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ITEM NO.5 COURT NO.3 SECTION XI
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).25237/2010
(From the judgement and order dated 21/08/2009 in CMWP No.15440/1998 of
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

ABHAY SINGH Petitioner(s)
VERSUS
STATE OF UTTAR PRADESH & ORS. Respondent(s)

(With appln(s) for exemption from filing O.T. and permission to file
additional documents and permission to file additional affidavit and
correction of pleadings and office report)

WITH SLP(C) NO. 23984 of 2010

(With appln(s) for exemption from filing O.T. and urging additional grounds
and permission to file additional Affidavit and with prayer for interim
relief and office report)

Date: 14/02/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. Harish N. Salve, Sr. Adv.
Mr. Sushil Kumar Jain, Adv.
Mr. Puneet Jain, Adv.
Mr. Anurag Gohil, Adv.
Ms. Ruchika Gohil, Adv.

For Respondent(s)
(UOI) Mr. Aman Ahluwalia, Adv.
Mr. Farrukh Rasheed, Adv.
Ms. Supriya Jain, Adv.

for State of Delhi Mr. Siddharth Luthra, ASG
Mr. Brijender Chahar, Sr. Adv.
Ms. Supriya Juneja, Adv.
Ms. Sunita Sharma, Adv.
Ms. Rashmi Malhotra, Adv.
Mr. R.K. Rathore, Adv.

for State of Haryana Mr. Tarjit singh Chikkara, Adv.
Mr. Manjit Singh, AAG

For State of UP Mr. Gaurav Bhatia, AAG
Mr. Anuvrat Sharma, Adv.
Mr. Siddharth Bhatnagar, Adv.

For State of MP Mr. Mishra Saurabh, Adv.

For State of Maharashtra Mr. Shankar Chillarge AAG

For State of
Chhattisgarh Mr. Atul Jha, Adv.

For State of J & K Mr. Sunil Fernandes, Adv.
Ms. Astha Sharma, Adv.
Ms. Insha Mir, Adv.

for State of
Uttarakhand Mr. Rakesh Dwivedi, Sr. Adv.
Mr. Prateek Dwivedi, Adv.
Mr. Abhishek Atrey, Adv.

For States of Bihar Mr. Manish Kumar, Adv.

Mr. Chandan Kumar, Adv.

For State of Sikkim Mrs. Aruna Mathur, Adv.
Mr. Yusuf Khan, Adv.

For State of Assam Mr. Navnit Kumar, Adv.

For State of Manipur Mr. KH Nobin Singh, Adv.

For State of Gujarat Ms. Hemantika Wahi, Adv.
Ms. Shubhada Deshpande, Adv.

UT of Pondicherry Mr. R. Sundaravardan, Sr. Adv.
Mr. V.G. Pragasam, Adv.
Mr. S.J. Aristotle, Adv.
Mr. Prabu Ramasubramanian, Adv.

For State of HP Mr. Vikas Mahajan, Adv.
Mr. Vikrant Nilesh Goyal, Adv.

UT of Chandigarh Mr. Ashutosh K. Sharma, Adv.

State of Jharkhand Mr. Jayesh Gaurav, Adv.

For State of Nagaland Ms. K. Enatoli Sema, Adv.
Mr. Amit Kr. Singh, Adv.

For State of Arunachal Pradesh and Tripura Mr. Rituraj Biswas, Adv.

For State of Karnataka Mr. V.N. Raghupathy, Adv.

For State of TN Mr. B. Balaji, Adv.

For State of Kerala Mr. Ramesh Babu M.R, Adv.
Mr. Sushrut Jindal, Adv.

For State of AP Mr. Koka Raghava Rao, Sr. Adv.
Mr. G.N. Reddy, Adv.
Mr. M. Rambabu, Adv.
Mr. S. Nagarajan, Adv.

For State of WB Mr. Avijit Bhattacharjee, Adv.
Ms. Sarbani Kar, Adv.
Ms. Debjani Das Purkayastha, Adv.
Mr. Bikas Kar Gupta, Adv.

for State of Rajasthan Mr. Jasbir Singh Malik, AAG
Ms. Pragati Neekhra, Adv.

Mr. Ranjan Mukherjee, Adv.

Mr. Sachin Sharma, Adv.

Mr. Balasubramaniam, Adv.
Mr. K.V. Jagdishvaran, Adv.
Ms. G. Indira, Adv.

Mr. V.K. Bali, Sr. Adv.
Mr. Ajay Bansal, AAG
Mr. Kuldip Singh, Adv.
Mr. Mohit Mudgil, Adv.

Mr. Siboo Sankar Misra, Adv.

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

We have heard Shri Salve, learned senior counsel for the petitioner, who handed over two notes, one based on the affidavits filed on behalf of some of the States and other highlighting the issues relating to use of Beacons and other insignias as symbols of authorities by the functionaries of the government and other persons and the other relating to use of police force for providing security to large number of persons holding public offices and others.

We have also heard Shri Aman Ahluwalia, learned counsel for the Union of India and Shri Siddharth Luthra, learned Additional Solicitor General appearing for State of NCT of Delhi for some time.

Before considering the issues raised in the 2nd note made available by Shri Salve, we deem it proper to issue the following directions:

1. All the State Governments and the Administration of Union Territories shall furnish the details of the total expenses incurred in providing security to public functionaries and private individuals other than holders of the constitutional office like the President, the Vice-President, the Prime Minister, the Speaker of the Lok Sabha, the Chairman of the Rajya Sabha and the Chief Justice of India and their counter parts in the States and Union Territories.
2. Total number of persons other than the dignitaries, to whom reference has been made in the preceding paragraph, to whom security has been provided at the State expense giving the details of number of persons of various cadres deputed for providing security to the various persons.
3. The details of the security provided to the children and other family members/relatives of the public functionaries within or outside the State/Union Territory.
4. The details of the persons who are facing criminal charges, charges of violating any provisions of law and to whom security has been provided at State expense.
5. The details of the private individuals to whom the security has been provided at the cost of public exchequer, whether in lieu of payment made by them or otherwise.
6. Each State Government/Union Territory shall provide details of the review undertaken of the security provided to public functionaries and private individuals.
7. All the States and Union Territories shall file copies of the Rules/Orders which authorises the police and other functionaries to close roads for movement of public functionaries or their visits.
8. The notifications issued by the Central Government, State Governments and the Union Territories authorising use of Sirens other than by the man in uniform and those engaged and providing medical facilities to the patients and victims of accidents.

The information about the security provided to various persons be furnished within four weeks in sealed envelopes.

For further consideration, the cases be listed on 14.03.2013.

(Parveen Kr. Chawla)
Court Master

(Phoolan Wati Arora)
Court Master