

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.477 of 1996

Friday this the 31st day of May, 1996.

CORAM

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

G. Janardhanan Nair,
Deputy Superintendent of Police,
Karunagappally,
Kollam District. Applicant

(By Advocate Mr. M. Ramesh Chander)

Vs.

1. State of Kerala represented by the
Chief Secretary, Thiruvananthapuram.
2. Director General of Police,
Thiruvananthapuram.
3. Union of India represented by the
Secretary, Ministry of Home Affairs,
New Delhi.
4. Union Public Service Commission represented
by its Secretary,
Shahjan Road, New Delhi.
5. Union of India represented by its
Secretary, Ministry of Personnel,
Public Grievances and Pensions, New Delhi. ... Respondents

(By Advocate Mr. T.P.M.Ibrahim Khan, SCGSC (R.3to5))

The application having been heard on 31st day of May, 1996
the Tribunal on the same day delivered the following:

ORDER

Applicant, a Deputy Superintendent of Police
in the Principal Police Service of the State holding charge
of a Sub Division, challenges induction of members of the
Armed Police units to the Indian Police Service. According

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to him this practice has an adverse impact on the morale of the police force, and on the efficiency of the force. It is submitted that a Sub Inspector takes about 20 years to become a Sub Divisional Officer, and another eight years for consideration for appointment to the I.P.S, whereas an officer appointed in the Armed Reserve takes much less time to reach this position. This creates a lot of heartburning in the service, submits applicant. He would further submit that the experience and expertise required to manage matters relating to investigation, law and order, public relations, intelligence and so on can be gathered only by practical experience which only members of the Principal Police Service have. According to him a member of the Armed Reserve is largely concerned with "bandhobust" duties and has no experience of crime investigation, intelligence work, law and order, in conducting prosecutions and so on. According to him encadering Armed Reserve personnel without the necessary expertise into the I.P.S., bypassing experienced officers in the Principal Police Service will defeat public interest and affect the efficiency of police administration. He would add that such a practice is not followed by many of the State Governments. Even if Armed Police personnel are encadered, that must be confined to a small quota, in the posts available to State service officers, submits applicant.

2. These aspects require serious consideration, more in the interests of public administration, than in the

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interests of the officials. These involve matters of policy and it may not be appropriate for courts to go into these, except in cases where violation of Articles 14 or 16 of the Constitution of India is made out.

3. Applicant had made a representation raising these contentions earlier, but that was rejected by A7 order. Applicant would submit that relevant considerations have not been adverted to or considered while passing A7. Applicant will be free to make a detailed representation before the Government and I am confident that a matter of such importance will receive the attention of the Council of Ministers, who will be in a position to take a well considered decision.

4. Permitting the applicant to make a detailed representation before the Government, this application is disposed of. No costs.

Dated the 31st May, 1996.


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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List of Annexure

Annexure A7: True copy of the Government Order
G.O. (Ms) 390/PD dated 3.12.1970
issued by the Deputy Secretary (Home),
Govt. of Kerala.