

ITEM NO.302 & 303

COURT NO.6

SECTION X

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(S). 562/2012

ASSAM SANMILITA MAHASANGHA & ORS.

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.
(OFFICE REPORT)

RESPONDENT(S)

WITH

W.P. (C) NO. 876/2014

(WITH APPLN. (S) FOR STAY AND OFFICE REPORT)

W.P. (C) NO.274/2009

[WITH APPLN. (S) FOR DIRECTIONS AND IMPLEADMENT AND INTERVENTION AND
OFFICE REPORT]

Date : 31/03/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s)

WP(C) 562/12

Mr. Manish Goswami, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

WP(C) 876/14 & rr in

WP(C) 562/12

Mr. Somiran Sharma, Adv.

WP(C) 274/09

Mr. Arvind Kumar Sharma, Adv.

Ms. Ankita Sharma, Adv.

For Respondent(s)

Mr. Milan Laskar, Adv.

Mr. Syed Mehdi Imam, Adv.

Mr. Parvez Dabas, Adv.

Mr. Shibashish Misra, Adv.

Mr. Fuzail Ahmad Ayyubi, Adv.

Mr. Abdul Qadir, Adv.
Mr. Anas Tanwir, Adv.
Mr. Abdul Qadir Abbasi, Adv.
Mr. Anwasha Shah, Adv.

Mr. Syed Ali Ahmad, Adv.
Mr. Syed Tanweer Ahmad, Adv.
Mr. S.S. Bandyopadhyay, Adv.
Mr. Pravin Kumar, Adv.
Mr. Mohan Pandey, Adv.

Mr. Shakil Ahmed Syed, Adv.

Mr. Shadan Farasat, Adv.

Ms. Krishna Sarma, Adv.
Mr. Avijit Roy, Adv.
Mr. Navnit Kumar, Adv.
Ms. Kankana Arandhara, Adv.
For M/s Corporate Law Group

Mr. B. Krishna Prasad, Adv.

Mr. Prateek Jalan, Adv.
Ms. Malvika Trivedi, Adv.
Mr. Rahul Kriplani, Adv.
Mr. Ankit Yadav, Adv.
Mr. T. Mahipal, Adv.

Mr. Monisha Handa, Adv.
Mr. Mohit D. Ram, Adv.
Mr. Neeraj Kumar, Adv.

Mr. Soumitra G. Chaudhuri, Adv.
Mr. Anip Sachthey, Adv.

Mr. G.S. Chatterjee, Adv.

Mr. Neeraj Kishan Kaul, ASG
Mr. Shiv Mangal Sharma, Adv.
Mr. Puneet Parihar, Adv.
Mr. Raghavendra M. Bajaj, Adv.
Ms. Rashmi Malhotra, Adv.
Ms. Sushma Suri, Adv.

Mr. Shreekant N. Terdal, Adv.

Ms. Bharti Tyagi, Adv.

Mr. Ravi P. Mehrotra, Adv.

Mr. Siddharth Bhatnagar, Adv.

Mr. Sidharth Mohan, Adv.

Mr. Rahul Arya, Adv.

Mr. Nirnimesh Dube, Adv.

Mr. K.V. Jagdishvaran, Adv.

Ms. G. Indira, Adv.

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

The affidavits filed on behalf of the State of Assam are highly unsatisfactory. The affidavits not only are vague and omnibus in content but have been executed by a Junior Officer who may not have had any exposure to the ground realities. We, therefore, refuse to take the said affidavits into consideration and while expressing our displeasure at the conduct of the State of Assam, we direct the Chief Secretary of the State of Assam to file a meaningful affidavit incorporating all relevant facts, particularly, the steps that have been taken pursuant to the Court's order dated 17th December, 2014. The said affidavit shall be filed within 10 days from today.

Insofar as the upgradation of the NRC is concerned, we direct the NRC Coordinator to file an affidavit with regard to the progress in the preparation of NRC keeping in mind the deadline set by the Court for publication of the final NRC. The said Officer shall also indicate the difficulties, if any, that he may have encountered in updating the NRC in terms of the orders of this Court.

The NRC Coordinator is directed to be personally present in Court on the next date fixed which will be intimated to him by the Registry.

Insofar the Union of India is concerned, Shri Neeraj Kishan Kaul, learned Additional Solicitor General has assured the Court that an affidavit of the Competent Authority will be filed within 10 days indicating the steps that have been take by the Union with regard to border fencing, construction of border roads, night patrolling, flood-lights, scheme for deportation in consultation with the Bangladesh etc. in terms of the order of the Court dated 17th December, 2014.

The Gauhati High Court is requested to expedite the process of selection of the Presiding Officers and Members of the 64 Tribunals which have been sanctioned by the Government of India so that the said Tribunals can become functional immediately.

This order be communicated to the Registrar General of the High Court forthwith.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER