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SLP(C)No. 6904-6905 OF 1998

ITEM No.202

Court No. 1

SECTIONS IX, XV, XVIA,  
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Civil) No.6904-6905/1998

(From the judgement and order dated 03/03/1998 in SCA 5470/97  
with SCA 5541/97 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

U.O.I. & ORS

Petitioner (s)

VERSUS

ALL GUJARAT FED.OF TAX CONSULTANTS & ORS

Respondent (s)

(With appln. for intervention/impleadment and permission to file  
further affidavit)  
(For Final disposal)

With

T.P.(C) No.659 of 1998

(With appln. for ex-parte stay)

T.P.(C) No.672-673 of 1998

(With appln. for ex-parte stay)

SLP(C)No.6906 of 1998

(With prayer for interim relief and office report)

Date : 19/09/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner (s) Mr. Soli J. Sorabjee, AG  
Mr. Prateek Jalan, Adv.

Mr. Preetesh Kapur, Adv.

Mr. P. Parmeswaran, Adv.

For Respondent (s)

State of Gujarat & Ms. Hemantika Wahi, Adv.

Mizoram Ms. Aruna Gupta, Adv.

R-1 in SLP 6905 Mr. P.H. Parekh, Adv.

Mr. E.R. Kumar, Adv.

Mr. Sanand Ramakrishnan, Adv.

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State of Orissa Mr. Janaranjan Das, Adv.

Mr. G. Biswas, Adv.

Ms. S. Mishra, Adv.

Ms. Moushmi Gahlot, Adv.

State of A.P. Mr. TV Ratnam, Adv.

State of H.P. Mr. J.S. Attri, Adv.

Govt. of Pondicherry Mr. V.G. Pragasam, Adv.

State of Jharkhand Mr. Ashok Mathur, Adv.  
Mr. Arup Banerjee, Adv.

State of Nagaland Mr. U. Hazarika, Adv.  
Mr. Kamal Shankar, Adv.  
Ms. Sumita Hazarika, Ad.

State of Kerala Mr. KR Sasiprabhu, Adv.  
Ms. K. Sangeeta, Adv.

State of Karnataka Mr. Sanjay R. Hegde, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.

State of Manipur Mr. Khwairakpam Nobin Singh, Adv.

State of M.P. Mr. Satish K. Agnihotri, Adv.  
Mr. Sakesh Kumar, Adv.

State of West Bengal Mr. Rana Mukherjee, Adv.  
Mr. Siddharth Gautam, Adv.  
Mr. Goodwill Indeevar, Adv.

State of Maharashtra Mr. Mukesh K. Giri, Adv.

State of J&K Mr. Anis Suhrawardy, Adv.

State of Bihar Mr. B.B. Singh, Adv.

State of Tamil Nadu Mr. V. Balaji, Adv.  
Mr. PN Ramalingam, Adv.

U.T. of Chandigarh Ms. Kamini Jaiswal, Adv.

State of Punjab Mr. J.K. Bhatia, Adv.  
Mr. R.S. Suri, Adv.

State of Haryana Ms. Varuna Bhandari Gugnani, Adv.  
Ms. Kavita Wadia, Adv.

State of Chhattisgarh Mr. Prakash Srivastava, Adv.

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State of Arunachal Pradesh Mr. Anil Shrivastav, Adv.  
Ms. Jyoti Dutt, Adv.

State of Goa Ms. A Subhashini, Adv.

State of U.P. Mr. Ashok K. Srivastava, Adv.

State of Rajasthan Mr. Ranji Thomas, Adv.  
Mrs. Bharati Upadhyay, Adv.  
Mr. V.N. Raghupathy, Adv.

State of Assam Ms. Krishna Sarma, Adv.  
Ms. Asha G Nair, Adv.  
Mr. VK Sidharthan, Adv.

State of Sikkim Mr. A Mariarputham, Adv.  
Ms. Aruna Mathur, Adv.  
for M/s. Arputham, Aruna & Co.  
Ms. Sandhya Goswami, Adv.

R-3 in SLP 6904Ms. Geetanjali Mohan, Adv.  
& R-2 in SLP 6905Mr. Dhansingh Nagar, Adv.

For intervenorMr. H.N. Salve, Sr.Adv.  
Mr. Rajiv K. Garg, Adv.  
Mr. A.D.N. Rao, Adv.

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

The petitions are disposed of.

[ Alka Dudeja ] [ Suraj Prakash ]  
Court Master Court Master

(Signed order is placed on the file.)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION [C] NOS. 6904-6905 OF 1998

U.O.I. & ORS

Petitioner (s)

VERSUS

ALL GUJARAT FED.OF TAX CONSULTANTS & ORS

Respondent (s)

With

S.L.P.(C) No. 6906 of 1998, T.P.(C) Nos. 659 and 672-673 of 1998.

O R D E R

Heard learned Attorney General and the counsel for the respondents.  
The petitions are disposed of in the following terms:

"Residential Accommodation:

Wherever accommodation of the category to which the Member is entitled or of one category lower is not available, the Government, through the Ministry of Urban Development and if necessary through the State Government, shall make every endeavour to requisition/take on lease a suitable three-bedroom accommodation of 1500 sq.ft.

Telephone Facility at Residence:

One telephone connection with STD facility, with 650 free calls (bimonthly), as admissible under G.O.I. instructions.

Telephone Facility in Office:

One independent telephone connection with free call facilities, as admissible under G.O.I. instructions.

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Furniture at Residence:

One Secretarial table, one rack and two chairs.

Newspapers:

Two newspapers and one magazine, subject to a maximum pecuniary limit of Rs.200/- per month.

Facility of Library:

Law books as approved for residence.

Car Facility:

Same facility to be provided as is available to Members of the Central Administrative Tribunal .

Chamber Facilities:

Office accommodation/chamber as per norms, preferably in excess of 125 sq.ft. per Member. The chamber shall be fully furnished consisting of Secretarial Table, Executive Chairs, 2 Book Shelves, 1 Almira, 1 rack, 5 visiting chairs, 1 easy chair, lunch table and chair, sofa-set with a center table depending upon the size of the chamber and other essential items required for the day to day use of the Members.

Books Facility (In Chambers):

All Members shall be provided with one full set of Income Tax Reports & Income Tax Tribunal decisions and other essential books as approved by the Books Committee of the Income Tax Appellate Tribunal. As far as possible, the books shall be provided to each Member but, depending upon the space constraints, may be provided in a Common Library.

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A.C. Facility:

One A.C. per chamber, carpet of the requisite size and requisite number of curtains.

Secretarial Assistance:

One Senior Private Secretary and one Senior Peon.

Other Miscellaneous Facilities:

One computer for each member at the office without internet facility.

The above facilities shall be provided to the Members within a period of three months from today and compliance thereof be reported to this Hon'ble Court after six months."

It is clarified that this order shall not be treated as a precedent for other cases and has been passed in view of the special facts of these cases.

.....CJI.

.....J.  
(Ashok Bhan)

.....J.

(S.B. Sinha)

New Delhi,  
September 19, 2003.

