



2026:CGHC:20720-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WA No. 340 of 2026**

Sangeeta Netam D/o Shri Gopichand Netam Aged About 47 Years R/o Ashok Nagar, Behind Pump House, Sarkanda, Lingiyadih, Bilaspur (C.G.)- 495006 Presently Posted As Head Constable District Bilaspur (C.G.)

... Appellant**versus**

1 - State of Chhattisgarh Through Principal Secretary, Home Department (Police) Mantralaya, Mahanadi Bhawan, Naya Raipur, Atal Nagar (C.G.)

2 - Director General of Police Police Headquarters Naya Raipur Atal Nagar (C.G.)

3 - Inspector General of Police Bilaspur Range, Bilaspur (C.G.)

4 - Superintendent of Police District Bilaspur (C.G.)

... Respondents

For Appellant : Mr. Ankit Pandey, Advocate

For Respondents/ State : Mr. Prasun Bhaduri, Dy. Advocate General

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

JUDGMENT ON BOARD**Per Ramesh Sinha, Chief Justice****04.05.2026**

1. Heard Mr. Ankit Pandey, learned counsel for the appellant as well as Mr. Prasun Bhaduri, learned Deputy Advocate General, appearing for the State/respondents.
2. By way of present writ appeal under Section 2 of Sub-Section (1) of the Chhattisgarh High Court (Appeal to Division Bench Act,



2006, the appellant (writ petitioner) has challenged the impugned order dated 25.02.2026 passed by learned Single Judge in WPS No. 11608 of 2025 (***Sangeeta Netam Vs. State of Chhattisgarh & Others***), by which the writ petition filed by the writ petitioner/appellant herein has been dismissed by the learned Single Judge.

3. Brief facts, necessary for disposal of this appeal, are that appellant is serving as a Head Constable in the Police Department of the State of Chhattisgarh and is presently posted in District Bilaspur. A criminal case bearing Crime No.82/2023 was registered at Police Station Sarkanda, District Bilaspur under Sections 420 and 34 of the Indian Penal Code, and in relation to the investigation of the said case, certain allegations were subsequently raised against the appellant, who was then serving as a Head Constable, along with the supervising officer, namely Inspector Faizul Hooda Shah, forming the basis for the impugned departmental action. Thereafter, the Inspector General of Police, Bilaspur Range, by order dated 08.04.2025, directed for initiation of common departmental proceedings under Rule 18 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 against both the appellant and the co-delinquent officer. Pursuant to the aforesaid order dated 08.04.2025, a common charge-sheet dated 10.04.2025 was issued against the appellant and the co-delinquent officer, followed by the appointment of an Enquiry Officer vide order dated 30.06.2025, thereby setting in motion the impugned departmental



proceedings. The appellant challenged the aforesaid proceedings by filing WPS No.11608/2025, inter alia, on the specific ground that the Inspector General of Police lacked jurisdiction to sanction common departmental proceedings, and that under Rule 18 of the Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 (hereinafter referred as 'CCA Rules, 1966'), such sanction could have been validly granted only by the highest disciplinary authority competent to impose the penalty of dismissal on both delinquents, namely the Director General of Police. The appellant further specifically pleaded that the co-delinquent officer holding the rank of Inspector had been appointed to the said post by way of promotion under the authority of the Director General of Police, and consequently, the Director General of Police alone was the competent authority to sanction common departmental proceedings under Rule 18 of the CCA Rules, 1966. The learned Single Judge, however, dismissed the writ petition by holding that the Inspector General of Police is the appointing authority for the post of Inspector and, on that premise, is competent to approve the initiation of joint departmental proceedings. Being aggrieved by the same, the instant appeal has been filed by the appellant.

4. Mr. Ankit Pandey, learned counsel for the appellant vehemently argued that the impugned judgment rendered by the learned Single Judge suffers from a manifest error of law and misinterpretation of the statutory provisions governing disciplinary control and promotion within the police service. The learned



Single Judge has erred in interpreting Rule 18 of the CCA Rules, 1966, and has overlooked the complete statutory framework governing the appointment and promotion of officers in the Chhattisgarh Police, specifically the Chhattisgarh Police Executive (Non-Gazetted) Service Recruitment Rules, 2021 (hereinafter referred as "Police Recruitment Rules, 2021"). He further submitted that the learned Single Judge has failed to correctly interpret Rule 18 of the CCA Rules, 1966, which mandates that common departmental proceedings against two or more Government servants must be sanctioned by the authority competent to impose the penalty of dismissal on all such employees. In the present case, the appellant, a Head Constable, is under the disciplinary authority of the Superintendent of Police or Senior Superintendent of Police, while the co-delinquent officer holds the rank of Inspector, whose disciplinary authority is the Director General of Police ("DGP"). The learned Single Judge has erred by relying on the approval of the Inspector General of Police for initiating the common departmental proceedings, which is not in line with the statutory provisions. The Director General of Police, being the highest authority capable of imposing the penalty of dismissal on both officers, alone had the competence to sanction the initiation of these proceedings.

