

**COUNTER AFFIDAVIT ON BEHALF OF**  
**RESPONDENT NO. 2**

**MS. DIKSHA RAI**  
**ADVOCATE FOR RESPONDENT NO. 2**

## INDEX

S. No.	PARTICULARS	PAGES
1.	COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2	1-19
2.	<u>Annexure R-1</u> True Copies of the snapshots of the tweets between 22.10.2017 to 28.7.2021 justifying the apprehension of the deponent	20-28
3.	Proof of Service	29

## CIVIL APPELLATE JURISDICTION

## CIVIL APPELLATE JURISDICTION

**SPECIAL LEAVE PETITION (C) NO. 19466 OF 2021**

IN THE MATTER OF

Centre for Public Interest Litigation

...Petitioners

Versus

Union of India and Ors.

## ...Respondents

**COUNTER AFFIDAVIT ON BEHALF OF THE**  
**RESPONDENT NO. 2**

**MOST RESPECTFULLY SHOWETH:**

1. That the instant counter affidavit is being filed on behalf of Respondent no. 2 in the captioned Special Leave Petition, whereby, the Petitioner herein, has assailed the final judgment and order dated 12.10.2021 passed by the Hon'ble High Court of Delhi in W.P. (C) No. 8654 of 2021, wherein the High Court, has dismissed the Writ Petition filed by one Mr. Sadre Alam and the intervention application filed by the Petitioner herein, which had sought quashing of the order dated 27.07.2021 issued by the Respondent No.1 herein appointing Respondent No. 2 as Commissioner of Police, Delhi; and for quashing the order/communication dated 27.07.2021 of the

Appointments Committee of the Cabinet (herein after referred to as ACC) granting inter-cadre deputation and extension of service to Respondent No. 2.

2. That at the very outset, save and except matters of record and except what is specifically admitted to be true herein, each and every allegation/submission/averment made by the Petitioner in the Special Leave Petition under reply are categorically denied by the answering Respondent as if the same are specifically set out and traversed herein.
3. That at the outset it is stated that the Petitioner herein has preferred a Writ Petition being Writ Petition Civil No. 881 of 2021 which is tagged with the instant SLP and is pending consideration before this Hon'ble Court. The said Writ Petition has been filed in the nature of a PIL challenging the inter-cadre deputation, extension of service and appointment of Respondent No. 2 herein as Commissioner of Police, Delhi. This Hon'ble Court, vide its order dated 25.8.2021, observed that Writ Petition Civil No. 8654 of 2021 is pending before the Hon'ble High Court of Delhi and that the Petitioner is at liberty to file

an intervention application in the pending matter before the Hon'ble High Court as this Hon'ble Court wanted the benefit of the judgment of the Hon'ble High Court.

4. Thereafter, the Petitioner herein had filed an intervention application before the Hon'ble High Court of Delhi, which was heard on merits along with the Writ Petition and was dismissed vide a detailed judgment dated 12.10.2021 which is impugned in the instant Special Leave Petition.
5. That, at the outset, it is most respectfully stated that the impugned judgment passed by the Hon'ble High Court of Delhi is just, legal and valid and calls for no interference by this Hon'ble Court, as the Hon'ble High Court has dealt with the submissions of all counsels, relevant proposition of law, relevant rulings of this Hon'ble Court in detail and thereafter, passed their reasoned judgment.

6. It is most respectfully stated that the challenge of appointment of Respondent No. 2 herein is based on the following grounds –

- i) Violation of Guidelines issued by this Hon’ble Court in Prakash Singh Case, (2006) 8 SCC 1.
- ii) Violation of mandate of provisions of FR-56(d).
- iii) Central Government has no power under Rule 3 of Rules, 1960 to relax Rule 16(1) of The All India Services (Death-Cum-Retirement Benefits) Rules, 1958.
- iv) Violation of provisions of DoPT O.M. dated 08.11.2004, pertaining to Inter-Cadre deputation of officers belonging to the All-India Services.

7. It is most respectfully submitted that the judgment of Prakash Singh, (2006) 8 SCC 1, passed by this Hon’ble Court, as rightly held by the Hon’ble High Court, does not apply to the present case, , because the guidelines issued by this Hon’ble Court applies to a “DGP of a State” and is not extended to Union Territories. Furthermore, it is stated that Respondent No. 2 has been appointed as Commissioner of Police, Delhi, which is a Union

Territory, having a Legislative Assembly, in accordance with provisions of Article 239AA of the Constitution of India. The non-applicability of the guidelines of Prakash Singh are also clear from the fact that the said guidelines prescribe appointment of a DGP of the State from a panel of 3 officers selected by UPSC, however, Union Territory of Delhi only has two sanctioned posts of DGP and hence, in that scenario, a panel of three officers cannot be created. The Hon'ble Court's observation and findings to that effect in para 46 of the impugned judgement are as follows:

*“We have no reason or material on record to disbelieve or reject the stand of Respondent No. 1 that in the State Cadres, sufficient number of officers are available to constitute a zone of consideration, for the purpose of preparing a panel for appointment as DGP (Pay-Level 17), which is not the case in the AGMUT Cadre. Neither the Petitioner nor the Intervener have placed any material enabling this Court to come to a contrary conclusion. Moreover, as brought out on behalf of Respondent No. 1, status of AGMUT Cadre is completely different from the other State Cadres. AGMUT Cadre comprises of several*

*segments and in each of these segments, Head of Police Forces are in different Pay-Levels.”*

8. Furthermore, it is also submitted that Delhi, being the capital of India, has its own characteristics, peculiar factors, complexities and sensitivities, which are far lesser in any other Commissionerate. Any untoward incident in the National Capital or a law-and-order situation will have far reaching consequences, impact, repercussions and implications not only in India but across the international borders. Thus, it is imperative that “free movement of joints” is given to the Central Government for appointment of Commissioner of Police, Delhi, keeping in mind the complexities obtaining in the Capital.
9. It is also respectfully submitted that appointment of Respondent No. 2 as Commissioner of Police, Delhi has been made by following the statutory procedure prescribed under the Delhi Police Act, 1978 read with Transaction of Business of GNCTD Rules, 1993. No appointment to the said post, has been challenged in the



past by any stakeholder on the ground that the said Act or the Rules are inapplicable to the appointment or that the applicability of the procedure prescribed therein in violation of the directions of this Hon'ble Court in the case of Prakash Singh.

10. The Hon'ble High Court, has rightly held in para 63 of the impugned judgement that –

*“It is a settled law that where a contemporaneous and practical interpretation or practice has stood unchallenged for a considerable length of time, it would be a useful guide for proper construction/interpretation of the provisions of a Statute or Executive Instructions. Therefore, applying the principle of contemporanea expositio, if a procedure has been followed by the Central Government since 2006, with the clear understanding as aforesaid and appointments of as many as 8 Commissioners of Police, Delhi have been made following the statutory regime under the Delhi Police Act, 1978 read with Transaction of Business of GNCTD Rules, 1993, which has*

*withstood the test of time, without any demur/objection/challenge in any Court or Forum of law, the same gains weightage.”*

11. With respect to the contention regarding violation of DoPT O.M. dated 08.11.2004, pertaining to Inter-Cadre deputation of officers belonging to the All-India Services, it is stated that the said O.M. dated 08.11.2004 has been partially modified by O.M. dated 28.06.2018 which grants power of relaxation of any of the provisions of the Guidelines stipulated in O.M. dated 08.11.2004 to the Central Government. Thus, there is a power vested in the Central Government to grant relaxation, which would include relaxation of the provisions of Clause (b) of the DOPT O.M. dated 28.06.2018 and Clause 2(i) of DOPT O.M. dated 08.11.2004. The relaxation power has been exercised in the present case in granting Inter-Cadre deputation to Respondent No. 2.
  
