



WEB COPY

WP No. 25858 of 2011



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K. SURENDER

WP No. 25858 of 2011

C.Selvam

Petitioner(s)

Vs

1. Deputy Inspector General CISF,
South Zone, Head Quarters,
Rajaji Bhavan, D-block,
Besant Nagar, Chennai-90.

2.Group Commandent
CISF, Group Head Quarters, Block-D,
Rajaji Bhavan, Besant Nagar,
Chennai-600 090.

Respondent(s)

Prayer: This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to call for the concerned records relating to the order No.VI5014/GHC/AD-VI/CS/SSP Maj-/2010-4216 dated 31.07.2010 passed by the 2nd respondent confirmed in appeal by order No.V-11014/60/ANU/D.S./2010/6742 dated 29.10.2010 passed by the first respondent and the order No.V-15014/L&R/SS/CS/2011-3732 dated 29.04.2011 rejecting revision passed by the 1st respondent and quash the same and consequently direct the respondents to restore the petitioner's pay and grant all consequential monetary and other service benefits.



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For Petitioner(s): Mr.M.Gnanasekar for M/s.P.Arulmudi And Co.

For Respondent(s): M/s. Dr.D. Simon, CGSC for R1 , R2

ORDER

This Writ Petition is filed to quash the order No. VI5014/GHC/AD-VI/CS/SSP Maj-/2010-4216 dated 31.07.2010 passed by the 2nd respondent confirmed in appeal by order No.V-11014/60/ANU/D.S./2010/6742 dated 29.10.2010 passed by the first respondent and the revisional order No. V-15014/L&R/SS/CS/2011-3732 dated 29.04.2011 passed by the 1st respondent, and to direct the respondents to restore the petitioner's pay and grant all consequential monetary and other service benefits.

2. The brief facts of the case are that the petitioner, while working as Head Constable, was on duty and an amount of Rs.350/- was recovered from his possession. The petitioner had declared an amount of Rs.10/- before his shift , which was in his possession. However, the vigilance team found an amount of Rs.350/-. On the basis of amount recovered, charges were framed for being in illegal possession of currency of Rs.350/-, which was alleged to be illegal gratification.



3. An enquiry officer was appointed, and during the course of the enquiry, the enquiry officer examined witnesses, marked exhibits and submitted a report stating that the petitioner was guilty of being in possession of Rs.350/-, which he had not accounted for.

4. The second respondent awarded the following punishment:

“Reduction of pay to a lower stage from Rs.10870/- to Rs.8930/- in the Pay Band of Rs.5200-20200 + G.P. Rs.2800 for a period of four years with immediate effect. It is further directed that during the period of reduction he will not earn increment of pay and on expiry of the punishment period the reduction will have effect in postponing his future increment of pay”

5. It is not disputed that the petitioner approached the Appellate Authority and thereafter the Revisional Authority, both the authorities have upheld the punishment imposed by the second respondent.

6. The learned counsel for the petitioner submits that the punishment imposed is contrary to Rule 34 (v) and (viii) of the CISF Rules 2001, as the



rules prohibit imposing such punishment for more than three years.

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7. Rule 34 (v) and (viii) of the CISF Rules 2001, are extracted hereunder:

“34.(v) save as provided for in clause (viii) below reduction to a lower stage in the time scale of pay for a specified period with further directions as to whether or not the enrolled member will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will have the effect of postponing the future increments of his pay.

34. (viii) Reduction to a lower stage in the time scale of pay one stage for a period of not exceeding three years, without cumulative effect and not adversely affecting the pension.”

8. It is clear under Rule 34 (viii), any reduction to a lower stage in the time scale of pay by one stage for a period shall not exceed three years. The period of four years as reflected in the punishment is contrary to the said rules.

9. The learned counsel also relied on the judgment of this Court in W.P.No.17263 of 2011 dated 01.06.2023, wherein orders were passed under similar circumstances.



10. Keeping in view that there cannot be reduction for a period exceeding three years, this Court deems it appropriate to modify the punishment as *“Reduction to a lower stage in the time scale of pay by one stage for a period of three years, without cumulative effect.”*

10. The respondents are directed to pay all consequential benefits that accrue to the petitioner for the excess period, in accordance with Rule 34(viii) of the CISF Rules, 2001, after modification of the punishment, within a period of 12 weeks from the date of receipt of a copy of this order

11. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

K.SURENDER J.
30-10-2025

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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K.SURENDER, J.

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To

1. Deputy Inspector General Csf,
South Zone, Head Quarters, Rajaji
Bhavan, D-block, Besant Nagar,
Chennai-90.

2. Group Commandent
Csf, Group Head Quarters, Block-d,
Rajaji Bhavan, Besant Nagar,
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