5. Mr. Pandey contended that the Inspector General of Police (IGP) was not competent under the relevant statutory framework to approve the initiation of the common departmental proceedings



against the appellant and the co-delinquent officer. As per the Police Recruitment Rules, 2021, the post of Inspector is a 100% promotional post, and the Director General of Police holds sole authority over promotions and appointments to the said post, including matters related to discipline. The IGP, acting independently, lacked the jurisdiction to sanction the commencement of proceedings involving both officers. He further contended that Rule 6 and Schedule-II of the Police Recruitment Rules, 2021, clearly provide that the post of Inspector is filled by promotion from the Sub-Inspector rank. Further, Rule 15 read with Schedule-IV establishes that promotions to the post of Inspector are made by the Departmental Promotion Committee (DPC), which is constituted under the authority of the Director General of Police. Therefore, the Director General of Police is the competent authority not only for initiating common departmental proceedings but also for the promotion and disciplinary control of officers promoted to the rank of Inspector. He also contended that the learned Single Judge has failed to appreciate these provisions in their entirety, and instead, erroneously relied upon Schedule-I in isolation, which does not provide the complete statutory scheme governing promotions and disciplinary authority within the police force.

6. In support of his submission, Mr. Pandey, relies on the judgment passed by learned Single Judge of this Court in *WPS No. 645/2005 [Ghashiram Kosariya Vs. State of M.P. & Ors.]*



(decided on 03.12.2010), *WPS No. 875/2005 [Laxmi Narayan Pandey Vs. State of Madhya Pradesh & Ors.]* (decided on 14.01.2013), *WPS No. 3920/2005 [Narayan Singh Lange and ors. Vs. State of Madhya Pradesh and Ors.]* and other connected matters (decided on 01.05.2017), as well as the judgment passed in case of *Alexius Minj Through Lrs. Vs. State of Chhattisgarh*, reported in *2024 SCC OnLine Chh 4411*, wherein this Court had consistently held that the Director General of Police is the highest authority for matters of promotion and discipline in respect of officers holding the rank of Inspector. These judgments support the appellant's contention that the Inspector General of Police does not have jurisdiction over the initiation of common departmental proceedings against officers promoted to the rank of Inspector. Furthermore, he also placed reliance on the judgment passed by the High Court of State of Telangana passed in *Writ Petition No. 1643 of 2020 (Union of India and Ors. Vs. The Registrar and Ors.)* (decided on 21.12.2021) wherein also the question of the competent authority in the context of disciplinary control and promotion has been addressed, reiterating that where a promotion is made under the authority of a senior officer, such as the Director General of Police, only that officer has the competence to initiate disciplinary proceedings.

7. Mr. Pandey further submitted that the learned Single Judge failed to consider crucial material evidence placed on record by the



appellant, specifically the appointment order for the post of Inspector, which was issued by the Director General of Police. This order establishes the clear authority of the Director General of Police over matters related to the promotion and disciplinary proceedings of the appellant's co-delinquent officer, as well as the appellant, who holds the rank of Head Constable. He also submitted that jurisdictional competence is foundational to the initiation of any departmental proceedings. As established by settled principles of law, actions taken by an authority lacking jurisdiction are null and void ab initio and cannot be sustained in law. Since the Inspector General of Police lacked jurisdiction to initiate common departmental proceedings, all consequential actions, including the charge-sheet and appointment of the Enquiry Officer, are rendered legally non-est. He lastly submitted that the initiation of the common departmental proceedings by the Inspector General of Police is without jurisdiction, as per the statutory provisions governing the police service in Chhattisgarh. The Director General of Police is the competent authority, and any actions taken by a lesser authority are legally unsustainable. Therefore, the learned Single Judge's decision should be set aside, and the impugned proceedings quashed.

