

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

RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION (CIVIL) NO(s). 139 OF 2013

IN RE: "PUNJAB COPS BEAT UP WOMAN IN PUBLIC" AND "POLICE LATHI-CHARGE PROTESTING CONTRACTUAL TEACHERS IN PATNA" PUBLISHED IN VARIOUS NEWSPAPERS OF THE COUNTRY DATED 5.3.2013 & 6.3.2013

Date: 11/03/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR JUSTICE KURIAN JOSEPH

Amicus Curiae(s) Mr.G.E.Vahanvati, AG

Mr.Harish N.Salve, Sr.Adv.

Mr.U.U.Lalit, Sr.Adv.

For State of Punjab Mr.Ajay Bansal, AAG
Mr.Kuldeep Singh, Adv.
Mr.Gaurav Yadav, Adv.

UPON hearing counsel the Court made the following

O R D E R

Shri Harish N.Salve, learned amicus placed before the Court a note containing important suggestions. He also made available copies of the footages of the two incidents obtained from NDTV which, according to Shri Salve, depicts the brutality of the police. The same are taken on record. Shri U.U.Lalit, learned senior counsel, who was also requested to assist the Court as an amicus, handed over 12 video clippings of the Patna incident and 11 video clippings of Taran Taran incident, which were shown on various television channels. The same are also taken on record.

Learned Attorney General has graciously agreed to assist the Court on the important constitutional issues relating to life, liberty and dignity of individuals arising in this matter.

Issue notice to the Government of India through Secretary, Home Department. Notices be also issued to all the State Governments and Union Territories through the Chief Secretaries, Home Secretaries and Director Generals of Police of the respective States and the Administrators and Police Commissioners of the Union Territories requiring them to file affidavits on the issue of implementation of the directions contained in the judgment of this Court in Prakash Singh and others vs. Union of India and others (2006) 8 SCC 1.

The required affidavits be filed within two weeks.

Notice be separately issued to the Superintendent of Police, Taran Taran, District Amritsar, who was the supervisory officer on the date of incident at Taran Taran and justified the use of force against the woman. Likewise, notice be issued to the Superintendent of Police, Patna. They should file their affidavits within two weeks.

Notice be issued to Shri Prakash Singh, former Director General of Uttar Pradesh to remain present on the next date of hearing and assist the Court.

The Director General of Police, Punjab should file his own affidavit detailing the actions taken against the policemen who had mercilessly beaten an innocent and unarmed woman who had complained of harassment and molestation by the truck/taxi drivers. The Director General of Police, Patna should file his affidavit explaining the rationale of beating up the women, who were participating in the teachers agitation.

The Registry is directed to send copies of this order to the standing counsel for all the States and Union Territories. Copy of this

order be also sent to the Central Agency for being delivered to the Home Secretary, Government of India.

The notices to the Chief Secretaries, Home Secretaries and Director Generals of Police of the States as also the Administrators and Police Commissioners of Union Territories be sent by fax.

The notice be also sent to the Senior Superintendent of Police, Taran Taran, District Amritsar and the Superintendent of Police, Patna by fax.

Learned Attorney General says that he will immediately get in touch with the Home Secretary of the Central Government.

For further arguments, the case be listed on 01.04.2013.

The Court Master is directed to make available copies of this order to the learned Attorney General and the learned amicus.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master