

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

WRIT PETITION (CIVIL) NO(s). 196 OF 2001

PEOPLE'S UNION FOR CIVIL LIBERTIES

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(WITH APPLN. (S) FOR DIRECTIONS AND PERMISSION TO PLACE ADDL. DOCUMENTS ON RECORD AND EXEMPTION FROM FILIG O.T. AND INTERIM DIRECTIONS AND INTERVENTION AND C/DELAY AND PLACING ADDL. DOCUMENTS AND MODIFICATION OF COURT'S ORDER AND IMPLEADMENT AND PERMISSION TO FILE ADDITIONAL DOCUMENTS AND PERMISSION TO FILE REJOINDER AFFIDAVIT AND CLARIFICATION AND C/DELAY IN FILING PROCESS FEE AND IMPLEADMENT AS PARTY RESPONDENT AND EXTENSION OF TIME AND C/DELAY IN FILING AFFIDAVIT AND PERMISSION TO FILE ADDITIONAL AFFIDAVIT WITH OFFICE REPORT)
(FOR FINAL DISPOSAL)

WITH

I.A. No. 98 in WP (C) No.196/2001
(FOR DIRECTIONS AND OFFICE REPORT)

WITH

CONMT. PETITION (CIVIL) NO. 99/2009 IN W.P. (C) No. 196/2001
(WITH APPLN. (S) FOR EXEMPTION FROM FILING O.T.)

WITH

W.P. (C) No. 277/2010
(WITH OFFICE REPORT)

PART HEARD

SLP(C) NO. 17453 of 2006
(WITH APPLN. (S) FOR EXEMPTION FROM FILING C/C OF THE IMPUTED JUDGMENT AND EXEMPTION FROM FILING O.T. AND WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

WITH

SLP(C) NO. 10654 of 2012
(WITH PRAYER FOR INTERIM RELIEF AND OFFICE REPORT)

WITH

SLP (C) No. 142/2013
(with prayer for interim relief)

Date: 04/03/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.
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Mr. Pankaj Singh, Adv.

For Respondent(s) Mr. G.E.Vahanvati, A.G.

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Mr. Gaurav Dhingra, Adv.

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Mr. Irshad Ahmad ,Adv

Mr. Ranjan Mukherjee ,Adv

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Mr. Venkateswara Rao Anumolu,Adv.

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MS. Soumi Kundu, Adv.

Mr. Viraj Kadam,Adv.
Mr. Rohit Shetty,Adv.

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

Government of India have filed an affidavit sworn by Shri

Deepak Kumar, Joint Secretary, Government of India, Ministry of Consumer Affairs, Department of Food and Public Distribution, New Delhi. A reading of the affidavit shows that most of the recommendations made by the Central Vigilance Committee headed by Mr. Justice D.P.Wadhwa, Former Judge of this Court are acceptable to the Government. Not only that the affidavit sets out the broad parameters of action which is proposed to be taken in the process of implementation of the said recommendations by the Government of India as also by the State Governments concerned.

Mr. Colin Gonsalves, learned senior counsel for the petitioner submits that some of the recommendations made by Justice Wadhwa have not been mentioned or dealt with in the affidavit filed by Shri Deepak Kumar. He seeks two weeks' time to identify such of the recommendations as have not been dealt with in the affidavit and give his response/suggestions to the action proposed to be taken by the Government of India.

Post on 02.04.2013 at 3.00 P.M. The needful may be done by Mr. Gonsalves in the meantime with an advance copy to counsel opposite.

An application for intervention has been filed by Mr. N.Rai, learned senior counsel appearing on behalf of All India Fair Price Shops Association. Learned counsel for the parties may respond to the application within two weeks. This application shall also be listed on 02.04.2013.

It is submitted by Mr. P.P.Malhotra, learned Additional Solicitor General that Mr. Justice D.P.Wadhwa has in terms of his letter dated 29.12.2012 requested this Court to relieve him of his assignment as Chairperson of the Committee appointed by this Court. We see no reason to decline that request. Mr. Justice D.P.Wadhwa has over the past seven years or so done a commendable job in collecting the requisite information from almost all the States in the country and in making useful recommendation that will eventually help in improving the Public Distribution System by making the same more efficient, responsive and transparent. We express our deep gratitude to Justice Wadhwa for his commitment and hard work that he has put in and the help that he has extended to us in this matter which has been pending for over a decade. While we greatly value the contribution made by Justice Wadhwa towards a possible reform of the system and would have liked his assistance to continue, we feel that for the present there may be no real need for the continuance of the Committee which has already submitted its final recommendations. We accordingly dissolve the said Committee and relieve Justice Wadhwa, the Chairperson and his companion Member of all responsibilities in connection with this matter. We make it clear that should any assistance be required by us in future, we will make a fresh reference in that regard. The Staff sent to assist the Committee shall consequently be relieved to report back to their respective Departments by 31.03.2013. Mr. Malhotra assures us that all dues payable to Justice Wadhwa up to 31.03.2013 shall be released in his favour as expeditiously as possible.

|(Shashi Sareen)
|Court Master

|(Veena Khara)
|Court Master