

\G1
ITEM NO.1 COURT NO.1 SECTION PIL(W)
(Part-Heard)

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). 243/2005

RAJIVE RATURI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T., permission to file
Additional documents and office report) (For Final Disposal)

WITH W.P.(C) No. 228/2006

(Exemption from filing O.T. and Office Report)

W.P.(C) No. 292/2006

(Office Report)

W.P.(C) No. 997/2013

(With appln.(s) for interim relief and Office Report)

Date : 24/11/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MR. JUSTICE L. NAGESWARA RAO

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

(WP 243/2005, 228/2006 Mr. Rajanmani, Adv.

& 292/2006) Ms. Jyoti Mendiratta, Adv.

Ms. Sija N. Pal, Adv.

(WP 997/2013) Mr. Anjani Kumar Mishra, Adv.

For Respondent(s) Mr. Ranjit Kumar, SG

Ms. Pinky Anand, ASG

Mr. S. Wasim A. Quadri, Adv.

Mr. D.L. Chidananda, Adv.

Mr. Harish Kr. Khinchi, Adv.

Mr. R.R. Rajesh, Adv.

Mr. Amrish Kr. Sharma, Adv.

Mr. A.K. Sharma, Adv.

Mr. Ashok K. Srivastava, Adv.

Mr. D.S. Mahra, Adv.

Mr. B.K. Prasad, Adv.

Ms. Asha Goplan Nair, Adv.

Mr. G.S. Makkar, Adv.

2

Mrs. Anil Katiyar, Adv.

Ms. Snidha Mehra, Adv.

Mr. Shashank D., Adv.

Mr. B.L. Shivhara, Adv.

Mr. Raj Bahadur Yadav, Adv.

(St.of Jammu and Kashmir) Mr. Sunil Fernandes, Adv.

Ms. Astha Sharma, Adv.

Ms. Mithu Jain, Adv.

(State of Rajasthan) Mr. S.S. Shamsbery, AAG

Mr. Amit Sharma, Adv.

Mr. Prateek Yadav, Adv.

Mr. Ankit Raj, Adv.

Mr. Milind Kumar, Adv.

(State of Punjab) Mr. Sanchar Anand, AAG

Mr. Apoorv Singhal, Adv.

Mr. Rajiv Singhal, Adv.

Mr. Kuldeep Singh, Adv.

(State of Gujarat) Ms. Hemantika Wahi, Adv.

Ms. Puja Singh, Adv.

Ms. Mamta Singh, Adv.

(St.of Himachal Pradesh) Mr. Suryanarayana Singh, Sr.AAG

Ms. Pragati Neekhara, Adv.

(State of Sikkim) Ms. Aruna Mathur, Adv.

Mr. Yusuf Khan, Adv.

Mr. Avneesh Arputham, Adv.

Ms. Anuradha Arputham,Adv.
For Arputham Aruna & Co.
(State of Nagaland) Mr. Edward Belho,AAG
Ms. K. Enatoli Sema,Adv.
Mr. Amit Kumar Singh,Adv.
Mr. K. Luikang Michael,Adv.
Mr. Elix Gangmei,Adv.
Mr. Z.H. Isaac Haiding,Adv.
(State of Jharkhand) Mr. Jayesh Kr. Gaurav,Adv.
Mr. Ratan Kumar Choudhuri,Adv.
(State of Chhattisgarh) Mr. Aniruddha P. Mayee,Adv.
Mr. A. Selvin Raja,Adv.
Ms. Charuddha Mahindrakar,Adv.
(State of Kerala) Mr. Nishe Rajen Shonker,Adv.
Ms. Anu K. Joy,Adv.
Mr. C.K. Sasi,Adv.

3

(St. of Uttarakhand) Mr. Jatinder Kumar Bhatia,Adv.
Mr. Ashutosh Kumar Sharma,Adv.
(St. of Andhra Pradesh) Mr. Guntur Prabhakar,Adv.
Ms. Prerna Singh,Adv.
(State of Telangana) Mr. S. Udaya Kumar Sagar,Adv.
Mr. Baskula Athik,Adv.
(State of Manipur) Mr. Sapam Biswajit Meitei,Adv.
Mr. Ashok Kumar Singh,Adv.
(State of Meghalaya) Mr. Ranjan Mukherjee,Adv.
Mr. K.V. Kharlyngdoh,Adv.
(State of Madhya Pradesh)Mr. Mishra Saurabh,Adv.
Mr. Ankit Kr. Lal,Adv.
(State of Tamil Nadu) Mr. M. Yogesh Kanna,Adv.
Ms. Nithya,Adv.
(State of Tripura) Mr. Gopal Singh,Adv.
Mr. Rituraj Biswas,Adv.
Ms. Varsha Poddar,Adv.
(State of Bihar) Mr. Gopal Singh,Adv.
Mr. Manish Kumar,Adv.
Ms. Varsha Poddar,Adv.
(Govt. of Puducherry) Mr. V.G. Pragasam,Adv.
(State of Maharashtra) Mr. Vivek C. Solshe,Adv.
Mr. Nishnat R. Katneshwarkar,Adv.
(UT of Andam.and Nico.I.)Mr. K.V. Jagdishvaran,Adv.
Ms. G. Indira,Adv.
(St. of Karnataka) Mr. V.N. Raghupathy,Adv.
Mr. Parikshit P. Angadi,Adv.
(State of West Bengal) Mr. Joydeep Mazumdar,Adv.
Mr. S. Bannerjee,Adv.
Mr. Sankar Ch. Ghosh,Adv.
Mr. Mrinal Kanti Mandal,Adv.
Mr. Parijat Sinha,Adv.
Mr. Anip Sachthey,Adv.
(State of Assam) Ms. Diksha Rai,Adv.
Ms. Prerana Chaturvedi,Adv.

4

Mr. Vimal Chandra S. Dave,Adv.
Mr. T.N. Rama Rao,Adv.
Mr. Hitesh Kumar Sharma,Adv.
Mr. T. Veera Reddy,Adv.
Mr. T.V. George,Adv.
Ms. Kamini Jaiswal,Adv.
M/s Corporate Law Group,Adv.
Mr. Anil Shrivastav,Adv.
Mr. Rajesh Srivastava,Adv.
Mrs. B. Sunita Rao,Adv.
Ms. Niranjana Singh,Adv.
Mr. M. T. George,Adv.
Mr. Raj Singh Rana,Adv.
Mr. V. K. Verma,Adv.

Mr. Khwairakpam Nobin Singh, Adv.
Mr. Ratan Kumar Choudhuri, Adv.
Mrs. D. Bharathi Reddy, Adv.
Mr. P. V. Yogeswaran, Adv.
Mr. Jogy Scaria, Adv.
Mr. B. S. Banthia, Adv.
Ms. Sushma Suri, Adv.

Mrs. Nandini Gore, Adv.
Mr. Praveen Swarup, Adv.
Mr. Ajay Pal, Adv.
Mr. Naresh Sharma, Adv.
Mr. Tara Chandra Sharma, Adv.
Mr. Gopal Prasad, Adv.
Mr. Sudarshan Singh Rawat, Adv.
Mr. Abhijit Sengupta, Adv.
Dr. Sushil Balwada, Adv.
Mr. G.N. Reddy, Adv.
Ms. Charu Mathur, Adv.
Mr. Ardhenumauli Kumar Prasad, Adv.
Mr. Sanjeev Sachdeva, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard Mr. Ranjit Kumar, learned SG for the Union of India assisted by Ms. Lata Krishna Rao, Secretary to the Ministry of Social Justice and Empowerment and holding an additional charge of Department of Empowerment of persons with disabilities. Mr. Ranjit Kumar fairly concedes that there has

5

been a certain amount of laxity on the part of Central Co-ordination Committee in not holding a meeting for nearly four years since the year 2012. He has placed on record a communication dated 22.11.2016 addressed to all members of the Central Co-ordination Committee for a meeting proposed to be held on 29.11.2016 at 6 P.M. in the conference room of the Ministry concerned to review the progress of implementation of Accessible India Campaign and to review the position regarding implementation of the provisions of PWD Act. He submits that while the proposed meeting is being convened at a short notice, it will hopefully set the tone for a fuller and more successful meeting in the near future based on a comprehensive agenda to be drawn for discussion. He submits that in order to make the deliberations more meaningful the Government/Central Co-ordination Committee may take up the review of the work done in the implementation of the Campaign region wise. He further states that the meeting of Central Executive Committee shall also be convened at an early date after the conclusion of the proposed meeting of the Central Co-ordination Committee. He undertakes to place on record a copy of the minutes of the Central Co-ordination Committee and that of the Central Executive Committee by the next date of hearing, if the meeting is actually held. He further states that the State Level Co-ordination Committees and State Level Executive Committees may also have been dormant in relation to the implementation of the campaign and that Government/Central Co-ordination Committee shall take immediate steps to activate

6

the said Committees also so that the progress in the implementation of the campaign is not hampered by indifference or apathy. He submits that the Chief Commissioner appointed under the Act has been reviewing the work of the Commissioner in the States from time to time. He agrees to place on record a comprehensive statement indicating the outcome of the said reviews and the deficiencies pointed out and such reviews and directions issued.

Mr. Colin Gonsalves, learned senior counsel for the petitioner submits that the audit reports prepared by the auditors engaged by the Government had been up-loaded on the

web-site but have been withdrawn. Mr. Kumar states that the process of auditing the progress made in terms of the targets fixed in the implementation is on-going process and that audited reports already received can be uploaded without any reservations. In that view, therefore, we expect the Government to up-load the audit report already received by them so that all stake holders have access to the progress made in the implementation of the statutory provisions.

List on 14.12.2016.

Personal presence of Ms. Lata Krishna Rao is dispensed with.

(SHASHI SAREEN)

(VEENA KHERA)

AR-CUM-PS

COURT MASTER