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

+ **CONT.CAS(C) 538/2025**

VIPIN KUMAR

.....Petitioner

Through: Mr. Sumit Goswami, Advocate with
petitioner in person.

versus

THE DIRECTOR FORENSIC SCIENCE LABORATORY & ANR.

.....Respondent

Through: Ms. Avnish Ahlawat SC, GNCTD
with Mr. N.K Singh, and Ms. Aliza
Alam, Advs for R-2.

Mr. Vinod Katyal, SO Admn, FSL
and Mr. Balvinder Thanewal, ASO
Admin, FSL.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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16.05.2025

1. Pursuant to the previous order, *Ms. Avnish Ahlawat*, Standing Counsel for GNCTD is appearing along with *Ms. Aliza Alam* and the officers of Forensic Science Laboratory ('FSL').

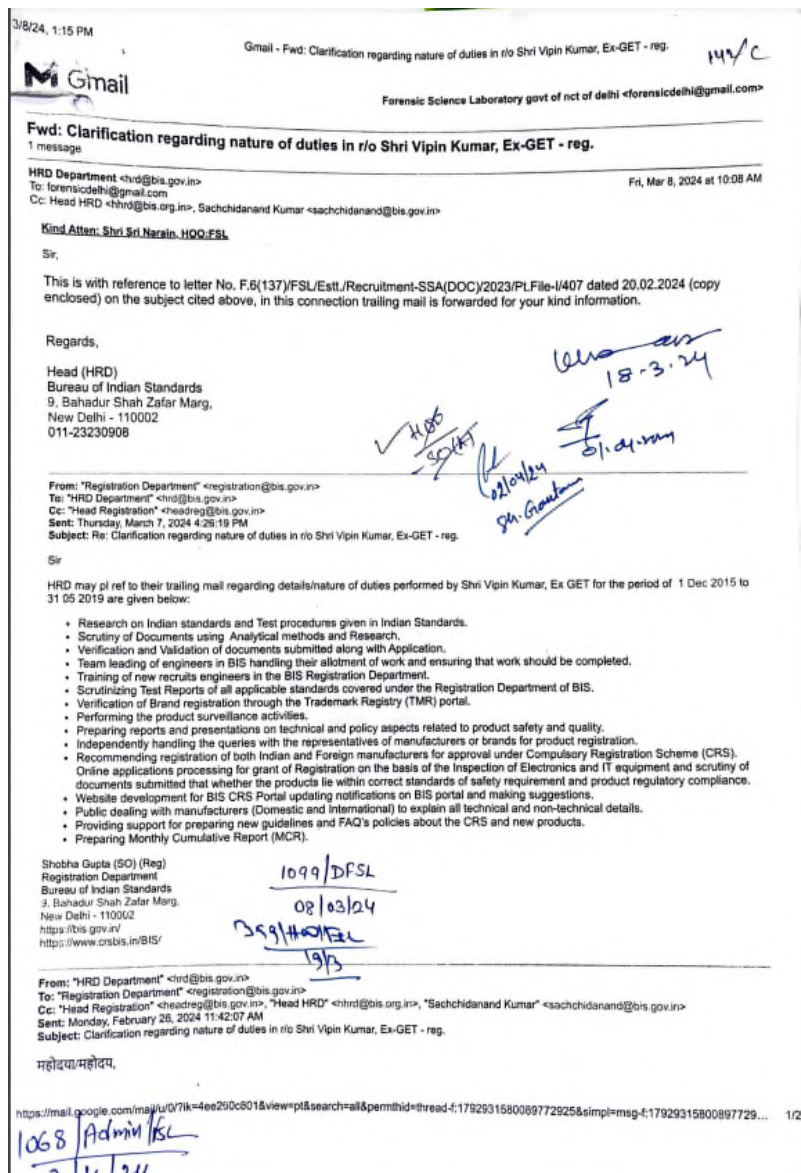
2. The FSL file has been shown to this Court and the following sequence of events is necessary to place, as under:

- i. *On 3rd July 2023*, a provisional recruitment was given to petitioner by the FSL. This was provisional subject to verification of the qualifications which were required for the appointment. One of the



issues was the scope of experience of the petitioner on technical issues related to forensics.

- ii. In this regard, a communication was received from the *Bureau of Indian Standards ('BIS')* on *19th June 2019* addressed generally '*to whomsoever it may concern*' and stated that the petitioner had worked in BIS as a Graduate Engineer purely on a *temporary basis* for technical services w.e.f. *1st December 2015* to *31st May 2019*.
- iii. FSL wrote a letter on *20th February 2024* asking the BIS to clarify the nature of duties performed by petitioner and provide the Experience Certificate *in standard form on the letterhead of the organization*.
- iv. A communication was received by email on *8th March 2024* forwarding a trail mail from the Human Resource Department of BIS regarding the details and nature of duties performed by petitioner. It would be apposite to extract the text of this mail, which is as under:



- v. On 29th May 2024, FSL issued a letter to BIS stating that they had received the email of 8th March 2024 but that was not in a proper format of an Experience Certificate and it should be sent in a standard format on the letterhead of the organization with other details.
- vi. BIS responded on 6th June 2024, enclosing the Experience Certificate of the petitioner and recording his experience as under:

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/07/2025 at 01:39:50



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मानक: पञ्चादशकः

मानक ब्यूरो
उपरोक्त मानक, कानून एवं सार्वजनिक वितरण विभाग
भारत सरकार
BUREAU OF INDIAN STANDARDS
Ministry of Consumer Affairs, Food & Public Distribution
Government of India

Our Ref.: HRD/2020-21/Gem/Manpower (GET) (Vol.III) 06 June 2024

TO WHOM SO EVER IT MAY CONCERN

This is to certify that Shri Vipin Kumar S/o Shri Rajbir Singh, was a contractual employee of this organization and duties performed by him during the period(s) are as under:

1. Name of post held	Graduate Engineer on contractual basis
2. From DD/MM/YY	01.12.2015
3. To DD/MM/YY	31.05.2019
4. Total period YY/MM/DD	3 Years 6 Months
5. Nature of Appointment	On Contract Basis
6. Department/ Specially/ Field of experience	Registration Department
7. Pay scale and last salary drawn	Fixed Rs. 35,000/- per month (subject to statutory deduction)
8. Duties performed/ experience gained in brief in each post	• Scrutiny of Documents submitted along with Application. • Scrutinizing Test Reports of all applicable standards covered under the Registration Department of BIS. • Assistance in putting up recommendations for registration of manufacturers under Compulsory Registration Scheme (CRS). • Online application processing for grant of Registration on the basis scrutiny of documents submitted. • Assistance in website development for BIS CRS Portal updating notifications on BIS portal and making suggestions. • Providing support for preparing new guidelines and FAQ's policies about the CRS and new products.
9. Place of posting	Bureau of Indian Standards, New Delhi

2. It is certified that above facts and figures are true and based on service records available in our Department.

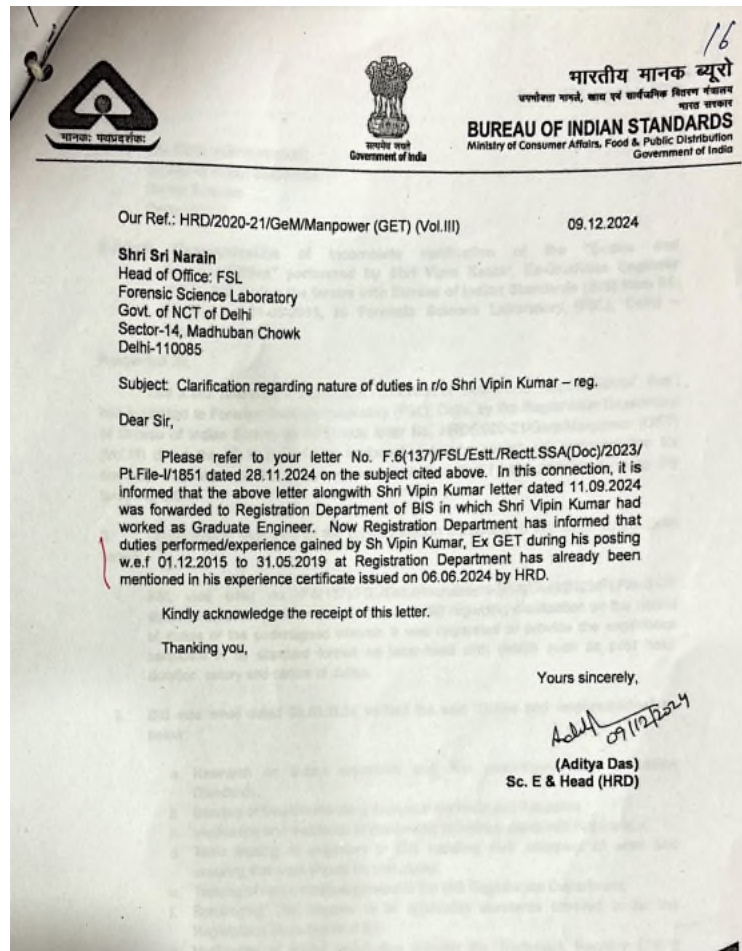
(Jitender Kumar)
Scientist-E & Head (HRD)
Email: hrd@bis.gov.in
Tel:011-23230908

Shri Vipin Kumar
Ex-Graduate Engineer on contract basis

- vii. On 11th September 2024, the petitioner wrote a letter with reference to the email of 8th March 2024 and stated that his experience included the field of analytical methods/research which was qualified for the FSL post.
- viii. Based on this letter from the petitioner, another communication was sent on 28th November 2024 to BIS asking to offer their comments on the petitioner's letter.
- ix. A response was received on 09th December 2024 from BIS stating that the experience of the petitioner had already been mentioned in the



Certificate issued on 6th June 2024; the said response is extracted as under:



3. The petitioner's grievance relates to the discrepancy in BIS's email of 8th March 2024 noting his experience in "*scrutiny of documents using analytical methods and research*" versus the narrative in the Experience Certificate as "*scrutiny of documents submitted along with application*"; because of this discrepancy, a fundamental aspect which would qualify him for FSL is missing in the Experience Certificate and, therefore, the petitioner has been knocking the doors of this Court for clarification in that regard from the FSL/BIS.
4. It is, therefore, being directed that in compliance of orders of 12th



March 2025 in ***W.P. (C) 3145/2025*** FSL will issue a communication to BIS asking them to clarify this discrepancy - to either verify that what was stated in the email dated *8th March 2024* was correct in respect of experience or otherwise clarify the statement made in the Experience Certificate issued on *6th June 2024*.

5. The said communication shall be issued within a week by the FSL to the BIS. BIS shall respond to it within the next two weeks, thereafter.

6. Communication shall be shared by both the departments, FSL and BIS, with the counsel for petitioner.

7. *Mr. Nishchal Joshi*, Advocate had appeared for BIS, however, he is not present in Court today. *Ms. Aliza Alam*, counsel for FSL shall inform *Mr. Nishchal Joshi* of the order, so that these directions be fully complied with.

8. Liberty is given to the petitioner to take steps in accordance with law based on the clarification issued by FSL/BIS.

9. *Ms. Avnish Ahlawat* further states that cancellation order of his appointment has now been passed on *15th May 2025*; the said order will be kept in abeyance till this communication, as directed, is complete.

10. Petition is disposed of with the aforesaid directions. Liberty is granted to the petitioner to revive the petition in case there is any continued infraction.

11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 16, 2025/RK/na