

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) No.249 of 2025**

Sri Jayanta Rudra Paul,

S/o. Sri Ajit Rudra Paul,

Resident of Charipara, Belabar, VTC AD Nagar, P.O. S.D. Mission,
P.S. Amtali, Sub-Division: Sadar, District: West Tripura, PIN-
799003, Roll No. 5601006567.

.....Petitioner(s)

- V e r s u s -

1. The Union of India,

Represented by the Secretary of the Ministry of Home Affairs, Govt.
of India, New Delhi, 1.

2. The Staff Selection Commission,

Represented by the Chairman, Block No.12 CGO Complex Lodhi
Road, New Delhi, 03.

3. The Regional Director,

Staff Selection Commission, Guwahati, Assam, House Fed
Complex, Dispur, Ghy-6.

4. The Director General,

Border Security Force, Block No.10 CGO Complex Lodhi Road, New
Delhi, 03.

5. The Director General,

Sashatra Seema Bal, 5-6, Vivekananda Marg, East Block, R.K.
Puram, New Delhi, 22.

6. The Director General,

Central Reserve Police Force, (Recruitment) East Block-07, Level-
4, Sector-01, R.K. Puram, New Delhi, 66.

7. The Director General,

Indo Tibetan Border Police, Block No.IV, CGO Complex Lodhi Road,
New Delhi, 03.

8. The Director General,

Central Industrial Security Force, Block No.13 CGO Complex Lodhi
Road, New Delhi, 03.

9. The Director General,

Assam Rifles, Nongrimmaw, Laitumukhrah, Goraline, Shillong,
Meghalaya, 11.

**10. [----- Name deleted vide order dated 18.07.2025
passed in I.A. No.1 of 2025-----]**

..... Respondent(s)

For the Petitioner(s)	:	Mr. Supriya Chakraborty, Advocate. Mr. Jayanta Majumder, Advocate.
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For the Respondent(s)	:	Mr. Bidyut Majumder, Dy. S.G.I.
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Date of hearing and delivery of Judgment & Order	:	18th July, 2025.
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Whether fit for reporting	:	NO
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HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA

JUDGMENT & ORDER (Oral)

Heard Mr. Supriya Chakraborty, learned counsel and Mr. Jayanta Majumder, learned counsel appearing for the petitioner. Also heard Mr. Bidyut Majumder, learned Dy. S.G.I. appearing for the respondent Nos.1 and 4 to 9.

2. It is admitted by both the parties that pursuant to an advertisement dated 24.11.2023 (Annexure-1 to the writ petition), the petitioner applied for his selection to the post of Constable (GD) in Border Security Force (BSF), Central Industrial Security Force (CISF), Central Reserve Police Force (CRPF) and other forces through a composite selection process. He duly qualified the computer based written examination, Physical Efficiency Test (PET), Physical Standard Test (PST) and also the Medical Examination. Thereafter, as a matter of procedure, the biometric verification was taken up and it was detected by the recruitment board that his biometric (LTI) did not match with the standard biometric as was taken earlier. Therefore, he was put within the bracket of suspected candidates, and both his specimen signatures along with his original documents/recruitment dossiers were forwarded to the Director of the State Forensic Science Laboratory, Narsingarh, Agartala, vide letter dated 25.01.2025, with a request to confirm veracity of petitioner's signature, handwriting and Left Thumb Impression available at 10 different places, with the data available on Admission Certificate.

3. Thereafter, the Tripura State Forensic Science Laboratory, Narsingarh, vide their letter dated 10.03.2025 submitted the examination report with opinion that the signature/writing stamped and

marked as A-1 to A-54 and A-55 to A-58 revealed similarities in all the significant handwriting characteristics appearing in all the enclosed signatures/writing and there did not exist any fundamental differences. However, due to lack of infrastructural facilities, they could not examine the thumb impression of the petitioner, and as such, his standard fingerprints/left thumb impressions marked as S-1 to S-36 along with stage wise fingerprints/thumb impressions marked as Q-1 to Q-10 were forwarded to the In-charge of National Crime Records Bureau (NCRB), National Highways-8, Gurgaon, New Delhi, vide letter dated 09.04.2025. The response from said National Crime Records Bureau is still awaited.

4. Mr. Supriya Chakraborty, learned counsel for the petitioner submits that there is every possibility of considerable delay in receipt of the report from the National Crime Records Bureau by the Department, and therefore, despite qualifying all the examinations and securing a place in the merit list, the petitioner is not being provided a job. In such a situation, Mr. Chakraborty, learned counsel refers to a decision of this Court dated 13.01.2025, passed in a case between **Sri Dipak Das and Anr. vs. The Union of India and Ors.**, in **WP(C) No.739 of 2024**, and submits that in a similar situation, this Court directed the respondents to issue appointment orders provisionally in favour of the petitioners of that case, subject to confirmation of the biometric verification and the Forensic Science Laboratory reports. Learned counsel urges to dispose of the present writ petition with similar direction(s). Mr. Chakraborty, learned counsel also relying on the final selection lists (Annexure 4 & 5), submits that the petitioner was selected for a job in C.R.P.F., and therefore, the appointing authority of the petitioner will be respondent No.6.

