



CWP-20544-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-20544-2025

Date of Decision: 22.07.2025

HC Nirmal Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Kamaldip Singh Sidhu, Advocate for the petitioners

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of orders dated 18.03.2025 (Annexure P-4) and 01.07.2025 (Annexure P-5) whereby jurisdictional authorities have been asked to relieve them.

2. The petitioners joined Punjab Police Force as Constables. They came to be deputed to Police Training Centres. They were retained at Training Centres after completion of their basic training. They were assigned job of Drill Instructors. They imparted training for a sufficient period. On account of their performance, they were deputed for Lower School Course in terms of Rule 19.22(1) of Punjab Police Rules, 1934 (for short 'PPR'). As per Rule 19.22(1), an Instructor cannot be retained for more than three years except with the prior consent of Inspector General of Police ('IGP'). The



petitioners were retained beyond three years. After 8-11 years, they were sent back to their parent districts as Head Constables. They are posted with District Police. The Special Director General of Police, HRD (Training) has desired that they should be brought back to Training Centres because there is need of Instructors. The jurisdictional Senior Superintendents of Police/Commissioners of Police are of the opinion that the petitioners are required in the district and as such they cannot be relieved. The Special Director General of Police, HRD (Training) has invoked Rule 19.22(2) of PPR to compel the petitioners to join Training Centres.

3. Learned counsel for the petitioners submits that petitioners have already devoted their 8-10 years to the Training Centres, thus, they should be permitted to work in their respective districts. No Instructor can be retained beyond three years. It is grave injustice with them. It is discriminatory and violative of their fundamental rights.

4. Notice of motion.

5. Mr. Aman Dhir, Deputy Advocate General, Punjab, who on advance notice is present in Court, accepts notice on behalf of respondent-State.

6. On the request of both sides, the instant petition is taken up for final adjudication.

7. Learned State counsel submits that petitioners were granted out-of-turn promotions to the rank of Head Constables because they were acting as Drill Instructors. As per Rule 19.22(1) of PPR, the Instructors may be admitted to Lower School Course if they have served for a minimum period



of three years in any Police Training Institute. In the normal course, a Constable is not admitted to Lower School Course on completion of three years service. The decision to bring back the petitioners from district to Police Training Institute is an administrative decision. The authorities in terms of Sections 3 and 4 of Punjab Police Act, 2007 are competent to post any Head Constable in any part of the State.

8. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

9. From the perusal of impugned orders, it is evident that these are purely administrative orders. The petitioners are qualified Drill Instructors. They were trained by respondent in the Training Schools. They were retained beyond three years and on account of their satisfactory service, they were granted benefit of Lower School Course which is foundation for promotion to the rank of Head Constable. As per Sub-Rule (2) of 19.22, promotion made during service at Training School is temporary. On transfer from Training School to district, officer has to revert to his substantive rank. The petitioners were promoted to the rank of Head Constables while they were acting as Drill Instructor and posted at Training Schools. The impugned orders are administrative orders whereby the petitioners have been ordered to be posted at Training Schools. The scope of interference in an administrative order is very limited and narrow. It is the higher authority which has to decide place of posting of its subordinates as per their job profile and need of the hour.

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10. In the wake of above discussion and findings, this Court is of the considered opinion that present petition being bereft of merit deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

22.07.2025*Mohit Kumar*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No