

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

WRIT PETITION (CRL.) NO(s). 90 OF 2013

FIGHT FOR HUMAN RIGHTS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date: 07/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

Ms. K.R.Chitra,Adv.

For Respondent(s)

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

Pursuant to the order passed by this Court on 05.07.2013, an additional affidavit has been filed by the petitioner. Along with the additional affidavit, a copy of the communication received from the Government of India, Ministry of Home Affairs (National Crime Records Bureau) on the queries under the Right to Information Act, 2005 has been filed. It is stated therein that 30334 male scheduled tribes undertrial prisoners are housed in jails of different States and some of the Union Territories. The female scheduled tribes undertrial prisoners are reported to be 1318. In all, there are 31652 scheduled tribes undertrial prisoners in jails at the end of 2011. The source of this information is Prison Statistics India-2011.

Having regard to the issues raised about the Adivasi undertrial prisoners, particular speedy and equal justice to them, we are satisfied that notice deserves to be issued in the Writ Petition so that the Central Government, State Governments and Union Territories may submit their respective response.

The petitioner has impleaded eight States, namely, States of Chhattisgarh, Jharkhand, Andhra Pradesh, Bihar, Madhya Pradesh, Mahasrahstra, Odisha and West Bengal along with Union of India as party respondents.

The present statistics submitted by the petitioner in the additional affidavit reflects that there are scheduled tribes undertrial prisoners in other States as well and also in the Union Territories of Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Delhi and Lakshadeep.

In view of the above, we direct that the States of Arunachal Pradesh, Assam, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Manipur, Meghalaya, Mizoram, Nagaland, Punjab, Rajsthan, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh and Uttarakhand be also impleaded as party respondents. Similarly, Union Territories of Chandigarh, Dadra and Nagar Haveli, Daman and Diu, Delhi and Lakshadeep are also directed to be impleaded as party respondents.

Notice be issued to the existing respondents as well to the newly added parties returnable on January 13, 2014.

