

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BECH

Original Application No. 787 of 2001

New Delhi, this the 22nd day of May, 2002

HON'BLE MR. KULDIP SINGH, MEMBER (JUDL)
HON'BLE MR. S.A.T. RIZVI, MEMBER (A)

1. Mr. A.A. Farooquee
Deputy Commissioner of Police,
6th Bn. DAP,
Delhi.
2. Mr. R.K. Sharma
Additional Deputy Commissioner of Police,
East District,
Delhi.
3. Mr. Naresh Kumar
Deputy Commissioner of Police,
3rd Bn. DAP,
Delhi.
4. Mr. V. Renganathan
Addl. Deputy Commissioner of Police,
North District,
Delhi.
5. Mr. K.C. Dwivedi,
Deputy Commissioner of Police,
Licencing Unit,
Delhi.
6. Mr. D.L. Kashyap
Deputy Commissioner of Police,
Narcotics and Crime Prevention,
New Delhi.
7. Mr. D.P. Verma
Deputy Commissioner of Police,
7th Bn. DAP,
Delhi.
8. Mr. H.P.S. Virk
Additional Deputy Commissioner of Police,
New Delhi District,
Delhi. ...Applicants

By Advocate: Shri Sudhanshu Tripathi.

Versus

1. Union of India
Through the Secretary,
Ministry of Home Affairs,
Government of India,
New Delhi.
 2. The Director,
Central Police Services,
Ministry of Home Affairs,
North Block,
New Delhi.
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3. Ministry of Personnel, Public Grievances and Pension,
Through the Secretary,
Government of India,
North Block,
New Delhi.
4. Commissioner of Police,
Police Headquarters,
ITO, New Delhi. .. Respondents

By Advocate Shri S.M. Arif.

ORDER (ORAL)


By Hon'ble Mr. Kuldip Singh, Member (Judl)

The applicants in this OA are the officers of the Delhi, Andaman and Nicobar Islands Police Service (DANIPS). By way of the present OA, they want the following reliefs:-

(a) To direct the respondents to stop discrimination in the matters pertaining to service conditions of DANIPS vis-a-vis IPS Offices of Delhi Cadre who are in the same rank and are performing similar duties.

(b) To direct the respondents to abstain from practising discrimination in granting Uniform Allowance, Renewal Allowance and Kit Maintenance Allowance to the DANIPS Officers vis-a-vis IPS Officers.

(c) To direct the respondents to pay the applicants the differential amount of Uniform Allowance, Renewal Allowance and Kit Maintenance Allowance as envisaged from time to time for IPS Officers while discriminating the applicants by not paying the same amount and consequently causing loss to the applicants.



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2. On perusal of the OA we find that the applicants had made a representation to the department which is still pending and no final decision has been taken on the representations of the applicants.

3. Though the counsel for the applicants argued at length drawing parity of wearing of uniforms by the DANIPS and the IPS Officers of Indian Police Service and has also shown us the date from which Uniform Allowance is admissible to the members of the Indian Police Service and DANIPS, so they have asked for grant of uniform allowance at par with IPS officers.

4. The OA also shows that the matter of Uniform Allowance with respect to the applicants had been taken up by 4th Pay Commission and during the course of arguments it was pointed out that the 5th Pay Commission has also considered this aspect but the recommendations have not been accepted properly.

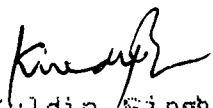
5. Shri Arif appearing for respondent No.1 submitted that the OA is premature since their representations are still pending so the petition should not be entertained being premature.

6. Considering these arguments of the respective parties we are of the considered view that it would be appropriate if the respondents are directed to dispose of the representations of the applicants within a stipulated period.

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7. Accordingly, we allow the OA and dispose of the representations of the applicants within a period of 3 months from the date of receipt of a copy of this order by passing a reasoned and speaking order and in case any grievance survives, the applicants will be at liberty to agitate the matter again by filing a fresh OA if so advised, in accordance with law. No costs.


(S.A.T. Rizvi)
Member (A)


(Kuldip Singh)
Member (J)

Rakesh