

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)

[ONLY IA NO. 201897/2026 IN WP(C) NO. 310/1996 AND T.C.(C) No.141/2025 ARE LISTED UNDER THIS ITEM]

IA No. 201897/2026 - CLARIFICATION/DIRECTION

WITH

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

IA No. 36460/2026 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 36461/2026 - EXEMPTION FROM FILING O.T.

Date : 08-10-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

Mr. Raju Ramachandran (Amicus Curiae)
Ms. Charu Mathur; (Co-Amicus Curiae)
Mr. Aljo K Joseph (Co-Amicus Curiae)

For Petitioner(s) :Mr. Prashant Bhushan- 515, AOR
Mr. Rahul Gupta, Adv.

By Courts Motion

Mr. Abhisek Rai, Adv.
Mr. Gyanant Singh, Adv.
Mr. Dilraj Singh, Adv.
Mr. Prabsimran Singh, Adv.
Ms. Vivya Nagpal- 3465, AOR

For Respondent(s) :Ms. Hemantika Wahi- 226, AOR
Mr. T. Harish Kumar- 1418, AOR
Mr. T. V. George- 1441, AOR
Mr. C. K. Sasi- 1323, AOR
Mr. P. V. Yogeswaran- 1385, AOR
Mr. V. N. Raghupathy- 1281, AOR

Mr. Kamlendra Mishra- 1367, AOR

Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Ms. Aditi Mishra, Adv.

Mr. Ranjan Mukherjee- 1042, AOR
M/s. S. Narain & Co.- 1054, AOR
Mr. Lakshmi Raman Singh- 314, AOR
Mr. P. Parmeswaran- 509, AOR
Mr. Anuvrat Sharma- 1542, AOR
Mr. Gunnam Venkateswara Rao- 1592, AOR
Mr. Kuldip Singh- 1389, AOR
Mrs. Anil Katiyar- 50, AOR
Mr. Mohanprasad Meharia- 1373, AOR
Mr. Amrish Kumar- 2986, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. Arunabh Chowdhury, Sr. Adv.
Ms. Pallavi Langar, AOR
Ms. Pragya Baghel, Adv.
Mr. Sujeet Kumar Chaubey, Adv.
Ms. Anushka Raghunath, Adv.
Ms. Aparajita Jamwal, Adv.

Mr. Radha Shyam Jena- 1167, AOR
Mr. Ashok Mathur- 55, AOR

Mr. Dharmendra Kumar Sinha- 1405, AOR
Mr. P. Roychaudhuri, Adv.

M/s. Venkat Palwai Law Associates- 2159, AOR
Ms. Sumita Hazarika- 1376, AOR

Mr. R Venkataramani, Attorney General for India
Mr. Chinmayee Chandra, Adv.
Mr. Padmesh Mishra, Adv.
Mr. Raman Yadav, Adv.
Mr. Chitvan Singhal, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Arvind Kumar Sharma, AOR
Dr. Arun Kumar Yadav, Adv.

Mr. Rajesh Srivastava- 1344, AOR
Mr. Gopal Prasad- 1252, AOR
Mr. Anil Shrivastav- 1195, AOR

Mr. Bijender Singh Chauhan Adv.
Mr. Sandeep Singh Dingra, Adv.
Mr. Kishor Kumar Pandey, Adv.
Mr. Sanjiv Kumar Jain, Adv.
Mr. Devendra Singh Mehra- 972, AOR

Mr. Gopal Singh- 211, AOR

Mr. Guntur Pramod Kumar- 2788, AOR

Ms. Prerna Singh, Adv.

Mr. Shreeyash Uday Lalit, Adv.

Mr. Keshav Singh, Adv.

Ms. Disha Singh- 3175, AOR

Ms. Eliza Barr, Adv.

Ms. Akansha, Adv.

Ms. Anjali Saxena, Adv.

Mr. Govind Sharma, Adv.

Mr. Saanil Patnayak, Adv.

Mr. Shuvodeep Roy- 1672, AOR

Mr. Saurabh Tripathi, Adv.

Mr. Deepayan Dutta, Adv.

Mr. Azmat Hayat Amanullah- 2758, AOR

Ms. Rebecca Mishra, Adv.

Ms. Vanshita Gupta, Adv.

Mr. Merusagar Samantaray- 1694, AOR

Ms. Swati Ghildiyal, AOR

Ms. Aditi Agarwal, Adv.

Ms. Deepanwita Priyanka- 2618, AOR

Mr. Satyalipsu Ray, Adv.

Mr. Prashant Bhagwati, Adv.

Mr. B. K. Satija, Sr. A.A.G.

Mr. Samar Vijay Singh, AOR

Ms. Sabarni Som, Adv.

Mr. Aman Dev Sharma, Adv.

Mr. Prateek Parasher, Adv.

Mr. Ritesh Kumar Gupta, Adv.

Mr. Rohit Bansal- 4016, AOR

Mr. Pashupathi Nath Razdan- 2054, AOR

Mr. Aman Panwar, A.A.G.

Mr. Sanchit Garga, AOR

Mr. Kunal Rana, Adv.

Mr. Shashwat Jaiswal, Adv.

Mr. Manav Kaushik, Adv.

Mr. Nakul Srivastav, Adv.

Mr. Rishi Yadav, Adv.

Ms. Diksha Arora, Adv.

Ms. Aranya Sahay, Adv.

Mr. Zulfiker Ali P. S- 2055, AOR
Mr. Manish Sindwani, Adv.
Ms. Anna Oommen, Adv.
Ms. Lebina Baby, Adv.

Mr. Shrirang B. Varma, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande- 3259, AOR

Mr. Pukhrambam Ramesh Kumar- 1593, AOR
Mr. Karun Shamra, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Avijit Mani Tripathi- 2648, AOR
Mr. Z.H. Isaac Haiding, Adv.
Mr. Daniel Stone Lyngdoh, Adv.
Ms. Marbiang Khongwir, Adv.
Mr. Aditya Kumar, Adv.

Mr. Anando Mukherjee- 2500, AOR
Mr. Shwetank Singh, Adv.
Mr. Utkarsh Anand, Adv.

Ms. Mithu Jain- 2457, AOR
Mr. Karan Sharma- 3081, AOR

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Shivansh B. Pandya, Adv.
Mr. Saurabh Rajpal, Adv.
Ms. Nidhi Jaswal- 2955, AOR

For Sikkim

Mr. Basava Prabhu S Patil, Adv. Gen. (Sr. Adv.)
Mr. Sameer Abhyankar- 2516, AOR
Mr. Krishna Rastogi, Adv.
Mr. Samarth Kashyap, Adv.
Mr. Arijeet Shukla, Adv.
Mr. Nalin Talwar, Adv.

Ms. Rupali Francesca Samuel- 4335, AOR
Ms. K. V. Vinaya, Adv.

Mr. K.M. Nataraj, ASG
Ms. Ruchira Goel- 2477, AOR

Mr. Abhishek- 1785, AOR
M/s. Plr Chambers And Co.- 2588, AOR

Ms. Astha Sharma, AOR
Ms. Jyotika, Adv.
Mr. Rahul Pratap- 1996, AOR

Mr. Kapil Sibal, Sr. Adv.
Mr. Arunabh Chowdhury, Sr. Adv.
Ms. Pallavi Langar, AOR
Ms. Pragya Baghel, Adv.
Mr. Sujeet Kumar Chaubey, Adv.
Ms. Anushka Raghunath, Adv.
Ms. Aparajita Jamwal, Adv.

Mr. Gurmeet Singh Makker- 2357, AOR
Mr. Mukesh Kumar- 3438, AOR

Mr. Vivek Sharma, Advocate General
Mr. Bishwajit Dubey, A.A.G.
Mr. Vinayak Sharma, Standing Counsel, Adv.
Mr. Yashvardhan Shah, Adv.
Mr. Ravinder Kumar Yadav, AOR

Ms. Jaikriti S. Jadeja- 2299, AOR

Mr. Abhishek Atrey- 1601, AOR
Dr. Abhishek Atrey, Adv.
Mr. Vikas Negi, Adv.
Ms. Vidyottma Jha, Adv.
Mr. Brijesh Kumar, Adv.

Mr. B. Karunakaran- 3845, AOR
Mr. Mukesh Kumar Maroria- 2324, AOR
Mr. Soumya Dutta- 2537, AOR
Mr. Rakesh K. Sharma- 1113, AOR
Mr. Amrish Kumar- 2986, AOR
Intervenor-in-person
Applicant-in-person

Ms. Kamakshi S. Mehlwal- 1263, AOR
Mr. Sanveer Mehlwal, Adv.
Ms. Geetanjali Mehlwal, Adv.
Mr. Sandeep Kumar, Adv.
Mr. Abhik Kumar, Adv.

Mr. Rajiv Kumar Choudhry- 3138, AOR

Mr. Raju Ramcharan, Sr. Adv.
Mr. Aljo K. Joseph, AOR
Ms. Charu Mathur, Adv.
Ms. Shruti Narayan, Adv.
Ms. Nida Khan Salim, Adv.

Mr. Ankit Yadav, AOR

Mrs. Lalita Kaushik- 832, AOR

Mr. R. Venkataramani, Attorney General for India

Mr. Vikramjit Banerjee, A.S.G.
Mr. Mukesh Kumar Verma, Adv.
Mr. Neeraj Kumar Sharma, Adv.
Ms. Indira Bhakar, Adv.
Mr. Shreekant Neelappa Terdal, AOR
Mr. Chinmayee Chandra, Adv.
Mr. Padmesh Mishra, Adv.
Ms. Ameyavikrama Thanvi, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. Dr. N Visakamurthy (aor), Adv.

Ms. Charu Mathur- 1642, AOR

Mr. Aniruddha Purushotham, AOR
Mr. Ankit Kumar, Adv.
Ms. Shradha, Adv.
Mr. Prince Yadav, Adv.
Mr. Sushant Singh, Adv.
Mr. Anoop Kumar N., Adv.
Mr. Ashish Rana, Adv.
Mr. Abhay Singh Naryal, Adv.

Mr. Hrishikesh Baruah, Sr. Adv.
Ms. Radhika Gupta- 3310, AOR
Ms. Pragya Agarwal, Adv.
Mr. Utkarsh Dwivedi, Adv.
Mr. Kumar Kshitij, Adv.
Ms. Nistha Sachan, Adv.
Mr. Yashaswy Ghosh, Adv.
Mr. Pratham Pandey, Adv.
Mr. Saket Verma, Adv.

Ms. Devina Sehgal, AOR
Mr. Yatharth Kansal, Adv.

M/S. Tas Law- 3363, AOR
Mr. Ajay Pal- 1570, AOR
Ms. Astha Singh- 3907, AOR
Ms. Sanjana Saddy- 3231, AOR

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

1. The State of Jharkhand, in purported exercise of its powers under Section 46(2) and (3) read with Section 2 of the Police Act, 1861, has notified the Selection and Appointment of the Director General and Inspector General of Police (Head of the Police Force)

Regulations, 2025. Under the amended Regulations, an officer has been made eligible to be considered for appointment as Director General of Police of the State even if the total service before superannuation is less than six months, by giving credit to retrospective service.

2. Such a provision, *prima facie*, seems to be directly in teeth of the law laid down by this Court in *Prakash Singh*. In the event of the Rule being annulled, the consequential appointment of Smt. Tadasha Mishra, Director General of Police, Jharkhand State, would also be required to be set aside.

3. We, therefore, deem it appropriate to accord her an opportunity of being heard, for which the State of Jharkhand is directed to serve notice on her to enable her to appear and assist this Court. Meanwhile, the State of Jharkhand shall be at liberty to revisit the purportedly offending Rule. Alternatively, the State shall be at liberty to file its counter-affidavit.

4. We have also requested Shri Raju Ramachandran, learned Senior Counsel and *Amicus Curiae*, to assist us on the validity of the Rule(s) formulated by the State of Jharkhand with respect to appointment of the Director General of Police. He is also similarly requested to appraise other such statutes/Rules/Regulations and consequential appointments made by other States as well.

5. The Union Public Service Commission is also directed to assist the learned *Amicus Curiae* in this regard.

6. The note submitted by the Union of India is taken on record.

7. Post the matters on 03.11.2026.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR