



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 14 of 2024

IN THE MATTER OF SUO MOTO PUBLIC INTEREST LITIGATION **versus** THE
STATE OF CHHATTISGARH AND ANOTHER

Order Sheet

15-01-2025	This is an office reference. Heard Mr. Y.S. Thakur, Additional Advocate General for the State as well as Ms. Priyanka Shukla, learned counsel appearing for the intervenor. In compliance of the Court's order dated 03-12-2024, Mr. Ravi Vonod Toppo, presently posted as Law Officer, Central Jail, Bilaspur, District Bilaspur (C.G.) and Officer-in-Charge of the case has filed an affidavit, which is as under:- "1. That, the deponent is the Officer-in-Charge of the case and as such is competent to swear this affidavit and fully conversant with the facts of the present case. The present affidavit is being filed in compliance of the order dated 03/12/2024 passed by the Hon'ble Court. 2. That, in the matter, an affidavit in compliance of the order dated 05/11/2024 has been filed on 02/12/2024. 3. That, after filing of the aforesaid affidavit by the Officer In Charge of the case, the matter was again listed for further hearing on 03/12/2024

	and after going through the affidavit filed by the Officer- In-Charge of the case on 02/12/2024, the Hon'ble Court vide order dated 03/12/2024 was pleased to again direct the Officer-in-Charge of the case to file a fresh affidavit with respect to the enquires which are pending against the rest of the police personnels. 4. That, the present Officer-in-Charge of the case, adhering to the direction of the Hon'ble Court, most humbly and respectfully submits that in the affidavit filed on 02/12/2024, it has been submitted that against one delinquent employee, enquiry has been concluded and an inquiry report has already been submitted by the Inquiry Officer to the Disciplinary Authority and complying with the principle of natural justice, a show cause notice has also been issued to the said delinquent employee seeking reply on the inquiry report submitted by the Inquiry Officer. It was further submitted that with respect to 6 delinquent employees, enquiry is under process. 5. It is respectfully submitted that the delinquent employee namely Shri Chitrasen Chandra to whom a show cause notice seeking reply on the inquiry report was issued, has submitted his reply to the said show cause notice and the same has duly been considered by the Disciplinary Authority. It is submitted that after considering the reply submitted by the petitioner and the inquiry report submitted by the Inquiry Officer, the final decision has been taken by the Disciplinary Authority with respect to the said
--	---

	delinquent employee and accordingly vide order dated 14/01/2025 the punishment of withholding of two annual increments with cumulative effect under Rule 10 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 has been imposed upon him. Copy of the order dated 14/01/2025 is being filed herewith as <u>Annexure A/5</u> for kind perusal of the Hon'ble Court. 6. It is respectfully submitted by the present Officer-in- Charge of the case that out of 6 delinquent employees against them, enquiry is said to be in process, 1 delinquent employee is the Assistant Jail Superintendent and remaining are the Jail Warders. It is submitted that against the said Assistant Jail Superintendent, the departmental enquiry has been concluded and a report has already been submitted before the Disciplinary Authority and after receipt of the said departmental enquiry report from the Inquiry Officer, complying with the principle of natural justice, the said Assistant Jail Superintendent / delinquent employee has been served with a notice calling for explanation / reply on the said inquiry report of the Inquiry Officer. Copy of the notice dated 10/01/2025 is filed herewith as <u>Annexure A/6</u>. It is submitted that final decision will be taken by the Disciplinary Authority after the reply / explanation of the said delinquent employee / Assistant Jail Superintendent is considered. 7. It is respectfully submitted that with respect to
--	--

	two delinquent employees / Jail Warders namely Shri Manendra Verma and Shri Sunil Pandey, the departmental enquiry has already been concluded by the Inquiry Officer and based upon the material evidences collected and statements recorded in the course of inquiry, the inquiry report will be expeditiously prepared and submitted before the Disciplinary Authority for further necessary action against the said delinquent employee. 8. It is respectfully submitted that with respect to 3 delinquent employees namely Shri Maheshwar Hichami Shri Raj Kumar Kurrey and Shri Purushottam Pradhan. all are Jail Warders, the departmental enquiry initiated against them are still going on and at the stage of recording the statements of witnesses. 9. It is submitted that the aforesaid submissions are based upon the information supplied by the Disciplinary Authority to the present Officer-in-Charge of the case and copy of which is being filed herewith as <u>Annexure A/7.</u> 10. That, the contents of this affidavit have been drafted according to my instructions and the contents thereof are true and correct to the best of my personal knowledge and based upon the official records.” Learned counsel for the State submits that in the enquiry initiated against 10 persons, enquiry against one delinquent employee is completed and punishment has been imposed, whereas, in three cases enquiry report has been submitted and show cause notice has been issued and in three cases enquiry
--	--

has been concluded and report is under preparation and in three cases enquiry is going on.

Learned counsel for the State is directed to file further affidavit in the matter with respect to the status of the enquiry reports and the steps taken.

Let the matter be again listed on 25-02-2025.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice