

GAHC010269192019



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C) 8281/2019

1:FORCE NO. 993610389 CONSTABLE/GENERAL DUTY SWAPAN KUNDU
S/O. GOPAL CH. KUNDU, PRESENTLY POSTED AT CISF UNIT, SSBS,
SALAKATI, KOKRAJHAR, ASSAM, PIN-783369.

VERSUS

1:THE UNION OF INDIA AND 3 ORS.

REP. BY THE SECRETARY, MINISTRY OF HOME AFFAIRS, NEW DELHI-
110001.

2:THE DIRECTOR GENERAL

CENTRAL INDUSTRIAL SECURITY FORCE
CENTRAL GOVT. OFFICE COMPLEX
LODHI ROAD
NEW DELHI-110003.

3:THE INSPECTOR OF GENERAL OF POLICE

CENTRAL INDUSTRIAL SECURITY FORCE HEAD QUARTERS GUWAHATI
PIN-781020.

4:THE GROUP COMMANDANT

CENTRAL INDUSTRIAL SECURITY FORCE
HEAD QUARTER GUWAHATI PIN-781020

Advocate for the Petitioner : MR. R MAZUMDAR

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

11-11-2019

Heard Mr. H. Bezbarua, learned counsel for the petitioner and Mr. H. Gupta, learned Central Government Advocate appearing for all the respondent Nos. 1 to 4.

By an order dated 24.09.2018, the Group Commandant, CISF, Head Quarter, Guwahati in a departmental proceeding, exercising the power under Rule 32 (1) read with Schedule-1 Rule 34 (v) of CISF, Rules 2001, reduced the pay of the petitioner by one stage from Rs. 35,300 to Rs. 34,300/- in the time Scale of Pay Rs. 25,500 to Rs. 81,100/- in the pay matrix level 4 for a period of one year with immediate effect, holding that the petitioner shall not earn any increment of pay during the period of reduction and that on expiry of such period, the reduction will have the effect of postponing the future increments of pay and holding the period of his suspension from 03.05.2018 to 23.06.2019, shall be treated as suspension period for all purpose. Against the same, the petitioner preferred an appeal on 05.11.2018, which was dismissed on 01.12.2018 by Deputy Inspector General, CISF, N.E. Zone, Guwahati.

Thereafter, the petitioner on 22.02.2019 preferred a revision petition before the Inspector General, CISF, N.E. Head Quarter, Guwahati, which too was dismissed by said authority by order dated 26.03.2019 .

Being aggrieved with the same, the petitioner has preferred this writ petition.

Issue notice, returnable by **6 (six) weeks**.

As Mr. H. Gupta, learned CGC, has accepted notice on behalf of all the respondents, no formal notice need to be issued to those respondents.

Petitioner shall serve requisite extra copies of this writ petition along with Annexures appended thereto to Mr. H. Gupta, learned CGC on or before 15.11.2019 by obtaining necessary acknowledgment.

List accordingly.

JUDGE

Comparing Assistant