

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

CONTEMPT PETITION (CIVIL) NO. _____ OF 2026
[Diary No. 62010/2025]

IN

WRIT PETITION (C) No. 310/1996

KISHORE KRISHNA SWAMY

PETITIONER(S)

VERSUS

STATE OF TAMIL NADU

RESPONDENT(S)

O R D E R

1. Having briefly heard Mr. Raju Ramachandran, learned Senior Counsel & amicus curiae, Mr. Prashant Bhushan, learned counsel, Ms. Vibha Datta Makhija, learned Senior Counsel for the contempt petitioner, and Mr. P. Wilson, learned Senior Counsel, representing the State of Tamil Nadu, as well as various other counsel representing the other States and different parties, we find it necessary to address the larger issue emerging before us while disposing of the instant contempt petition.

2. The controversy herein showcases a stalemate between various States and the Union Public Service Commission (UPSC) in the matter of appointment of regular Directors General of Police in the respective States, strictly in accordance with the guidelines laid down by this Court in

Prakash Singh vs. Union of India, (2006) 8 SCC 1.

3. A similar situation arose for the appointment of a DGP in the State of Telangana, which was brought before this Court in Civil Appeal No.800/2026. That dispute has now been effectively addressed through our order dated 05.02.2026, especially the observations and directions contained in paragraph nos. 10 to 12 thereof.

4. In our considered view, those directions ought to be applied generally, across all States facing such like conditions. Accordingly, it is directed that all the States, as well as the UPSC, follow the same procedure going forward.

5. To bring a resolution in the specific dispute highlighted through the instant contempt petition, relating to the appointment of DGP in the State of Tamil Nadu, we similarly direct that the observations and directions given in the order dated 05.02.2026 be duly complied with. However, keeping in view the peculiar facts and circumstances of that State, we deem it appropriate to permit a small modification in the process, as delineated hereinafter.

6. We are informed that the current acting Director General of Police in the State of Tamil Nadu is also an aspirant for appointment as regular Director General of Police and is one

of the eligible officers.

7. That being so, he cannot be included as a Member of the Selection Board in view of the celebrated law laid down by a Constitution Bench of this Court in A.K. Kraipak and others vs. Union of India and others, (1969) 2 SCC 262. However, this anomaly is no reason to reduce the representation of the State of Tamil Nadu in the composition of the Selection Board. In other words, like in any other State, the Government of Tamil Nadu is also entitled to have two representative members on the Selection Board tasked with selecting the Director General of Police for its State. These two Members would be (i) the Chief Secretary, and (ii) a substitute for the acting Director General of Police, since he cannot be a part of the Selection Board due to the reasons already discussed above.

8. We, thus, grant permission to the State of Tamil Nadu to nominate an officer, preferably of higher or equivalent rank and stature to the Director General of Police, such as an Additional Chief Secretary, as a substitute member in the Selection Board of the UPSC.

9. It appears that one more clarification is required at this stage. Mr. Raju Ramchandran, learned *amicus curiae*, has rightly pointed out that an officer who has served in any one or more of the following areas for a cumulative period of at least 10 years shall be eligible and qualified to be

included in the zone of consideration, subject to other conditions like seniority:

- (i) Law & Order District/Zonal/Range;
- (ii) Crime Branch/Crime Investigation Department (CID), Crime Against Women Cell (CAW), Economic Offences Wing (EOW), Cyber Crimes Cell, Government Railway Police (GRP), Anti Corruption/Vigilance;
- (iii) Intelligence/Special Branch, Counter/Anti-Terror Unit, Security; and
- (iv) Deputation to Intelligence Bureau (IB)/Research Analysis Wing (R&AW)/Central Bureau of Investigation (CBI)/National Investigation Agency (NIA)/Enforcement Directorate (ED)/Narcotics Control Bureau (NCB)/Special Protection Group (SPG)/National Security Guards (NSG)/Central Armed Police Forces (CAPFs)/Sardar Vallabhbhai Patel National Police Academy (SVPNPA).

10. We are inclined to accept this submission that the 10 years' service is the cumulative service in any and all of the above-listed areas. Ordered accordingly.

11. In accordance with the above modifications and clarifications, the State Government is directed to resubmit its revised proposed list of names, as well as nominate the substitute officer for being a Member of the Selection Board, within one week from today. The UPSC shall, within two weeks thereafter, make the final recommendations. The final appointment shall, then, be made forthwith.

12. With these observations and directions, the contempt petition is disposed of.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

NEW DELHI;
FEBRUARY 12, 2026

ITEM NO.303

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).310/1996

PRAKASH SINGH & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 278952/2025 - APPLICATION FOR PERMISSION
IA No. 167718/2021 - APPLICATION FOR PERMISSION
IA No. 18060/2026 - APPLICATION FOR PERMISSION
IA No. 4307/2023 - APPLICATION FOR TAKING ON RECORD
IA No. 163279/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 64527/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 38712/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 150155/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 106855/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 59862/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 67359/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 191779/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 79953/2019 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 144787/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 130514/2017 - CLARIFICATION/DIRECTION
IA No. 273841/2025 - CLARIFICATION/DIRECTION
IA No. 77527/2025 - CLARIFICATION/DIRECTION
IA No. 110862/2023 - CLARIFICATION/DIRECTION
IA No. 166438/2021 - CLARIFICATION/DIRECTION
IA No. 166442/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 158841/2023 - EXEMPTION FROM FILING O.T.
IA No. 34/2007 - EXEMPTION FROM FILING O.T.
IA No. 47/2015 - EXEMPTION FROM FILING O.T.
IA No. 38/2008 - EXTENSION OF TIME
IA No. 29/2007 - EXTENSION OF TIME
IA No. 37/2008 - EXTENSION OF TIME
IA No. 28/2007 - EXTENSION OF TIME
IA No. 36/2007 - EXTENSION OF TIME
IA No. 27/2007 - EXTENSION OF TIME
IA No. 35/2007 - EXTENSION OF TIME
IA No. 26/2007 - EXTENSION OF TIME
IA No. 25/2007 - EXTENSION OF TIME
IA No. 33/2007 - EXTENSION OF TIME
IA No. 32/2007 - EXTENSION OF TIME
IA No. 150205/2023 - INTERLOCUTARY APPLICATION
IA No. 46/2015 - INTERVENTION APPLICATION
IA No. 144785/2022 - INTERVENTION APPLICATION
IA No. 64347/2022 - INTERVENTION APPLICATION

IA No. 60414/2017 - INTERVENTION APPLICATION
IA No. 110863/2023 - INTERVENTION APPLICATION
IA No. 29597/2019 - INTERVENTION APPLICATION
IA No. 191775/2023 - INTERVENTION APPLICATION
IA No. 106852/2020 - INTERVENTION/IMPLEADMENT
IA No. 77526/2025 - INTERVENTION/IMPLEADMENT
IA No. 163331/2021 - INTERVENTION/IMPLEADMENT
IA No. 18055/2026 - INTERVENTION/IMPLEADMENT
IA No. 184752/2018 - MODIFICATION
IA No. 18057/2026 - PASSING APPROPRIATE ORDER OR DECREE UNDER
ARTICLE 142 OF THE CONSTITUTION
IA No. 18054/2026 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 38716/2021 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 60411/2017 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 49/2016 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 191777/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 115046/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 167711/2021 - STAY APPLICATION

WITH

W.P.(C) No. 687/2024 (PIL-W)
IA No. 284491/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 271424/2024 - INTERVENTION APPLICATION

Diary No(s). 62010/2025 (PIL-W)

Diary No(s). 63060/2025 (PIL-W)

CONMT.PET.(C) No. 92/2007 In W.P.(C) No. 310/1996 (PIL-W)

CONMT.PET.(C) No. 240/2007 In W.P.(C) No. 310/1996 (PIL-W)

W.P.(C) No. 417/2010 (PIL-W)

W.P.(C) No. 42/2011 (PIL-W)

W.P.(C) No. 317/2013 (PIL-W)
FOR ON IA 21241/2014

W.P.(C) No. 286/2013 (PIL-W)

W.P.(C) No. 335/2013 (PIL-W)

CONMT.PET.(C) No. 235/2014 In W.P.(C) No. 310/1996 (PIL-W)
FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 2/2015, FOR ON
IA 3/2015, FOR ON IA 4/2015, OR ON IA 5/2016, FOR PERMISSION TO
APPEAR AND ARGUE IN PERSON ON IA 6/2016, IA No. 1/2015 -
INTERVENTION APPLICATION, IA No. 6/2016 - PERMISSION TO APPEAR AND
ARGUE IN PERSON, IA No. 2/2015 - PERMISSION TO APPEAR AND ARGUE IN

PERSON,

CONMT.PET.(C) No. 177/2015 In W.P.(C) No. 310/1996 (PIL-W)

T.C.(C) No. 76/2015 (XVI)

T.C.(C) No. 75/2015 (XVI)

CONMT.PET.(C) No. 1037/2018 in W.P.(C) No. 310/1996 (PIL-W)
IA No. 57958/2018 - EXEMPTION FROM FILING O.T.

CONMT.PET.(C) No. 534/2019 in W.P.(C) No. 310/1996 (PIL-W)

CONMT.PET.(C) No. 535/2019 in W.P.(C) No. 310/1996 (PIL-W)

CONMT.PET.(C) No. 1251/2019 in W.P.(C) No. 310/1996 (PIL-W)

Diary No(s). 35226/2024 (PIL-W)

IA No. 244118/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 280375/2024 - EXEMPTION FROM FILING O.T.

IA No. 280374/2024 - STAY APPLICATION

IA No. 173317/2024 - STAY APPLICATION

Diary No(s). 41923/2024 (PIL-W)

IA No. 208940/2024 - EXEMPTION FROM FILING O.T.

IA No. 208938/2024 - STAY APPLICATION

Diary No(s).15328/2025 (PIL-W)

Diary No(s).41056/2025 (PIL-W)

Diary No(s).42687/2025 (PIL-W)

T.C.(C) No.141/2025 (XVI-A)

Date : 12-02-2026 These matters were called on for hearing today.

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Ms. Vidyottma Jha, Adv.
Mr. Jagdeep Sharma, Adv.
Mr. Navneet Gupta, Adv.

Ms. Devina Sehgal, AOR
Intervenor-in-person

Mr. Siddhant Kohli, Adv.
Mr. Kautabh Bhattacharjee, Adv.
Ms. Garima Jain, AOR

UPON hearing the counsel the Court made the following
O R D E R

Contempt Petition (Civil) No./2025 (Diary No. 62010/2025)

1. The Contempt petition is disposed of in terms of the signed order.
2. All pending applications, if any, also stand disposed of.

Rest of the matters

3. List these matters for further directions on 09.03.2026 at 2 p.m.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR

(signed order in Diary No.62010/2025 is placed on the file)