8. On the other hand, Mr. Prasun Bhaduri, learned Deputy Advocate General, appearing for the State/respondent submitted that the learned Single Judge has correctly interpreted the relevant statutory provisions and has passed a well-reasoned judgment



regarding the competence of the authority to initiate the departmental proceedings against the appellant and the co-delinquent officer. He further submitted that the appellant's contentions are based on a narrow reading of the law and a selective interpretation of the relevant rules, which have already been duly considered by the learned Single Judge. He also submitted that the appellant's primary contention is that Rule 18 of the CCA Rules, 1966 mandates that the authority competent to impose the penalty of dismissal on all delinquent officers must approve the initiation of common departmental proceedings. While this is true, the appellant has failed to recognize the powers vested in the Inspector General of Police (IGP) under the relevant statutory framework, including the Police Recruitment Rules, 2021.

9. Mr. Bhaduri contended that the appellant has mistakenly placed undue reliance on the argument that the Director General of Police alone has jurisdiction over matters concerning the promotion and disciplinary control of officers in the rank of Inspector. However, the Inspector General of Police is vested with considerable authority, both under the Police Recruitment Rules, 2021 and Rule 18 of the CCA Rules, 1966, which allows for flexibility and delegation of powers in disciplinary matters. The IGP, in this case, was not only competent but also within the legal framework to initiate the departmental proceedings. The appellant has failed to demonstrate any legal provision or authority that



explicitly restricts such powers to the Director General of Police in the specific context of initiating common departmental proceedings. He further contended that the Police Recruitment Rules, 2021 must be read in conjunction with the CCA Rules, 1966. The learned Single Judge has rightly interpreted both sets of rules in their proper context, understanding the distinction between promotion to the post of Inspector and the authority required to initiate disciplinary proceedings. He also contended that while the Director General of Police is the authority responsible for promotions and disciplinary control over officers in the rank of Inspector, this does not, as contended by the appellant, preclude the Inspector General of Police from exercising jurisdiction over the initiation of disciplinary proceedings. The rules allow for administrative and disciplinary powers to be delegated to officers like the IGP, especially in the context of routine departmental matters.

10. Mr. Bhaduri submitted that the judgments cited by the appellant, including ***WPS No. 875/2005***, ***WPS No. 645/2005***, and ***WPS No. 3920/2005***, as well as the judgment in ***2024 SCC OnLine Chh 4411***, do not support the appellant's argument in the present case. These judgments primarily deal with issues of promotion and disciplinary authority in different factual contexts, and the appellant has misapplied them to the facts at hand. He further submitted that the judgment in ***Writ Petition No. 1643 of 2020 (Telangana High Court)*** similarly dealt with a different set of facts



and does not establish any binding precedent in the present case.

The legal principles involved in those judgments do not negate the powers conferred upon the Inspector General of Police in the case of initiating disciplinary proceedings, especially in situations where common proceedings are initiated against multiple officers.

11. Mr. Bhaduri submitted that contrary to the appellant's claims, the learned Single Judge has carefully considered the statutory provisions, including Rule 18 of the CCA Rules, 1966, and the Police Recruitment Rules, 2021, in their entirety. The appellant's contention that the learned Single Judge has selectively relied on Schedule-I or failed to consider the promotion procedure under Rule 15 of the Police Recruitment Rules, 2021 is unfounded. The judgment thoroughly examines all relevant provisions and rightly concludes that the Inspector General of Police had the necessary jurisdiction and authority to approve the initiation of departmental proceedings. He lastly submitted that the learned Single Judge's judgment is correct, as it accurately interprets the relevant statutory provisions governing disciplinary proceedings and promotion. The Inspector General of Police acted within his jurisdiction, and there is no error in law that warrants the interference of this Hon'ble Court. The appeal is devoid of merit and should be dismissed.
12. We have heard rival submissions advanced by learned counsel for the parties and perused the impugned order and other documents appended with writ appeal.



13. The appellant has challenged the decision of the learned Single Judge, primarily on the grounds that the Inspector General of Police (IGP) lacked jurisdiction to sanction the initiation of common departmental proceedings against the appellant (Head Constable) and the co-delinquent officer (Inspector). The appellant argues that only the Director General of Police (DGP) has the authority to initiate such proceedings in view of the statutory provisions governing disciplinary control and promotions within the Chhattisgarh Police Service. Rule 18 of the CCA Rules, 1966 in the facts of the case is relevant and therefore, it is extracted below for ready reference :-

“18. Common proceedings.

(1) Where two or more Government servants are concerned in any case, the Governor or any other authority competent to impose the penalty of dismissal from service on all such Government servants may make an order directing that disciplinary action against all of them may be taken in a common proceeding :

Note. - If the authorities competent to impose the penalty of dismissal on such Government servants are different, an order for taking disciplinary action in a common proceeding may be made by the highest of such authorities with the consent of the others :

[Provided that the powers conferred on the Governor under this rule shall in case of Judicial Officers, be exercised by the Chief Justice.] [Added by Notification No. 06-3-98-3-I, dated 20th May, 1998.]

(2) Subject to the provisions of sub-rule (3) of Rule 12, any such order shall specify :

(i) the authority which may function as the disciplinary authority for the purpose of such common proceeding;

(ii) the penalties specified in Rule 10 which such



disciplinary authority shall be competent to impose; and

(iii) whether the procedure laid down in Rule 14 and Rule 15 or Rule 16 shall be followed in the proceeding.

14. Rule 18 of the CCA Rules, 1966 clearly mandates that when common departmental proceedings are to be initiated against two or more Government servants, such proceedings must be sanctioned by the authority competent to impose the penalty of dismissal on all such employees. The appellant contends that in this case, the Director General of Police (DGP) is the only authority competent to approve the initiation of the proceedings, given that the co-delinquent officer holds the rank of Inspector, whose disciplinary authority is the DGP. However, the learned Single Judge correctly interpreted the statutory provisions, noting that the Inspector General of Police (IGP) had the requisite jurisdiction and authority under the governing statutory framework to sanction the initiation of departmental proceedings in this particular case. The Inspector General of Police (IGP), as an officer vested with powers under the the Police Recruitment Rules, 2021 was within his rights to exercise jurisdiction over the initiation of these proceedings, despite the Director General of Police being the authority for matters related to the promotion and appointment of officers to the post of Inspector.
15. The appellant's argument rests on the premise that the Director General of Police (DGP) alone should have initiated the proceedings. However, a comprehensive reading of the of the CCA Rules, 1966 and the Police Recruitment Rules, 2021,



reveals that the Inspector General of Police is empowered to initiate disciplinary proceedings against officers holding the rank of Head Constable and Inspector, given the delegation of powers in these statutory rules. The promotion process to the post of Inspector is indeed governed by the DGP; however, this does not equate to the DGP being the sole authority responsible for the initiation of all disciplinary proceedings. The IGP was legally competent to initiate these proceedings, as the power to discipline officers within the force is inherently vested in the IGP, especially when dealing with routine matters of discipline, which includes the initiation of departmental inquiries.

16. The appellant's reliance on judgments such as **WPS No. 875/2005**, **WPS No. 645/2005**, **WPS No. 3920/2005**, and **2024 SCC OnLine Chh 4411**, as well as the judgment in **Writ Petition No. 1643 of 2020 (Telangana High Court)**, is misplaced. These judgments primarily focus on issues of promotion and the jurisdiction of the Director General of Police in specific factual contexts, and do not address the issue of disciplinary control over officers at different levels. Furthermore, none of these judgments support the appellant's claim that the Inspector General of Police lacked the authority to initiate common departmental proceedings. The case law cited by the appellant pertains to promotion and disciplinary authority in a different factual scenario, which is distinguishable from the present case. The learned Single Judge has correctly observed that the Inspector General of Police had



the power to initiate the disciplinary proceedings in accordance with the relevant statutory provisions.

17. The appellant's contention that the learned Single Judge failed to consider the complete statutory framework is without merit. The Police Recruitment Rules, 2021 and the CCA Rules, 1966, were fully examined by the learned Single Judge. The appellant's argument that the Director General of Police is the exclusive authority for initiating disciplinary proceedings disregards the fact that the Inspector General of Police is vested with sufficient powers under the statutory scheme to initiate such proceedings, particularly in the context of common departmental inquiries involving officers at different ranks. The jurisdictional competence of the Inspector General of Police to initiate disciplinary proceedings against both the appellant and the co-delinquent officer is established by the legal framework governing the Chhattisgarh Police Service. There is no provision that restricts the powers of the IGP in such matters, and the appellant has not been able to point to any statutory bar that would preclude the Inspector General of Police from initiating common departmental proceedings. The charge-sheet and the subsequent actions taken in the departmental proceedings were not vitiated by any lack of jurisdiction on the part of the Inspector General of Police, and the learned Single Judge correctly dismissed the appellant's claims on this ground.
18. The appellant's assertion that the Inspector General of Police



lacked jurisdiction is not supported by any statutory provision. In fact, there is no provision that bars the IGP from initiating common departmental proceedings. The charge-sheet and subsequent actions taken in the departmental proceedings were lawfully initiated by the IGP, and there is no legal impediment to the continuation of these proceedings.

19. Given the above, the decision of the learned Single Judge is correct and well-reasoned in law. The appellant has failed to demonstrate any error in the interpretation or application of the law by the learned Single Judge.
20. Accordingly, the appeal is **dismissed**. The impugned judgment of the learned Single Judge is upheld.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice