

ITEM NO.301

COURT NO.3

SECTION PIL-W

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 SI.A. NOS.137806/2017 AND 137811/2017
IN
WRIT PETITION(S) (CIVIL) NO(S). 274/2009

ASSAM PUBLIC WORKS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA Nos.137806/2017 and 137811- Applications for impleadment and directions)

Date : 15-12-2017 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Parties

Mr. K.V. Vishwanathan, Sr.Adv.
Ms. Madhumita Bhattacharjee, AORMr. K.K. Venugopal, Attorney General
Mr. Tushar mehta, ASG
Ms. Binu Tamta, Adv.
Ms. Rashmi Malhotra, Adv.
Ms. Rekha Pandey, Adv.
Mr. B.V. Balramdas, Adv.
Mr. R.M. Bajaj, Adv.
Mr. Arvind Kumar Sharma, AORMr. Tushar Mehta, ASG
Mr. Shuvodeep Roy, Adv.
Mr. Rajat Nair, Adv.
Mr. Debojit Borkakati, Adv.Mr. Ejaz Maqbool, AOR
Ms. Qurratulain, Adv.
Ms. Akriti Chaubey, Adv.

Mr. Gaurav Dhingra, AOR

Mr. B. Krishna Prasad, AOR

Mr. Snehasish Mukherjee, AOR

Mr. Shibashish Misra, AOR

Mr. Shadan Farasat, AOR

Mr. Mohit D. Ram, AOR

Mr. Abhijit Sengupta, AOR

Mr. Mohan Pandey, AOR

Mr. Guntur Prabhakar, AOR

Mr. Fuzail Ahmad Ayyubi, AOR

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

We have heard the learned counsel for the applicant who seeks to intervene/implead in the present proceedings. No order with regard to the prayer for intervention/impleadment is required at this stage.

Having gone through the statements made in the application seeking directions for modification of the order of this Court dated 30.11.2017, we are of the view that the issue of publication of the draft National Register of Citizens (NRC) on or before 31.12.2017 (in part) had been exhaustively debated before this Court. On due consideration of the matter, we had passed the order dated 30.11.2017 directing that the draft NRC insofar as 2.38 claimants are concerned be published on or before 31.12.2017 and at a subsequent point of time

there would be publication of another draft NRC in respect of the remaining cases. While passing the said order on 30.11.2017 we had taken note of the statements made by the learned Attorney General that "part publication of the draft NRC could result in a law and order situation inasmuch as a large segment of the people would understand that their names are excluded from the draft NRC". In this regard we had in our order dated 30.11.2017 observed as follows:

"We do not see how the aforesaid situation can even remotely arise as we have already indicated in the earlier part of the present order that claims of 47 lakh persons and 29 lakh persons are still pending and would be subject to verification and covered by publication of another draft NRC at a subsequent point of time."

We reiterate the aforesaid observation meaning thereby that the claims/cases of the left out applicants whose names are not included in the draft NRC to be published on or before 31.12.2017, will be scrutinized and thereafter, if found eligible, would be included in the subsequent draft NRC. This, in our considered view, should allay the apprehensions expressed by the present applicant in

the application which is to a similar effect as those expressed before the Court by the learned Attorney General.

We further give liberty to the State to give wide publicity/coverage to the present order/direction so as to allay all fears and apprehensions that may exist.

We also make it clear that the publication of the draft NRC is not the end of the process and against such draft publications, claims and objections of the aggrieved parties can be filed, which, naturally, will be verified in accordance with law.

With the aforesaid observations, the present applications are disposed of.

(NEETU KHAJURIA)
COURT MASTER

(TAPAN KR. CHAKRABORTY)
BRANCH OFFICER