanding anything contained in any other law or any of the provisions of this Act, members of the Police Service shall be liable for posting anywhere in the State and outside the State, as may be ordered by the competent authority.”

The petitioners belong to District Police Cadre and can be transferred in any District as seniority of District Police Cadre is maintained at Central level. It is next contended that the petitioners have no perpetual right to remain posted within a particular District of their choice. It is the competent authority who has to decide this issue. It is also contended that total 159 officials were transferred vide order No.11730-71/E-2 (4) dated 7.7.2017 (Annexure P-1) and names of the petitioners (in CWP No.14990 of 2017) are at Sr. Nos.109, 110, 107, 120 and 128 respectively. It is pointed out by

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learned State counsel that ASI Harkesh Kumar No.358/Fazilka, whose name is at Sr. No.134 in the transfer order dated 7.7.2017 (Annexure P-1) filed CWP No.15639 of 2017, titled 'Harkesh Kumar and two others vs. State of Punjab', in which the order of transfer dated 7.7.2017 (Annexure P-1) was challenged on the same grounds as in the present writ petitions, and the same was dismissed vide order dated 19.7.2017 (Annexure R-1) with the following directions :-

“A co-ordinate Bench of this Court in CWP No.9666 of 2017 (Aalwinder Singh vs. State of Punjab and others), decided on 10.5.2017, has already negated a challenge to transfer on the same grounds that have been raised in the instant petition.

In view of the above, no infirmity is found in the impugned order dated 7.7.2017 (Annexure P-1) and the writ petition is dismissed being devoid of merits.

Dismissed.”

16. Similarly, Constable Salwinder Singh also filed a CWP No.9666 of 2017 against the order of his transfer from District Ferozepur to District Mansa, which was also dismissed vide order dated 10.5.2017 by this Court with the following observations :-

“Petitioner is working as a Senior Constable in the District Police Cadre and was posted at Ferozepur. By filing the present petition he has prayed for quashing of the relieving order dated 27.04.2017 (P-3) whereby SSP, Ferozepur has ordered his relieving pursuant to the order dated 24.04.2017 passed by IGP, Bathinda Zone transferring him from Ferozepur Ranger to Bathinda Range within the same Bathinda Zone and accordingly

posted him at Mansa.

The argument raised is that no transfer can be made of a Constable from one range to the other range without the sanction of DGP and also due to loss of seniority.

The State Counsel was called upon to address the aforesaid factual position, who has placed a memo dated 09.05.2017 issued by DGP, Punjab (Litigation Branch, CPO) to Advocate General, Punjab on record. Copy of the same has been furnished to the counsel for the petitioner. From the memo it is apparent that in view of the Provisions of Section 4(b) of the Punjab Police Act, 2007 (for short 2007 Act) the petitioner(constable) belongs to District Police Cadre and can be transferred to any District Police as his seniority is now being maintained at the State level and, therefore, there is no prejudice caused. The provisions of 2007 Act make every member of the Police Force liable to be posted anywhere in the State. Therefore, the plea raised is misconceived.

At this stage, learned Counsel for the petitioner prays for permission to withdraw the present petition.

Dismissed as withdrawn.”

17. Learned State counsel has further referred to CWP No.13983 of 2016 filed by Constable Baldev Singh No.1994/Batala against order No.1826-27/E-2 (4) dated 29.2.2016 on his transfer from Batala District to Jalandhar Rural. Said writ petition was also dismissed by this Court vide order dated 29.7.2016. Further PHC Shashi Kumar had filed similar CWP No.13670 of 2012 titled 'Shashi Kumar No.1094/GSP vs. State of Punjab'

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challenging his transfer order dated 09.7.2012. Said writ petition was also disposed of by this Court vide order dated 31.7.2012 with the following observations :-

“It is now well settled that transfer guidelines/policy would not vest with an employee an enforceable right. Accordingly, challenge to the order of transfer merely on account of deviation of any stipulation in the transfer/policy/guidelines can not vest with an employee a cause of action to invoke the extraordinary jurisdiction to impugn such transfer order. Be that as it may, the Hon'ble Apex Court in ***Union of India Vs. S.L. Abbas 1995 (4) SCT 455*** had observed that it would be obligatory for the Competent Authority to keep in mind the transfer policy formulated by the State while issuing transfer orders.

Accordingly, the challenge to the impugned order of transfer in terms of filing the present writ petition is rejected. However, liberty is granted to the petitioner to approach the authority concerned and to raise all objections as regards the transfer order being in violation of the transfer policy and it shall be obligatory for such authority to consider the claim of the petitioner in the light of such transfer policy as per the mandate of the Hon'ble Apex Court in S.L. Abbas's case (Supra).

Petition disposed of accordingly.”

18. Learned State counsel has also pointed out that identical petitioners had earlier approached this Court against their transfer orders passed by the authorities, which were dismissed by this Court. Learned State counsel further submits that the issue of transfer of police officials

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from one place to another has already been settled by Hon'ble the Supreme Court that the transfers are purely administrative matters and the Courts should maintain judicial restraint. Lastly, it is submitted that the transfer orders have been issued in the public interest.

19. I have heard learned counsel for the parties and gone through the records carefully.

20. In **Civil Appeal No.8690-8701 of 2010** arising out of **Special Leave Petitions (Civil) Nos.18686-18697/2007**, titled 'State of Haryana vs. Kashmir Singh and another', decided on 06.10.2010 and held as under :-

“Transfer ordinarily is an incidence of service, and the Courts should be very reluctant to interfere in transfer orders as long as they are not clearly illegal. In particular, we are of the opinion that transfer and postings of policemen must be left in the discretion of the concerned State authorities which are in the best position to assess the necessities of the administrative requirements of the situation. The concerned administrative authorities may be of the opinion that more policemen are required in any particular district and/or another range than in another, depending upon their assessment of the law and order situation and/or other considerations. These are purely administrative matters, and it is well settled that Courts must not ordinarily interfere in administrative matters and should maintain judicial restraint vide *Tata Cellular vs. Union of India*- AIR 1996 SC 11.”

21. The transfer orders have to be seen in backdrop these have been passed with a view to achieve a definite purpose of effectively

CWP No.14990 of 2017 (O & M) alongwith CWPNos.14992, 14991, 10252, 12924, 15474, 15216, 10877, 11432, 14993, 14994, 14998, 15011, 15026, 15179, 15184, 15254, 15276, 15426, 15485, 15493, 15626, 25249, 28620 of 2017, 169 and 3695 of 2018 (O & M)-----26 cases
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addressing the issue 'Drugs in the State'. The Punjab State is fighting against the menace of drugs in the State and a Special Task Force (in short 'S.T.F.') has been set up and sufficient manpower is required to be posted in STF. It has come to the notice of the authorities that some police officials are creating hurdle in the working of STF and it is necessary to shift them to some other district(s). Therefore, the State has been constrained to transfer the petitioners from one District to other. Against all 159 police employees, who have been transferred vide impugned order, departmental inquiries have been initiated and going on vide order dated 25.10.2017 passed by the Senior Superintendent of Police, Ferozepur, which are still pending.

22. In view of the contention of learned State counsel that the transfers made vide order dated 7.7.2017 (Annexure P-1) are not on the basis of any punishment rather in public interest and as per requirement of law and order, which is to be maintained by the competent authorities as well as in view of observations of Hon'ble the apex Court in Special Leave Petitions (Civil) Nos.18686-18697/2007 (supra), it is the State authorities, who are in the best position to assess the necessities that as per law and order situation where the policemen are required to be deputed/transferred and it is not the perpetual right of the police officials to remain posted with a particular District of their choice. The plea raised by the learned counsel for the petitioner(s) that the impugned transfer order (Annexure P-1) has been passed in an arbitrary manner, is ill conceived and is liable to be rejected. Identical petitions filed by certain transferees already stand dismissed as reflected in para Nos.15, 16 and 17 of the judgment. Similar

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issue as involved in the present writ petition(s) had been already raised by way of Civil Writ Petition Nos.15639 of 2017, 9666 of 2017 and 13983 of 2016 (ibid), decided by this Court.

23. The intended purpose of the carrying out the transfer exercise is to curb the menace of drug trafficking by isolating the persons engaged in the crime and had developed proximity and connectivity with certain police officials.

24. In view of the above, no infirmity is found in the impugned order dated 7.7.2017 (Annexure P-1) and the writ petition(s) being devoid of merits, are hereby dismissed.

25. A photocopy of this order be placed in the files of connected cases.

July30, 2018
Vijay Asija

(**JITENDRA CHAUHAN**)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No