

**BEFORE THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL  
AT DEHRADUN**

Present: Hon'ble Mr. Justice U.C.Dhyani

----- Chairman

Hon'ble Mr. D.K.Kotia

-----Vice Chairman (A)

**CLAIM PETITION NO. 39/DB/2018**

Govind Ram Bhat S/o Late B.R.Bhatt aged about 66 years, retired Police Sub-Inspector, Civil Police, R/o Lane No. 4A, Ekta Vihar, Sahastradhara Road, Dehradun.

.....Petitioner

**VS.**

1. State of Uttarakhand through Secretary (Home), Government of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Director General of Police, Uttarakhand, Dehradun.
3. Inspector General of Police, Garhwal Region, Uttarakhand, Dehradun.
4. Senior Superintendent of Police, Haridwar, Uttarakhand.

.....Respondents.

**Present:** Sri L.K.Maithani, Counsel for the petitioner.

Sarvsri U.C.Dhaundiyal & V.P.Devrani, A.P.Os., for the Respondents

**JUDGMENT**

**DATED: NOVEMBER 01, 2018**

**Justice U.C.Dhyani (Oral)**

By means of present claim petition, the petitioner seeks following reliefs:

- “ (i) To issue an order or direction to the concerned respondents to grant all the benefits of time scale-pay scale and ACP as

- occurred to the petitioner during his service under G.Os. of time scale-pay scale & ACP issued by the State from time to time
- (ii) To grant the interest on the amount of above benefit from the date of eligibility of the petitioner up to the date of actual payment of the above amount..
  - (iii) Any other relief which the Court may deem fit and proper in the circumstances of the case.
  - (iv) Cost of the petition be awarded to the petitioner.”

2. Brief facts, giving rise to present claim petition, are as follows:

The petitioner was appointed on the post of Sub Inspector in Civil Police. It is the submission of petitioner that he was entitled for the benefit of timescale-pay scale in 1986, on 26.02.1994, 26.02.1997 and 26.02.2002 on completion of 8,16, 19 and 24 years of regular service. Erstwhile State of U.P. issued a G.O. on 02.12.2000, by which, benefit of timescale- pay scale was given to the employees/officers of the State of U.P. of maximum pay scale of Rs.10,500/- from, since 01.01.1996. This G.O. of State of U.P. was adopted by State of Uttarakhand vide G.O. No. 1014, dated 12.03.2001 with certain amendments. Petitioner was eligible and entitled for the benefit of selection grade, first promotional pay scale and one additional increment since 01.01.1996 on completion of 8, 16 and 19 years of service. But till date the petitioner has been deprived of such benefits, without any reason.

The State Government, *vide* G.O. dated 08.03.2011, implemented the policy of Assured Career Progression in place of old timescale-pay scale scheme, *w.e.f.* 01.09.2008, by which three benefits of financial upgradation have been provided to the officers/employees of the State, on completion of 10,16, and 18 years of continuous satisfactory service. It is asserted by Ld. Counsel for the petitioner that petitioner has completed 30 years of satisfactory service up to 01.09.2008. Petitioner has retired from service. It is the submission of petitioner that due to non-grant of the benefit of timescale and ACP, under the aforementioned G.Os, during entire service, the petitioner has been getting less pay than other similarly

posted and junior persons to the petitioner and after retirement, is getting lesser pension.

3. After arguing the claim petition at some length, Ld. Counsel for the petitioner has confined his prayer only to the extent that petitioner's representation dated 12.10.2017 (Annexure: A 6), may kindly be directed to be decided by Respondent No. 4.
4. Ld. A.P.Os. have no objection to such innocuous prayer. Considering the facts of the case, we think that the innocuous prayer made by the petitioner is worth accepting.
5. Claim petition is, accordingly, disposed of by directing Respondent No.4 to decide the representation dated 12.10.2017 (Annexure: A 6) of the petitioner, by a reasoned and speaking order, in accordance with law, at an earliest possible but not later than eight weeks of presentation of certified copy of this order along with a copy of such representation.
6. Needless to say that the decision so taken, shall be communicated to the petitioner soon thereafter.
7. It is made clear that we have not expressed any opinion on the merits of the claim petition.
8. The petition is, accordingly, disposed of.

**(D.K.KOTIA)**  
VICE CHAIRMAN (A)

**(JUSTICE U.C.DHYANI)**  
CHAIRMAN

*DATE: NOVEMBER 01, 2018*  
*DEHRADUN*

VM