

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

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D.A. No.1246/95

Date of decision 31-10-1995

Hon'ble Shri N.V. Krishnan, Acting Chairman

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

SI Shyam Singh
s/o Late Shri Dharam Singh
r/o B-8, Police Station,
Pahar Ganj, New Delhi.

... Applicant

(By Advocate MS Sumedha Sharma.)

Vs.

1. Union of India
through Secretary,
Ministry of Home Affairs,
North Block, New Delhi.
2. Commissioner of Police,
PHQ, I.P. Estate, M.S.D. Building,
New Delhi.
3. Deputy Commissioner of Police,
HQ 1, PHQ, I.P. Estate,
M.S.D. Building, New Delhi.

... Respondents

(By Advocate Shri B.S. Gupta through
proxy counsel Shri S.K. Gupta)

ORDER (ORAL)

(Hon'ble Shri N.V. Krishnan, Acting Chairman)

The grievance of the applicant is that his name has not been included in the E-I list (Ann-c) dated 25-11-1994 prepared by the Delhi Police, containing the names of ASIs considered fit by the DPC for training in the Upper School Course for the post of S.I. It is stated that the applicant is an ASI from 1986 and applicant was appointed as S.I. on adhoc basis w.e.f. 31.3.1994. E.I list^{is} /at Annexure C dated 25.11.1994. Applicant states that representation has been filed on 20-3-1995 (Annexure -D) in which applicant has sought the reasons why his name was not been included in the E.I list/ and the training programme list. A reply to this representation is stated to have been received at Ann.E

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in which the applicant was informed that as his name was not included in the E-I list he could not be deputed for training in the upper school course.

2. On notice a reply has been filed by the respondents. They state that the applicant was considered by the DPC in accordance with the provisions of Delhi Police (Promotion and Confirmation) Rules, 1980. His name was not included in E-I list after consideration of his case by the DPC. The applicants' representation has also been disposed of by the Annexure R-3 letter dated 21.6.1995 which states that the representation for inclusion^u of his name in the promotion list E-I has been considered and rejected^u as he could not make the grade before^u D.P.C.

3. It is in these circumstances that on 13.10.95, we wanted to know from the learned counsel for the applicant as to whether, inspite of the position, as disclosed by the respondents reply, we have to call for the records to find out why the applicant was not included in E-I list. Learned counsel took time.

4. Today, when the matter came up, she has not been able to show us any authority as to why we should call for the records in the above circumstances. Applicant has not made any allegations of malafide against either the authorities of the Police who are concerned^u with the selection or against the members of the DPC who framed recommendations. In the circumstances, after perusal of the respondents reply, we find no merit in the DA. Accordingly, it is dismissed.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Member (J)

N.V. Krishnan
31/1/95
(N.V. Krishnan)
Acting Chairman

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