

POLICE HEADQUARTERS J&K JAMMU / SRINAGAR

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ORDER NO. 888 OF 2019

DATED 06 -03- 2019

Whereas, L/HC(M) Guzala Tabassum, PID No. MEC-886005 (herein after called as petitioner) was appointed as Junior Assistant in the year 1988 vide RPHQ Rajouri order No. 573 of 1988 dated 01-09-1988 and later in the year 1990 was converted among others into Ministerial Executive Cadre vide Govt. order No. Home-GR-317 of 1990 dated 22-11-1990;and.

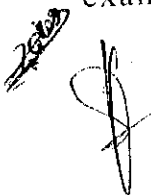
Whereas, the said lady official among others was selected to undergo three months condensed BRTC held in PTC Udhampur in year 1992, but was declared failed in all the indoor/outdoor subjects in the final examination declared by PTC Udhampur vide order No. 1418 of 1992 dated 09-12-1992;and.

Whereas, in the year-2010, deputation sanction was accorded in favour of the said lady official to appear in the final examination, but she failed to report in the training centre in time and was reverted back vide SKPA communication Trg-47/2010/7461-67 dated 19-04-2010;and.

Whereas, in year-2018, the subject through the medium of representation supported by Medical Certificate issued by CMO Poonch vide No. 2149 dated 27/01/2016 pleaded for exemption from basic training on medical grounds;and.

Whereas, the representation of the petitioner was examined and it was decided to get her medically examined through a Standing Medical Board of GMC Jammu to ascertain her actual health condition with percentage of disability if any so that a decision is taken in the matter;and.

Whereas, vide PHQ letter No. Trg/66/2018/50821-22 dated 21/07/2018, SSP Poonch was directed to get the subject medically examined through Standing Medical Board of GMC Jammu to



ascertain her actual medical conditions with percentage of her disability;and,

Whereas, the Standing Medical Board GMC Jammu after examining the subject opined that she is suffering from *"PIVD at C6-C7, L4-L5 with degenerated changes in the spine and is not having any permanent disability"*and

Whereas, exemption of BRTC is considered in exceptional cases where an enrolled police officer/official is rendered 100% disable in the line of duty;and.


Whereas, it is mandatory for the said lady incumbent like her other fellow colleagues of MEC to undergo Basic Recruit Training for having been pre-requisite to earn pensionary and other service benefits;and.

Whereas, vide PHQ circular issued under endostt. No. Trgs/Cir-2004/25973-26040, orders were passed to all subordinate units that no increment/insitu promotion shall be released in favour of any officer/official till he/she completes the Basic Training Course/requisite pre-promotion course successfully;and.

Whereas, the representation of the subject was accordingly disposed of and it was decided to depute the subject for re-appear/failure course with light outdoor activities on medical grounds vide PHQ letter No. Trg/66/2018/76414-15 dated 27/11/2018 providing her a chance to pass the basic training with the current ladies batch of BRTC at SKPA Udhampur and a formal deputation order was issued in her favour vide PHQ order No. 250 of 2019 dated 18-01-2019 w.e.f. 06-02-2019;and.

Whereas, the petitioner feeling aggrieved approached Hon'ble High Court through the medium of SWP No. 2628/2018 and Hon'ble High Court vide interim order dated 26-12-2018 issued the following directions: -

"Learned counsel for the petitioner states that the petitioner is suffering from acute cervical spondylosis with Radiculo Pathie(L) side and low back strain and for that, a medical certificate has been issued in her favour. Issue notice to the respondents in the main petition as well as IA, returnable within four weeks. Requisite for service within one week.

20/12/18


In the meanwhile, respondent No. 2 is directed to consider the claim of petitioner and decide the same on the recommendation of the SSP Poonch keeping in view the medical service of the petitioner and other orders within a period of three weeks from the date copy of the order alongwith petition and other annexures is made available to the respondent.

Whereas, the claim of the petitioner was examined and it was found that since successful completion of BRTC is essential and mandatory for every Police personnel to entitle him/her for all the benefits attached to a particular service as per the J&K Police Manual and the petitioner cannot be exempted from successfully completing the basic training, as there are no compelling grounds to warrant such exemption.

Now therefore, the claim of the petitioner for exemption from basic training after having been examined in light of the orders of Hon'ble Court has been found devoid of any genuine grounds and as such, is hereby rejected on merits.

Let the petitioner be informed accordingly.

sd/2
(Dilbag Singh) IPS
Director General of Police,
J&K-Jammu

No.Trg/66/2019/ 14962-65

Dated: - 06 /03/2019

Copy to the:-

- 01- IGP Jammu-Zone Jammu
- 02- Director Prosecution, PHQ J&K, Jammu
- 03- SSP Poonch
.....for information and n/action.
- 04- ~~SO IT PHQ/Order Book/File.~~

[Signature]
AIG of Police (Trgs/Policy),
For Director General of Police,
J&K-Jammu