



2026:CGHC:9786-DB



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPIL No. 11 of 2026**

Praveen Ware, Aged About 28 Years, HDD-46, Siddhi Vinayak, Kabir Nagar,
Raipur, Chhattisgarh

... Petitioner(s)**versus**

1-State Of Chhattisgarh Through The Chief Secretary, Government Of Chhattisgarh, C/o Mantralay Mahanadi Bhawan, Naya Raipur, Chhattisgarh P.O. 492002

2-State Of Chhattisgarh Through Principal Secretary, Law And Legislative Affairs Department, C/o Mantralay Mahanadi Bhawan, Naya Raipur, Chhattisgarh P.O. 492002

3-State Of Chhattisgarh Through Principal Secretary, Public Work Department, C/o Mantralay Mahanadi Bhawan, Naya Raipur, Chhattisgarh P.O. 492002

4-Registrar General High Court Of Chhattisgarh, C/o Bilaspur, Chhattisgarh P.O. 495003 (Administrative Side)

... Respondent(s)

For Petitioner(s)	:Mr. Praveen Ware, In Person (through Video Conferencing)
For Respondent(s) No. 1 to 3	:Mr. Vivek Sharma, Advocate General assisted by Mr. Sangharsh Pandey, Government Advocate.
For Respondent No. 4	:Mr. Chandresh Shrivastava, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice**Hon'ble Shri Ravindra Kumar Agrawal, Judge**

**Order on Board****Per Ramesh Sinha, Chief Justice****25/02/2026**

- 1 Heard Mr. Praveen Ware, petitioner, appearing in person, Mr. Vivek Sharma, learned Advocate General for the State/respondents No. 1 to 3 as well as Mr. Chandresh Shrivastava, learned counsel for the respondent No. 4.
- 2 IA No. 1 of 2026, is an application seeking exemption from deposit of Rs. 15,000/- under Rule 81 of the Chhattisgarh High Court Rules, 2007. For the reasons stated in the application, the same is allowed and the petitioner is exempted from depositing the aforesaid amount, in exceptional circumstances.
- 3 By this petition under Article 226 of the Constitution of India, the petitioner has prayed for the following relief(s):

“ 10.1 That this Hon'ble Court may kindly be pleased to allow the present writ petition of Public Interest Litigation

10.2 That this Hon'ble Court may kindly be pleased to direct the Respondents, under the administrative and supervisory control of this Hon'ble Court, to conduct a comprehensive inspection of washroom and drinking water facilities in all 23 District Courts and courts subordinate thereto across the State of Chhattisgarh and to place on record a district-wise inspection report, supported by recent photographs, indicating the total number of washrooms available in each court premises, including separate washrooms for men, women, persons with disabilities and transgender persons, along with the functional status and hygienic condition of each such facility, as well as the total number and location of drinking water facilities in each court premises, including water coolers, taps, dispensers or RO units, their accessibility to litigants, advocates, court staff, persons with disabilities and elderly persons, their operational status during court working hours, the hygienic and maintenance condition thereof including cleanliness of taps, filters, storage tanks and surrounding areas, and whether regular drinking water quality testing is conducted and records thereof are maintained.



10.3 That this Hon'ble Court may kindly be pleased to direct the Respondents to make functional, hygienic and accessible all existing washrooms found to be non-functional or unusable, and to ensure availability of clean and safe drinking water in all court premises within a time-bound manner.

10.4 That this Hon'ble Court may kindly be pleased to direct the Respondents to establish a simple and effective grievance redressal mechanism in every District Court and courts subordinate thereto for issues relating to washrooms, sanitation and drinking water, including the provision of a dedicated contact number or helpline for lodging complaints, prominent display of such contact details outside every washroom within court premises, maintenance of a daily complaint register recording complaints received and action taken thereon, and installation of a complaint box at an accessible location within the court premises.

10.5 That this Hon'ble Court may kindly be pleased to direct the Respondents to ensure that the status of sanitation, washroom facilities and drinking water, including details of inspections and corrective actions taken, is uploaded on the official website of each District Court once every three/four months, to promote transparency and accountability.

10.6 Pass any other Order (s) that this Hon'ble High Court may deem fit & proper in the interest of justice"

- 4** Mr. Praveen Ware, petitioner, appearing in person submits that he is an Advocate by profession and practices in the State of Delhi and Chhattisgarh and this is the first public interest litigation petition filed by him. By this petition, he is seeking issuance of writ of mandamus for enforcement of constitutional and statutory obligations relating to sanitation, hygiene, accessibility, and provision of basic facilities and for ensuring minimum standards of sanitation and dignified basic amenities in all the District Courts and Courts subordinate thereto across the State of Chhattisgarh. He states that serious deficiencies in the availability of accessible washroom facilities, particularly for transgender persons and persons with disabilities, have observed even in the Capital of the State District & Sessions Court, Raipur, which necessitates inspection and verification by this Hon'ble Court. The issues raised in the present



petition affect a large section of the public, including litigants, advocates, court staff, women, senior citizens, persons with disabilities, transgender persons and other vulnerable groups, many of whom are unable to effectively approach this Hon'ble Court to seek redressal of their grievances. In order to ascertain the existence of sanitation infrastructure in the Raipur District Court premises, he submitted an application under Section 6(1) of the Right to Information Act, 2005, seeking specific information regarding the existence of responsibility, maintenance records, budget and contract related to washroom sanitation. By order dated 23.12.2025, the Public Information Officer, District Court, Raipur, rejected the RTI application on the ground that no such information relating to sanitation, maintenance, inspection or compliance is available or maintained in any prepared form. The said response prima facie indicates the absence of any structured record-keeping, monitoring or accountability mechanism governing sanitation and basic facilities in court premises.

- 5 Mr. Ware further submits that in response to the RTI application dated 23.12.2025, the Public Information Officer stated that the information sought by the petitioner at serial numbers 1 to 6, relating to cleanliness, sanitation, and compliance with the National Building Code with respect to public washrooms in the District Court, Raipur, does not exist in any prepared or maintained form with the public authority. It was stated that the queries would require search, research, or investigation, which is beyond the scope of the Public Information Officer under the RTI Act, 2005. The Public Information Officer further relied upon letter No. 638/G-304/210/RTI/1 dated 08-03-2011 issued by the Chhattisgarh Government, General Administration Department (Right to Information Cell), Mantralaya, Raipur, wherein it has been clarified that under the



provisions of the RTI Act, the Public Information Officer is not required to answer interrogative or hypothetical questions. Reliance was also placed upon Office Memorandum No. 11/2/2008-IR dated 10.07.2008 issued by the Government of India, Ministry of Personnel, Public Grievances and Pensions, which clarifies that information under the RTI Act can be supplied only in the form in which it is prepared, maintained, or available with the public authority. The Public Information Officer recorded that the Act does not cast any obligation upon the Public Information Officer to conduct research, investigation, or compile information which is not already available in material form with the public authority.

- 6 Mr. Ware submits that the condition of the District Court at Raipur, being the capital District of the State, gives rise to a reasonable apprehension that similar or worse conditions may be prevailing in other District Courts and Courts subordinate thereto, particularly in remote and rural areas, where court users may not be in a position to effectively raise or pursue such grievances. The unhygienic and non-functional condition of washroom facilities, and the absence of accessible facilities for persons with disabilities and transgender persons, are evident from the photographs annexed with the present petition. Since the respondents No. 1 to 3 have failed to discharge their statutory rights and constitutional obligations, the petitioner does not have any other alternative and equally efficacious remedy and is constrained to file the instant writ petition in the nature of PIL.
- 7 At the outset, Mr. Vivek Sharma, learned Advocate General appearing for the State/respondents No. 1 to 3 as well as Mr. Chandresh Shrivastava, learned counsel for the respondent No. 4 submits that Hon'ble the Apex Court has already taken cognizance of similar issue in



the matter of **Rajeeb Kalita v. Union of India** {MA No. 1188/2025 in WP(C) No. 538/2023} in which Hon'ble the Apex Court has passed certain directions on 17.10.2025 and as such, when the Supreme Court is seized up of the matter, then there is no necessity to keep this matter pending and the same may be disposed of as the grievance of the petitioner would stand redressed by any order passed by the Apex Court on the same issue.

