



* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Judgment reserved on: 20.04.2026
Judgment delivered on: 03.07.2026
Judgment uploaded on: *As per Digital Signature~*

+ **W.P.(C) 16663/2023**

NAND KISHOR SINGH

.....Petitioner

versus

UNION OF INDIA AND ORS

.....Respondents

Advocates who appeared in this case

For the Petitioner : Petitioner in person.

For the Respondents : Ms. Archana Gaur CGSC, Ms. Ridhima Gaur, Mr. Deepu Kumar, Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

JUDGMENT

V. KAMESWAR RAO, J.

1. This petition has been filed with the following prayers:-

“A. Issue a writ of mandamus to the respondent No. 2 with a direction for quashing the impugned order dated 03.11.2021 passed by the respondent No.5, and reinstating the petitioner in services with all the consequential benefits.

B. Issue an appropriate writ directing the respondents No. 2 to 5 to pay the cost to the petitioner.

C. Any other relief, order or direction this court may deem fit and proper under the facts and circumstances



of this case also be issued in the favour of the petitioner, and against the respondents, in the interest of justice.

2. The facts which can be gathered from the petition are as follows; The petitioner had joined CISF on 09.11.2000 as a Constable/Cook at Chittodgarh, Rajasthan and in the year 2006, the petitioner was appointed as Constable/Driver through the open recruitment to the post of Constable/Driver at Bhilai, Madhya Pradesh. It is his case that he provided services at different places as a Constable/Driver without Modified Assured Career Progression (“MACP”) Scheme, which according to him, was due to him since 2006.

3. As per the petitioner, who appears in person, he had submitted representations to the respondents time to time for seeking promotion and increment, however, the respondent nos. 2 to 5 had rejected his application and had awarded different nature of penalties to him. According to him, he was entitled for promotion since 2012 as per the DoPT Promotion Rules.

4. He stated that the respondent no. 5 had issued a charge-sheet to the petitioner on 15.12.2020, leveling 5 allegations against him. In this regard, he has drawn our attention to Annexure-A of the paper-book, which is a copy of the said charge-sheet. The charges in the said charge-sheet are in the nature of misconduct to the effect of not vacating government family accommodation despite specific orders, retaining family accommodation beyond the stipulated period; using inappropriate language in various applications to the senior authorities and refusing to occupy the accommodation allotted him as per his choice and not vacating the occupied premises beyond the permissible period and even after being awarded nine



minor penalties refused to improve his conduct.

5. The petitioner stated that as far as charge no. I is concerned, the reason for him not to vacate the quarters by 30.07.2018 but on 12.10.2020, was due to the illness of his wife. Despite the appeals filed to the respondent no. 5 on two grounds primarily being the ill health of his wife and on the ground of education of his children, appeals were rejected. He stated that his wife suffers from Hepatitis-B, which is a chronic disease, which is why he could not vacate the premises.

6. The charge no. II against the petitioner was regarding the same government quarter wherein it was stated that significant time was spent by the higher authorities focusing on a single individual and thereby wasting the time and resources of the organisation amounting to a grave act of indiscipline, the same was answered by the petitioner stating that he was following the rules and procedures of his parent organisation and therefore, this charge was wrongly attributed to him.

7. As far as charge no. III is concerned regarding use of improper language, he has denied the same stating the he has not used any language which harms the honour and dignity of the higher authorities. Regarding the charge no. IV, which is of disobedience of a direction to occupy a subsequent government accommodation and vacating the accommodation allotted to him, he stated that the quarter, which was subsequently allotted him, was not in a position to be occupied as the same required repair and modification and he was not given any time to affect such repairs and that there was no disobedience of the said order.

8. Regarding charge no. V, he stated that over the course of his employment, he was awarded nine minor penalties which he had already



undergone. It is his case that he cannot be repeatedly punished for the same misdemeanours for which he had already undergone penalties.

9. He fairly stated that after receiving a copy of the said charge-sheet, he had approached this Court by way of a writ petition being W.P.(C) 776 of 2021 for quashing the same but it was withdrawn as being premature vide order dated 19.01.2021, which has been annexed as Annexure-B.

10. The proceedings against the petitioner were initiated wherein an officer at the level of Assistant Commandant was appointed as the Inquiring Authority and another officer was appointed as the Presenting Officer. His case is the demand of a defence representative was not allowed. After the completion of the proceedings, the enquiry report was submitted to respondent no. 5 and the respondent no. 5 on the basis of the said report, removed the petitioner from service vide order dated 03.11.2021. Against the said order, the petitioner preferred an appeal but the same was rejected by the respondent no. 4 vide order dated 05.01.2022. It was thereafter that the petitioner filed a revision petition before respondent no. 3 who also rejected the revision petition on 20.05.2022. Pursuant to the last rejection, the petitioner also filed a mercy petition before respondent no. 2, which was also rejected *vide* order dated 04.10.2022.

11. The petitioner has challenged the inquiry proceedings on the ground that the petitioner was never allowed to cross-examine the witnesses. The required documents / case materials were never provided to the petitioner despite asking for the same. The complainants were not called for cross-examination at any date of inquiry. The inquiry was conducted on 24.05.2021, 02.06.2021, 03.06.2021 and 16.07.2021 but the signatures of the petitioner were taken on 18.09.2021. He further stated that he was neither



granted legal assistance like a defence representative nor was his reply to the final report was considered before passing the order dated 03.11.2021.

12. Amongst other grounds, the petitioner has also stated that he was never promoted despite having a long service. Being a person from the Scheduled Caste community, he was also mistreated and was removed from service on this ground as well. He further argued that the respondent no. 5 illegally deducted Rs. 4,200/- per month between period from 14.03.2019 and 15.04.2021, which brings the total amount to Rs. 1,09,200/- from the salary on account of penal rent vide letter dated 23.04.2021 whereas the salary slip of the petitioner shows that the aforesaid amount has been deducted by the respondent no. 5 on account of water charges. He has annexed the copies of the said salary slips with this petition. He has also relied upon an order of the High Court of Kerala dated 05.02.2020 wherein the petitioner's request challenging his transfer on personal grounds was considered and the Court had passed the following order: -

“4. Though the transfer was stated to be on request, now it has been corrected. Just because there was a mistake occurred in the order of transfer, the petitioner is not entitled to continue at Kayamkulam itself. Even though the petitioner pointed out that there are sufficient number of posts to accommodate him and that a compassionate consideration is to be taken in his case taking note of the ailments of his wife, I am of the view that it is for the respondents to consider where the petitioner has to be posted. The petitioner has already worked at Kayamkulam from 2012 to 2018, till the date of Ext.PS order. Therefore, the respondents have justified the transfer stating that it is within the southern sector though it is in another unit and it is in tune with the transfer norms. The learned counsel for the petitioner submits that the petitioner has submitted



a representation before the 3rd respondent on 18.09.2019 requesting for a transfer to Kayamkulam. In case such a representation is received and is pending, the respondents shall pass orders thereon in accordance with law.”

13. He has also argued that the respondent nos. 2 to 5 have not released the provident fund and other benefits, which are due to the petitioner.

14. The petitioner has also placed reliance on the judgments of the Supreme Court in the cases of ***Jai Prakash Saini v. Managing Director, U.P. Cooperative Federation Ltd. & Ors., 2026 INSC 305, Union of India & Ors. v. Sukhwinder Singh, SLP (Civil) Diary No. 11301/2026*** dated 01.04.2026 and ***Dinesh Gupta v. The State of Uttar Pradesh & Anr., 2024 INSC 32*** in support of his submission.

15. Ms. Archana Gaur, learned CGSC on behalf of respondent no. 1 has entered appearance and at the outset, has stated that the present petition is not maintainable in this Court on the ground of lack of territorial jurisdiction. She stated that entire cause of action including disciplinary proceedings, the passing of the penalty order, appellate order and revisional order have been passed beyond the territorial jurisdiction of this Court. In this regard, she has relied upon a judgment of the Supreme Court in the case of ***Kusum Ingots & Alloys Ltd. v. Union of India, (2004) 6 SCC 254***.

16. She stated that the Union of India has no direct role in the conduct of disciplinary proceedings of Group B & C of the CISF personnel. The Disciplinary Authority, Appellate Authority and Revisional Authority are all statutory authorities under the CISF Act and Rules.

17. The disciplinary proceedings against the Petitioner were initiated and concluded strictly in accordance with Rule 36 CISF Rules, 2001 (CISF



Rules) which prescribes the procedure for imposing major penalties. All the requisite rules and procedures were followed during the departmental inquiry and the petitioner was accorded full opportunity to defend himself. The findings in the departmental inquiry are based on evidence on record which proves the misconduct. A mere dissatisfaction with the outcome of the inquiry does not constitute violation of natural justice. To buttress her submissions, she has relied upon the judgment in the case of ***Karnataka State Road Transport Corporation v. S.G. Kotturappa, (2005) 3 SCC 409.***

18. According to her, the petitioner has also failed to show any procedural irregularity or arbitrariness warranting exercise of jurisdiction under Article 226 of the Constitution of India. It is trite law that the Court ought not to act as a Court of appeal in matters of departmental proceedings. The judicial review is confined to the decision making process. Furthermore, a government employee does not have a fundamental right to continue in service as was held by the Supreme Court in ***Union of India v. Tulsi Ram Patel, (1985) 3 SCC 398.*** She stated that the petitioner has not approached this Court with clean hands and has suppressed material facts, which distorts the narrative, which is why the petitioner is not entitled to an equitable relief.

