

IN THE HIGH COURT OF JHARKHAND AT RANCHI

**W.P. (PIL) No. 5126 of 2021**

Dhananjay Kumar Jha ... .. Petitioner  
Versus  
The State of Jharkhand and Others ... .. Respondents  
With

**W.P. (PIL) No. 5458 of 2014**

Sunil Oraon ... .. Petitioner  
Versus  
The State of Jharkhand and Others ... .. Respondents  
With

**W.P. (PIL) No. 2444 of 2020**

Navin Jha ... .. Petitioner  
Versus  
State of Jharkhand and Others ... .. Respondents  
With

**W.P. (PIL) No. 2756 of 2020**

Punita Rai ... .. Petitioner  
Versus  
The State of Jharkhand and Others ... .. Respondents

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**CORAM: HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD**  
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For the Petitioners: In Person [in W.P. (PIL) No. 5126 of 2021]  
Mr. Shubhashis Rasik Soren, Advocate  
Mr. Pankaj Srivastava, Advocate  
For the UOI: Mr. Prashant Pallav, A.S.G.I.  
For the State: Mr. Rajiv Ranjan, A.G.  
Mr. Piyush Chitresh, A.C. to A.G.  
For Resp. No.5: Mr. Manish Kumar, Advocate  
[in W.P. (PIL) No. 5126 of 2021]  
For State Commission: Mr. Namit Kumar, Advocate  
[in W.P. (PIL) No. 5458 of 2014]  
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Oral Order

**04/Dated: 24.06.2022**

**W.P. (PIL) No. 5126 of 2021**

Heard the Party In Person for the petitioner and Mr. Rajiv Ranjan, learned Advocate General assisted by Mr. Piyush Chitresh, A.C. to learned Advocate General.

Several issues have been raised in this writ petition. One of the issues is that the Chief Information Commissioner in the State of Jharkhand has not yet been appointed even after lapse of long period. Second issue, which has been raised, is that Baba Baidyanath Dham-Basukinath Shrine Area Development Authority has issued a letter

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addressed to the writ petitioner, who had applied for certain information under Right to Information Act, 2005, informing that Baba Baidyanath Temple, Deoghar since not being financed either by the Central Government or the State Government, would not come under Section 2(h) of the Right to Information Act, 2005 and as such, required information cannot be provided to the petitioner.

It is contended by the petitioner that Baba Baidyanath Dham-Basukinath Shrine Area Development Authority comes under Baba Baidyanath Dham-Basukinath Shrine Area Development Authority Act, 2015. The Chief Minister of the State is the Ex-officio Chairperson and the Deputy Commissioner, Deoghar is the Administrator and as such, in view of the law laid down by the Hon'ble Supreme Court in **Chain Singh Vs. Mata Vaishno Devi Shrine Board [(2004) 12 SCC 634]**, it will definitely come under the Right to Information Act as the Executives of the State are occupying the top positions under the aforesaid Act.

Learned Advocate General has sought adjournment to respond the aforesaid issues.

Accordingly, let this matter be listed on 22.07.2022 so that proper response could be filed on behalf of the State.

This matter will be heard with aforesaid analogous matters within top five cases.

**(Dr. Ravi Ranjan, C.J.)**

**(Sujit Narayan Prasad, J.)**