

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 REJOINER 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

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 IMPUTNED 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)

Date: 07/01/2013 This Petition was 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.

Mr. Amit Shukla, Adv.

Ms. Jyoti Mendiratta, Adv.

Mr. Nasushad Ahmad Khan, Adv.

Mr. Nakibur Rahman, Adv.

Mr. R.C. Kaushik, Adv.

For Respondent(s) Mr. P.P. Malhotra, ASG

Mr. A Deb Kumar, Adv.

Mr. R.K. Rathore, Adv.

Mr. Chetan Chawla, Adv.

Mr. Chetan Choudhry, Adv.

Mr. A Deb Kumar, Adv.

Mr. Neeraj K Sharma, Adv.

Mrs. Anil Katiyar, Adv.

Mr. M.S. Doabia, Adv.
Ms. Sushma Suri, Adv.
MS. Sunita Sharma, Adv.
 Mr. W.A. Qadri, Adv.
Mr. Gaurav Sharma, Adv.
MR. Gaurav Dhingra, Adv.
Mr. T.A. Khan, Adv.
Mr. Nizam Pasha, Adv.
 Mr. Anil Gaur, Adv.
MS. Supriya Jain, Adv.
Mr. D.S. Mahra, Adv.
Ms. Rashmi Malhotra, Adv.
Mr. M.S. Doabia, Adv.
Mr. S.S. Rawat, Adv.
Ms. Gunwant Dara, Adv.
MS. Supriya Jain, Adv.
Mr. B.V. Balramdas, Adv.
 Mr. Zaid Ali, Adv.
Mr. MDN Pasha, Adv.
 Mr. Goorav Sharma, Adv.
Mr. D.S. Mahra, Adv.

Ms. A. Subhashini, Adv

 Mr. Gopal Singh, Adv
Mr. Ritu Raj Biswas, Adv.

Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.

Mr. Soumitra G Chaudhuri, Adv.
Mr. Abhijit Sengupta, Adv.
Ms. Faisal M., Adv.

 Mr. Ranjit Kumar, Sr. Adv.
 Ms. Hemantika Wahi, Adv
 Ms. Jesal, Adv.
Mr. Shubhada Deshpande, Adv.

Ms. Indra Sawhney, Adv

Ms. Kamini Jaiswal, Adv

 Mr. Vishnu B Saharya, Adv.
M/S Saharya & Co., Adv

 Mr. Naresh K. Sharma, Adv

 MR. Sanjit Sen, Adv.
Mr. Anirudh Gupta, Adv.
Mr. Prashant Kumar, Adv.
Mr. P. Parmeswaran, Adv

 Mr. Pramod Swarup, SR. Adv.
Mr. Modh. Fuzail Khan, Adv.
Mr. Gaurav Dhingra, Adv.

Mr. D. Mahesh Babu, Adv.
 Mr. Mayur R Shah, Adv.
 Ms. Savita Devi, Adv.
 Mr. Amit K Nain, Adv.
 Mr. MB Shivudu, Adv.
 Mr. Amjid Maqbool, Adv.

Mr. K.N. Madhusoodhanan, Adv.
Mr. R. Satish, Adv.

Ms. K. Enatoli Sema, Adv.
MR. Amit Kumar Singh, Adv.

Mr. Tara Chandra Sharma ,Adv

Mr. K.V.Mohan ,Adv

Dr. Manish Singhvi,AAG, Raj.

Mr. Amit Lubhaya,Adv.

Mr. Irshad Ahmad ,Adv

Mr. Ranjan Mukherjee ,Adv

Mr. S.Bhowmick, Adv.

Mr. S.C.Ghosh, Adv.

Mr. R.P. Yadav,Adv.

Mr. Rakesh K.Sharma, Adv.

Mr. Gopal Prasad, Adv.

Mr. V.G. Pragasam ,Adv

Mr. S.J.Aristotle, Adv.

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Mrs. D. Bharathi Reddy ,Adv

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Mr. Anil Kumar Jha ,Adv

Ms. Priyanka,Adv.

Mr. Chander Shekhar Ashri ,Adv

Mr. Vikas Upadhyay,Adv.

Mr. B.S. Banthia ,Adv

Mr. Ramesh Babu M.R. ,Adv

Mr. Khawairakpam Nobin Singh ,Adv

Mr. Sapam Biswajit Meiti, Adv.

Mr. Prashant Kumar ,Adv.

Mr. Anil Shrivastav ,Adv

Mr. Rituraj Biswas, Adv.

Mr. Sanjay R. Hegde ,Adv

Mr. Sanjay V Kharde,Adv.

Mr. Sunil Fernades, Adv.

Ms. Insha Mir,Adv.

MS. Vernika Tomar, Adv.

Ms. Astha Sharma,Adv.

Mr. Vishwajit Singh ,Adv

Mr. Manjit Singh, Adv.

Mrs. Vivekta Singh,Adv.

Mr. Tarjit Singh,Adv.

Mr. Kamal Mohan Gupta ,Adv

Mr. Mukesh Verma,Adv.

Ms. Rachana Srivastava ,Adv

Mr. Suresh Chandra Tripathy ,Adv

Mr. Dilip Kumar Sharma,Adv.

Ms. Bina Madhavan ,Adv

Ms. St. Kesala,Adv.

Mr. Riku Sharma, Adv.
Mr. Navnit Kumar, Adv.
M/S Corporate Law Group ,Adv

Mr. Rajesh Srivastava ,Adv
Mr. Utkarsh Sharma,Adv.

Mr. Jatinder Kumar Bhatia ,Adv

Mr. Ravi Prakash Mehrotra ,Adv

Ms. Sumita Hazarika ,Adv

Mr. Pragyan P.Sharma, Adv.
Mr. Heshu Kayina,Adv.
Miss Sagarika Moitra,Adv.
Ms. Mandakini Sharma,Adv.
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Mr. P.V. Yogeswaran ,Adv

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MS. Aruna Mathur, Adv.
Ms. Movita,Adv
Mr. Yusuf Khan,Adv. for
M/s. Arputham Aruna & Co.,Advs.

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Mr. Devendra Singh,Adv.
Mr. Dheeraj Gupta,Adv.
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Mr. Gaurav Yadav,Adv.
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Mr. B Balaji,Adv.
Mr. R Rakesh Sharma,Adv.

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Mr. Vikas Mehta ,Adv

Mr. Avijit Bhattacharjee,Adv.
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Mrs. Sarbani Kar,Adv.
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Mr.T.V.George ,Adv

Mr. Atul Jha, Adv.
Mr. Sandeep Jha, Adv.
Mr. Dharmendra Kumar Sinha, Adv.

Ms. Anjana Chandrashekar ,Adv

Mr. Anuvrat Sharma ,Adv

Mr. Chandra Bhushan Prasad ,Adv

Mr. Naveen R Nath,Adv.

Mr. G Prakash,Adv.

Mr. Venkateshwara Rao Anumolu,Adv.

Mr. Milind Kumar, Adv.

Mr. B. Balaji, Adv.

Mr. R. Rakesh Sharma, Adv.

Mr. P. Krishnamoorthy, Adv.

Mr. Ashok Kumar Sharma, Adv.

Mr. Avinash Kumar Jain, Adv.

Mr. T.S. Duabia, Sr. Adv.

Mr. Manpreet Singh Doabia, Adv.

Mr. S.S. Rawat, Adv.

Dr. Kailash Chand, Adv.

Mr. Aruneshwar Gupta, Adv.

Mr. GN Reddy, Adv.

Mr. M. Rambabu, Adv.

Mr. S. Nagarajan, Adv.

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Mr. Vipin Kumar Sharma, Adv.

Mr. Raghuv eer Sharma, Adv.

Ms. Priya Hingorani, Adv.

Dr. Aman Hingorani, Adv.

Ms. Swati Sumbly, Adv.

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Mr. Kumar Rajeev, Adv.

Mr. Anil Srivastav, Adv.

Mr. Pradeep Misra, Adv.

Mr. C.U. Singh, Sr. Adv.

Mr. Sanjay V. Kharde, Adv.

Ms. Asha Gopalan Nair, Adv.

Mr. D.M. Nargolkar, Adv.

Mr. Suresh Chandra Tripathi, Adv.

Mr. Dilip Kumar Sharma, Adv.

Mr. M.N. Krishnamani, Sr. Adv.

Mr. Gaurav Dhingra, Adv.

Dr. Dhavan, Sr. Adv.

Mr. P.S. Patwalia, Sr. Adv.

Mr. Viraj Kadam, Adv.

Mr. Rohit Shetty, Adv.

UPON hearing counsel the Court made the following

O R D E R

A final report summarising the recommendations of the Committee has been received from Justice D.P. Wadhwa, pursuant to our order dated 17.09.2012. Learned counsel for the parties submit that they did not have the advantage of going through the final report. They pray for issue of copies to them or at least uploading of the recommendations

on the Website of the Supreme Court of India to enable each one of them to download a copy of the report and file their response.

We accordingly direct the Registry to either prepare copies for delivery to the counsel appearing in these cases or if it is otherwise permissible upload the report on the Website of the Supreme Court of India so as to enable each one of the counsel to get a copy of the same for its use. Learned counsel for the State Governments concerned shall also respond to the report and recommendations summarised by Justice Wadhwa.

Mr. PP Malhotra, ASG, assures the Court that the learned Attorney General for India, who is not available today will appear and assist the Court on the next date of hearing.

Post on 8.2.2013 at 2.00 PM.

We are at this stage informed that two reports have been received from the office of Mr. N.C. Saxena - Commissioner. Learned counsel appearing for the State Governments seeks time to file their objections to the said reports. They are free to do so on or before the next date of hearing. Advance copies of the same be furnished to Mr. Colin Gonsalves, Sr. Adv., appearing for the petitioner.

As prayed by Mr. PP Malhotra, ASG, list IA No. 98/2010 in WP (C) No. 196 of 2001 also on the next date of hearing.

| (N.K. Goel)
| Court Master

| | (Veena Khara)
| | Court Master

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