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W.P(C)No. 499 OF 1997
ITEM No.203

COURT No. 5

SECTION PIL
A/N MATTER

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

Writ Petition(Civil) No.499/97@@
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IN RE :
ENFORCEMENT & IMPLEMENTATION OF DOWRY PROHIBITION ACT, 1961

(With appln. for modification of Court's order and directions
and waiving the cost) (For Final Disposal)

Date : 24/01/2003 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE BRIJESH KUMAR

For appearing Parties:

Mr. Raj Kumar Mehta, adv. (AC)
Ms. M. Sharda, Adv.
Mr. Abhishek Awasthi, Adv.

For UOI Mr. Kailash Vasdev, Sr. adv.
Mr. R.N. Poddar, adv.
Ms. Anjani Aiyagari, adv.

For Bihar Mr. B.B. Singh, adv.

For Nagaland Mr. Sanjay K. Shandilya, adv.
Mrs. V.D. Khanna, adv.

For Himachal Pradesh Mr. Naresh K Sharma, adv.

For Meghalaya Mr. Ranjan Mukherjee, adv.

For M.P. Mr. Sakesh Kumar, adv.
Mr. S K Agnihotri, adv.

For Tripura Ms. Mohna Lal, Adv.
Mr. Rajiv Mehta, adv.

For Goa Ms. A Subhashini, adv.

For Jharkhand Mr. Gopal Prasad, Adv.
Mr. S.K. Singh, Adv.

Ms. Rachna Srivastava, Adv.
Mr. Mahesh C. Kaushiwa, Adv.

For Sikkim Mr. A Mariarputham, adv.
Ms. Aruna Mathur, adv.
for M/s. Arputham Aruna & Co.

For NCT of Delhi Mr. SWA Qadri, Adv.
Mr. Ashok Bhan, Adv.
Mr. D.S. Mahra, Adv.

For UT of Andaman, Nicobar, Daman & Diu Dadra & Nagar Haveli and Lakshdweep	Mr. Ashok Bhan, Adv. Mr. R.K. Rathore, Adv. Mr. Satbir P. Kania, Adv. Mr. D.S. Mahra, Adv.
For Chhattisgarh	Mr. Prakash Shrivastava, Adv.
For Assam	Ms. Krishna Sarma, Adv. Ms. Asha G. Nair, adv. Mr. V.K. Sidharthan, Adv. for M/s. Corporate Law Group, Advs.
For Arunachal Pradesh	Mr. Anil Shrivastav, adv.
For Pondicherry	Mr. V G Pragasam, adv.
For Karnataka	Mr. S R Hegde, adv. Mr. Satya Mitra, adv.
For Orissa	Mr. J K Das, adv.
For U.P.	Mr. K.L. Janjani, Adv. Mr. R.C. Verma, Adv. Mr. Mukesh Verma, Adv. Mr. Manish Shanker, Adv. Mr. Pankaj Kumar Singh, Adv.
For W.B.	Mr. H K Puri, adv. Mr. S.K. Puri, adv. Mr. Ujjwal Banerjee, adv. Ms. Anindita Gupta, adv.
For A.P.	Mr. T.V. Ratnam, adv. Mr. K. Subba Rao, adv.
For UT of Chandigarh	Ms. Kamini Jaiswal, adv. Mrs. Shomila Bakhsi, adv.
For Gujarat & Mizoram	Ms. H Wahi, adv. Ms. Sadhna Sandhu, adv. Ms. Aruna Gupta, Adv.
For Rajasthan	Mr. Ranji Thomas, Adv. Ms. Bharati Upadhyya, Adv. Mr. D.K. Thakur, adv. Mr. V.N. Raghupathy, Adv.
For Haryana	Mr. Neeraj Kr. Jain, Adv. Mr. U.S. Prasad, Adv. Mr. K.P. Singh, Adv. Mr. Sunder Khatri, Adv. Ms. S Janani, adv. Mr. K S Bhati, adv.
For Kerala	Mr. K.R. Sasiprabhu, adv. Mr. John Mathew, Adv. Ms. K. Sangeeta, Adv. Mr. Sushil Tekriwal, Adv.

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Mr. Irshad Ahmad, adv.

Mr. K K Rai, adv.

For Punjab Mr. R.K. Rathore, AAG
Mr. R S Suri, adv.

For Maharashtra Mr. S.S. Shinde, Adv.
for Mr. V.N. Raghupathy, Adv.

Mr. Prem Malhotra, adv.

For J&K Mr. M.A. Goni, AG for State of J&K
Mr. Anis Suhrawardy, Adv.

For T.N. Mrs. Revathy Raghavan, Adv. (Not present)

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

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Compliance with the order dated 22.11.2002 has been reported on behalf of the States of Haryana, Bihar and West Bengal.

On behalf of State of Haryana affidavits have been filed on 26.11.2002 and 20.1.2003. Mr. S.P. Sharma, Commissioner and Secretary to the State Govt. (Women and Child Welfare Department) is personally present in the Court.

On behalf of the State of Bihar affidavit has been filed on 7.1.2003. The learned counsel for the State points out that Mr. G.S. Kang, Secretary to the State Govt. (Welfare Department) was scheduled to remain present in Court today but has not been able to reach as flights between Patna and Delhi have been cancelled.

On behalf of the State of West Bengal affidavit has been filed on 7.1.2003. Mr. Amit Kiran Deb, Principal Secretary(Home) is personally present in the Court. The amount of costs has also been deposited.

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Inasmuch as the order of the Court has been complied with the officers present are discharged from personal appearance.

Application on behalf of the State of Kerala for waiving the amount of costs is rejected. Let the costs be deposited within one week from today.

The State of Tamil Nadu continues to be in default. Neither the order of the Court has been complied with nor the costs as directed by the Court deposited. Counsel for the State of Tamil Nadu is also not present.

Issue notice to the Chief Secretary of the State of Tamil Nadu requiring Secretary, Department of Welfare of the State of Tamil Nadu to remain personally present on the next date of hearing. However, if the response-affidavit is filed and costs deposited within a period of four weeks from today, the order for personal appearance shall stand withdrawn.

Learned amicus seeks time for compiling a chart showing compliance/non-compliance by the States/UTs and the deficiency in compliance, if any, in regard to which directions may be required to be

given by the Court.
List after four weeks.

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(Ajay Kr. Jain)
Court Master

(Radha R. Bhatia)
Court Master