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

+ **W.P.(C) 8583/2022**

ALLURI SRINIVAS

.....Petitioner

Through: Appearance not given

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Rajesh Kumar, SPC and Mr. Siddharth Shekhar, Advocates with Mr. Anil Kumar, DC LAW, BSF and Head Constable Jitendra Kumar Mishra, BSF

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **17.07.2026**

1. Heard the learned counsels for the respective parties.
2. It is apparent that after the adverse remarks recorded in the APAR of the petitioner for the period 01.04.2020 to 29.12.2020, by one Mr. Pankaj Kumar Singh (IPS) who was manning the post of ADG, BSF at the relevant time, the same officer proceeded to decide the statutory representation preferred by the petitioner against the said remarks.
3. The rejection of the representation was communicated by DIG Mr. Sanjay Kumar (IPS) on 21st March, 2022.
4. It appears that the Ministry of Home Affairs had an occasion to consider the proposal regarding disposal of representation submitted by the petitioner, the then DIG, BSF, in the matter of expunging of adverse remarks



recorded in the PPAR for the period referred above i.e. from 01.04.2020 to 29.12.2020.

5. It appears that the earlier entire record of the petitioner was either 'outstanding' or 'very good'. The Ministry of Home Affairs while considering the aforesaid proposal has also considered the recommendations of DG i.e. the very same officer namely Mr. Pankaj Kumar Singh (IPS) who has not only reviewed and recorded adverse remarks, but, in the further event got promoted as DG, BSF and rejected the representation by sitting in an appeal of his own judgment as DG, BSF.

6. Ignoring the aforesaid serious default on the part of the then DG, BSF, the Ministry of Home Affairs proceeded to record the finding thereby accepting the recommendations of the then DG Mr. Pankaj Kumar Singh (IPS). The aforesaid order not only violates the principles of natural justice as Mr. Pankaj Kumar Singh (IPS) as DG, BSF has decided the representation preferred by the petitioner against his own order, which he passed as ADG, BSF, but also made recommendation to the Central Government for rejection of such representation.

7. It was expected of the said officer to recuse himself from the proceedings, particularly, when as a reviewing authority, he has already taken a decision in the matter.

8. In that view of the matter, we deem it appropriate to allow the present petition with the following order:

- a. The adverse remarks in the PPAR of the petitioner for the period 01.04.2020 to 29.12.2020 shall be reconsidered by the DG, BSF, by entertaining the representation against the order of the reviewing



authority. The DG, BSF shall consider all the points which are sought to be referred and raised in the present petition in the form of representation and if so required, shall grant an opportunity of hearing to the petitioner in the matter.

- b. Needless to clarify, the reviewing officer, Mr. Pankaj Kumar Singh (IPS), shall not be made party to the aforesaid proceedings till the proceedings are decided by the Central Government.
- c. Let the decision be taken by the DG, BSF and Central Government in the matter, in any case, within a period of four months from today.
- d. In case if the order passed is adverse to the interest of petitioner, it shall be open for him to question the same before the competent authority.

9. The petition stands disposed of in above terms.

NITIN WASUDEO SAMBRE, J

AMIT SHARMA, J

JULY 17, 2026/ay/ok