

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 2177/98

New Delhi this the 26th day of July, 2000

HON'BLE SH. S.R. ADIGE, VICE CHAIRMAN(A)
HON'BLE SH. KULDIP SINGH, MEMBER(J)

1. Surender Singh(492)
S/o Sh. Budh Prakash
R/o C-251, Gali No. 6,
Hardevpuri, Shahdra,
Delhi
2. Rajinder Kumar (3989/PCR)
S/o late Sh. Shyamlal Sharma
R/o WZ-363, Sri Nagar,
Shakurbasti
Delhi-110034

....Applicants

(BY: Advocate Sh. Shyam Babu)

Versus

1. Govt. NCT of Delhi
through its Chief Secretary
Delhi-110054
2. The Commissioner of Police
Police Headquarters
I.P. Estate,
New Delhi
3. Deputy Commissioner of Police(HQ-I)
Police Headquarters
I.P. Estate,
New Delhi

...Respondents

(BY: Advocate Sh. George Paracken)

ORDER

Mr. S.R. Adige, VC(A):

Applicants impung Annexure-A order dated 26.2.98 and Annexure-B order dated 3.11.98. They seek a direction to respondents to fill up the post of M.T. Head Constables (Operational) in accordance with the Recruitment Rules particularly Clause 12, and to consider and appoint them as M.T. Head Constables(Operational) with all consequential benefits.

18

2. Applicants who are Head Constables contend that as per Clause 12 of the RRs, a copy of which has been filed by them and is placed at Annexure-E of the OA, the post of M.T. Head Constable (Operational) is to be filled by transfer from amongst Matriculate Confirmed Head Constables with five years' service in the grade, and they are eligible to be appointed.

3. Respondents in their reply however contend that as per Notification dated 31.7.86 (Annexure-R1) amending the relevant provisions of the Delhi Police (Appointment & Recruitment) Rules the post of M.T. Head Constable (Operational) is to be filled by transfer from amongst Matriculate Confirmed Constables with five years service in the grade.

4. We further note from the contents of Delhi PHQ's letter dated 28.5.98 (Annexure-R3) that a reference has been made to the Deputy Secretary, Home Deptt. Govt. of NCT of Delhi that in the Hindi version of the RRs the post of M.T. Head Constable (Operational) is to be filled from amongst Confirmed Head Constable with five years' regular service in the grade, and the Home Deptt. has been asked to issue necessary corrections.

5. We note that respondents at the bottom of page 3 of their reply have stated that action to fill up the two existing vacancies of M.T. Head Constable (Operational) will be taken only after issue of necessary corrections in the gazette notification by Govt. of NCT of Delhi and framing of standing instructions to regulate the recruitment process.

6. We have heard Shri Shyam Babu for applicants and Shri G. Parackan for respondents. We have perused the materials on record and considered the matter carefully.

2

19

7. We note that the English version of the RRs furnished by applicants (Annexure-E) does not coincide with the English version of the RRs as notified on 31.7.86 and filed by respondents at Annexure-R1. We further note from letter dated 25.5.98 that the Hindi version of the RRs does not tally with the English version notified by respondents on 31.7.86.

8. Under the circumstance we are unable to issue the direction to respondents as prayed for by applicants at this stage. We however direct respondents to take appropriate steps to ensure that necessary corrections are issued through gazette notification in respect of RRs for the post of M.T. Head Constable (Operational) as expeditiously as possible and that ^{the} posts are filled up in accordance with the relevant rules and instructions thereafter. No costs.


(KULDIP SINGH)
MEMBER (J)


(S.R. ADIGE)
VICE CHAIRMAN (A).

/ug/