19. She has further stated insofar as the stand of respondent nos. 2 to 5 is concerned, that the petitioner was awarded penalty of “*removal from service*” by Senior Commandant, CISF Unit, NLC, Neyveli, Tamil Nadu vide final order no. 5754 dated 03.11.2021 on five counts of charges. The appeal and revision petitions preferred by the petitioner were also considered and rejected by the DIG, CISF Unit, NLC, Neyveli vide order no. 81 dated 05.01.2022 and IG/SS, HQRs, Chennai vide order no. 6715



dated 20.05.2022 and being aggrieved by the aforementioned, the petitioner chose to file the present petition.

20. Insofar as his plea of not being considered for promotion is concerned, the petitioner was declared “*Not Yet Fit*” for 1st FUG under MACP scheme since he had not secured three “*Very Good*” APAR grading in the last five years, which is an essential criterion and his APAR for the year 2015-16 was graded as “*Average*” vide GP HQRs, Cochin, USO Part-I No. 95/2017 dated 11.09.2017.

21. In the year 2018, he was considered for the second time but he was again declared “*Not Yet Fit*” for the 1st FUG under the MACP scheme for the same ground that he had secured three “*Very Good*” APAR grading in the last five years and his APAR grading for the year 2017 was graded as “*Good*” vide GP HQRs, Cochin, USO Part-I No. 26 of 2018 dated 22.03.2018 and again for the third time, the petitioner was declared “*Not Yet Fit*” for the 1st FUG under MACP scheme as a departmental enquiry under Rule 36 of the CISF Rules was pending. He was granted regular increment in the year 2017 for Rs. 31,100/- w.e.f. 01.07.2017 in level-III as per 7th CPC. He was awarded a punishment of reduction of pay by one stage from 31,100/- to 30,200/- for a period of two years without cumulative effect vide order dated 19.04.2018 and the said punishment was published on 21.09.2018. Ms. Gaur has drawn our attention in this regard to Annexure-IV of the counter-affidavit. Later after completion of his punishments, his increment was restored to Rs. 33,000/- in level-III as per the 7th CPC w.e.f. 19.04.2020. Due to the punishments and low APAR grading, he was not qualified during the DPC Board and after fulfilling the eligibility criteria for promotion, the personnel were promoted as per seniority. Hence, there is no



discrimination as alleged by the petitioner.

22. On the issue of discrepancies during the departmental inquiry, she stated that it is a matter of record that Assistant Commandant Suraj Rai was appointed as Enquiry Officer and Inspector K.V.A. Sridhar was appointed as Presiding Officer. It was during the preliminary hearing on 15.02.2021, the petitioner was specifically asked if he wanted to produce any serving member of the Force as a part of his defense and if so, he must give their names in writing with a consent letter from them, however, he declined to avail the said opportunity. The inquiry was conducted as per the Rules of the CISF and was given ample opportunity of being heard.

23. She stated that the respondent nos. 3, 4 and 5 have no role in the disciplinary proceedings and hence, their direct involvement in the present proceedings are unwarranted as they were the Revisional Authority, Appellate Authority and Senior Commandant respectively.

24. The petitioner was also provided opportunities to defend his case by taking defense assistant whereas he denied to avail the same. During the course of inquiry, the petitioner had cross-examined PW-1 on 24.02.2021, PW-2 on 26.02.2021, PW-3 on 26.02.2021 and PW-4 on 22.02.2021 and at his request, he was allowed again to cross-examine PW-1 to PW-4 on 11.05.2021 and 17.05.2021 and accordingly, signed in the statements by Inquiry Officer and the Presiding Officer. Further, during the course of the inquiry, on request of the petitioner, additional documents were also provided to him through the Inquiry Officer vide letter dated 16.02.2021, which was acknowledged by him on 18.02.2021, the same has been placed before us as Annexure-X.

25. The petitioner was also provided an opportunity to submit his



representation, if any, against the inquiry report before passing of the final order by the Disciplinary Authority, which he submitted through representation dated 12.10.2021, which was also discussed in the final order of the Disciplinary Authority, hence, the contention of the petitioner that the final order was issued by respondent no. 5 is not true.

26. The petitioner also made a representation through the e-grievance platform on 18.09.2018 that his representation on various issues were not being addressed, however, the same was disposed of by the Competent Authority on 16.10.2018.

27. Insofar as the issue of recovery of penal rents is concerned, the same was done against the unauthorised occupation of government accommodation at CISF Unit, KCCPP, Kayamkulam and the same was reflected in the pay slips. Hence, there were no wrong deductions from the pay of the petitioner and the plea that the same were deducted on the grounds of water charges by the respondent no. 5 is untenable.

28. Insofar as the argument taken by the petitioner on the ground of ill health of his wife is concerned, she argued that the same should have been agitated before the Competent Authority as the transfer policy in the CISF is clear and the transfers take place every 3 to 4 years. The argument that respondent no. 5 had ignored and rejected his application dated 29.06.2020 is concerned, the same is not tenable as they had replied to the said letter vide CISF Unit NLC Neyvali letter no. 1847 dated 20.07.2020 wherein it was recorded that the petitioner was not under the territorial jurisdiction of respondent no. 5. The said letter has also been placed before us as Annexure-XI. The petitioner after the award of penalty of removal from service was informed through several letters to vacate the government



quarters at NLC, Neyveli, Tamil Nadu, he chose not to comply with the orders of the Competent Authority and now has made a false claim that moveable property was seized by the respondents.

29. We must at this stage refer to the charges that were made against the petitioner, which reads as under: -

“ARTICLE OF CHARGE- I

CISF No. 001710016 Const/Dvr Nand Kishor Singh of 'HQrs' Coy., CISF Unit NLC Neyveli reported at CISF Unit NLC Neyveli on regular posting from CISF Unit NTPC Kayamkulam on 10.05.2018. While posted at CISF Unit NTPC Kayamkulam, he was allotted with Qtr. No.A-10, NTPC Kayamkulam. On transfer, he was permitted to retain his family accommodation Qtr No.A-10, NTPC Kayamkulam at his previous unit for a period of 03 months i.e. upto 30.07.2018. After completion of retention period, he did not vacate the said Govt. Family accommodation despite specific orders issued in this regard by the Competent Authority. Repeated directions were given to him to vacate the Quarters by the Competent Authority. He finally vacated the Quarters on 12.10.2020. Thus he disobeyed the lawful orders of the Superior Authority which amounts to grave act of indiscipline, gross misconduct and unbecoming act of an enrolled member of a Central Armed Police Force of the Union i.e. CISF. Hence the charge.

ARTICLE OF CHARGE –II

CISF No. 001710016 Const/Dvr Nand Kishor Singh of 'HQrs' Coy., CISF Unit. NLC Neyveli has requested for retention of Family Quarters No. A-10 which was occupied by him from the year 2012 at his previous unit i.e. CISF Unit NTPC Kayamkulam and on consideration of the case on merit, the competent authority has permitted to retain the family accommodation upto 30.07.2018. Instead of obeying the orders to vacate the Quarter No.A-10, retained by



him at CISF Unit NTPC Kayamkulam w.e.f. 31.07.2018, he engaged his seniors and Higher Formations in repeated and avoidable communication. Thus, he engaged the Higher Formation I Sr. Officers I Unit Administration focusing on a single individual, thereby wasting the valuable time and resources of the Organization. This act amounts to grave act of indiscipline and unbecoming act of an enrolled member of a Central Armed Police Force of the Union i.e. CISF. Hence the charge.

ARTICLE OF CHARGE-III

CISF No. 001710016 Const/Dvr Nand Kishor Singh of 'HQrs' Coy., CISF Unit NLC Neyveli was found to have used inappropriate and threatening words in his various applications addressed to the Seniors and Higher Formations exhibiting disregards and disrespect to his Superiors in the various applications addressed to the Seniors concerning extension of Quarters at his previous Unit i.e. CISF Unit NTPC Kayamkulam and other issues. Thus, he transgressed all limits of acceptable and disciplined behaviour and rendered himself unbecoming of member of the Force. Hence the charge.

ARTICLE OF CHARGE-IV

CISF No. 001710016 Const/Dvr Nand Kishor Singh of 'HQrs' Coy., CISF Unit NLC Neyveli has willfully refused to occupy Qtr. No.105-A, Type-I at Block-22, Neyveli Township, despite being allotted with the Quarter at Ground Floor as per his choice. Further, on his request, he was allotted Qtr. No.206/B, Hostel Type at Block-22 on temporary basis for a period of one month from 22.10.2020. Whereas, after completion of permitted time and even after allotment of regular Family accommodation, he has not vacated Qtr. No.206/B, Hostel Type at Block-22 and willfully occupied the same beyond permissible period and refused to occupy the allotted Quarter No. 139-A at Block-22. Thus he disobeyed the orders of Superior authority. This act amounts to grave act of indiscipline,



gross misconduct and unbecoming act of an enrolled member of a Central Armed Police Force of the Union i.e. CISF. Hence the charge.

ARTICLE OF CHARGE-V

CISF No. 001710016 Const/Dvr Nand Kishor Singh of 'HQrs' Coy., CISF Unit NLC Neyveli has been awarded with 09 (Nine) minor penalties during his past service. Even after being awarded with 09 (Nine) minor penalties, Const/Dvr Nand Kishor Singh has not mended his ways and remained indisciplined. Hence the charge."

30. Pursuant to the departmental inquiry, the following order for dismissal dated 03.11.2021 was passed, which we reproduce as under: -

"13. Thus, from the above, I, the Disciplinary Authority, conclude that the charge levelled against the Charged Official under Articles 1, 2, 3, 4, 5 of indiscipline, disobedience of lawful orders, gross misconduct and unbecoming conduct is proved. The departmental enquiry has been conducted as per Rule-36 of the CISF Rules-2001. The Charged Official was given full opportunity to present his defence. On the application of the Charged Official, the departmental enquiry was conducted in English and Hindi. During the enquiry, the documents/evidences demanded by the Charged Official were provided to him as per the CISF Rules-2001. Despite that, the Charged Official failed to prove himself innocent. On regular transfer of the Charged Official from CISF unit KCCPP Kayamkulam to CISF unit NLC Neyveli, he was allowed to occupy the authorized government family accommodation at CISF unit KCCPP Kayamkulam for 03 months i.e. till 30.07.2018. As per the order of the department, the Charged Official could vacate the said accommodation at the prescribed time and avail the benefits of government family accommodation available at CISF unit NLC Neyveli, Ayurvedic treatment for the treatment of his wife and school for the education of



his children. Also, he could give an opportunity to a force member working at CISF unit KCCPP Kayamkulam to live with his family in the said accommodation. If the Charged Official wanted to keep his family in Kayamkulam Kerala due to any serious problem, then he could take advantage of the Reduced HRA provided to government employees by the Government of India and could have adopted any other means for his family instead of the government accommodation as per rules. But the charged official, instead of doing so, stubbornly kept the department busy through his frequent and irregular correspondence despite the instructions of the senior officials of the department and used inappropriate words in many of his applications. This forced the department to unnecessarily waste its attention, time and resources on himself, which is not expected from a member of a disciplined force.

14. Not only this, the Charged Official, when a government accommodation was allotted in his own name as per rules in the CISF unit NLC Neyveli, applied for special accommodation as per his wish citing the reason of his wife's treatment, which was approved by the competent authority without any delay, and later got it cancelled by him citing 'no need of accommodation', again getting temporary accommodation allotted as soon as possible for his wife's treatment, not vacating the said accommodation on the prescribed time and insisting for permanent allotment of the unit's temporary accommodation, and not accepting the accommodation allotted as per rules on the basis of seniority and putting a condition of getting it repaired by the department, shows his indiscipline and unnecessarily keeping the department busy on himself.

15. The Charged Official has been punished with 09 minor punishments in his previous service period, despite this the Charged Official did not change his attitude. Such acts of the Charged Official will not be



tolerated at all in the Central Armed Police Force. Such Charged Official is not fit to remain in a disciplinary force. His continuation in service may have an adverse effect on other force members. Therefore, I completely agree with the findings of the Inquiry Officer. The Charged Official deserves severe punishment.

16. On the basis of the above investigation, I, the undersigned/Disciplinary Officer, exercising the powers specified under Rule-32 of Schedule-I (amended in 2013) read with Rule- 34 (ii) of CISF Rules-2001, pass an order of punishment of "REMOVAL FROM SERVICE" to CISF No. 001710016, Constable/Driver, Nand Kishore Singh, HQ-Coy, CISF Unit NLC Neyveli with immediate effect.

17. CISF No. 001710016, Constable/Driver, Nand Kishore Singh, CISF Unit NLC Neyveli is informed that if he wishes, he can submit an appeal against this order to the Appellate Authority, Deputy Inspector General, CISF Unit NLC Neyveli within 30 days of the receipt of the order.

18. A copy of this order is supplied free of cost to Force No. 001710016 Constable/Driver, Nand Kishore Singh, CISF Unit NLC Neyveli. He is also directed to ensure receipt of this order."

31. Having heard the petitioner in person and learned counsel for the respondents. The short issue which arises for consideration is whether the penalty of "removal from service" passed against the petitioner and also the subsequent rejection of appeal of the petitioner against the order of removal dated 03.11.2021 and revision petition vide order dated 20.05.2025 are justified.

32. At the outset, we intend to deal with the submission made by Ms. Gaur on the maintainability of the petition. According to her, the petition is



not maintainable before this Court, inasmuch as, the entire cause of action including disciplinary proceedings, issuance of the penalty order, appellate order and revisional order were outside the jurisdiction of this Court and as such the petition is not maintainable.

33. There cannot be any contest to the submission made by Ms. Gaur that the charge-sheet was issued to the petitioner by the CISF Unit, Cuddalore, Tamil Nadu. The order of removal was passed from Neyveli, Tamil Nadu, the order of appeal was also passed Neyveli, Tamil Nadu, even the revision petition was dismissed by the CISF, Headquarters, Chennai, hence in that sense all the orders having been passed from outside Delhi *prima facie*, this Court will not have the jurisdiction. It is also important, that the petitioner has filed this petition by stating that he is the resident of Flat No. 1, P.S.-39, Sector-39, Noida, District- Gautam Buddha Nagar, Uttar Pradesh. Even the said aspect would not make the petition maintainable in this Court, merely by making the Union of India through its Secretary, Ministry of Home Affairs, Director General, CISF, Inspector General, CISF, Deputy Inspector General, CISF and Assistant Inspector General, CISF as party respondents. The above authorities have not passed any order which are under challenge in this petition. However, we may note that this petition was filed in the year 2023 and notice was issued to respondents on 22.12.2023. For the last three years, this petition is pending before Court. This Court is of the view that it is too late in the day to dismiss the petition on the ground of territorial jurisdiction, more so, when the petitioner is appearing in person and an exception has to be drawn in the facts of this case. As we have heard petitioner in person and the



respondents, we would decide the petition on merits by exercising our discretion under Article 226 of the Constitution of India. The Supreme Court in a recent judgment in the case of ***Baksish Ahmad v. Union of India, 2026 SCC OnLine SC 1098*** pronounced on 09.06.2026 had held that the Delhi High Court had the jurisdiction to entertain service related writ petitions of Central Armed Police Forces personnel where Union of India and Headquarters of the Force in question are situated in Delhi.

34. Having said that the reason for the dismissal of the petitioner is primarily issuance of a charge-sheet to the petitioner under Rule 36 of the CISF Rules, for major penalty. Five charges have been framed against the petitioner, the same have been reproduced above.

35. Suffice to state, pursuant to the issuance of the chargesheet, the Inquiry Officer was appointed to conduct the inquiry and the charges which have been framed against the petitioner are primarily relatable to the fact that:-

- I. After completion of retention period of holding a quarter allotted to the petitioner being Qtr. No. A-10, NTPC, Kayamkulam, he did not vacate the said Government Family accommodation despite specific orders issued in this regard by the Competent Authority till 12.10.2020.
- II. The Competent Authority had permitted to retain the family accommodation upto 30.07.2018. The petitioner instead of obeying the orders to vacate the Qtr. No. A-10, NTPC, Kayamkulam retained by him. The allegation being that he has kept his seniors and higher formations engaged and focused on one individual. Thus, wasting the valuable time and resources of the Organisation which amounts



to a grave act of indiscipline and an unbecoming act of an enrolled member of a CAPF.

- III. He has found to have used inappropriate and threatening words in his various application addressed to the seniors and higher formations, exhibiting disregard and disrespect to his superiors, rendering himself unbecoming of member of the force.
- IV. He refused to occupy Qtr. No. 105-A, Type-1 at Block-22, Neyveli Township, which was a quarter of his choice. On his request, he was allotted Qtr. No. 206/B, Hostel Type at Block-22 on temporary basis for a period of one month from 22.10.2020, but even after completion of permitted time and even after allotment of regular family accommodation, he did not vacate Qtr. No. 206/B, Hostel Type at Block-22, and willfully occupied the same beyond permissible period and refused to occupy the allotted Qtr. No.139-A at Block-22. Thus, he disobeyed the order of Superior Authority.
- V. The petitioner was awarded nine minor penalties during his past service. Even after being awarded nine minor penalties, he has not mended his ways and remained indiscipline.

36. Suffice to state that the petitioner had submitted his reply to the chargesheet. The translated reply to the chargesheet as noted by the Inquiry Officer on Charges I, II & III is the following:-

“1. At the outset it is submitted that the present Charge Sheet is not maintainable in the eye of law, as the issuance of same amounts to “double jeopardy” i.e., in the light of fact that department has already punished by recovering about one lakh rupees of penal rent (in the form of water charges) for the period of occupation wef. 30.07.2018 to 12.10.2020 from individual’s salary.



2. Further, as has already been submitted by the individual in his representation/application/ request letters written to the department, the reason for not vacating Quarter No. A-10 NTPC Kayamkulam, was that petitioner's wife suffers from combination of three deadly diseases viz., Hepatitis-B, Hypertension and diabetes. Further his wife was getting Ayurvedic treatment at Kayamkulam and her condition was improving. Therefore, he kept requesting the department to allow him to retain the family accommodation at Kayamkulam.

3. That as has already been stated earlier, it is submitted that in Feb-2007 petitioner's wife was diagnosed with Hepatitis-B. Thereafter, she started taking treatment from different hospitals in various parts of country, as per the place of posting of the petitioner. That during interregnum petitioner's wife was also diagnosed with hypertension and diabetes.

4. It is submitted Hepatitis –B is a viral infection that attacks the liver and can cause both acute and chronic disease. Hepatitis-B is a potentially life-threatening liver infection caused by the hepatitis-B virus (HBV). It is a major global health problem. It can cause chronic infection and puts people at high risk of death from cirrhosis and liver cancer.

Chronic hepatitis –B infection can be treated with medicines, including oral antiviral agents. "That long-term, chronic infection can lead to serious, even life-threatening health issues like cirrhosis or liver cancer. Chronic cases require medication and possibly a liver transplant". That treatment can slow the progression of cirrhosis, reduce incidence of liver cancer and improve long term survival. It was therefore submitted before the department that the treatment is essential for survival of the patient i.e., his wife, however unfortunately nobody in the department paid heed to the individual's request.

5. That as department did not pay any heed to the individual's request for retention of family accommodation at kayamkulam, he was left with no other option but to run from pillar to post by writing several applications to various



high-ranking officers, in a hope that at least someone would show pity over him and will allow him to retain the family accommodation at Kayamkulam.

6. Because as can be seen from order date 30.03.2017, Hon'ble High Court of the Kerala took cognizance of the fact that petitioner's wife is seriously ill and requires treatment. Therefore, Hon'ble High Court directed since petitioner's wife is undergoing treatment in Kerala, the department shall see that the quarters allotted to the petitioner is kept available to his family for a period of one year. However, unfortunately department never recognised this fact. Because as can be seen again from the order dated 05.02.2020 passed by the Hon'ble High Court of Kerala in WP C-14489 of 2018, Hon'ble High Court took a compassionate view on the individual's pitiable condition and disposed of the writ petition with a direction to the department to decide his representation as per law. It is most humbly submitted that had there been no truth in the individual's grievance, Hon'ble High Court of Kerala would not have taken a lenient view, which it had taken in its judgment dated 30.03.2017 passed in WP C-9764 of 2017 by directing departments to not to vacate individual's family for a period of one year from the family accommodation at Kayamkulam and by its order dated 05.02.2020 passed in WP C-14889 of 2018 by directing department to dispose of that representations of the individual. Therefore, it is submitted that the request of individual for retention of family accommodation at Kayamkulam was genuine, honest and a bonafide request solely on the ground of his wife's illness viz., Hepatitis-B, Diabetes and Hypertension. Because the department also admitted and accepted the fact that the individual's wife suffers from Hepatitis-B, Diabetes and Hypertension.

7. That apart from that the individual's wife illness there was another ground viz. Education of his children, for which also individual requested the department for retention of family accommodation at Kayamkulam. However, with malafide intentions and reason best known to the department



all the prayers and the petitions of the individual were rejected without giving any reason.

8. Because vide general order dated 18.05.2020 with regard to whole force, department

held that due to Covid-19 pandemic employees transferred from one unit to another unit, will not asked to vacate the family accommodation allotted to them, further they would be entitled to retain family accommodation till 31.05.2020. Despite this order department kept harassing the individual, who is a caregiver to a disabled dependent viz. His wife and not only that but also recovered the penal rent from the individual when the whole country was reeling under Covid-19 pandemic.

9. Because if the individual has quoted some policies/guidelines /OMs issued by MHA/DoPT/CISF, for relaxation in postings/transfer of personnel who are care giver to a disabled dependent, then it cannot be stated that he has committed any crime. It is submitted that these policies/guidelines/OMs came into existence only for welfare of employees who have disabled dependent like the individual in the present case.

10. Therefore initiating the department proceeding only on the ground for making repeated pleas by relying upon various policies/guidelines?OMs issued by MHA/DoPT/CISF, that too for his wife's treatment is the most inhumane and cruel action on the part of the department.

11. Because at a time when the whole country is undergoing from Covid-19 pandemic and when the government itself is putting restrictions on movement, department in most cruel and inhumane manner not only threatened the individual to vacate the government family accommodation allotted to him at NTPC Kerala, but kept charging penal rent from him.

12. Therefore it is submitted that department while acting as "State" within the meaning of Article-12 of the constitution of India, it is imperative that CISF, while implementing its statutory power, should uphold the fundamental rights of the citizens and strives hard to give effect to the directive



principles of the state policy. Acting as state CISF, cannot also shut its eyes to the part IV of the constitution of India, where it is duty bound to take actions in general welfare of its employees.

13. Because, any normal person would have taken the same course of action as individual had taken in the light of fact that the individual in the pay of Rs. 25000/- has not only to take care of his ailing wife who is suffering from hepatitis-B, hypertension, diabetes but also has to look after his two young children. Therefore it is submitted that the individual committed no crime when it wrote to the departments several times for retention of family accommodation at Kayamkulam and praying not to recover penal rent. And further praying for refund of the deducted amount from his salary.

14. But as far as the use of words/phrases like fake, harassing his whole family and cheating for the last four years, blackmailing, torture and unbearable atrocities, during travel any accident, infection, "casualty or death occurs in his family, the unit authority would be held responsible". Illegal orders etc, it is submitted that the following explanations is being put forth for the same viz.,

a. The individual being a constable is not a well-read person, his knowledge of english language is poor, which can be seen/assessed by reading the letter dated 23.05.2020, 27.08.2020, 07.09.2020 and 13.07.2020 written by him in english to the department.

b. It is submitted that the english written in those letter is not only grammatically incorrect but also lacks use of proper vocabulary at right places. It is prayed that department may not take the literal meaning of the words used in letters dated 23.05.2020, 27.08.2020, 07.09.2020 and 13.07.2020, but should appreciate the individual's helpless and desperate situation, owing to his wife's illness for which he made the genuine request for retention of family accommodation at Kayamkulam."

37. The translated reply to Charge IV and Charge V is the following:-



“That the reason for requesting allotment of quarter number 206/B, Hostel type at Block-22, which is designated as ladies barrack by the department, by the individual is that, quarter allotted to the individual by the department viz quarter number 139-A, Block No. 22, is in such a dilapidated condition that no normal personnel with the family of two young children could occupy it, what to speak of when one member of family is disabled dependent. It is submitted that quarter No. 139-A block No. 22 which has been allotted to the individual is unfit for human occupation, which can be seen from the photographs annexed. It is submitted that the photographs clearly shows there is no proper functional toilet, in fact the toilet seat stands extracted from the floor and is lying far away from the sewage hole. Window panes and doors are broken and plaster from ceiling and walls is falling. There is no proper flooring and what to mention of paint which is non-existent from the walls and doors. In this regard several times department was apprised by the individual with regard to dilapidated condition of quarter No. 139-A block-22, however unfortunately again no heed was paid to the individual request. It is submitted that under these circumstances individual requested and wrote to the department for allotment of quater No. 206/B, Hostel type at block No-22 which is designated as ladies barrack by the department, solely on the ground for providing a habitable home for his ailing wife and growing young children. Therefore, it is submitted that issuing a Charge Sheet on the ground for not vacating quarter No. 206/B, Hostel type at block -22, which is designated as ladies barrack by the department and not occupying dilapidated quarter number No. 139-A, Block-22 is not only wrong but is also unjust and arbitrary on the part of department, in view of the fact that no normal person would put his family in danger by keeping them in such a dilapidated and hopeless accommodation quarter No. 139-A, Block-22 which lacks all the basic amenities.

Reply to Charge - V

That vide impugned Article of Charge-V, it has been held that he has been awarded nine minor penalties during his past service record and it has been further held that even [sic.



Even] after being awarded with nine minor penalties, the individual has not mended his ways and remained undisciplined, hence the charge.

01. That issue of not vacating the family accommodation at Kayamkulam due to genuine medical problem of individual's wife (same being acknowledged by Hon'ble High Court of Kerala, as has been mentioned in preceding paragraphs) and the issue of earlier penalties awarded to the individual that too at different units, further some of them being modified into lesser penalties by competent authority by acknowledging innocence of the individual, cannot be correlated with each other, with any stretch of imagination.

02. That co-relating earlier penalties awarded to the individual with the issue of not vacating the family accommodation at Kayamkulam reeks of Malafide intent of the some officials of the respondent department, which are hellbent on removing the individual from the force at any cost.

03. That as can be seen from purported 9 penalties none of them alleges grave misconduct of corruption against the individual. Further department has never suffered any monetary loss due to the misconduct alleged upon the individual while awarding the nine penalties [sic.penalties] upon him.

04. That the individual was never ever charged with allegations of moral turpitude in his whole career.

05. That in fact in some penalties the earlier harsh punishment awarded to the individual was modified by the appellate authority, after going through his defence and founding innocence and merit in his defence.

06. That in fact the last penalty which was awarded to the individual on 14.08.2020 was deliberately changed from advisory to withholding of one increment for a period of one year without cumulative effect. It is submitted that individual is in process of seeking legal remedies against that punishment order, therefore it cannot be stated that that punishment has attained finality.

07. That before proceeding further it is necessary to put forth in brief, the defence of individual, against each of the nine penalties awarded to him”



38. We must state here the petitioner had also replied to the earlier penalties imposed on him which is the subject matter of Article of Charge No. 5. Nothing has been brought to our notice that those penalties have been challenged by the petitioner before a Competent Court. Insofar as, the proceedings conducted by the Inquiry Officer, pursuant to the impugned charge-sheet is concerned, there is no dispute that the petitioner did participate in the proceedings. The respondents have produced witnesses during the course of inquiry. The respondents had also relied upon around 249 documents and the petitioner had also cross-examined the prosecution witnesses. The petitioner had also submitted a representation on the brief note submitted by the Presenting Officer on behalf of the department. The findings of the Inquiry Officer in the inquiry report are the followings:-

“During the preliminary inquiry, the force member himself described the Hindi translation and meanings of certain words during his question-and-answer session. Furthermore, during the re-examination of Prosecution Witness-1 on May 11, 2021, he himself asked in Question No. 12: "Sir, which words are inappropriate and which are appropriate? Do you have a certified list of appropriate/inappropriate words or not?" It is clear from this question that the Charged Official used these words with full consciousness and, according to his own discretion, these words were not inappropriate. The force member repeatedly demanded a certified list of inappropriate words. Prior to the departmental inquiry, the force member had conducted all correspondence in English; therefore, his argument—that these inappropriate words were errors resulting from language translation is baseless, as no other literal inaccuracies were observed in his English correspondence apart from these specific words. He repeatedly used several inappropriate and undignified words in different contexts against high-ranking officers/positions without any facts or evidence. This demonstrates irresponsible behavior and indiscipline while being a member of a disciplined force.



In his application dated August 27, 2020, it was stated that if any accident or death due to infection occurred to his family during travel, the Unit Authority would be held responsible. This reflects the force member's illegal blackmailing attitude and his tendency to threaten the department in his own favor. This also highlights the force member's inclination to disregard the rules, regulations, and lawful orders of the higher authority.

The force member was awarded nine minor punishments during his tenure/previous service (under PW-03/Exh-01 to 09) to encourage him to change his ways and remain disciplined. Despite this, the force member did not improve himself, did not change his conduct, and continued to violate the rules.

a) Negligence in Professional Duties (2001): On April 20, 2001, while posted as a Constable/Cook at the CISF Unit CLZS Chittorgarh, the force member failed to cook fish properly in the mess, resulting in the wastage of food. Consequently, he was awarded the punishment of 'Censure' vide Final Order No. 685 dated July 6, 2001. This indicates the force member's negligence toward his assigned work (PW-03/Exh-01).

b) Insubordination (2003): On March 19, 2003, while posted at the CISF Unit ASG Nagpur, the force member disobeyed the orders of the Mess Commander. Due to this, a penalty of "fine equivalent to two days' pay" was imposed vide Final Order No. 314 dated April 11, 2003. This shows that the force member was willfully defying the orders of his superior officers (PW-03/Exh-02/P-01).

c) Overstayal of Leave (2003): During his posting at CISF Unit ASG Nagpur, the force member remained on OSL (Overstayal of Leave) for 14 days, from June 13, 2003, to June 26, 2003. For this misconduct, he was awarded a "fine equivalent to three days' pay" vide Final Order No. 618 dated July 31, 2003, and SO Part-II No. 71/03 dated August 5, 2003. This reflects the force member's indiscipline toward his duties (PW-03/Exh-03/P-01&P-02).

d) Misuse of Government Property (2012): While posted at CISF NISA Hyderabad, the force member misused a government vehicle without the knowledge of the MTO



(Motor Transport Officer) or superior officers. Consequently, he was awarded the punishment of 'Censure' vide Appellate Order No. 340 dated July 18, 2012. This further demonstrates the force member's habitual indiscipline toward his responsibilities (PW-03/Exh-04/P-01 & P-02).

e) While posted at the CISF Unit NTPC/Kayamkulam, the force member remained absent without information during the night shift on 21-05-2013. For this reason, the punishment of 'Censure' was awarded by the CISF Group Headquarters Cochin via Appellate Order No. 2406 dated 18.03.2014. This indicates the force member's indiscipline toward his duties (PW-03/Exh-05 /P-01 to P-04).

f) The force member refused to receive an official communication (Warning Letter) while posted at the CISF Unit NTPC/Kayamkulam. Due to this, a penalty of "Fine of five days' wages" was imposed via Final Order No. 85 dated 19.01.2016 by the CISF Unit NTPC/Kayamkulam. This shows that the force member was willfully disobeying the orders of his superior officers (PW-03/Exh-06).

g) The force member, while posted at CISF Unit NTPC/Kayamkulam (KCCPP), refused to receive the movement order for a Refresher Course. To avoid attending the Refresher Course, he resorted to "medical rest" and successfully managed to get himself admitted to the hospital. Under Final Order No. 129 dated 28.01.2016 issued by CISF Unit NTPC/Kayamkulam, he was awarded the punishment of a "fine of five days' wages." This demonstrates the force member's disobedience of superior officers' orders and his indiscipline toward his duties (PW-03/Exh-07 /P-01 & P-02).

h) The force member, while refueling from an authorized dealer at CISF Unit NTPC/Kayamkulam on 04-12-2017, caused a bill to be generated for 149 liters of fuel instead of the actual 109 liters. Under final order No. 884 dated 19.04.2018 issued by CISF Unit NTPC/Kayamkulam, a penalty was imposed: "Reduction of pay by one stage from ₹31,100 to ₹30,200 in PB Level-3 for a period of two years, without cumulative effect and without adversely affecting



his pension." This indicates that the force member displayed fraudulent behavior, disobedience of orders, and indiscipline toward his duties (PW-03/Exh-08 /P-01 & P-02).

i) The force member had tampered with the vehicle complaint register of the MT (Motor Transport) Department at CISF Unit NLC Neyveli. Under final order No. 1224 dated 14.08.2018 issued by CISF Unit NLC Neyveli, a penalty was imposed: "Withholding of one increment for a period of one year, without cumulative effect." This indicates the force member's indiscipline toward his duties (PW-03/Exh-09).

j) To encourage the force member to change his ways and remain disciplined, he has previously been awarded 09 (nine) minor penalties for various reasons across different units. All these penalties have reached their final stage of disposal, and the Charged Official has exhausted all recourses provided by the department. The Appellate and Revisioning Authorities also upheld these minor penalties, and in 02 (two) cases, the minor penalties awarded to him were even reduced. Entries for all these minor penalties have been made in the Charged Official 's Service Book, which in itself constitutes solid evidence.

Therefore, the claim made by the Charged Official —that the incidents leading to these 09 minor penalties never occurred and that there is no evidence for them—is completely false, as these 09 minor penalties were a direct result of those very incidents and have been finalized. In the 02 cases where the penalties were revised, the force member was still awarded a "Censure," which is a minor penalty under Rule-37 of the CISF Rules, 2001.

The argument of the Charged Official —that reducing his penalty to a "Censure" proves he was not guilty—is entirely baseless. Only the gravity of the minor penalty was reduced; the penalty was not quashed or set aside entirely. This means the Appellate/Revisioning Authority deemed the previously awarded penalties disproportionate to the severity of the misconduct in those 02 cases and thus converted them from "pay reduction" to "censure." This in no way implies that the



force member was innocent in those cases.

It is noteworthy that these penalties were not only awarded during his tenure as Constable/Driver but also when he was a Constable/Cook. This demonstrates that despite numerous minor penalties, the force member never attempted to improve his professional conduct and consistently maintained an irresponsible and undisciplined professional attitude, which does not behoove a loyal and dedicated member of a prestigious and disciplined Central Armed Police Force.”

39. The Inquiry Officer holds all the charges as proved. We reproduce English translation of the conclusion drawn by the Inquiry Officer as filed by the respondent as under: -

“Upon examining the witnesses, statements, and documents, it has come to light that the accused, No. 001710016 Constable/Driver Nand Kishore Singh, reported to the HQ Coy, CISF Unit NLC Neyveli on May 10, 2018, following his transfer from the CISF Unit CCPP Kayamkulam. In his previous unit (CCPP Kayamkulam), he had obtained permission to reside in government accommodation for one year starting from March 30, 2017, based on the court judgment in order number WP(C) 9764 of 2017. Subsequently, the Force granted the member permission to occupy the said quarter for an additional three months, until July 30, 2018. Following the expiry of the extended period, the Force member was required to vacate the government accommodation (Qtr No. A-10) on July 31, 2018. However, the member failed to vacate the premises and continued to reside in the said government accommodation unauthorizedly from July 31, 2018, to October 12, 2020. The Force member failed to comply with both the orders issued by the Court and the orders issued by the Department. Therefore, Article of Charge-I, framed by the Senior Commandant, CISF Unit NLC Neyveli via Office Order No. V-15014/CISF/NLC/Disc/Maj-(09)/NKS/2020-8683 dated 15.12.2020, stands fully proved.

Based on the documents and records examined, it has come to light that the charged Force member submitted numerous applications to senior officers regarding the retention of



government accommodation at his previous unit for various reasons. Senior officers repeatedly expressed regret regarding his requests for the retention of government accommodation at his previous unit, CCHP Kudankulam. In the aforementioned matter, the Force member was counseled several times in the grievance cell by the DIG, ASG Unit NLC Neyveli, the Senior Commandant, and the Deputy Commandant/HQ NLC Neyveli. This unit issued eight letters to the Force member to vacate the government accommodation at the previous unit; however, the Force member never complied with the orders to vacate the accommodation. By defying the issued orders and engaging in unnecessary correspondence, he wasted the time and resources of senior officials. Under GOI, DoPT OM dated 19.04.2010 "It has been observed that some officials have adopted the practice of repeatedly sending representations on the same issue, due to which the same issue has to be examined again and again, causing hindrance in considering other important and time-bound matters. This Department has considered the matter. It needs to be emphasized that government employees should avoid submitting repeated and multiple representations on the same issue. A second representation on the same issue will only be examined if it contains any new points regarding consequences or facts related to the issue. It has been decided that when a representation has already been considered, any more than two representations on the same issue will henceforth be ignored. A government employee may submit a representation to a higher authority than the lowest competent authority only when he can prove that the points or requests mentioned therein were not fully and properly considered by his immediate superior, the Head of the Office concerned, or such other authority at the lowest level competent to deal with the matter. Government employees should avoid addressing higher authorities prematurely." This proves that the charged Force member deliberately wasted the time and resources of senior officers by engaging in unnecessary repeated correspondence, which is a violation of government orders. Therefore, Charge No. II, leveled by the Senior Commandant, ASG Unit NLC Neyveli, vide Office Order No. V-15014/CISF/NLC/Disc/Maj-



(09)/NKS/2020-8683 dated 15.12.2020, stands fully proven. Upon reviewing the statements and documents, it has come to light that the Charged Official repeatedly used improper and undesirable language in his applications. In the application dated May 23, 2020, addressed to the DIG, NLC Neyveli, words such as "fake" and "baseless fraud" were used. In the application dated August 19, 2020, addressed to the same authority, terms like "harassment" and "blackmailing" were used. In the application dated August 27, 2020, words such as "illegal orders," "blackmailing," "torture," and "unbearable atrocities" were used. During the inquiry, the individual was unable to provide a satisfactory explanation for these improper terms. He pleaded in his defense that the applications were written by a local Tamil translator and typist at the time, and perhaps that is how these English words were included. This plea is unacceptable, as these words were used repeatedly across multiple applications. Such conduct reflects irresponsible behavior for a member of a disciplined force. Furthermore, the fact that the accused used these terms consistently in various correspondences suggests they were used with full seriousness and deliberate intent. The improper and undesirable words used by the force member in his applications are listed below:-

a) On May 23, 2020, in his application addressed to the DIG, NLC Neyveli, he used words such as "FAKE AND BASELESS." (PW-2/Exh-04/P-11 & P-11A) & (DEF./Exh-94/P-01 to 02)

b) On August 27, 2020 (PW-2/Exh-04/P-16) and August 19, 2020 (DEF./Exh-101), in his application addressed to the DIG, NLC Neyveli, he used words such as "HARASSMENT AND BLACKMAILING."

c) On September 07, 2020 and August 27, 2020, in his application addressed to the DIG, NLC Neyveli, he used terms such as "Illegal Order, Blackmailing, Torture, and Unbearable Atrocities." (PW-2/Exh-04/P-17 & P-17A) and (DEF./Exh-102)

d) On September 30, 2019, he submitted an application to the IG/SS HQrs. In that application, he used words like "robbery in his salary" by Assistant Commandant, KCCPP Kayamkulam, Shri Vinodan T. (PW-02/Exh-04/P-08 & 8A)



During the preliminary inquiry, the force member himself described the Hindi translation and meanings of certain words in his question-and-answer session. Furthermore, during the reexamination of Prosecution Witness-1 on May 11, 2021, he himself asked in Question No. 12: "Sir, which words are inappropriate and which are appropriate? Do you have a certified list of appropriate/inappropriate words or not?" This question makes it clear that the Charged Official used these words with full consciousness and discretion, and according to his own judgment, these words were not inappropriate. The force member repeatedly demanded a certified list of inappropriate words. Prior to the departmental inquiry, the force member had conducted all correspondence in English; therefore, his argument—that these inappropriate words were merely errors resulting from language translation—is baseless, as no other literal errors were observed in his English correspondence apart from these specific words. He repeatedly used several inappropriate and undignified words in different contexts against highranking officials/positions without any facts or evidence. As a member of a disciplined force, this demonstrates irresponsible behavior and indiscipline. His application dated August 27, 2020, stated that if any accident or death due to infection occurred to his family during travel, the Unit Authority would be held responsible. This reflects a person's illegal blackmailing attitude and a tendency to threaten the department in his own favor. It also shows the individual's inclination to defy the rules, acts, and lawful orders of the higher authority. Therefore, Charge No. III, framed by the Office of the Senior Commandant, CISF Unit NLC Neyveli via Order No. V-15014/CISF/NLC/Disc/Maj-(09)/NKS/2020-8683 dated December 15, 2020, stands fully proven. The Charged Official had personally submitted a written application on 29.07.2020 for Block 22, 105-A, Type-I (Ground Floor). The objections raised by him later should have been considered before applying, as a Quarter Allotment Meeting is held every month in this unit where accommodations are allotted randomly based on eligibility. However, when a force member submits a written application



for a specific quarter, that particular quarter is allotted to them as far as possible. Such applications for specific quarters are made by the force member only after their own personal inspection and understanding. Therefore, when the Charged Official had specifically requested this accommodation through a written application, and it was subsequently allotted to him, the Charged Official himself submitted a written application to surrender House No. 105-A on 17.09.2020. This proves that the Charged Official had deliberately applied for House No. 105-A in writing. Following this, the force member was allotted House No. 139-A during the monthly Quarter Allotment Meeting. He should not have raised objections regarding the subsequently allotted House No. 139-A. This suggests that the Charged Official deliberately requested a house through a written application so that, after allotment, he could submit another application to surrender it and raise objections regarding House No. 139-A (allotted in the monthly meeting) to further delay the shifting process. Subsequently, upon examining the statements and documents, it has come to light that on 22.10.2020, the Charged Official obtained Transit Accommodation No. 206-B (Hostel Type, Block-22) for one month by submitting a written application citing his wife's medical treatment. The force member was supposed to vacate the said transit accommodation by 21.11.2020. In the interim, Quarter No. 139-A, Type-I, Block-22 was allotted to him on 24.11.2020. Despite being allotted government family accommodation, the force member did not vacate the transit accommodation and continued to occupy it unauthorizedly. On 21.11.2020, the force member submitted an application requesting the allotment of Transit Accommodation No. 206-B (Hostel Type, Block-22) and appeared for an interview before the Deputy Commandant, CISF Unit NLC Neyveli. The Deputy Commandant informed the force member that the said transit accommodation is a Ladies Barrack and he cannot reside there with his family. He was ordered to vacate the accommodation immediately, failing which disciplinary action would be initiated against him. The force member finally vacated the said accommodation on 27.12.2020. This behavior demonstrates a tendency to defy the rules,



regulations, and lawful orders of higher authorities. Therefore, Charge No. IV, framed vide Senior Commandant CISF Unit NLC Neyveli Office Order No. V-15014/CISF/NLC/Disc/Maj-(09)/NKS/2020-8683 dated 15.12.2020, stands fully proved. The charged force member was previously awarded 09 minor penalties across various units for different reasons, aimed at encouraging him to reform his ways and maintain discipline. All 09 minor penalties have reached their final stage of disposal, and the charged member has exhausted all legal recourses provided by the department. The appellate and Revisioning Authorities also upheld these minor penalties, though in 02 specific cases, the quantum of punishment was reduced. All these minor penalties have been duly recorded in the charged member's Service Book, which in itself serves as concrete evidence. Therefore, the charged member's claim—that the incidents leading to these 09 minor penalties never occurred or lack evidence – is entirely baseless. These penalties were the direct consequence of those proven incidents and have attained finality, Regarding the 02 cases where the penalties were revised, the member was awarded "Censure," which remains a minor penalty under Rule 37 of the CISF Rules, 2001. The charged member's argument that the reduction of his penalty to a "Censure" implies he was not guilty is completely unfounded. Only the gravity of the penalty was mitigated; the penalty itself was not quashed. This indicates that the Appellate/Revisioning Authority found the initial penalties disproportionate to the severity of the misconduct and thus commuted them from a fine (pay reduction) to a Censure. This by no means implies that the charged member was innocent in those two instances. It is noteworthy that these penalties were not only awarded during his tenure as Constable/Driver but also while he served as Constable/Cook. This demonstrates that despite numerous minor penalties, the charged member made no effort to improve his professional conduct. Instead, he consistently maintained an irresponsible and undisciplined professional attitude which is unbecoming of a loyal and dedicated member of a prestigious and disciplined Central Armed Police Force. Consequently, Article of Charge No. V, as leveled by the Office of the Senior Commandant, CISF Unit



NLC Neyveli vide Order No. V-15014/ CISF/ NLC/ Disc/ Maj-(09)/ NKS/ 2020-8683 dated 15.12.2020 stands fully proved.”

40. The English translated order of the Disciplinary Authority dated 03.11.2021 would reveal the following: -

“Force No. 001710016 Constable/ Driver, Nand Kishore Singh, CISF Unit NLC Neyveli, referred to herein as the accused force member, under Rule-36 of CISF Rules 2001 vide Memorandum No. S.Vi-15014/CISF/NLC/ADMN/MAJOR-09/NKS/2020/8683 -dated 15.12.2020 of Senior Commandant, CISF Unit Naveli. A memorandum was made for the following allegations under:-

ARTICLE OF CHARGE-I

CISF No.001710016 Cons/ Dvr. Nand Kishor Singh of Hqrs. Coy.. CISF Unit NLC Neyveli reported at CISF Unit NLC Neyveli on regular posting from CISF Unit NTPC Kayamkulam on 10.05.2018. While posted at CISF Unit NTPC Kayamkulam, he was allotted with Qtr. No. A-10, NTPC Kayamkulam. On transfer, he was permitted to retain his family accommodation Qtr. No.A-10, NTPC, Kayamkulam at his previous unit for a period of 03 months i.e. upto 30.07.2018. After completion of retention period, he did not vacate the said Govt. Family accommodation despite specific orders issued in this regard by the Competent Authority. Repeated directions were given to him to vacate the quarters by the Competent Authority. He finally vacated the Quarters on 12.10.2020. Thus he disobeyed the lawful orders of the Superior Authority which amounts to grave act of indiscipline, gross misconduct act of an enrolled member of a Central Armed Police Force of the Union i.e. CISF. Hence the charge.

ARTICLE OF CHARGE-II

CISF No.001710016 Const/ Dvr Nand Kishor Singh of Hqrs Coy., CISF Unit, NLC Neyveli has requested for retention of family Quarters No.A-10 which was occupied by him from the year 2012 at his previous unit i.e. CISF Unit NTPC Kayamkulam and consideration of the case on merit, the competent authority has permitted to retain the family accommodation upto 30.07.2018. instead of obeying the orders



to vacate the Quarter No.A-10, retained by him at CISF Unit NTPC Kayamkulam w.e.f. 31.07.2018, he engaged his seniors and Higher Formations in repeated and avoidable communication. Thus, he engaged the Higher Formation/ Sr. Officers/ Unit Administration focusing on a single individual, thereby wasting the valuable time and resources of the Organization. This act amount to grave act of indiscipline and unbecoming act of an enrolled member of a Central Armed Police Force of the Union i.e. CISF. Hence the charge.

ARTICLE OF CHARGE-III

CISF No.001710016 Const./ Dvr. Nand Kishor Singh of Hqrs. Coy., CISF Unit NLC Neyveli was found to have used inappropriate and threatening words in his various applications addressed to the Seniors and Higher Formations exhibiting disregards and disrespect to his Superior in the various applications addressed to the Seniors concerning extension of Quarters at his previous Unit i.e. CISF Unit NTPC Kayamkulam and other issues. Thus, he transgressed all limits of acceptable and disciplined behaviour and rendered himself unbecoming of member of the Force. Hence the charge.

ARTICLE OF CHARGE-IV

CISF No.001710016 Const./ Dvr. Nand Kishor Singh of Hqrs. Coy., CISF Unit NLC Neyveli has wilfully refused to occupy Qtr. No.1 05-A, Type-I at Block-22, Neyveli Township, despite being allotted with the Quarter at ground floor as per his choice. Further, on his request, he was allotted Qtr. No.206/ B, Hostel Type at Block-22 on temporary basis for a period of one month from 22.10.2020. Whereas, after completion of permitted time and even after allotment of regular Family accommodation, he has not vacated Qtr. No. 206/B, Hostel Type at Block -22 and willfully occupied the same beyond permissible period and refused to occupy the allotted Quarter No. 139-A, at Block-22. Thus, he disobeyed the order of Superior Authority. This act amount to grave act of indiscipline, gross misconduct and unbecoming act of an enrolled member of a Central Armed Police Force of the Union i.e. CISF. Hence the charge.

ARTICLE OF CHARGE-V

CISF No.001710016 Const./ Dvr. Nand Kishor Singh of Hqrs.



Coy., CISF Unit NLC Neyveli has been awarded with 09 (Nine) minor penalties, Const/ Dvr. Nand Kishor Singh has not mended his ways and remained indisciplined. Hence the charge.

02. A copy of the above memorandum was received by the accused force member on date 17.12.2020 and dated 09.01.2021 (Def/Exh-133/P-l to 4) by the Deputy Inspector General, CISF unit NLC Neyveli submitted an application addressed to Deputy Inspector General NLC Naveli in which it sought documents for defense in relation to the allegations leveled against him. As a result, the documents related to the accused force member were given under office memorandum number (299) dated 21.01.2021 (Def/Exh-133/P-l to 4). The accused force member again addressed the Deputy Inspector General CISF Unit NLC Neyveli on 22.01.2021 (Def./ Exh-135) and submitted an application to obtain the remaining documents for his own defence. Which was given to the accused force member under office memorandum No.597 dated 28.01.2021 (Def./ Exh-135). The accused force member submitted a written representation/ reply to the charge memorandum dated 23.01.2021 in which the force member has denied the allegations leveled against him. Therefore, the Disciplinary Officer decided to conduct a departmental inquiry and submitted the matter to Shri Suraj Rai Assistant Commandant/Work CISF Unit NLC Nayveli for departmental inquiry under letter No.V-15014/CISF/NLC/Disc/Maj-(09)/NKS/2021/599 dated 28.01.2023 and to Inspector/ Work, K.V.A. Sridhar vide letter No.V-15014/CISF/NLC/Disc/Maj-(09)/NKS/2021/814 dated 05.02.2021 appointed as a presenting officer.

03. Taking forward the departmental investigation, the investigating officer issued investigation notice vide letter No.(138) dated 08.02.2021 according to which the preliminary hearing (1st plea) was scheduled on 15.02.2021 in the Sector Commander / B-Sector Office TPS-2 CISF Unit NLC Neyveli done in the presence of. During the preliminary hearing, the accused force member admitted that he had received the memorandum No.(8683) dated 15.12.2020 and its annexures and he understood all the allegations leveled against him.



During the first hearing, the accused force member refuted the allegations leveled against him and refused to take help as a defense assistant. Along with this, the accused force member said that he has no objection to the investigating officer. The Inquiry Officer conducted the departmental inquiry process on day-to-day basis from date 15.02.2021 to date 20.09.2021 as per the provisions prescribed in Rule-36 of CISF Rules 2001. During the departmental investigation, the following total 04 prosecution witnesses were examined, and exhibits were presented by those prosecution witnesses-

<i>Sl. No.</i>	<i>CISF No.</i>	<i>Rank</i>	<i>Name</i>	<i>Witnesses</i>	<i>DOE</i>
<i>1.</i>	<i>904670059</i>	<i>Insp/Exe</i>	<i>V Satish</i>	<i>PW-I</i>	<i>24.02.2021</i>
<i>2.</i>	<i>001340109</i>	<i>L/Insp/Exe</i>	<i>Surekha</i>	<i>PW-II</i>	<i>26.02.2021</i>
<i>3.</i>	<i>854506266</i>	<i>Insp/Min</i>	<i>K Selvaraj</i>	<i>PW-III</i>	<i>26.02.2021</i>
<i>4.</i>	<i>944501269</i>	<i>Asi/Min</i>	<i>T K Mahato</i>	<i>PW-IV</i>	<i>22.02.2021</i>

Following are the statements of the prosecution recorded during the departmental investigation.

CISF No. 904670059 Inspector/ Work V Satish (PW-1) CISF Unit NLC Neyveli (through video conference) in relation to Allegation Paragraph-2, 3 and 4 has stated in his statement that he has been working on the reserved Inspector/ Work from the month of July 2019 are performing their duties, and along with this, the in-charge is also looking after the work of MT section. The accused force member expressed his displeasure



towards the collection of posting penalty fare and disciplinary action taken against him and addressed the above mentioned demands from his previous unit to different higher authorities and informed that the applications of the accused force member will be forwarded has been done. Some applicants who sent through e-grievance and getting a copy of the same canceled by informing the Deputy Inspector General/ Senior Commander of this unit, Again getting a temporary accommodation allotted to him as soon as possible for the treatment of his wife, insisting on permanent allotment of the unit's temporary accommodation instead of vacating the said accommodation at the stipulated time, and on the basis of seniority, the allotted accommodation as per rules. Putting a condition of getting the repairs done by the department instead of accepting it shows its indiscipline and unnecessarily making the department busy with itself.

15. The accused force member had been punished with 09 minor punishments during his previous service period, despite that the accused force member did not make any change in his attitude.

This type of action by the accused force member will not be tolerated at all in the Central Armed Police Forces. Such charged Force member is not fit to continue in a disciplinary force. His continuing in service may have an adverse effect on other members. Therefore, I completely agree with the findings of the investigating officer. The accused force member deserves severe punishment.

16. On the basis of the above discussion, I, the undersigned/Disciplinary Officer, in exercise of the powers specified under Schedule-1 read with Rule-34 (ii) of Rule-32 of CISF Rules 2001 (amended in 2013), Force No. 001710016 Constable/Driver, I pass the order of punishment of removal from service to Nand Kishore Singh Headquarters CISF Unit NLC Neyveli with immediate effect.

17. Force member No. 001710016 Constable/ Driver Nand Kishore Singh CISF NLC Neyveli is informed that if he wishes, he can submit an appeal against this order to the Appellate Officer, Deputy Inspector General CISF Unit NLC Neyveli within 30 days of receipt of the order.

18. A copy of this order is provided free of cost to



Constable/Driver Nand Kishore Singh CISF Unit NLC Neyveli, Force member No. 001710016. The force member is also directed to ensure acknowledgment of this order.”

41. The order of the Disciplinary Authority agrees with the conclusion drawn by the Inquiry Officer. It also takes into consideration that the petitioner has been punished with nine minor punishments during his previous service period. Still, the petitioner did not make any change in his attitude. It is stated that this type of conduct of the petitioner cannot be tolerated in the CAPF and as such, he is unfit to continue in a disciplined force. The appeal which has been filed by the petitioner was also rejected *vide* order dated 05.01.2022 by the Appellate Authority by stating in paragraph no.6 as under:-

“06. The entire departmental inquiry has been completed under Rule 36 of CISF Rules 2001 and the applicant has been given full opportunity to present his defense of which he has taken full advantage. The allegations made against the appellant have been clearly proved in the departmental investigation. Keeping in view the above discussion, the undersigned/Appellate Authority is of the considered opinion that the appellant has been treated judiciously. In these circumstances, the order of penalty of REMOVAL FROM SERVICE issued by the Disciplinary Officer on the Appellant under the final order No.V-15014/ CISF/ NLC (N) MAJ-09/ NKS/ 2020/ 21-5754 dated 03.11.2021, I the undersigned/Appellate Authority agree. Therefore, using the powers vested under Rule 52 (2) C (i) of CISF Rules 2021, I reject the appeal petition dated 15.11.2021.”

