

Central Administrative Tribunal Jammu Bench, Jammu



T.A. No.6053/2020
(SWP No.1142/2004)

Monday, this the 8th of February, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Satish Singh, age 25 years
s/o Sh. Bal Krishan
r/o Vill. Chagnoo Tehsil Thathri District Doda
Working as SPO in District Police Ramban
Under No.90/SPO presently posted at Police
Check Post Batote

2. Suresh Kumar, age 26 years
s/o Shri Bhagirath
r/o Village Chinote (Bhallara) tehsil Thathri
District Doda working as SPO in District Police
Ramban under No.78/SPO

..Applicants

(By Advocate: Mr. K J Singh)

VERSUS

1. State of Jammu & Kashmir through
Home Department, Civil Secretariat
Srinagar/Jammu

2. Director General of Police
Central Police Office
(CPO), Jammu

3. Superintendent of Police
Ramban, Distt. Doda, J & K

..Respondents

(Mr. Sudesh Magotra, Deputy Advocate General)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:



The applicants were appointed as Special Police Officers (SPOs) in the District Police, Ramban, in the year 2000. They filed SWP No. 1142/2004 before the Hon'ble High Court of Jammu & Kashmir with a prayer to direct the respondents to regularize their services as Constable in Jammu & Kashmir Police. They state that ever since their appointment, they are discharging the duties without any complaint and the functions assigned to them are similar to those of Constables.

2. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu and Kashmir and renumbered as TA No. 6053/2020.
3. Today, we heard Mr. K. J. Singh, learned counsel for applicants and Mr. Sudesh Magotra, Deputy Advocate General.
4. It may be true that the applicants were appointed as SPOs. The fact remains that there is no rule, which provides for conversion of SPO to Constable, much less regularization in that post. The method of appointment to the post of Constable is provided for under the relevant service rules. A detailed selection process including one of verification of educational qualifications, physical fitness, interview etc., is involved. As long as the rules do not provide or the Government did not frame any scheme for this purpose, the Tribunal cannot direct the

respondents to convert the SPO to Constable. We, however, make it clear that if there exist any scheme for induction of SPOs into the regular police service, the benefit thereof shall be extended to the applicants, in case they come within the parameters stipulated therein.

5. The T.A. is accordingly disposed of. There shall be no order as to costs.



(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 8, 2021

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