

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

CONTEMPT PETITION (CIVIL) NO.2110 OF 2018

IN

WRIT PETITION (CIVIL) NO.310 OF 1996

Concerned People of Nagaland
Through Its Convenor

Petitioner(s)

Versus

Shri R.B. Thong, IAS,
Chief Secretary to the
Government, Nagaland

Respondent(s)

O R D E R

This contempt petition has been filed alleging willful disobedience of the order of this Court passed on 22nd September, 2006 in Writ Petition (C) No.310 of 1996 [*Prakash Singh and Others vs. Union of India and Others, (2006) 8 SCC 1*] by which empanellment by the Union Public Service Commission was required to be obtained before appointment of the Director General of Police in a State. The allegation is that the matter was not referred to the Union Public Service Commission and the appointment of the incumbent was made in violation of this Court's order, as noted above.

We have read and considered the affidavit filed by the Chief Secretary, wherein it has been stated that in the

State of Nagaland there are only a handful of IPS officers and large number of posts in the said cadre are vacant. Furthermore as there was no IPS officer in the Nagaland cadre who had completed 30 years of service, the appointment had been made from outside the cadre and, therefore, the matter was not referred to the Union Public Service Commission.

If that was the case, the State ought to have taken this Court into confidence before resorting to the impugned action. However, having regard to the grounds on which the directions of this Court have been departed from, we are of the view that no case of willful disobedience of the Court is made out. The State Government should take note of above observation and would either comply with the direction or move an application before this Court.

With the aforesaid observations, the contempt petition is not entertained any further. It is, accordingly, dismissed.

.....CJI.
[Ranjan Gogoi]

.....J.
[Sanjiv Khanna]

New Delhi
April 12, 2019.

ITEM NO.40

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.310/1996

PRAKASH SINGH & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

WITH CONMT.PET.(C) No.2110/2018 in W.P.(C) No.310/1996 (PIL-W)

Date : 12-04-2019 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV KHANNA

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CP(C) 2110/18

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UPON hearing the counsel the Court made the following
O R D E R

CONMT.PET.(C) No.2110/2018 in W.P.(C) No.310/1996

The contempt petition is dismissed in terms of the
signed order.

(Chetan Kumar)
A.R.-cum-P.S.

(Anand Prakash)
Court Master

(Signed order is placed on the file)