42. Similar is the position, in respect of revision petition filed before the Inspector General, Southern Sector who *vide* order dated 20.05.2022, has in paragraph no. 9, stated as under: -

“9. Moreover, as requested by the petitioner, he was called for



personal appearance before the undersigned vide SS Hars letter No. (5309) dated 19.04.2022. Accordingly, he has appeared before the undersigned on 21.04.2022 at SS HQrs Chennai and pleaded his innocence. The explanation was not convincing and in my opinion his representation does not hold any substantive reason to be considered. Being found his representation in written and oral untenable, I do not find any cogent reason, whatsoever, to Interfere with the orders passed by the Disciplinary and Appellate Authorities and therefore, in exercise of powers conferred upon me under Rule-54 of CISF Rules, 2001, I hereby REJECT the revision petition dated 07.02.2022 submitted by No.001710016 Ex-Constable (DVR) Nand Kishor Singh formerly of CISF Unit NLC Neyveli, being devoid of any merit.”

43. Insofar as, the submission of the petitioner that he is an innocent person and the allegations made are false, inasmuch as, the same have been alleged overlooking the medical condition of his wife as she was suffering from Hepatitis B, Hypertension and Diabetes and she was undertaking Ayurvedic treatment at Kayamkulam concerned, the same does not impress us in view of the findings of the respondent/Authorities.

44. The submission is that the department having recovered an amount of Rs.1,09,200 as penal rent for a period of 30.07.2018 to 12.10.2020, no further proceedings could have been initiated.

45. In substance, his plea is that he has not violated any rule. His plea was also that the High Court of Kerala had directed as the petitioner's wife is undergoing treatment, the department shall see that the quarter allotted to the petitioner is kept available to his family for a period of one year. However, according to him the department never recognised this fact. He did concede to the fact that the High Court disposed of the petition with a direction that the respondents to decide his representation as per law. According to him,



the respondents could not have rejected his request for retention, as the request of the petitioner for retention was for genuine reason. That apart, he also pleaded education of the children as a ground to retain the accommodation at Kayamkulam. It was his submission that the request for allotment of Qtr. 206-B, Hostel Type at Block-22 which was designated as ladies barrack by the department, was because the Qtr No. 139-A block No. 22 was in in such a state that no normal person with family of two young children could occupy it. He had highlighted the facilities connected with Qtr No. 139-A block No. 22, were not conducive to be used by his family members. Unfortunately, no heed was paid to the individual request and hence that charge that he has not vacated the Qtr No. 206-B, Hostel type at block No-22 which is designated as ladies barrack by the department is unsustainable. He pleads that the action of the respondents was not only wrong but also unjust and arbitrary.

46. Even on Charge V, where a reference has been made to the nine minor penalties imposed on the petitioner in the past, it was his stand that such an aspect cannot be subject matter of charge. According to him, none of the penalties imposed were for grave charges.

47. We are not impressed by the submission made by the petitioner. Though, the charges which have been framed *vide* the impugned chargesheet dated 15.12.2020 are relatable to not vacating the quarter allotted by the respondents, unlike serious charge of corruption which may entail the penalty of removal, what is important in this case is that a specific charge has been made in the charge-sheet issued to the petitioner with regard to nine penalties imposed on him in the past.

48. The charges on which the nine penalties have been imposed are the



following:-

- I. On 20.04.2001, the petitioner was awarded censure on account of not cooking fish properly, which caused food wastage.
- II. He was awarded penalty of two days pay fine for disregarding the order of Mess Commander on 19.03.2003 and 20.03.2003.
- III. On 31.07.2003, he was awarded the penalty of three days pay fine on account of 14 days over staying leave w.e.f., 13.06.2003 to 26.06.2003.
- IV. *Vide* order dated 18.07.2012, he was awarded the penalty of censure for misusing of Government vehicle without knowledge of Senior Officers.
- V. *Vide* order dated 18.03.2014, he was awarded the penalty of censure for remaining absent from night shift duty on 21.05.2013 without prior intimation to the Competent Authority and for overstaying of medical rest w.e.f., 01.06.2013 to 03.06.2013.
- VI. *Vide* order dated 19.01.2016, he was awarded five days pay fine for refusing to receive official communication.
- VII. *Vide* order dated 28.01.2016, he was awarded five days pay fine for refusing to receive movement order for proceeding to refresher course and resorting to medical rest to avoid the course intentionally and managed to admit himself in the Hospital.
- VIII. *Vide* order dated 19.04.2018, he was awarded with the penalty of Reduction of pay by one stage from Rs.31,100/- to 30,200/- in PB Level-3 for a period of two years without cumulative effect and not adversely affecting his pension on account of allegedly producing



fraudulent bill(s) for 149 liters fuel instead of 109 liters on 04.12.2017 for filling diesel from authorised dealers.

IX. *Vide* order dated 14.08.2020, he was awarded the penalty of withholding of one increment for a period of one year without cumulative effect for alleging tampering made in vehicle complaint register held at MT Section, CISF Unit, NLC Neyveli.

49. The nine minor penalties imposed which have not been set aside, cumulatively reveals the conduct of the petitioner, as an employee of CISF. They also indicate that despite the earlier penalties which were imposed between 2001-2018, he had not mended his ways or his conduct. Again despite directions to vacate the quarter, he did not vacate the quarters, at Kayamkulam and at Neyveli. It is an undisputed fact that the petitioner was transferred from Kayamkulam to Neyveli and on, his transfer, he was required to vacate the quarter to enable the next incumbent eligible for allotment of the quarter is allotted.

50. Similar is the position at Neyveli. The ground of medical illness of his wife of Hepatitis B, Hypertension and Diabetes, cannot be a ground to hold on to the quarter at Kayamkulam, as such facilities would be available even at NTPC project at Neyveli and to say that she was undergoing Ayurvedic treatment at Kayakulam, and would not vacate the premises is totally unjustifiable. Even the education of the children cannot be a ground to retain the quarter.

51. We are of the view, when nine penalties were imposed on the petitioner for his past misconducts which remained unchallenged, the grounds urged by the petitioner challenging the orders of Disciplinary Authority, the Appellate Authority and the Revisional Authority, cannot be



faulted. The law in this regard is well settled by the Supreme Court on which Ms. Gaur was relied upon in the case of ***Karnataka State Road Transport Corporation (supra)*** wherein, the Supreme Court has held as under:-

“24. In any event, in the instant cases, it has not been found that the respondent was entitled, before his services were terminated, to receive compensation in terms of the provisions of Section 25-F of the Industrial Disputes Act. It was not a case where the services of the respondent could have been terminated only in compliance with the provisions of Section 25-F and on the appellant's failure to do so he had derived a right to continue in service. Furthermore, in Govindaraju [(1986) 3 SCC 273 : 1986 SCC (L&S) 520] there was no case of proved misconduct made out against the workman unlike the present cases. In this case, the appellant's contention that before imposing the punishments upon the respondent, opportunities of hearing had been granted to the workman concerned is not denied or disputed. Imposition of such punishment upon the workmen had not been questioned by them. They accepted the same and, thus, the same attained finality. The history sheets of the respondents clearly show that opportunities after opportunities had been given to them to improve themselves but they did not avail the same. It was in that situation if the services of the respondents were found not satisfactory and they were discontinued in service, no fault can be found with the action of the appellant herein.

52. The petitioner has relied on the judgement of the Supreme Court in the case of ***State of Haryana and Others v. Bhajan Lal and Others 1992 Supp (1) 335*** which has no applicability in the case at hand since the said case pertains to the facts concerning quashing of criminal proceedings. Similar is the position with respect to the judgments in the cases of ***Lalita Kumari v. Government of Uttar Pradesh and Others (2014) 2 SCC 1***, ***Sunder Babu and Others v. State of Tamil Nadu (2009) 14 SCC 244***, ***Dinesh Gupta v. State of Uttar Pradesh & Anr. 2024 INSC 32*** and ***Madhu***



Limaye v. State of Maharashtra (1977) 4 SCC 551 which have been relied upon to reiterate the principles stated in *Bhajan Lal (supra)*. The same have no applicability in the case at hand which pertains to departmental inquiry.

53. Reliance has also been placed by him on the judgment of the Supreme Court in the case of *Kanwar Singh Saini v. High Court of Delhi (2012) 4 SCC 307* to argue that once the foundation of the application under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908 is found to be unsubstantiated or non-maintainable, the superstructure falls down. This judgment needless to state has no applicability in the present set of facts. He also relied on the judgment in the case of *Jai Prakash Saini v. Managing Director, U. P. Cooperative Federation Ltd. & Ors. 2026 INSC 305* to argue that if the department had not produced any witnesses when the charges were denied by the appellant therein, the inquiry would stand vitiated. We note that in the present case the petitioner was granted sufficient opportunities to cross examine the department's witnesses but he declined to do so. Hence, this judgment too does not aid the petitioner's case. Additionally, he placed reliance on the judgment in the case of *Union of India v. Sukhwinder Singh 2025:PHHC:129426-DB* as upheld by the Supreme Court *vide* order dated 01.04.2026 in *Union of India & Anr. v. Sukhwinder Singh SLP (Civil) Diary No. 11301/2026*, however noting the facts being dissimilar to the case at hand, we must state the judgment too does not help the case of the petitioner.

54. Having said that we note in the case of *Tulsi Ram Patel (supra)* the Supreme Court has held that removal from service in accordance with the Rules is not violation of the Articles 14 or 21 of the Constitution of India.



55. We are of the view that the writ petition filed by the petitioner is totally devoid of merit and is liable to be dismissed.

56. We order accordingly. No cost.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JULY 03, 2026/rk