

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.498 of 2024

Raju Debnath, S/o-Sri Haradhan Debnath, R/o-Village-Nidevi, Kumarghat & P.O-Kumarghat, P.S.-Kumarghat & District-Unakoti Tripura, PIN-799264.

....Petitioner(s)

Versus

1. **Union of India**, represented by the Secretary, Ministry of Home Affairs, North Block, New Delhi, 110001.
2. **The Secretary**, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, Staff Selection Commission, Block No.12, CGO Complex, Lodhi Road, New Delhi, Pin-110003.
3. **The Director**, National Industrial Security Academy, Central Industrial Security Force, Ministry of Home Affairs, Government of India, Hakimpet, Hyderabad-500078, Telangana.
4. **The Deputy Inspector General**, Central Industrial Security Force, National Industrial Security Academy, Ministry of Home Affairs, Government of India, Hyderabad-500078, Telangana.
5. **The Commandant/TRG**, Central Industrial Security Force, National Industrial Security Academy, Ministry of Home Affairs, Government of India, Hyderabad-500078.

....Respondent(s)

For the Petitioner(s) : Mr. P. Roy Barman, Sr. Advocate
Mr. Samarjit Bhattacharjee, Advocate
Mr. K. Nath, Advocate
Ms. A. Debbarma, Advocate
Ms. D. Paul, Advocate

For the Respondent(s) : Mr. B. Majumder, Dy. SGI

HON'BLE MR. JUSTICE ARINDAM LODH

Order

29/07/2024

Heard Mr. Samarjit Bhattacharjee, learned counsel appearing for the petitioner. Also heard Mr. B. Majumder, learned Dy. SGI appearing for the respondents-Union of India.

2. The case of the petitioner is that he has been selected for appointment to the post of Sub-Inspector in CISF. On being selected, he was asked to fill up a questionnaire form and an undertaking regarding any pending court cases. The petitioner has filled up all the information as sought in the said questionnaire form (*Annexure-8* to the writ petition) and also completed all the formalities. The said form is reproduced hereunder, for convenience, except the questions written in Hindi language:

“QUESTIONNAIRE FORM(19h)

1	Have you ever been convicted by any court of law or any other judicial institution?	Yes/No ✓
2	Is there any case pending against you in any court of law?	Yes/No ✓
3	Has any FIR been lodged and case is pending against you?	Yes/No ✓
4	Was any FIR ever lodged against you in the past? a. If yes, case No. and sections under which FIR was lodged b. Name of Police Station where FIR was lodged? c. Was the case charge sheeted or returned in FR? d. If case was charge sheeted, what was the outcome in court? (i) Convicted (ii) Acquitted (iii) Compromised (iv) Compounded (v) Any other, Please specify	Yes/No ✓ Case No.: PRC(WP) 107 of 2019 Sections:341, 353, 32b, 342, 34 KUMARGHAT Yes ACQUITTED
5	Have you ever been dismissed/removed from any service under the Central or State Govt.?	Yes/No ✓
6	Have your service ever been terminated while on probation	Yes/No ✓
If the answer of any one of the above is Yes then please provide complete details on a separate sheet		

UNDERTAKING

I Raju Debnath declare that the above information is true to the best of my knowledge and belief. I understand that in case the information is bound to be false or incorrect my candidature is liable to be cancelled apart from any departmental or legal proceedings that may be initiated against me.

Sd/-
Signature of the candidate

Name: Raju Debnath
Roll No.: 5601001148
Father's Name: Haradhan
Debnath
Address: Nidevi, Kumarghat
Dist: Unakoti
State: Tripura
Pin No.-799264

Place:
Date:

3. On receipt of the said questionnaire form and other documents, the petitioner vide order dated 10.06.2024 was asked not to report for the basic training of Sub-Inspector in CISF till confirmation is sent from Director NISA, Hyderabad.
4. It is revealed from the said impugned order dated 10.06.2024(*Annexure-13* to the writ petition) that in view of the criminal case, the matter was sent to the Standing Screening Committee of CISF for consideration and further direction. It is also revealed that the decision of the case of the petitioner would be communicated separately in due course as and when the same would be received from CISF, FHQrs, New Delhi.
5. It is the contention of the petitioner that since he has been acquitted from the criminal case and he has not suppressed any material facts as has been asked in the questionnaire form as per Clause 19(h), it would be improper and arbitrary if he is asked not to report for the basic training in CISF.
6. Learned Dy. SGI has submitted that the matter was referred to the Standing Screening Committee of CISF in compliance with the guidelines.
7. I have considered the submissions advanced by learned counsel appearing for the parties.
8. Having regard to the entire facts, particularly the reason assigned in the impugned order and considering the fact that the matter was sent to the Standing Screening Committee, I direct the respondents to dispose of the case of the petitioner within a period of 8(eight) weeks from today since the communication dated 10.06.2024 has not mentioned any period of disposal of the case of the petitioner.
9. The impugned order directing the petitioner not to report for training is interfered with accordingly.

The instant writ petition stands allowed in the above terms.

JUDGE

Snigdha

SAIKAT
KAR

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by SAIKAT KAR
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