

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A No. 383 of 2025

Birendar Singh

... .. Appellant

Versus

The State of Jharkhand through the Chief Secretary, and Ors.

... .. Respondents

CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellant

: Mr. Vikash Kumar, Advocate

For the State

: Mr. Manish Kumar, Sr. SC.-II

: Mr. Ashiwni Bhushan, AC to Sr.SC-II

Order No11./Dated 27th April, 2026

1. Again the issue of appointment of making the State Information Commission to be functional, has yet not been finalized. We have already passed an order on 07th January 2026, calling upon the Principal Secretary, Personnel, Administrative Reforms and Rajbhasha Department, Govt. of Jharkhand, Ranchi to update on the issue why the delay is being caused in making the Commission to be functional.
2. Again, on 08th January, 2026, we have thought it proper to call upon the Chief Secretary, Govt. of Jharkhand to file the affidavit stating the time frame of making of State Information Commission functional.
3. This Court has also observed that if there will be no specific response by the Chief Secretary, Govt. of Jharkhand, then this Court will not hesitate in impleading the Selection Committee as party to the proceeding and the Chief Secretary, Govt. of Jharkhand was directed to appear physically.
4. Then the matter was heard on 29th January, 2026, the Chief Secretary, Govt. of Jharkhand has appeared and stated on the basis of para-2 of the counter affidavit dated 29.01.2026 that the process of appointment of Chairman and Members of State Information Commission is at final stage and that the

State Information Commission is expected to be made functional within a period of four weeks.

5. The submissions of learned Advocate General has also been taken note in the paragraph-4 of that said order dated 29th January, 2026 that the State will take all sincere endeavour to make the Commission function within a period of four weeks.

6. Then, the matter was posted on 10th March, 2026 but the State Information Commission has not been made functional. However, the matter was adjourned by making an observation at para-12 that the necessary order will be passed on the next date of hearing with respect to the non-compliance of the undertaking filed by the Chief Secretary, Govt. of Jharkhand.

7. Then, the matter was heard on 23rd March, 2026 and then it was informed that a meeting of committee was scheduled to be on 25th March, 2026, this Court has refrained itself from passing any coercive order regarding the implement of the members of Selection Committee.

8. Thereafter, when the matter was taken up on 02nd April 2026, it was informed to this Court that the names of the candidates for appointment of Chairman and the Members of the State Informant Commission has now been sent to the Governor, for the purpose of issuance of final notification. Accordingly, matter was posted on 16th April, 2026.

9. Again, the matter was adjourned on 17th April, 2026, therefore, posting the matter for today i.e. 27th April, 2026.

10. Again it has been submitted by Mr. Manish Kumar, learned Sr. S.C.-II that as yet the State Information Commission has not been made functional.

11. This Court is again adjourning the matter for two weeks making it clear that if the State Information Commission is not made functional, then this

Court will be constrained to implead the members of Selection Committee as party to the proceeding and further impleading of the Chief Minister, Jharkhand-Chairman of the Committee, the Leader of the Opposition in the Jharkhand Legislative Assembly-Member and Shri Hafizul Hasan, Minister, Water Resource Department Member (nominated by the Chief Minister) party to the proceeding.

12. All the previous order has been passed keeping the mandate of the Constitution as enshrined under Article 141 and 144 of the Constitution of India, so as to abide by the law down by the Hon'ble Apex Court in the case of ***Anjali Bhardwaj and Ors. v. Union of India, (2019) 18 SCC 246.***

13. List this matter on 12th May, 2026.

(Sujit Narayan Prasad, J.)

(Sanjay Prasad, J.)

Date : 27.04.2026
Kamlesh/ Nishant/-