

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.233/99

Monday, this the 25th day of October, 1999.

CORAM:

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

HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

K.J.Mathew,
Superintendent of Police,
Analysis Wing, Crime Branch CID,
Headquarters, Enchakkal,
Vallakadavu.P.O., Trivandrum. - Applicant

By Advocate Mr M Balagovindan

Vs

1. State of Kerala represented by
Chief Secretary to Government of Kerala,
Secretariat,
Trivandrum.
2. Union of India represented by
Secretary to Government of India,
Ministry of Home Affairs,
New Delhi-3.
3. Union Public Service Commission
represented by Chairman,
Dolhpur House,
New Delhi.
4. Director General of Police,
Kerala,
Thiruvananthapuram. - Respondents

By Advocate Mr C.A.Joy, G.P. for R.1 & 4

The application having been heard on 25.10.99, the
Tribunal on the same day delivered the following:

O R D E R

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

The applicant, a Superintendent of Police, has filed this
application for the following reliefs:

"(a) To declare that the applicant is entitled to
be appointed to the IPS cadre by promotion for
the year 1996-97 in the vacancies of 2 officers

viz. Shri K.C.Jacob and Shri C.V.Abdul Rahmankutty retired from service before promoting to IPS cadre.

(b) Issue directions to the respondents 1 to 4 to include the name of the applicant in the select list for 1996-97 prepared by the IPS Screening Committee which met on 26.11.97 at Trivandrum or in the select list for the year 1997-98 prepared by the IPS Screening Committee which met on 31.8.98 or in the alternative any other date, this Hon'ble Tribunal deems fit to include the name of the applicant.

(c) This Hon'ble Tribunal be pleased to call for the service records, Confidential Reports for the period from 1992 to 1996 of the 9 officers included in the select list and reserve list prepared by the IPS Screening Committee for the year 1996-97 which met on 26.11.97 at Trivandrum and that of the applicant and subject for an impartial comparison and rating.

(d) This Hon'ble Tribunal be pleased to issue appropriate order or direction to respondents 1 to 4 to convene a meeting of the IPS Screening Committee any month of 1999 itself and to consider the case of the applicant to give promotion to IPS."


2. Respondent-1 the State of Kerala has filed a reply statement in which it has been contended that reliefs (a) to (c) claimed in para 8 of the O.A. has become infructuous and barred by limitation as the meeting of the Committee for the relevant year tookplace on 26.11.97, the U.P.S.C. approved the select list on 22.12.97, the Ministry of Home Affairs has notified the select list on 6.10.98 and the application is filed only on 3.2.99. Regarding the relief at sub para(d) of para 8 of the O.A. nothing has been stated in the reply statement. However, when the application came up for hearing today, learned counsel for respondents 1 and 4

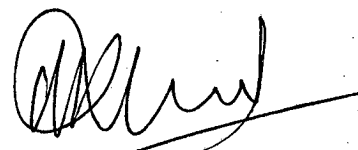
states that he has been informed by the respondents that a meeting for drawing up a select list for the year 1999 would be held before the end of this year and the applicant who is in the zone of consideration would also be considered.

3. Taking note of the above statement of the learned counsel for respondents 1 and 4, learned counsel for the applicant states that the application may be disposed directing the 1st respondent to have the meeting convened before the end of this year considering the case of the applicant also for inclusion in the select list.

4. In the light of the above submission the application is disposed of declining to grant the reliefs prayed for at sub para (a) to (c) of the O.A. but directing the 1st respondent to have the meeting of the committee convened to draw up the select list for IPS for the year 1999 before the end of the year 1999 and to consider the applicant also if he is also in the zone of consideration. No costs.

Dated, the 25th of October, 1999.


(G. RAMAKRISHNAN)
ADMINISTRATIVE MEMBER


(A.V. HARIDASAN)
VICE CHAIRMAN

trs/251099