

Central Administrative Tribunal, Principal Bench

Original Application No. 2407 of 1995

New Delhi, this the 3rd day of February, 2000

Hon'ble Mr.Justice Ashok Agarwal Chairman
Hon'ble Mr.R.K.Ahooja, Member (Admnv)

S.I.Gulshan Kumari No. 1321-D, wife
of Shri Ashok Talwar, r/o 212,
Rajdhani Enclave, Pritampura, Delhi-34

- Applicant

(By Advocate Shri Shanker Raju)

Versus

1. Union of India through Secretary
MHA, North Block, New Delhi.

2. Commissioner of Police, PHQ, I.P.
Estate, New Delhi.

3. Shagoon Sharma No.D-1273, through
Dy CP HQ, PHQ, MSO Building,
I.P.Estate, New Delhi.

- Respondents

(By Advocate Shri Vijay Pandita)

ORDER (Oral)

By R.K.Ahooja, Member(Admnv) -

The applicant is a Woman Sub Inspector in Delhi Police. She is aggrieved by her non-admission to List F (Women) for promotion to the rank of Inspector in Delhi Police.

2. Amongst the various grounds which have been taken by the applicant the one which has been pressed by the learned counsel is that the case of the applicant has not been considered properly in terms of the instructions issued by the Commissioner of Police. These instructions require ^{That} ^A for admission to List-F, the officer should have at least three good ACRs during the preceding five years. The case of the applicant is that the ACR format in force during the years 1989-94 did not provide for a grading of 'good'. In that format it is stated, the grading provided for were 'outstanding', 'very good', 'average', and 'below average'. According

0w

to the applicant she had earned good reports during the period and only because there was no appropriate grading of 'good' in the ACR format that the DPC was misled into assessing her record as 'average'.

3. The aforesaid contention is denied by the respondents, who submit that DPC has based its recommendations on full consideration of the record of the officer.

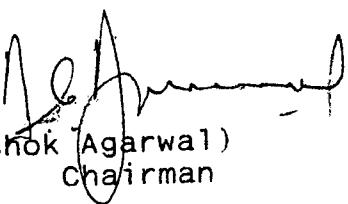
4. We have heard the counsel and have also gone through the ACR dossier of the applicant and the proceedings of the Departmental Promotion Committee. The format in which the ACRs of the applicant has been recorded for the relevant years shows that there is no column provided for overall grading as 'good'. Therefore, the overall assessment has to be based not on the final grading given in the format but on the basis of the total reading of the various columns of the report. We find that, for example, in the ACR of the applicant for the period 1.4.92 to 14.12.1992, he has been graded 'good' in respect of honesty, moral character, devotion to duty, personality and initiative, efficiency on parade, working experience of criminal law and procedure. She has also been graded as impartial and objective in her work, sympathetic towards weaker section of the society, reliable and satisfactory in respect of prevention and detective party. However, for this period she has been given overall grading as 'average'. This is despite the fact that the reporting officer has graded her as 'good' in various columns. It is possible that the applicant has not been given overall grading as 'good' only because no separate

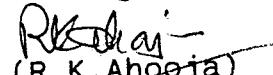
Qw

:: 3 ::

column was provided for this grading. This aspect was overlooked by the DPC. In view of the above position, we consider appropriate that the case of the applicant should be reviewed by the respondents.

5. Accordingly, we allow the OA and direct the respondents to hold a review DPC for consideration of the applicant for admission to List-F from the date her immediate junior was included, within a period of three months from the date of receipt of a copy of this order. In case the applicant is found fit for admission to List-F, she shall be also entitled to all consequential benefits. No order as to costs.


(Ashok Agarwal)
Chairman


(R.K. Ahuja)
Member (Admnv)

rkv