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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.1968/1996

New Delhi this the 20th day of September, 1996.

HON'BLE SHRI JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Baljit Singh S/O Hoshiar Singh,
R/O H. No.37, Vill. Asalatpur,
Janakpuri, New Delhi.

... Applicant

(By Dr. S. P. Sharma, Advocate)

-Versus-

1. Union of India through
Secretary, Ministry of
Home Affairs, South Block,
New Delhi.

2. Commissioner of Police,
Police Headquarters,
New Delhi.

3. The Deputy Commissioner of Police,
Recruitment Cell,
Delhi.

... Respondents

(Respondent No.1 by Shri Vijay Mehta, Advocate)

The application having been heard on 20.9.1996
the Tribunal on the same day delivered the
following:

O R D E R

CHETTUR SANKARAN NAIR, J./CHAIRMAN —


Applicant who has been selected for appointment
as an Assistant Sub Inspector seeks a direction to
respondents to depute him for training. He has not
been deputed for training because a charge of theft
is pending investigation against him. According to
learned counsel for applicant, that is not a good
reason for denying his 'right to be sent for training.'
He relies on the decision in Common Cause vs. Union


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of India & Ors. JT 1996 (4) SC 701 to draw sustenance for his contention. Counsel for respondent submits that a person charged with an offence involving moral turpitude cannot be allowed to join the service, that there are no rights in this behalf and that in the event of applicant being cleared of the charge, he could be compensated for what he has lost.

2. As we see, the decision in Common Cause (supra) does not advance the case of applicant. We read it to understand that conviction on a trivial charge not involving moral turpitude should not stand in the way of an official. In the case on hand, the charge levelled against applicant (whether that will be established or not) involves moral turpitude. Like it is said that Ceaser's wife should be above board, members of a uniformed Force who are expected to maintain law and order must bear an image consistent with the image the Force is expected to keep. We find no justification in issuing a direction as prayed for. We are also supported in our view by the decision of the Supreme Court in State of Punjab vs. Ajaib Singh AIR 1995 SC 975. We decline jurisdiction, at once making it clear that if applicant is cleared of the charge such benefits as should be admissible to him in terms of Jankiraman's case (AIR 1991 SC 2010) can be granted to him.

Dated, the 20th September, 1996.


(R. K. Ahuja)
Member (A)


(Chettur Sankaran Nair, J.)
Chairman