12. The Hon’ble High Court of Delhi, after dealing with the said contentions, held in para 75 of the impugned judgement as follows –

*“The Executive, which is responsible for the law-and-order situation in the National Capital, must have a reasonable discretion to select an officer it finds more suitable, based upon the career graph of such an officer, unless there is anything adverse in the service career of such an officer. Learned counsels appearing for the Petitioner/Intervener have not been able to make out a case calling for interference in the decision of the Government or even remotely demonstrated that there is any blot in the service career of Respondent No.2, making him unsuitable for the post in question. Once this Court finds that the Central Government has the power, jurisdiction and authority to grant relaxation of any of the provisions of the Guidelines issued on 28.06.2018 for Inter-Cadre deputation of All India Services officers and that the power has been exercised for valid and just reasons, we see no reason to interfere in the decision of granting Inter-Cadre deputation to Respondent No. 2.”*

13. That, with respect to the contention raised that there is violation of mandate of provisions of FR-56(d) and that

the Central Government has no power under Rule 3 of Rules, 1960 to relax Rule 16(1) of Rules, 1958, it is most respectfully stated that plain reading of the aforesaid Rule 3 shows that the Central Government has the power to relax any Rule framed under the All India Services Act, 1951 and any Regulation made under any such Rule, if it is satisfied that the operation of any Rule/Regulation, causes undue hardship in any particular case.

The Hon'ble High Court has made the following finding with respect to the said issue in para 80 of the impugned judgement:

*“80. Plain reading of the aforesaid Rule 3 shows that the Central Government has the power to relax any Rule framed under the All India Services Act, 1951 and any Regulation made under any such Rule, if it is satisfied that the operation of any Rule/Regulation, causes undue hardship in any particular case. The relaxation can be to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case, in a just and equitable manner.”*

The Hon'ble High Court further held in para 81 of the impugned judgement that:

*“81. ....We find that Rule 3 of Rules, 1960 certainly empowers the Central Government to relax the provisions of Rule 16(1) of Rules, 1958, to give extension of service to Respondent No.2. We also find merit in the reasons furnished by Respondent No. 1 for grant of relaxation and it is not open for this Court, sitting in a judicial review, to substitute its own decision and wisdom for that of the Central Government as it is really the domain and prerogative of the Government to take a decision for grant of relaxation or otherwise, on the basis of its subjective satisfaction premised on objective considerations.”*

14. Noting the above submissions, the Hon'ble High Court, has held in para 81 of the impugned judgement as follows—

*“Rule 3 is an enabling provision, empowering the Central Government to relax the Rules framed under the All India Services Act, 1951, which would*

*include Rule 16(1) of Rules, 1958. There is no dispute between the parties that the services of Respondent No. 2 are governed by Rule 16(1) of Rules, 1958 and therefore as a corollary, the Central Government has the power to relax the provisions of Rule 16(1) of Rules, 1958. It is the stated case of Respondent No. 1, on affidavit, that power of relaxation has been exercised by the Central Government and provisions of Rule 16(1) of Rules, 1958 have been relaxed to grant extension of service to Respondent No. 2 by invoking Rule 3 of Rules, 1960 read with Section 21 of the General Clauses Act, 1897. It is further averred in the affidavit that during the process of appointment of Commissioner of Police, Delhi, the CCA was faced with precarious situation where it found that most of the appropriate level officers of AGMUT Cadre were not having the requisite experience for appointment of Commissioner of Police, Delhi. Keeping in mind the complexities and sensitivities in the Capital of the Country and the fact that no officer with appropriate seniority and requisite experience was available in the AGMUT Cadre, the relaxation provision was invoked and*

*extension of service was granted to Respondent No. 2.*

*We find that Rule 3 of Rules, 1960 certainly empowers the Central Government to relax the provisions of Rule 16(1) of Rules, 1958, to give extension of service to Respondent No.2. We also find merit in the reasons furnished by Respondent No. 1 for grant of relaxation and it is not open for this Court, sitting in a judicial review, to substitute its own decision and wisdom for that of the Central Government as it is really the domain and prerogative of the Government to take a decision for grant of relaxation or otherwise, on the basis of its subjective satisfaction premised on objective considerations. We also find that this is not the first of its case where powers of relaxation of Rule 16(1) of Rules, 1958 have been exercised by the Central Government.”*

15. That it is most respectfully stated that eight (8) Police Commissioners have been appointed by the Central Government in Delhi since 2006 prior to the appointment of Respondent No 2, following the same procedure which

has been followed while making the appointment in present case and the same were not challenged before any court of law, hence, the present appointment is made following the same principles and procedure which were adopted while appointing the aforestated 8 erstwhile Commissioners. That the Hon'ble High Court was also pleased to hold in para 74 of the impugned judgement that:

*“.....Thus, there is a power vested in the Central Government to grant relaxation, which would include relaxation of the provisions of Clause (b) of the DoPT O.M. dated 28.06.2018 and Clause 2(i) of DoPT O.M. dated 08.11.2004. The relaxation power has been exercised in the present case in granting Inter-Cadre deputation to Respondent No. 2 and in the absence of lack of power and jurisdiction, this Court cannot find any illegality in the impugned action.”*

16. That it is most respectfully stated that appointment of Respondent No. 2 is the only appointment ever challenged by the Petitioner herein, for the reasons best



known to them, before this Hon'ble Court. It is evident from this selective criticism and specific challenge with respect to the Respondent's appointment that the Petitioner has a specific, mala-fide and unknown agenda.

17. That it is stated that challenge to the appointment of Respondent No. 2 by the Petitioner herein, before this Hon'ble Court, as well as the Hon'ble High Court of Delhi is an abuse of process of law and is based on malice.
18. That the conduct of the Petitioner herein in maligning the image of Respondent No. 2 ever since his appointment in the Central Bureau of Investigation, is evident from the following facts and it can be satisfactorily concluded that the Petitioner is carrying out personal vengeance against the Respondent No. 2. These petitions are, therefore, not bonafide public interest litigations but are a flagrant abuse of process and forum that is this Hon'ble Court –

S. No.	Particulars of the case	Details of the case
1.	WP (Civil) No. 1088 of 2017 Title- Common Cause Vs UOI &Ors  Filed on: 01.11.2017 Decided on: 28.11.2017	Common Cause had filed a PIL questioning the validity of the order dated 22/10/2017 appointing the deponent as Spl. Director, CBI
2.	Review petition (C) No. 28/2018 in WP (Civil) No. 1088/2017  Filed on: 10.01.2018 Dismissed on: 23.01.2018	Common Cause filed a review petition against the judgement dated 28/11/2017;
3.	Curative petition (Civil) No. 144/2018  Filed on:04.07.2018 Decided on: 11.12.2018	Common Cause filed a curative petition against the decision rendered in the review petition and in the writ petition;
4.	Writ Petition (Civil) No.1315/2018  Decided on: 09.02.2018	Common cause filed a PIL praying for the removal of the deponent as Special Director, CBI and for constituting an SIT to go into the charges of corruption and for lodging an FIR against Respondent No.2.
5.	Writ Petition. (C) No. 8654 of 2021  Decided on: 27.09.2021	Intervention filed in Writ Petition by the Petitioner herein seeking a direction for quashing the order dated 27.07.2021 issued by the Respondent No.1 appointing Respondent No. 2 as Commissioner of Police, Delhi

19. That, it is stated that the aforesaid petitions were then followed by a scathing social media campaign against Respondent No. 2 maligning his reputation on multiple social media platforms which corroborates the

apprehension of the answering respondent that these challenges to the appointment of the answering respondent were solely a result of some personal vendetta held by the Petitioner. It is pertinent to mention here that the dates of filing and decisions in the petitions listed in the table above are suspiciously similar to timeline of the tweets between the period of 22.10.2017 to 28.07.2021. true copies of the snapshots of tweets between the period of 22.10.2017 to 28.07.2021 are annexed herewith as **Annexure R-1 at (Pages 20 to 28 )**.

20. This sustained and strategic maligning of the answering respondent's character further goes on to show the mala-fide agenda of the present petitioner in carrying out a personal vendetta against the answering respondent. Hence, the present petition is another attempt in furtherance to the personal vendetta and is not even remotely in the interest of general public.

21. That in view of the above facts and circumstances, the petition filed by the petitioner is devoid of any substance, merit and liable to be dismissed with costs.
22. That the answering respondent has not pleaded in the counter affidavit any new or additional facts or documents which are not pleaded before the courts below.
23. That the answering Respondent is only filing this brief affidavit to avoid reiteration of similar grounds before this Hon'ble Court and reserves the right to file a detailed additional counter affidavit if and when the need arises.
24. It is therefore, most humble and respectfully prayed that your Lordships may graciously be pleased to dismiss the Special Leave Petition with costs.

Filed on: 3.1.2022

Filed by:

*Diksha Rai*

**Diksha Rai**

**Advocate for Respondent No. 2**

## IN THE SUPREME COURT OF INDIA

## CIVIL APPELLATE JURISDICTION

## SPECIAL LEAVE PETITION (C) NO. 19466 OF 2021

IN THE MATTER OF

Centre for Public Interest Litigation

...Petitioner

Versus

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...Respondents

**AFFIDAVIT**

I, Rakesh Asthana son of Shri H.K. Asthana, aged about 60 years, working as Commissioner of Police, Delhi, having my office at Delhi Police Headquarters, Jaisingh Marg, New Delhi, do hereby solemnly affirm and state as under:-

1. That I am the Respondent No. 2 in the instant Special Leave Petition I am conversant with the facts and circumstances of the case and as such, I am competent to swear the instant counter affidavit.



2. That I have gone through the copy of the Counter Affidavit and state that the contents thereof are true and correct to my knowledge.

3. That the annexures attached to the present Counter Affidavit are true and correct copies of their respective originals.

*Rakesh Asthana*

DEPONENT

**VERIFICATION**

Verified at *11:20* on this *2nd* day of January, 2022 that the contents of the above affidavit are correct and true to the best of my knowledge and belief nothing material has been concealed therefrom.

*Rakesh Asthana*

DEPONENT

IDENTIFIED BY  
*[Signature]*  
Advocate / Regd. Clerk

ATTESTED

NOTARY DELHI








03 JAN 2022









NOTARY DELHI

ATTESTED

Tweets made by Sh. Prashant Bhushan: -

Timeline	Tweet
<b>Tweets made during the tenure as Spl. Director, CBI</b>	
22/10/2017	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Oct 22, 2017 ... The move to promote tainted <b>Rakesh Asthana</b> as SPL Dir CBI came from PMO. Seems Modi likes ppl who figure in diaries!
04/11/2017	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Nov 4, 2017 ... Diary recovered at this Co names <b>RakeshAsthana</b> as major recipient.Had daughter's cocktail party at Promoters farmhouse.Yet made SPL Dir CBI!
21/11/2017	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Nov 21, 2017 ... Now Vijay Mallya uses promotion of <b>Rakesh Asthana</b> as CBI Special Director (despite CBI Director pointing out that he is being investigated by CBI in Sterling Biotech scam), to say that CBI is dishonest & a Caged parrot & so he shouldn't be extradicted!
24/11/2017	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Nov 24, 2017 ... Minutes of CVC meeting(which govt refused under RTI)clearly show that CBI Director had strongly opposed appointment of <b>Rakesh Asthana</b> as SPL Dir CBI,pointing out that his name appears in Sterling Diary&CBI would need to investigate his role in 2 FIRs in 5KCr money laundering case

25/11/2017	 <b>Prashant Bhushan</b>  @pbhushan1 · Nov 25, 2017 ... CBI Director says <b>Rakesh Asthana's</b> promotion as SPL Director will hamper CBI Investigation in 5000Cr Sterling Biotech scam,since Asthana appears to have received money from Sterling.His son worked for Sterling&daughter's wedding party was at their farmhouse.Yet govt promotes him!  92  1.5K  2.3K 	
27/11/2017	 <b>Prashant Bhushan</b>  @pbhushan1 · Nov 27, 2017 ... After dismissing note of CBI Director objecting to promotion of <b>Rakesh Asthana</b> because he is being investigated in 5KCr Sterling Biotech money laundering case, CVC writes on 9/11 (20 days after Asthana's promotion) asking for authorship, verification & docs! Alice in wonderland!	
27/11/2017	 <b>Prashant Bhushan</b>  @pbhushan1 · Nov 27, 2017 ... Did AG mislead the court in <b>Rakesh Asthana's</b> case by concealing Director CBI's note of 21/10/17 & further concealing note of CVC of 9/11/17? This note asks questions about CBI Director's note. Or did govt mislead the AG and conceal these notes from him?	
29/11/2017	 <b>Prashant Bhushan</b>  @pbhushan1 · Nov 29, 2017 ... The SC order dismissing the challenge to <b>Rakesh Asthana's</b> appt as Special Director CBI, skirts important questions of Institutional integrity of CBI& doesn't even examine why Dir CBI had opposed appt. Govt concealed crucial note dt 9/11 of CVC from court	

16/12/2017	 <p><b>Prashant Bhushan</b>  @pbhushan1 · Dec 16, 2017 ...</p> <p>Despite some good judgments by the SC, notably in the Right to Privacy &amp; Orissa Mining cases, 2017 will be remembered for 3 notorious judgments showing how the court surrendered to the executive: The Birla/Sahara case, <b>Rakesh Asthana</b> CBI case &amp; the Prasad medical college scam case</p> <p>88      722      1.6K</p>	
21/02/2018	 <p><b>Prashant Bhushan</b>  @pbhushan1 · Feb 21, 2018 ...</p> <p>Bankers attended binges at Sterling Biotech scamster Sandesara's farmhouse &amp; signed blank cheques. His diary recovered shows <b>Rakesh Asthana</b> received &gt;3 Crs. Asthana's daughter's wedding cocktail party was Sandesara's farmhouse. Yet govt appt him SPL Dir CBI!</p>	
09/05/2018	 <p><b>Prashant Bhushan</b>  @pbhushan1 · May 9, 2018 ...</p> <p>Our review in CJAR case seeking an indep SIT in medical college Bribery case (where CBI FIR alleges conspiracy to bribe CJI's bench) hasn't been listed by SC since 4/1. Also, Curative petition in <b>Rakesh Asthana's</b> appt as Spl Dir case filed on 27/3 has not been registered yet! Why?</p>	
04/06/2018	 <p><b>Prashant Bhushan</b>  @pbhushan1 · Jun 4, 2018 ...</p> <p>While CBI is busy hunting Modi's rivals to bring them to heel, what happened to the 5k Cr money laundering scam of Gujarat based Sterling Biotech, where all the main accused including CBI's No 2 man (Modi's man Friday) <b>Rakesh Asthana</b> are not being touched?</p>	



05/06/2018	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Jun 5, 2018 ... RK Agarwal J who obliged the govt (dismissing petition against <b>Rakesh Asthana</b> Spl Dir CBI, who is named in Sterling Biotech case)& CJI(by dismissing petition seeking SIT in medical college scam involving CJI)is obliged by both with plum post retirement job!	
24/09/2018	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Sep 24, 2018 ... Even Sandesara, being investigated by the CBI in a 20KCr money laundering scam of Sterling Biotech has fled the country! The CBI Dir had said that present Spl Dir CBI, <b>Rakesh Asthana</b> had also got payments from this company and was being investigated by CBI!	
<b>Tweets made in 2018-2019</b>		
23/10/2018	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Oct 23, 2018 ... Fortunately, the SC had earlier ordered the selection of the CBI Director through a collegium of PM, Leader of Opposition & Chief Justice of India. That is how Alok Verma was selected DCBI. The govt had appointed <b>Rakesh Asthana</b> as acting Director&would have appointed him Director  <div>  <b>Prashant Bhushan</b> ✓ @pbhushan1 · Oct 23, 2018          SC agrees to consider plea to provide for an independent collegium to select Election Commissioners&amp;refers case to a Constitution bench. Today the govt alone selects the EC. Though ECs have generally been independent, there's serious danger of partisan ECs  <a href="http://livelaw.in/breaking-sc-re...">livelaw.in/breaking-sc-re...</a> </div>	

23/10/2018	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Oct 23, 2018 ... Instead of suspending <b>Rakesh Asthana</b> , it seems that the PM is trying to send the CBI Director Verma on leave! PM has no authority to send CBI director on leave as his tenure is protected. It is not CBI vs CBI. It is CBI versus a corrupt officer planted in the CBI by the PMO.	
24/10/2018	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Oct 24, 2018 ... Breaking! As feared&suspected, the govt has removed the Director CBI from his charge, because he was pursuing corrupt Spl Director <b>Rakesh Asthana</b> who was foisted on CBI by PMO despite his being investigated by the CBI itself in corruption cases.Totally illegal. Will be Challenged	
11/11/2018	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Nov 11, 2018 ... Cell phone records & call locations show that Modi/Shah's pet CBI officer <b>Rakesh Asthana</b> & RAW officer Samant Goel were in close touch with bribe middleman Somesh Prasad during critical period when Asthana was allegedly bribed. Can Asthana remain in CBI?	
20/11/2018	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Nov 20, 2018 ... Must watch: Ravish Kumar explaining the explosive application filed by CBI DIG MK Sinha in SC making serious allegations against the NSA Doval, Cabinet Secy, Law Secretary, a Modi Cabinet Minister, CVC and others, in investigation of Spl Dir <b>Rakesh Asthana</b>	
11/01/2019	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Jan 11, 2019 ... High Court refuses to quash FIR of bribery registered by Alok Verma against <b>Rakesh Asthana</b> . It is on Asthana's complaint that CVC had given a report against Verma on basis which Verma has been removed as CBI Director	

12/01/2019	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Jan 12, 2019 ... 'KV Chowdary had visited <a href="#">#AlokVerma</a> 's residence to intercede on behalf of <b>Rakesh Asthana</b> : My interview on why the PM was so keen to remove restored CBI Director. He is petrified of any investigation into the Rafale scam	
15/03/2019	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Mar 15, 2019 ... Must read: <a href="#">@suchetadalal</a> on how our Banks were willing to forego over 10K Cr of our money to bail out the Sandesaras of Gujarat's Sterling Biotech. This Company paid Crores to Modi's favourite cop <b>Rakesh Asthana</b> . Fortunately scuttled by the NCLT for now <a href="http://thewire.in/political-econ...">thewire.in/political-econ...</a> 51 434 763	
11/05/2019	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · May 11, 2019 ... Banks push for settlement with absconding promoters of Sterling Biotech at 45% of the 15,600Cr they owe the banks. Why are banks willing to take a 8,600Cr haircut? Remember Modi's blue-eyed CBI Spl director <b>Rakesh Asthana</b> was charged with Sterling Biotech!	
28/09/2019	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Sep 28, 2019 ... Exclusive: Entire CBI Team Probing <b>Rakesh Asthana</b> 's Alleged Corruption Has Now Been Purged as the Modi govt prepares to give a clean chit to their controversial blue eyed boy <a href="http://thewire.in/government/cbi...">thewire.in/government/cbi...</a> 59 873 2K	

28/06/2020	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Jun 28, 2020 ... Good that ED is questioning Ahmed Patel on his links with Sterling Biotech people. But what Shah&Modi's blue eyed boy <b>Rakesh Asthana</b> who is shown to have received Crores from Sterling Biotech owners&who had his daughter's wedding at their farmhouse.They tried to make him CBI Dir! 73 1.4K 4.7K	
<b>Tweets made during DG, NCB tenure</b>		
12/09/2020	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Sep 12, 2020 ... "Former CBI chief Nageswara Rao slammed for calling Swami Agnivesh's death 'good riddance'. Such an uncouth fellow was made CBI Chief! Meanwhile blue eyed boy <b>Rakesh Asthana</b> (also made CBI Dir)as NCB Chief is busy with Rhea! They again want him as CBI Dir!	
24/09/2020	 <b>Prashant Bhushan</b> ✓ @pbhushan1 · Sep 24, 2020 ... So, you might think that the boss of Narcotics Control bureau, must be high on drugs himself? No,he is <b>Rakesh Asthana</b> ,Shah's blue eyed boy who was sought to be made CBI Chief,but had to be moved out in disgrace. Now his rehab is complete,they are again trying to make him CBI Dir!	
<b>Tweets made after 31/01/2021 (after the closure filed by CBI in Sandesara Case) and during the appointment of Director, CBI &amp; CP Delhi</b>		

25/05/2021	 <p><b>Prashant Bhushan</b>  @pbbhushan1 · May 25 ...</p> <p>Glad that the CJI shot down Govt's favourites, the infamous <b>Rakesh Asthana</b> &amp; the Chief of infamous NIA, YC Modi for CBI Chief! Shows the importance of not leaving such crucial appointments to the Govt alone &amp; having a collegium to select them.</p>	
09/06/2021	 <p><b>Prashant Bhushan</b>  @pbbhushan1 · Jun 9 ...</p> <p>The Sandesaras of Sterling Biotech were very close to <b>Rakesh Asthana</b>, Modi/Shah's blue eyed police officer, who they wanted to appoint CBI Director. This plan was nixed by the CJI who pointed out the 6 month norm</p>	
22/07/2021	 <p><b>Prashant Bhushan</b>  @pbbhushan1 · Jul 22 ...</p> <p>‘Chronology Samajhiye’: Hours After Midnight Coup, CBI Chief's Phones Entered Surveillance Zone!</p> <p>Leaked list contains numbers of Alok Verma&amp;family, &amp;<b>Rakesh Asthana</b>, against whom the CBI had filed a case, triggering alarm at the highest levels of Modi govt.</p>	



28/07/2021



**Prashant Bhushan** ✓ @pbbhushan1 · Jul 28

The appointment of tainted **Rakesh Asthana** (connected with Sandesaras who fled with 1000s of Crs, & was being investigated by CBI itself) as Delhi PC is illegal, for the same reason that CJI nixed his name as CBI chief. He doesn't have 6 months left to retire. Will get 2 yrs as PC

No. I-21019/02/2010-IPS.III  
भारत सरकार / Government of India  
गृह मंत्रालय / Ministry of Home Affairs  
(Police-I Division)

Room No. 220, North Block, New Delhi-01,  
Dated, the 27<sup>th</sup> July, 2021

**OFFICE MEMORANDUM**

**Sub: Holding of additional charge of the post of DG, BSF – Regarding**

Consequent upon appointment of Shri Rakesh Asthana, IPS (GJ:84), Director General, BSF, as Commissioner of Police, Delhi, the competent authority has approved that Shri S. S. Deswal, IPS (HY:84), Director General, ITBP shall hold additional charge of the post of DG, BSF vice Shri Asthana, till the appointment and joining of the regular incumbent or until further orders whichever is earlier.

TRUE COPY  
*Suresha Rai*