

|'
ITEM NO.1
(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)

Date: 08/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. Arvind Kumar Sharma,Adv.
Ms. Tanushree Sinha,Adv.

For Respondent(s) Mr. Mohan Jain,ASG.
Mr. Prabhat Kumar,Adv.
Mr. S. Nanda Kuamr,Adv.
Mr. B.K. Prasad,Adv.
Mr. Shreekant N. Terdal,Adv.

Mr. Jaideep Gupta,Sr.Adv.
Mr. Navnit Kumar,Adv.
For M/s. Corporate Law Group,Adv.

Mr. Syed Ali Ahmad,Adv.
Mr. Syed Tanweer Ahmad,Adv.
Mr. S.S. Bandyopadhyay,Adv.
Mr. Praveen Kumar,Adv.
Mr. Mohd. Shah Nawaz Hasan,Adv.
Mr. Mohan Pandey,Adv.

Mr. Manish Goswami,Adv.
For M/s. MAP & CO.,Advs.

Ms. Meenakshi Arora,Adv.
Mr. Vasav Ananthraman,Adv.

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

Affidavit tendered by the Union of India in Court is taken on
record.

2. Heard Mr. Arvind Kumar Sharma, learned counsel appearing for
the petitioner, Mr. Mohan Jain, learned Additional Solicitor General
appearing for the Union of India and Mr. Jaideep Gupta, senior
Advocate for the State of Assam.

3. Union of India has filed an affidavit of the Under Secretary, Ministry of Home Affairs, Government of India. In paragraph 8 of the affidavit, it is stated that the modalities submitted by the Government of Assam are under examination of the Government of India and in this connection, a meeting was held on 8th April, 2013 by the Ministry of Home Affairs with the representatives of Government of Assam and the Registrar General of India. In the said meeting, it was decided that the modalities along with forms etc. to be used for updation of National Register of Citizens (NRC) would be finalized within three months. Thereafter, a notification would be issued for commencement of work of updation of NRC in Assam which would be completed within three years from the date of notification.

4. As far as the last sentence, namely, updation of NRC in Assam would be completed within three years, is concerned, we will look into that aspect when the matter is heard. As far as the three months' time for finalization of the modalities along with forms etc. to be used for updation of NRC is concerned, we take it the three months' time will be from 8.4.2013, as mentioned in the affidavit, that takes us to 8th July, 2013. We, therefore, expect the Central Government to be ready with its decision on the modalities submitted by the Government of Assam by that date.

5. Mr. Goswami, learned counsel intervened in this matter and pointed out that another writ petition has been filed, being Writ Petition (C) No.562/2012 (Assam Sanmilita Mahasangha and Ors. Vs. Union of India and Ors.) wherein somewhat similar prayer has been made which seeks updation of the NRC from 1951. He states that copies of the said writ petition have been furnished to the Central Government, State Government and the Election Commission of India. They are all represented.

6. We direct that the said writ petition be tagged with the present writ petition and the respondents therein are at liberty to file their counter affidavits by 2nd of July, 2013. Rejoinder thereto, if any, may be filed by the petitioners within a week thereafter.

7. Inasmuch as the Central Government is going to finalize its decision by 8th July, 2013, we direct that both these writ petitions be notified on 16th July, 2013 (non-miscellaneous day). On that date, we expect the matter to proceed as substantially as possible.

(A.S. BISHT)
COURT MASTER

(SNEH LATA SHARMA)
COURT MASTER