

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

ORDER DATED: 06-07-2004.

Heard Mr. Ashok Mohanty, Learned Counsel appearing for the Applicants Mr. T. Dash, learned Government Advocate, appearing for the State of Orissa and Mr. Anup Kumar Bose, Learned Senior Standing Counsel, appearing for the Union of India.

From the facts of the case it both revealed that the Applicants were promoted to the post of Asst. Commandant of Orissa Armed Police Service vide Govt. of Orissa notification dated 30.6.1966. By filing the present original Application, they have prayed for a direction for inclusion of their names in the IPS cadre. The Full Bench of this Tribunal, after going into various facts of the cases and the law governing the recruitment to the Indian Police Service, have already answered the issues raised by the Division of this Tribunal vide its order dated 16th April, 2002 rendered in OA Nos. 276/93, 277/93, 278/93 and 331/93 holding that the Asst. Commandants of Orissa Military Police and Deputy Super. of Police did not form one cadre prior to 05.11.1980 and also that the State of Orissa having not issued with any specific declaration with regard to equivalence of Asst. Commandants of Armed Police with Deputy Super. of State Police for promotion to IPS till 4.11.1980, the members of this service i.e. the Applicants were not eligible for promotion to Indian

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Police Service under regulation 2(j)(ii)
of IPS (Appointment by Promotion) Regulation,
1955.

In view of the findings of the
Full Bench of this Tribunal, we see no
merit in this Original Application; which
is dismissed for being devoid of any merit.
No costs.

John
Vice-Chairman

John
Member (Judicial)