

IN THE HIGH COURT OF JHARKHAND AT RANCHI

**Cont. Case (Civil) No. 96 of 2025**

Adiwashi Buddhijivi Manch, Ranchi & Others... .. Petitioners

Versus

The State of Jharkhand & Others ... .. Opp. Parties

**With**

**W.P (PIL) No. 5742 of 2013**

Adiwashi Buddhijivi Manch, Ranchi & Others ... .. Petitioners

Versus

The State of Jharkhand & Others ... .. Respondents

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**CORAM: HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the Petitioners: Ms. Tanya Singh , Advocate  
Ms. Abhishek Abhi, Advocate

For the Respondents: Mr. Sachin Kumar, AAG-II  
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**12/Dated: 04.12.2025**

1. The Respondent No.4 is present in person and has filed a fresh show-cause in purported compliance to the order passed by this Court on 29<sup>th</sup> July, 2024 passed in W.P. (PIL) No. 1589 of 2021 and analogous cases whereby this Court had directed the Government to formulate the Rules under the Panchayat Extension to the Scheduled Areas (PESA) Act, 1996, preferably within a period of two months from the date of receipt of copy of the order. It shall be apt to reproduce Paragraph-6 of the show-cause dated 03.12.2025 which reads as under:

*“6. That the answering respondent respectfully submits that, within his administrative jurisdiction, the following steps have been undertaken towards compliance with the order under consideration, subsequent to the last hearing in the present contempt proceeding:*

*(i) As stated in the previous show-cause, the Cabinet Note containing the final version of the draft*

*PESA Rules had been forwarded to the Cabinet Coordination Department for placing the same before the council of Ministers for consideration and approval. Upon examination, the Cabinet Coordination Department returned the file with the direction that the Cabinet Note must expressly incorporate, in detail, the considered opinion and decision of Panchayati Raj Department on the suggestion, objections and proposed amendments made by various departments that had disagreed with or sought modifications to specific provisions of the draft PESA Rules. In compliance with this instruction, the Cabinet Note was duly revised to comprehensively include the views of the Panchayati Raj Department along with the reasons for such views.*

*(ii) The amended Cabinet Note, after obtaining the approval of the Hon'ble Minister, together with the final version of the draft PESA Rules and the detailed explanatory note, has been resubmitted to the Cabinet Coordination Department with the request that the proposal be placed before the Council of Ministers for its consideration and approval.”*

3. A perusal of the record goes to indicate that at every occasion when the case is listed, it is represented that the matter is on the verge of being finalized, yet no clear timelines are set out by the

respondents. Even in the latest affidavit, it is only being stated that the amended Cabinet Note after obtaining the approval of the Home Minister together with the final version of the Draft PESA Rules and the detailed explanatory note has been re-submitted to the Cabinet Co-ordination Department with the request that the proposal be placed before the Council of Ministers for its consideration and approval. No timelines have been set out in this affidavit.

4. In the given facts and circumstances, we deem it appropriate to direct the respondent no.4 to file a fresh affidavit clearly setting out therein the timelines within which the PESA Rules, the final version whereof has already been submitted to the Cabinet Co-ordination Department, would be approved so as to ensure the compliance of the judgment passed by this Court on 29<sup>th</sup> July, 2024.

5. List on 18.12.2025.

6. In the meantime, the interim order dated 09.09.2025 shall continue.

**(Tarlok Singh Chauhan, C.J.)**

**(Rajesh Shankar, J.)**

**December 04, 2025**