- 8 Mr. Ware, petitioner, appearing in person does not controvert the above submission that a petition involving similar issue is pending consideration before the Apex Court.
- 9 We have heard learned counsel appearing for the parties, perused the pleadings and documents appended thereto.
- 10 The Apex Court, in **Rajeeb Kalita** (supra), vide order dated 17.10.2025 has passed the following orders:

"O R D E R

1. While deciding a Public Interest Litigation relating to providing toilet facilities in all Courts/Tribunals across the country, a slew of directions were issued by this Court in that regard.

2. For the sake of convenience, we reproduce the directions as under:-

"11. In view of the above, we hold and issued the following directions, in the larger public interest:

(i) The High Courts and the State Governments / UTs shall ensure the construction and availability of separate toilet facilities for males, females, PwD, and transgender persons in all Court premises and Tribunals across the Country.



(ii) The High Courts shall oversee and ensure that these facilities are clearly identifiable and accessible to Judges, advocates, litigants, and court staff.

(iii) For the aforesaid purpose, a committee shall be constituted in each of the High Courts under the chairmanship of a Judge nominated by the Chief Justice and members comprising the Registrar General/Registrar of the High Court, the Chief Secretary, the PWD Secretary and the Finance Secretary of the State, a representative of the Bar Association and any other officers as they deem it fit, within a period of six weeks.

(iv) The committee shall formulate a comprehensive plan, carry out the following tasks, and ensure its implementation:-

(a) have a statistic of number of persons visiting the courts every day on an average and ensure that sufficient separate washrooms are built and maintained.

(b) conduct a survey regarding the availability of toilet facilities, lacunae in the infrastructure and maintenance of the same demarcate existing washrooms and assess the need to convert existing washrooms to meet the requirement of above categories.

(c) provide alternate facilities like mobile toilets, during construction of new ones, environment friendly toilets (bio-toilets) across the courts as done in Railways.

(d) Qua women, transgender persons, PwD, provide clear signage and indications along with functional amenities, such as, water, electricity, operational flushes, provision of hand soap, napkins, toilet paper and up to date plumbing systems. Specifically, for PwD washrooms, ensure the installation of ramps and that washrooms are designed to accommodate them.

(e) conduct a study about maintaining architectural integrity in respect of Heritage Court buildings such as Mumbai, Calcutta,



Chennai, etc. To work with the existing facilities by using underutilised spaces to build washrooms, modular solutions to work around the old plumbing systems, engaging professionals to assess the solutions to modernise sanitation facilities.

(f) effectuate a mandatory cleaning schedule and ensure staffing for maintenance and upkeeping dry bathroom floors along with sensitising users on clean washroom practices.

(g) ensure regular maintenance of the toilets by outsourcing professional agencies on contract basis, by employing modern cleaning methods and machinery to ensure better hygiene and usability.

(h) put in place a mechanism that mandates the periodic inspection of the functionality of these washrooms and specific compliance reports to be filed to a person in-charge.

(i) Frame a complaint/redressal system for speedy reporting of defective washrooms and instant repair of the same.

(j) ensure that there are working and stocked sanitary pad dispensers in women, PwD, and transgender washrooms.

(k) nominate or appoint a person specifically in each premises of the High Court/District Court/ Civil Court/Tribunal as nodal officer to monitor the maintenance, address the complaints and communicate with the presiding officer or the appropriate committee; such authority should address the complaints and give standing instructions in writing regarding maintenance and working of the said toilets; and the responsibilities should be fixed.

(l) have a transparent and separate monetary fund for the construction and maintenance of toilets in court complexes.

(m) have child safe washrooms in Family court complexes with trained staff equipped to provide children with a safe and hygienic space.



(n) Provide separate rooms (interconnected with the women's washroom) to cater to nursing mothers' or mothers with infants with feeding stations and changing napkins available. To consider incorporating breastfeeding facilities to support nursing mothers, along with dedicated platforms for changing napkins within toilet areas, similar to the amenities available in airports.

(o) High Courts to develop and sustain the quality of maintenance can create a grading system for the District Courts and other courts/forums under its supervision, provide certifications and motivate the appropriate officials and staff, which can form part of their service records. (iv) The State Governments/UTs shall allocate sufficient funds for construction, maintenance and cleanliness of the toilet facilities within the court premises, which shall be periodically reviewed in consultation with the committee constituted by the High Courts.

(v) A status report shall be filed by all the High Courts and the States/Uts within a period of four months."

3. We had also directed the State Governments/Union Territories to allocate sufficient funds for construction, maintenance and cleanliness of the toilet facilities within the Court premises. We also directed that the same shall be periodically reviewed in consultation with the Committees constituted by the High Courts for the purpose.

4. In the last, we had directed that Status Report(s) shall be filed by all the High Courts and the States/Union Territories within a period of four months.

5. The Status Reports from various High Courts have been received.

6. Ms. Charu Ambwani, the learned counsel who had assisted us in the main matter while appearing for the original petitioner has prepared a Report which states thus:-



1. *"The Compilation of the status reports filed by the High Courts are annexed herein below.*

2. *The observations regarding the discrepancy between compliance affidavits filed by the Hon'ble High Courts and the ground reality of sanitation in the Courts highlight a significant failure in implementing the judgment passed by this Hon'ble Court in the instant Writ Petition. The reality indicates a systemic issue with infrastructure, maintenance, and inclusivity across the judicial complex, from High Courts to remote District Courts/ Tribunals.*

3. *The reality on the ground demonstrates a critical failure in sustained maintenance of court facilities, directly contradicting the assertions of compliance presented in affidavits filed by the High Courts, District Courts, and Tribunals. This divergence suggests a systemic gap between reported administrative adherence and the actual, functional state of sanitation and infrastructure.*

4. *The continued unhygienic state of washrooms constitutes a persistent violation of the fundamental rights and the right to dignity of all court users, including judges, advocates. Litigants, and staff.*

5. *The poor condition, even in the High Courts situated in metropolitan cities, shows a systemic and administrative failure in allocating funds, enforcing maintenance contracts, and ensuring accountability rather than isolated incidents.*

6. *The existing infrastructure fails to meet the standards of a modern and inclusive public utility, it directly implicates the failure to ensure public health and sanitation.*

7. *The absence of facilities for Persons with Disabilities (PwD) in major High Courts and District Courts, constitutes a violation of their right to equality and non-discrimination, mandated by the Rights of Persons with Disabilities Act, this lack includes non-compliant construction, absence of ramps, support bars, and appropriate turning for wheelchairs.*



8. *The failure of most courts to provide separate and gender-neutral/inclusive washrooms for the third gender disregards the fundamental rights and dignity.*

9. *The lack of functional crèche/childcare facilities (even where established) negatively impacts the right to practice a profession for female advocates and staff who are mothers, creating a barrier to gender equality in the legal profession.*

10. *The situation is most critical in the subordinate judiciary, reflecting a profound infrastructure inequity.*

11. *There is a need for micro-level development. What is required is decentralized implementation, focusing on local needs assessment, specific budget allocation, and community-level oversight to ensure functional water supply, plumbing, and daily cleaning contracts for every single court complex.*

12. *The poor state of these facilities affects the working conditions of judicial officers and staff in Courts specially located rural areas, potentially impacting their health and efficiency, and diminishing the dignity of the institution of justice itself.*

13. *The solution requires moving beyond high-level compliance reports to establishing a robust oversight and grievance redressal mechanism at the District Court level to ensure continuous, verifiable, and functional sanitation standards.”*

7. *The learned counsel brought to our notice that each of the High Courts have now formed Committee(s) to ensure due compliance of the directions issued by this Court.*

8. *What is necessary now is to ensure that the directions are duly and scrupulously complied with to make the facilities which we have asked the States and the UTs to provide more meaningful.*



9. It is now upto the Committees of each of the High Courts to monitor and ensure that the best of the house-keeping services are engaged and the directions are scrupulously abided.

10. We would like to have one more Report from all the High Courts once again after a period of six months.

11. List after six months.”

11 The core grievance raised in the present Public Interest Litigation namely, ensuring adequate, accessible and hygienic sanitation facilities in court premises forms the subject matter of ongoing proceedings before the Hon'ble Supreme Court in ***Rajeeb Kalita*** (supra), wherein comprehensive and pan-India directions have already been issued and monitoring is continuing. When the Hon'ble Supreme Court is seized of the matter and is actively monitoring compliance by all High Courts and State Governments, it would not be appropriate for this Court to independently entertain and adjudicate upon the same issue, as it may lead to parallel proceedings and possible inconsistency in directions.

12 As a fallout, this petition stands **dismissed**. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE