
(2009) 04 AHC CK 0237

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 19052 of 2009

Ram Das

APPELLANT

Vs

State of U.P. and others

RESPONDENT

Date of Decision : 08-04-2009

Acts Referred:

Uttar Pradesh Subordinate Police Officers (Punishment and Appeal) Rules, 1991 —
Rule 23

Citation : (2009) 04 AHC CK 0237

Hon'ble Judges : Sunil Ambwani, J

Final Decision : Disposed Of

Judgement

Sunil Ambwani, J.—Heard learned counsel for the petitioner and learned Standing Counsel.

2. The petitioner serving as constable was punished after he was found guilty in the departmental enquiry, reverting him on minimum pay for a period of three years. The petitioner filed an appeal against the punishment order dated 17.6.2008 passed by the Senior Superintendent of Police, Buland Shahar, to the Deputy Inspector General of Police, Meerut Zone, Meerut. The appeal was dismissed on 3.2.2009. The orders are revisable under Rule 23 of the U.P. Police Officers of Subordinate Ranks (Punishments Appeal) Rules, 1991.

3. It is contended that the petitioner wanted to file revision but that the office of the Inspector General of Police, Meerut Zone, Meerut has returned the records on the ground that 8 I.G zones have been abolished in the State and that the Inspector General of Police has been posted for Meerut Range, Meerut.

4. The distribution of work amongst the police officers with reference to the zone or range are not relevant to their powers to entertain and decide the statutory appeals and revisions filed under the Discipline and Appeal Rules. Rule 23 of the Rules of 1991 provides for filing of a revision before the Inspector General of Police and not before the Inspector General of Police of a zone or range. Rule 23 also provides that an officer, whose appeal has been rejected by any authority

subordinate to the Government is entitled to submit the revision to the authority next in rank above by which his appeal has been rejected. The authority in rank above the Deputy Inspector General of Police, is the Inspector General of Police.

5. Having regard to the provisions of statutory rules, the writ petition is disposed of with direction that in case the petitioner prefers a revision before the Inspector General of Police, Meerut Range, Meerut, the same may be considered and decided by him on merits very expeditiously.