



The petitioner was initially enrolled in the Central Reserve Police Force (CRPF) under the Sports category and was appointed to the 51 Battalion pursuant to Group Centre, CRPF, Pallipuram Office Order No. R.H.-4/2005-CC-5 dated 12.07.2005.

Subsequently, in the year 2007, a chargesheet was issued against the petitioner under Section 11(1) of the CRPF Act, 1949, on allegations of misconduct. It was alleged that, at the time of recruitment, the petitioner had failed to disclose material information in Column 12(a) of the Verification Roll by suppressing the existence of FIR No. 306 registered against him. This act was treated as a violation of the standards of good conduct and discipline expected of a member of the Force.

A departmental enquiry was conducted, during which both charges were found to be proved by the Enquiry Officer. During cross-examination, the petitioner admitted that he had answered 'No' in the relevant column under the bona fide belief that, having already been acquitted in the said case, disclosure was unnecessary.

Based on the findings of the enquiry and the petitioner's own admission, the competent authority, vide order dated 02.08.2007 (Annexure P-5), dismissed the petitioner from service. The petitioner's departmental appeal was also dismissed by the appellate authority i.e. Deputy Inspector General of Police (DIGP), CRPF, Pallipuram Range, vide order dated 30.01.2012.

Aggrieved by the dismissal, the petitioner preferred a revision petition dated 27.07.2015 before the Inspector General of Police (IGP), Southern Sector, CRPF, Hyderabad. However, the same was also dismissed vide order dated 20.02.2017 (Annexure P-9).



Hence, the present writ petition has been filed challenging the orders of dismissal and subsequent rejection of the appeal and revision.

3. **Submissions**
On behalf of petitioner

Learned counsel for the petitioner argues that the petitioner, being a member of a disciplined force, is alleged to have suppressed material information relating to the registration of FIR No. 306 against him. The basis of the allegation is that, at the time of his recruitment to the 51 Battalion, CRPF, the petitioner failed to disclose this fact in Column 12(a) of the Verification Roll. This column specifically required disclosure of any past instances of arrest, prosecution, conviction, imprisonment, bail, fine, or any finding of guilt by a court or competent authority, including any debarment or cancellation by a Public Service Commission and in that column the petitioner had answered 'No'.

It is the contention of the learned counsel for the petitioner that the charge sheet (Annexure P-3) is vitiated by a fundamental factual error. The charge proceeds on the erroneous premise that Case/FIR No. 306 was pending against the petitioner at the time of filling the Verification Roll. However, it is an undisputed fact that the said case was conclusively disposed of on 12.12.2002, resulting in the petitioner's acquittal, well prior to his recruitment in 2005. Therefore, the foundational basis of the charge is factually incorrect and, consequently, the charge is legally unsustainable and liable to be quashed.

Further, the reports dated 21.06.2006 and 19.08.2005 issued by the Deputy Magistrate, Bhiwani, and the Senior Superintendent of Police, Bhiwani, respectively, which have been relied upon to support the issuance of the charge sheet, are themselves factually inaccurate. These reports wrongly state that Case



No. 306 was pending before the courts in Bhiwani at the relevant time. In reality, no such case or FIR was pending against the petitioner either at the time of issuance of these reports or at the time of his recruitment.

It is pertinent to note that, in his response to the show cause notice, the petitioner had submitted a certified copy of the judgment dated 12.12.2002, evidencing his acquittal and the closure of the said case.

Despite the clear absence of any pending case or concealment of material facts, the enquiry proceeded on a patently incorrect factual basis, thereby causing serious prejudice to the petitioner. In light of these circumstances, the entire disciplinary action initiated against the petitioner is devoid of factual foundation and, having been premised on demonstrably false assumptions, ought to have been dropped at the threshold.

On behalf of respondent(s)

Learned counsel for the respondent contends that the petitioner, at the time of his appointment to the Force, deliberately suppressed material information in the Verification Roll by failing to disclose the registration of FIR No. 306 dated 19.08.2001 under Sections 323, 325, and 34 of the Indian Penal Code, 1860, at Police Station Sadar, Bhiwani. It is submitted that this act of concealment constitutes the furnishing of false information at the very threshold of entry into a highly disciplined and esteemed force such as the Central Reserve Police Force (CRPF), thereby casting serious doubt on the petitioner's integrity and character.

It is further argued that such suppression of material facts reflects dishonesty and a lack of candour, rendering the petitioner unfit for continued service in the Force. The respondent relies upon Government of India's Decision No. 2 under Rule 11 of the Central Civil Services (Classification, Control and



Appeal) Rules, 1965, which unequivocally states that a government servant who either does not possess the requisite eligibility under the recruitment rules, or who obtains appointment by furnishing false information, is not entitled to be retained in service.

Accordingly, it is submitted that the fact of the petitioner's subsequent acquittal in the said criminal case is immaterial to the disciplinary proceedings. What is material is the act of concealment at the time of recruitment, which is a standalone ground sufficient to justify the disciplinary action taken against the petitioner.

4. Conclusion and analysis

Upon a comprehensive examination of the material on record including the charge sheet, enquiry report, orders of dismissal, decisions of the appellate and revisional authorities, as well as the rival submissions advanced by learned counsel for the parties, it is evident that the writ petition is devoid of merit and is liable to be dismissed.

It is not in dispute that FIR No. 306 dated 19.08.2001, under Sections 323, 325, and 34 of the Indian Penal Code, was registered against the petitioner. Though the criminal case culminated in acquittal vide judgment dated 12.12.2002, the fact remains that at the time of filling the Verification Roll for recruitment into the CRPF in 2005, the petitioner failed to disclose this material information in Column 12(a), which specifically required disclosure of any past arrest, prosecution, conviction, or any criminal proceedings.

The petitioner's omission to disclose the existence of the said FIR amounts to furnishing false information at the threshold of entry into a disciplined force, thereby constituting a serious breach of trust and professional integrity. It is



a settled position of law that such suppression or misrepresentation during recruitment constitutes misconduct, regardless of the subsequent outcome of the criminal proceedings.

Reliance can be placed on the judgment of the Hon'ble Supreme Court in ***R. Radhakrishnan v. Director General of Police & Ors., 2008(1) SCT 20 : 2007(6) RAJ 402 : (2008)1 SCC 660*** wherein, the Court held as under :

"Indisputably, the appellant intended to obtain appointment in a uniformed service. The standard expected of a person intended to serve in such a service is different from the one of a person who intended to serve in other services. Application for appointment and the verification roll were both in Hindi as also in English. He, therefore, knew and understood the implication of his statement or omission to disclose a vital information. The fact that in the event such a disclosure had been made, the authority could have verified his character as also suitability of the appointment is not in dispute. It is also not in dispute that the persons who had not made such disclosure and were, thus, similar situated had not been appointed."

Similarly, in ***A.P. Public Service Commission v. Koneri Venkateswarulu, 2005 (7) SCC 117;***

"We are unable to accept the contention of the learned counsel for the first respondent. As to the purpose for which the information is called, the employer is the ultimate judge. It is not open to the candidate to sit in judgment about the relevance of the information called for and decide to supply it or not. There is no doubt that the application called for full employment particulars vide Column 11. Similarly, Annexure III contained an express declaration of not working in any public or private employment. We are also unable to accept the contention that it was inadvertence which led the first respondent to leave the particulars in Column 11 blank and make the declaration of non-employment in Annexure III to the application. The application was filled on 24-7-1999, the examination was held on 24-10-1999, and the interview call was given on 31-1-2000. At no point of time did the first respondent inform the appellant commission that there was a



bonafide mistake by him in filling up the application form, or that there was inadvertence on his part in doing so. It is only when the appellant commission discovered by itself that there was suppressio veri and suggestio falsi on the part of the first respondent in the application that the respondent came forward with an excuse that it was due to inadvertence. That there has been suppressio veri and suggestio falsi is incontrovertible. The explanation that it was irrelevant or emanated from inadvertence, is unacceptable. In our view, the appellant was justified in relying upon the ratio of Kendriya Vidyalaya Sangathan (supra) and contending that a person who indulges in such suppressio veri and suggestio falsi and obtains employment by false pretence does not deserve any public employment. We completely endorse this view.”

Further Rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, also mandates that a government servant who furnishes false information at the time of appointment is not entitled to be retained in service. This principle applies with greater rigour to members of disciplined forces such as the CRPF.

It is imperative for any person applying for a post to exercise the highest degree of diligence in providing complete and truthful information. The petitioner's claim that he acted under a bona fide mistaken belief that disclosure was unnecessary following acquittal cannot absolve him of the fundamental duty to exercise due diligence and disclose all material facts fully and accurately. The obligation to make a full and fair disclosure lies exclusively with the person applying for any post, who must recognize that withholding any pertinent information, whether deliberately or inadvertently, can have serious consequences. In this context, the mere existence of an FIR is an independent and material fact that must be disclosed, regardless of any perceived inaccuracies or ambiguities in official reports dated 21.06.2006 and 19.08.2005 concerning the pendency of the



case. Failure to reveal such crucial information not only undermines the integrity of the candidate but may also amount to serial non-disclosure, reflecting a persistent pattern of omission that erodes trust and compromises the transparency expected of individuals seeking public office or positions of responsibility. Therefore, full disclosure is not merely procedural but an essential ethical and legal obligation incumbent on every candidate.

In view of the above analysis, this Court finds no infirmity, either legal or procedural, in the orders passed by the disciplinary authority, the appellate authority, or the revisional authority. The disciplinary action taken against the petitioner was lawful, proportionate, and in consonance with the applicable rules and settled principles of law.

Accordingly, the writ petition stands dismissed. There shall be no order as to costs.

09.09.2025

Sham

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*