

News

Supreme Court ruling in DGP appointments case: Avoid using PILs and contempt of court to settle political scores



A plea seeking contempt action against the Jharkhand government for designating Anurag Gupta as the state DGP was denied by the court.

Jharkhand Supreme Court map featuring a police officer

On Monday, the Supreme Court disapproved of the use of public interest litigation petitions and contempt of court jurisdiction to resolve political disputes.

Political disputes must be resolved in front of the electorate, according to a bench consisting of **Chief Justice of India BR Gavai**, Justices K Vinod Chandran, and NV Anjaria.

Since the Jharkhand government appointed Anurag Gupta as the State's Director General of Police (DGP), it declined to consider a motion seeking contempt of court action against the government.

"We do not want contempt jurisdiction to be used to settle political scores in the Jharkhand case. Go to the Central Administrative Tribunal if you have an issue with a specific appointment. The Court said, "But settle your political scores in front of the electorate."

An plea challenging Gupta's appointment was presented to the Court while it was considering the Prakash Singh case, which dealt with the appointment of DGPs in the States.

After reviewing the plea, the Court observed that the disagreement between Gupta and former DGP Ajaykumar Shri was the reason behind the contempt motion.

For Gupta's appointment, Shri was relieved of his duties.

The Court emphasized that it is using its public interest litigation (PIL) jurisdiction—which cannot be used to settle political scores—when it hears the issue pertaining to the appointment of police chiefs in states.

"The purpose of PIL is to allow public-spirited individuals to access this court by diluting the locus problem. It stated that the jurisdiction cannot be allowed to arbitrate disputes between conflicting interests.

Read more about Jharkhand's DGP appointment in the Supreme Court's contempt of court petition.

Curiae Amicus Senior Advocate Raju Ramachandran agreed with Prakash Singh's recommendations that the head Minister, the Leader of the Opposition, and the Chief Justice of the High Court, rather than the Union Public Service Commission (UPSC), should pick the police head.

Singh informed the Court that in order to circumvent the Supreme Court's rules regarding DGP appointments, States are designating Additional Directors General of Police (ADGPs).

He claimed that the Court's surveillance has ceased, which is why all of these instances are emerging.

To guarantee that the ruling of the highest court is carried out, Ramachandran proposed that special benches of the High Court meet every three months.

Following the Constitution Bench case on governors' powers, **CJI Gavai** stated that the case would be heard in full.