

News

The Delhi High Court upholds the dismissal of a BSF officer whose offensive images of a female officer went viral on social media.



According to the Court, an officer who lacks self-control and possesses dubious moral or ethical standards has no place in the security forces.

A judgment to forcefully retire a Border Security Force (BSF) officer was recently affirmed by the Delhi High Court after offensive photos of him with a female officer who was married to someone else went public on social media.

Such extramarital affairs demonstrated improper behavior from a member of the security forces, according to the Division Bench of Justices Hari Shankar and Om Prakash Shukla.

The Court continued by saying that an officer who lacks self-control cannot be trusted with the country's security.

It is inappropriate for a military officer to have an extramarital affair. The nation's security cannot be left to an officer who is unable to control his instincts off the field. More empirically, it undermines public trust in such an officer's moral character, which also impacts his credibility as someone to whom the safety of the country and its citizens can be properly entrusted, according to the Court.

The nation's security cannot be left to an officer who is unable to control his instincts off the field.

Delhi High Court

The Court clarified that members of the security forces are expected to exhibit a particular level of discipline. As a result, security professionals are required to uphold the highest moral and ethical standards in all facets of their lives.

A member of a paramilitary or military unit is required to exhibit the greatest standards of propriety, decorum, and rectitude, as we can see right away. He is admired by the country. A soldier who is disciplined on the battlefield cannot afford to be careless off it. A militia member's motivation is discipline, which must guide his behavior in all areas of his life. A member of the military or paramilitary force must uphold the highest moral and ethical standards. The Court declared that the need for integrity and propriety rises in direct proportion to the officer's position in the military hierarchy.

Additionally, the Court was not convinced to adopt a lenient posture in response to claims that the lady constable and the BSF officer facing disciplinary action had a consensual relationship years prior.

"The petitioner was accused with very heinous crimes. It goes beyond simply having a consensual connection with another female officer while married, which would have been problematic in and of itself. It stated, "The petitioner also took compromising photos of the relationship."

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standards.

Delhi High Court

The Court further stated that the officer seemed to have dubious moral standards even by his own admission.

The Court declared, "An officer with dubious moral or ethical standards has no place in a military, or paramilitary, force."

The former BSF officer (petitioner) filed a petition contesting a 2021 decision to compulsorily retire him from service, and the petition was granted.

After several private images of him and a female policeman in compromising poses appeared on social media in 2016, this order was issued.

Notably, the petitioner's final disciplinary sanction was mandated without a General Security Force Court (GSFC) trial. The Director General of the BSF came to the conclusion that the officer's continued retention in the BSF was undesirable and that a GSFC trial was inefficient.

An officer may be fired for misbehavior without a GSFC trial if it is "inexpedient or impracticable" and his service is "undesirable," according to Rule 20 of the Border Security Force Rules.

The officer's attorney contended that such a path of eliminating a GSFC trial can only be used in extraordinary circumstances, which were not demonstrated in this particular case.

But the Court declined to get involved.

"The very act of entering into such a liaison with another female officer, and of taking photographs of the incident, in such a manner as could enable them to be leaked and circulated in the social media, was by itself sufficient for the executive authorities to arrive at the subjective decision that the holding of a GSFC was inexpedient," it determined, prior to denying the plea of the former BSF officer

The petitioner was represented by attorney Ankur Chhibber.

The Union of India was represented by Senior Panel Counsel Anshuman and attorney Vaibhav Sood.

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