ITEM NO.33 COURT NO.1 SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (CRL.) NO(s). 100 OF 2007

R.CHANDRASHEKAR REDDY Petitioner(s)

VERSUS

GOVT.OF A.P.& ORS. Respondent(s)

(With appln(s) for exemption from filing O.T.,directions,intervention,stay and office report))

Date: 27/01/2009 This Petition was called on for hearing today.

CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) Mr. P.S.Narsimha, Sr. Adv.
Mr. Sateesh Galla, Adv.
Mr. R.C.Reddy, Adv.for
Mr. N. Rajaraman,Adv.

For Respondent(s) Mr. G.E.Vahanvati, SG
Mr. D.D.Kamath, Adv.for
Ms. Sushma Suri ,Adv

Mr. T.L.V.Iyer, Sr. Adv.
Mrs.D. Bharathi Reddy ,Adv

Mr. H.N.Salve, Sr. Adv.
Mr. Mallikarjuna Reddy, Adv.
Mr. Sanjay R. Hegde ,Adv
Mr. A.Rohen Singh, Adv.
Mr. Amit Kr. Chawla, Adv.
Mr. Ramamurthy Reddy, Adv.

Mr. D. Mahesh Babu ,Adv

Mr. Prashant Bhushan, Adv.

Mr. V.Kanak Raj, Sr. Adv.
Mr. S.R.M.Reddy, Adv.
Mr. Nikhil Nayyar, Adv.
Mr. B.K.Pal, Adv.

UPON hearing counsel the Court made the following
ORDER

This Court on 08th February, 2008 granted/continued interim stay only in respect of the Government Order No. 196 dated 07.08.2007. A copy of the said G.O.No. 196 dated 07.08.2007 has been produced before us which shows that Government of Andhra Pradesh has made

certain proposals for granting remission to the prisoners under Section 433-A of the Code of Criminal Procedure, 1973 and for that purpose a Committee has been constituted under the Chairmanship of Principal Secretary to Government, Home (Prisons) which will scrutinise each and every case of those prisoners who satisfy the guidelines issued by the Government in the aforesaid Government Order and also their conduct in jail.

It is submitted by the learned counsel appearing for the various parties that in view of the stay granted by this Court in respect of G.O. No. 196 dated 07.08.2007, no further steps have been taken by the Committee.

In this view of the matter, we modify the orders of this Court dated 08th February, 2008 to the extent that Committee may go on with the decision making process and their recommendation to the Government and Governor may pass appropriate orders on the recommedations made by the Committee. However, commutation/remission and release of those prisoners identified by the Committee can be only pursuant to the Governor's decision.

Since, this is a very important matter, Shri U.U.Lalit,

Senior Advocate is requested to be as amicus curiae to assist the Court. Office is directed to supply a complete set of papers to the learned amicus.

List the writ petition after two weeks.

(Parveen Kr. Chawla)
Court Master

(Veera Varma)
Court Master