

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

WRIT PETITION (CIVIL) NO(s). 274 OF 2009

ASSAM PUBLIC WORKS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS

Respondent(s)

(With appln(s) for directions, intervention, permission to file rejoinder affidavit, permission to file additional documents and office report)

WITH W.P(C) NO. 562 of 2012

(With appln. for intervention and stay and permission to file lengthy list of dates and office report)

Date: 02/08/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE

HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. Rakesh K.Khanna, ASG.
Mr. Jitendra Mohapatra, Adv.
Mr. Nand Kumar, Adv.
Mr. B.K.Prasad, Adv.
Mr. Arvind Kumar Sharma, Adv.
Mr. Shreekant N. Terdal, Adv.

Mr. B.P.S.Patil, Sr. Adv.
Mr. Manish Goswami, Adv. for
M/S Map & Co.

For Respondent(s) Mr. Jaideep Gupta, Sr. Adv.
for State Mr. Krishna Sharma, Adv.
Mr. Avijit Ray, Adv.
Mr. Navnit Kumar, Adv. for
M/S Corporate Law Group.

For R.6 Mr. Prateek Jalan, Adv.
Ms. Malvika Trivedi, Adv.
Mr. Aurag Mishra, Adv.
Mr. T.Mahipal, Adv.

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For Intervenor: Mr. Syed Mehdi Imam, Adv.
Mr. Milan Laskar, Adv.
Mr. Mohd. Parvez Dabas, Adv.
Mr. T. Ahmed, Adv.

Mr. P.H.Parekh, Sr. Adv.
Mr. Syed Ali Ahmad, Adv.
Mr. Tanweer Ahmad, Adv.
Mr. S.S.Bandyopadhyay, Adv.
Mr. Pravin Kuamr, Adv.
Mr. Mohan Pandey, Adv.

Ms. Meenakshi Arora, Adv.

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

Application for intervention is allowed.

2. Heard Mr. Rakesh K. Khanna, learned Additional Solicitor General appearing for Union of India and Mr. Jaideep Gupta, learned senior counsel appearing for the State of Assam.

3. Apropos the order that this Court had passed on the last date of hearing Mr. Khanna points out that the Central Government needs further time to make a positive statement whether the Central Government is accepting the Modalities as recommended by the State of Assam in making entries on the National Register of Citizens.

4. In our view it is high time that the Central Government finalize the modalities as early as possible. The Government of Assam has forwarded his proposal wayback in January 2013 though they have

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suggested some modifications thereafter from time to time. The Central Government has not reacted through any communication to the State of Assam so far though meetings have been held between them. Now, we are assured that necessary meetings between the State Government and the Central Government will culminate into some accepted Modalities which Mr. Khanna states will require atleast three weeks. In the circumstances, on his request, we adjourn the present proceedings to 23rd August, 2013 to be notified at 2.00 p.m.

5. Mr. Jaideep Gupta has handed over to us a letter dated 2nd August, 2013 which was addressed by the Joint Secretary, Government of Assam,, Home and Political Department to Joint Secretary (North East) Government of India, Ministry of Home affairs, New Delhi. A tentative assessment of timeline is enclosed with this letter. We find that this timeline means quite a long period. Out of the six stages which have been mentioned in this tentative assessment, first two stages are essential in the nature of office work. The field work actually starts from the stage three onwards. This being so, we would like to say that State of Assam as well as the Central Government should compress the first two stages and, if possible, complete them within

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six months. This would also be along with the stage of training and preparing the personnel for this work as pointed out by Mr. Jaideep Gupta. As far as stages No.3 onwards are concerned, we would like to say that both the Governments should see that the time period is compressed and the exercises proposed are completed as early as possible.

6. List on 23.8.2013 at 2.00 p.m.

[SUMAN WADHWA]
AR-cum-PS

[SNEH LATA SHARMA]
COURT MASTER