5. Mr. Bidyut Majumder, learned Dy. S.G.I., on the other hand, submits that the appointment of any person in the Armed Forces is directly linked with national security, both internal and external, and therefore, all sorts of caution are required to be taken before appointing any person in the Force, and therefore, the matter was sent to the Forensic Science Laboratory, till the petitioner is offered with a job. Learned Dy. S.G.I. also submits that as soon as such report is received, based on it, necessary decision will be taken up by the department.

6. The Court has considered the submissions of both sides and also has gone through the relevant records. It is fact that the specimen biometrics with question biometric were forwarded to the National Crime Records Bureau, New Delhi, on 09.04.2025 but after so many days no report has yet been received. It also cannot be said by the respondents as to when such report is likely to be received by them. In such uncertainty, the petitioner is not being offered with any job, despite qualifying all the required tests and examinations.

7. This Court has taken note of the judgment passed in the said ***Sri Dipak Das (supra)***, and in that case also, the result of the selection process were held up due to biometric verification. Learned Bench in that case referring to a decision of Kerala High Court in the case of ***Udayakumar K. vs. Union of India and Ors.***, passed in ***WP(C) No.12732 of 2021***, and another decision of the Gauhati High Court in the case of ***Sanjib Bharti and 16 Ors. vs. The Union of India and Ors.***, in ***WP(C) No.5984 of 2023***, passed the following orders:

"Having perused the orders passed by the Kerala High Court and the Gauhati High Court relating to the ongoing selection process for various posts under the respondents, I find no reason to take a different view and totally endorse the views taken by the Kerala High Court and Gauhati High Court in the

case of Udayakumar(supra) and Sanjib Bharti(supra) respectively.

As a sequel, I direct the respondents to issue appointment orders provisionally in favour of the petitioners subject to confirmation of the biometrics verification and the FSL reports. The petitioners shall report to the authorities concerned in terms of the appointment orders. If any irregularity or any malpractice is found, then, it would be prerogative of the respondents to dismiss the petitioners and in that case, the petitioners shall be liable to refund all the benefits they would receive out of their provisional appointments unconditionally.

However, there shall be liberty reserved with the petitioners to approach the Court if they are aggrieved of any orders passed by the respondents."

8. For further elucidation of the matter the relevant portion of the decision of the Kerala High Court as was extracted in **Sri Dipak Das** case is also quoted hereinbelow:

"2. The apprehension of the petitioners is that, after having successfully come out through all the stages of tests, their appointment is delayed due to the issue relating to the biometric system. According to the petitioners, the respondents have even collected sufficient materials for further cross verification. According to the learned Counsel for the petitioners, the persons, who got selected along with the petitioners regarding whose biometrics there were no issues, have already commenced training and have undergone substantial part of it. It seems that almost every possible steps have been taken to ensure and confirm the identity of the candidates. It is true that the respondents need a confirmation in the biometric process also. However, that alone cannot stand in the way of the petitioners losing their chance.

3. The learned CGC opposing the application contended that, the FSL report is still awaited and the respondents have to wait till the Forensic Reports are announced. The learned CGC further contended that the petitioners if selected, are ultimately expected to carry out the internal operations and even at the border sensitive areas. Hence, the appointing authority cannot take the chance of any error in identification, will be too risky for the establishment.

4. In the above circumstances, there will be a direction to respondents to expedite the Forensic Examination and to address the laboratory to send the Forensic Reports at the earliest. Pending the above, respondents shall forthwith initiate process for issuing appointment orders to each of the petitioners finally selected. The petitioners shall produce individual notarised affidavits wherein, each shall confirm his / her identity and affix the signature and thumb impression, with reference to their approved records like Aadhar Card or Passport or Driving License. They shall affirm that in case of any impersonation leading to their removal from the Forces, they will accept it and return all the monetary or other benefits which they have received, unconditionally. They shall report at the time and place as directed in the call letter. Respondents shall cross check all requisite documents. After satisfactory confirmation, they shall be appointed provisionally, subject to FSL Report. The entire process shall be completed by the respondents at the earliest."

9. In the instant case, the Forensic Science Laboratory has already given due clearance to the specimen handwriting of the petitioner. The matter of the petitioner's selection is pending only for receipt of the report on his biometrics to be submitted by the National Crime Records Bureau. There are also other ways of preliminary verification of the identity of the petitioner whenever any doubt arises.

10. Considering all these aspects, the writ petition is allowed with the following directions:

(i) The respondents are directed to communicate with the National Crime Records Bureau to expedite the examination of biometric (LTI of the petitioner) and to send the report at the earliest.

(ii) Pending receipt of the above said report, the respondent No.6 shall forthwith take steps to provisionally issue the offer of appointment to the petitioner on his production of a notarised affidavit confirming his identity, affixing his signature and thumb impression therein, along with his Aadhaar card, Voter Identity card and any other document bearing his proper identity. The petitioner shall thereafter report to the concerned authorities in terms of the appointment order.

(iii) If thereafter, any irregularity or malpractice is found in this regard on the part of the petitioner, it would be prerogative of the respondent No.6 to dismiss the petitioner from service, and in that case, the petitioner shall be liable to refund all the benefits he would be receiving out of his provisional appointment unconditionally, apart from any other lawful action taken by the department against him.

However, there shall be liberty reserved to the petitioner to approach the Court if he is aggrieved by any order passed by the concerned department.

With such observations and directions, the writ petition is disposed of.

Pending application(s), if any, shall also stands disposed of.

JUDGE

SUJAY
GHOSH

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by SUJAY GHOSH
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