

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSMiscellaneous Application No. 1979/2019 in W.P.(C) No. 436/2018

[Arising out of impugned judgment and order dated 15-02-2019 in W.P.(C) No. No. 436/2018 passed by the Supreme Court of India]

ANJALI BHARDWAJ & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 102425/2021 - ADDITION / DELETION / MODIFICATION PARTIES, IA No. 139361/2019 - CLARIFICATION/DIRECTION, IA No. 107854/2020 - EARLY HEARING APPLICATION, IA No. 145229/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 56805/2025 - EXEMPTION FROM FILING O.T., IA No. 45966/2025 - EXEMPTION FROM FILING O.T., IA No. 296728/2024 - EXEMPTION FROM FILING O.T., IA No. 292208/2024 - EXEMPTION FROM FILING O.T. and IA No. 146563/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

W.P.(C) No. 1461/2020 (PIL-W)

(IA No. 115933/2021 - EXEMPTION FROM FILING O.T., IA No. 134701/2020 - EXEMPTION FROM FILING O.T. and IA No. 126769/2021 - EXEMPTION FROM FILING O.T.)

Date : 10-02-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) : Mr. Prashant Bhushan, AOR
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Mr. Mukul Kulhari, Adv.

For Respondent(s) : Mr. Arunabh Choudhary, Sr. Adv.
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Mr. Sujeet Kumar Chaubey, Adv.

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Mr. Divynk Panwar, Adv.
Ms. Sharmishta Solanki, Adv.
Mr. Udaya Kumar Sagar, AOR

Mr. Avijit Mani Tripathi, AOR
Mr. T.K. Nayak, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. In continuation of previous orders, Mr. K.M. Nataraj, learned Additional Solicitor General of India, informs that the Chief Information Commissioners and other Information Commissioners in the Union of India have since been appointed and their appointments have been notified in the Official Gazette.

2. Let the Union of India place on record a status report by way of an affidavit in terms of the judgment dated 15.02.2019 of this Court in Writ Petition (Civil) No.436/2018, along with the details as to how many candidates have applied and how many were finally shortlisted before finalisation of the names of the selected persons.

3. With regard to the State of Jharkhand, Ms. Pragya Baghel, learned counsel appearing for the State, informs that the selection process is near completion and all appointments shall be made by 28.02.2026.

4. Learned counsel for the State of Himachal Pradesh states that election process had been initiated, but since suitable candidates did not apply, a fresh selection process has now been initiated. He seeks and is granted two months' time to complete the process.

5. In the case of the State of Maharashtra, having regard to the backlog of pending appeals and complaints, we were expecting that the State will immediately comply with the above-stated judgement and sanction 3 more posts of Information Commissioners. It appears that needful has not been done so far. Consequently, it is directed that 3 more posts of Information Commissioners be sanctioned within four weeks and a compliance affidavit be filed in that regard. As soon as the posts are sanctioned, the process for appointment against newly sanctioned posts be also initiated without any delay.

6. In the State of Bihar, there are only 4 sanctioned posts of

Chief Information Commissioner/Information Commissioners, out of which 1 post is lying vacant. Learned State counsel informs that the advertisement was issued in December, 2025 and the selection process is likely to be finalized by the end of this month. Consequently, the available vacancies will be filled up within two months. Meanwhile, the State of Bihar is directed to consider the desirability of suitable increase in the sanctioned strength, keeping in view the pendency of almost 30,000 appeals and file a response in this regard before the next date of hearing.

7. In the State of Madhya Pradesh, the sanctioned strength has been reduced from 11 to 6, out of which 3 posts are lying vacant. Learned State counsel informs that the selection process has already been initiated and the appointments will be made within two months.

8. Learned counsel for the State of Andhra Pradesh informs that all the 8 posts have now been filled up.

9. Learned counsel for the State of Chhattisgarh informs that all the 4 posts have been filled up. The State shall consider the desirability of increasing the sanctioned strength after 6 months and upon reassessment of the disposal by the newly appointed Commissioners.

10. Learned counsel for the State of Karnataka informs that the vacancy of the Chief Information Commissioner has already been advertised and the selection process will be completed within two months.

11. Learned counsel for the State of Assam states that the process to fill up the post of Chief Information Commissioner has been initiated. Let the selection be finalised and appointments be made within 2 months.

12. Learned counsel for the State of Tamil Nadu informs that 2 additional posts have been sanctioned and advertised. Let all the posts comprising 7 + 2 i.e., total 9 Chief Information Commissioners/Information Commissioners be filled up. The selection process shall be completed within two months.

13. Learned counsel for the State of Odisha informs that there is only 1 vacant post, which has already been advertised, and the selection process will be completed within two months.

14. The other States will also make an endeavour to fill up the vacant posts depending upon the total pendency of appeals/complaints in their respective States.

15. List on 28.04.2026.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR