

**2026 LiveLaw (SC) 144**

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
**SURYA KANT; CJI., JOYMALYA BAGCHI; J.**  
SLP(C) No.4668/2026; February 05, 2026

**UNION PUBLIC SERVICE COMMISSION versus T DHANGOPAL RAO & ORS.**

**Service Law – Appointment of Director General of Police (DGP) – Role of UPSC and State Government – Delay in submitting proposals – Selection Guidelines – i. Mandate for Regular Appointment: The Supreme Court reiterated the necessity of appointing a regular Director General of Police (Head of Police Force) in accordance with the time-frame and scheme established in *Prakash Singh vs. Union of India, (2006) 8 SCC 1*; ii. Obligation of UPSC: Despite inordinate delays by State Governments in submitting proposals, the UPSC is obligated to convene the Empanelment Committee Meeting (ECM) to prevent further aggravation of the situation and to ensure meritorious senior officers are not overlooked; iii. Ad hoc Arrangements Criticized: The Supreme Court expressed concern over States preferring ad hoc arrangements (appointing acting DGPs) instead of regular appointments, which led to the UPSC inserting paragraph 4(xii) into its guidelines requiring States to seek leave from the Supreme Court for delayed submissions; iv. Enforcement Mechanism: To ensure compliance with the Prakash Singh mandate, the UPSC is authorized to: a. Write to State Governments for timely proposals whenever a vacancy arises; b. Move an application before the Supreme Court for enforcement if a State fails to submit a timely proposal; v. Accountability: held that those responsible for the delay in submitting proposals shall be held accountable.**

*[Paras 7-11]*

[Arising out of impugned final judgment and order dated 09-01-2026 in WP No. 38968/2025 passed by the High Court for The State of Telangana at Hyderabad]

*For Petitioner(s): Mr. Naresh Kaushik, Sr. Adv. Mr. Vardhman Kaushik, AOR Mr. Dhruv Joshi, Adv. Mr. Anand Singh, Adv. Ms. Shikha John, Adv.*

*For Respondent(s): Mr. Dama Seshadri Naidu, Sr. Adv. Mr. Narendra Hooda, Sr. Adv. Mr. S. Udaya Kumar Sagar, Adv. Ms. Bina Madhavan, Adv. Mr. Sathwik Reddy, Adv. Mr. S Tridev Sagar, Adv. Mr. Shubhankar Sharma, Adv.*

**ORDER**

1. Leave granted.
2. The Union Public Service Commission (in short, 'UPSC') is before us in this appeal, assailing the order dated 09.01.2026 passed by a learned Single Judge of the High Court for the State of Telangana at Hyderabad in terms whereof, the appellant – UPSC has been directed to complete the process of selection of the Director General of Police (Head of Police Force) for the State of Telangana, pursuant to the proposal received from the State Government and keeping in view the mandate given by this Court in Prakash Singh vs. Union of India, (2006) 8 SCC 1.
3. The appellant - UPSC though acknowledges its obligation to prepare a select panel for appointment of Director General of Police in terms of the decision of this Court in Prakash Singh's case (supra), however, it opposed the prayer before the High Court on the premise that the last regularly appointed Director General of Police for the State of Telangana, namely, one Anurag Sharma was appointed on 13.11.2015 and retired from

service on 12.11.2017. Thereafter, the State Government did not send any proposal for the appointment of a regular Director General of Police.

4. It was, thus, urged on their behalf before the High Court as well as reiterated before us, that there is a serious lapse on the part of the State of Telangana in not submitting the proposal for appointment of Director General of Police within the time-frame prescribed by this Court in Prakash Singh's case (supra).

5. The fact that there has been an inordinate delay in submitting the proposal is not disputed by learned senior counsel, representing respondent no.4.

6. We have considered the objection sought to be raised on behalf of the appellant, UPSC. We appreciate the UPSC's concern that there is a serious omission on the part of the State in not submitting a timely proposal to convene the Empanelment Committee Meeting (ECM), and, as a result, various senior officers have either retired on superannuation or have been deliberately overlooked/superseded by the State.

7. However, we find that the appellant – UPSC's objections will aggravate the situation and will indirectly help the defaulting States in not making an appointment of a regular Director General of Police. That being contrary to the scheme and spirit of the mandate given by this Court in Prakash Singh's case (supra), we hold without any hesitation that the appellant – UPSC should convene the ECM at the earliest and make recommendations for appointment of the Director General of Police (Head of Police Force) for the State of Telangana.

8. It goes without saying that the UPSC shall determine the eligibility of the officers who currently fall in the zone of consideration and shall, accordingly, determine their *inter se* merit for the purpose of empanelment. For this purpose, the UPSC is granted an additional four weeks to do the needful.

9. Mr. Naresh Kaushik, learned senior counsel for the UPSC, submits that the State of Telangana is not an isolated instance and there are several States that keep on delaying the submission of a proposal for appointment of a regular Director General of Police in total disregard of the dictum of this Court in Prakash Singh's case (supra). It is urged that an *ad hoc* arrangement by appointing an acting Director General of Police is being preferred instead of appointing a regular Director General of Police, which has consequently prompted the commission to include paragraph 4(xii) in their guidelines dated 08.01.2026. The said paragraph reads as follows:

"4. Therefore, based on the said advice, the case was examined and accordingly, the Commission decided to insert sub para 5(xii) below sub para 5(xi) in the Guidelines of the Commission for Empanelment of officers for appointment to the post of DGP (HoPF) which reads as under:

(xii) The State shall seek leave or clarification from the Hon'ble Supreme Court for delayed submission except death, resignation or premature relieving of DGP in accordance with-the Supreme Court judgment dated 22.09.2006 [passed in Prakash Singh and Others vs Union of India and others]."

10. We fully endorse the concern expressed by the UPSC regarding the inordinate delay on the part of the State Governments in submission of the proposals and/or not approaching this Court for condonation of delay in submission thereof. Such acts by the State Governments sometimes deprive meritorious and senior officers of consideration for appointment as Director General of Police.

11. Be that as it may, in order to ensure that there is no defiance of the directions in Prakash Singh's case (supra), we hereby authorize the UPSC to firstly write to the State Governments to send timely proposals for appointment of their respective Director

General of Police, whenever such occasion arises, and if such a proposal is not submitted in a timely manner, we direct the UPSC to move an appropriate application before this Court in Prakash Singh's case (supra) for enforcement of this Court's direction.

12. It goes without saying that necessary consequences, including accountability of those responsible for the delay, shall follow. The impugned judgment of the High Court, to the extent of above, stands modified/clarified.

13. The appeal is, accordingly, disposed of.

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