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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.166/1990

New Delhi, this 3rd day of February, 1995

Mr. Justice S.K. Dhaon, Hon'ble Vice-Chairman(J)
Mr. P.T.Thiruvenkadam, Hon'ble Member(A)

Ram Bali Ram
s/o Bhabhuti Ram
D-2/135, Nand Nagari, Delhi-93 .. Applicant

(By Advocate Shri A.S.Grewal, but none present)

versus

1. Chief Secretary
Govt. of NCT of Delhi
Delhi
2. The Commissioner of Police, Delhi
Delhi Police Hqrs., IP Estate, New Delhi
3. Addl. Commissioner of Police
Delhi Police Hqrs., IP Estate, New Delhi .. Respondents

(By Advocate Shri O.N.Trishal)

ORDER(oral)

(By Mr. Justice S.K. Dhaon)

The grievance of the applicant is that he was not appointed/promoted as Head Constable (Ministerial)/Hindi Typist from the date he was working with Respondent No.2. Counter has been filed on behalf of the respondents.

2. Annexure A to the OA is a copy of the letter dated 15.12.73. Contents of this letter say that the applicant has been approved for appointment as temporary constable in Delhi Police/Delhi Armed Police. he was accorded relaxation in height and chest, he is a trained Hindi typist and could be utilised as a constable typist.

3. In the counter filed on behalf of the respondents, it is averred that since the applicant was having the knowledge of Hindi typist, he was offered the post of temporary Constable with effect from 14.3.74. It is further averred that the post of Head Constable (Ministerial/ASI(Shorthand Reporter)) is filled by direct recruitment by holding a competitive

examination in which the applicant appeared but failed to prove his proficiency/calibre and as a result of which he was not found suitable for appointment by the Selection Board.

4. It appears to us that the case of the applicant is governed by Delhi Police (Appointment & Recruitment) Rules, 1980. Rule 10 says that recruitment to Ministerial cadre shall be made only in the rank of Head Constable and of Stenographers in the rank of Assistant Sub-Inspector and according to the Recruitment Rules, it is 100% by direct recruitment. Therefore, there can be no interference **with the** stand taken by the respondents as the same is in consonance with the aforesaid Rules. Also no allegation of malafide or illegality or irrationality either against any member of the Committee or against the Committee as a whole has been made in this OA.

5. This application does not succeed and, therefore, the OA is dismissed. There shall be no order as to costs.

P. J. D.

(P.T.Thiruvenkadam)
Member(A)
3.2.1995

By
(S.K.Dhaon)
Vice-Chairman(J)
3.2.1995

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