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ITEM NO.301
(Part-heard)

COURT NO.12

SECTION PIL

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. 274 OF 2009

ASSAM PUBLIC WORKS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

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

WITH

W.P(C) NO. 562 of 2012

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

Date:16/07/2013 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. Nagendra Rai, Sr. Adv.
(in WP 272/09) Mr. Arvind Kumar Sharma, Adv.

(in WP 562/12) Mr. Basava P. Patil, Sr. Adv.
Mr. Manish Goswami, Adv.
For M/S. Map & Co., Adv.

For Respondent(s) Mr. Jaideep Gupta, Sr. Adv.
For R-2 Mr. Avijit Roy, Adv.
Mr. Navnit Kumar, Adv.
For M/S. Corporate Law Group, Adv.

For R-3 Mr. Vasav Anantharaman, Adv.
Ms. Meenakshi Arora, Adv.

Ms. Malvika Trivedi, Adv.
Mr. T. Mahipal, Adv.
Mr. Prateek Jalan, Adv.
Mr. Anurag Misra, Adv.
Mr. Syed Ali Ahmad, Adv.
Mr. Syed Tanveer Ahamd, Adv.
Mr. S.S. Bandhyopadhyay, Adv.
Mr. Mohd Shah, Adv.
Mr. Mohan Pandey, Adv.

Mr. Jitendra Mohapatra, Adv.
Mr. S. Nand Kumar, Adv.

Mr. Shreekant N. Terdal, Adv.

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

Mr. Nagendra Rai, learned senior counsel appears for

petitioner in W.P.(C) No.274/2009 and Mr. Basava P. Patil, learned senior counsel appears for petitioners in W.P.(C) No.562/2012. Mr. Jaideep Gupta, learned senior counsel is appearing for the State of Assam, Mr. Terdal, appearing for Union of India and Mr. Vasav Anantharaman, learned counsel appearing for the Election Commission of India.

2. We have heard the learned counsel at length with respect to the prayers which are made in these writ petitions, particularly in the first writ petition. Certain modalities have already been placed on record on behalf of the State of Assam with respect to the entries to be made in the National Register of Citizens (NRC, for short) for the State of Assam on the basis of the Schedule read with Rule 4A of the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003. The Central Government has filed an affidavit in the second matter but counsel appearing on behalf of the Central Government wants to take instructions to make a positive statement as to whether the Central Government is accepting the modalities as recommended by the State of Assam for entering the citizens on the NRC.

3. If these modalities are to be worked out, the extracts of National Register of Citizens of 1951 as well as the Electoral Rolls up to the midnight of 24th March, 1971 will have to be published and made available in all the areas of the State, up to the Village level.

(i) We would, therefore, like the learned counsel appearing for the State of Assam to inform us as to how much time will be required for publishing, distributing and then putting up the relevant extracts of the NRC and the electoral rolls in all the villages of the State.

(ii) Similarly, we would like the learned counsel for the State of Assam to inform us as to how much time, ultimately, it will take for the NRC to be updated in one Assembly Constituency for the steps starting from publication of the relevant extracts of the 1951 NRC, 1971 Electoral Rolls, distribution of application forms till the date of taking a decision with respect to all the persons in the constituency concerned as to whether they are to be entered into the NRC or not, and then placing their names in the NRC. Mr. Jaideep Gupta wants two weeks' time for informing the Court on both these counts.

4. The matters are adjourned to 31st July, 2013 at 2.00 p.m. The parties are permitted to complete the pleadings. They shall make available copies thereof to all concerned counsel in the meanwhile.

(A.S. BISHT)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER