

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.458/2001

Wednesday this the 30th day of May, 2001

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

1. K.O.Mathew
Superintendent of Police, SBCID (INT)
Thiruvananthapuram.
2. M.Ramakrishna Pillai,
Superintendent of Police,
Kerala Lokayuktha,
Thiruvananthapuram.Applicants

(By Advocate Mr. Pirappancode V.Sreedharan Nair).

V.

1. Union of India, represented by
Secretary to Government of India,
Ministry of Personnel Public
Grievances and Pension,
Department of Personnel and Training,
New Delhi.
2. Government of Kerala, represented
by its Chief Secretary,
Government Secretariat,
Thiruvananthapuram.
3. Union Public Service Commission,
represented by its Secretary,
New Delhi.Respondents

(By Advocate Mr.C.A.Joy, Govt. of Pleader (R.2)

The application having been heard on 30.5.2001, the
Tribunal on the same day delivered the following:

O R D E R

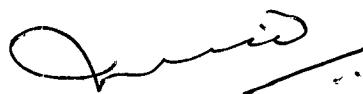
HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The challenge in this application filed by the
applicants who are officers of Kerala State Police
Service is against the amendment to the Indian Police
Service (Appointment by Promotion) Regulations, 1955
notified on 31.12.97 (Annexure.A2). It is alleged that
the amendment had the effect of diminishing the chances
of the applicants for being inducted into the Indian
Police Service as they ~~would~~ have crossed the age limit

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of 54 years as on 1.1.2001. It is also alleged that the switch over from preparing select list towards anticipated vacancies to that of select list for accrued vacancies also have caused prejudice to the members of the State Police Service like the applicants. In an earlier occasion the Tribunal had considered the challenge against the rule in OA 739/99. It was held that the applicants in that case who were members of the State Police Service had no vested right for induction into the Indian Police Service but had only a right to be considered for the vacancy and there was nothing wrong in the competent authority in making rules to suite the requirement of service. We do not find any reason to take a different view and therefore find nothing in this application which calls for further deliberation. Following the decision in OA 739/99 we reject the application under Section 19(3) of the Administrative Tribunals Act. No order as to costs.

Dated the 30th day of May, 2001



T.N.T. NAYAR
ADMINISTRATIVE MEMBER

(s)

List of annexures referred to:



A.V. HARIDASAN
VICE CHAIRMAN

Annexure A2:True copy of the notification
No.11033/15/95-AID(II)-B dated 31.12.97
amending Indian Police Service (Appointment
by Promotion) Regulations 1955 as Indian
Police Service (Appointment by Promotion)
Amendment Regulations, 1997.

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