

ITEM NO.301

COURT NO.7

SECTION X

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). 562/2012

ASSAM SANMILITA MAHASANGHA & ORS.

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

[WITH APPLN.(S) FOR STAY, IMPLEADMENT AS PARTY RESPONDENT AND DIRECTIONS AND EARLY HEARING AND CLARIFICATION/MODIFICATION OF COURT'S ORDER AND OFFICE REPORT]

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 OFFICE REPORT)

W.P.(C) NO. 311/2015

(WITH APPLN.(S) FOR IMPLEADMENT AND SEEKING LEAVE TO FILE WRITTEN ARGUMENTS AND OFFICE REPORT)

W.P.(C) NO. 450/2015

(WITH APPLN.(S) FOR DIRECTIONS)

W.P.(C) NO. 449/2015

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

W.P.(C) NO. 867/2015

(WITH APPLN.(S) FOR EXEMPTION FROM FILING O.T. AND STAY AND OFFICE REPORT)

Date : 13/01/2016 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.
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WP(C) 876/14, 311/15 &
rr in WP(C) 562/12

Mr. Somiran Sharma, AOR

WP(C) 274/09

Mr. Arvind Kumar Sharma, AOR

WP(C) 450/15, 449/15

Mr. Partha Sil, AOR
Mr. Tavish B. Prasad, Adv.

WP(C) 867/15

Mr. Gaurav Agarwal, Adv.
Mr. Satpal Singh, Adv.

For Respondent(s)

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Mr. Asif, Adv.

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Ms. Varsha Poddar, Adv.

Mr. Mohan Pandey, AOR

Election Comm.

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Mr. Parvez Dabas, Adv.
Mr. Syed Mehdi Imam, AOR

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Ms. Malvika Trivedi, Adv.
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Ms. Krishna Sarma, AAG
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Mr. Navnit Kumar, Adv.
Ms. Kankana Arandhara, Adv.
For M/s Corporate Law Group, AOR

State of West Bengal

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Mr. Parijat Sinha, Adv.

Gauhati HC

Ms. Sneha Kalita, AOR

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Mr. Tushar Bakshi, Adv.
Mr. Ritesh Kumar, Adv.
Ms. Rashmi Malhotra, Adv.
Ms. Sushma Suri, AOR

Mr. Anip Sachthey, AOR

Mr. B. Balaji, AOR

State of Chhattisgarh

Mr. C.D. Singh, AOR

State of M.P.

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Mr. C.D. Singh, AOR.
Mr. Darpan Bhuyan, Adv.
Mr. Udit Arora, Adv.

Mr. D.S. Mahra, AOR

State of Punjab Mr. Kuldip Singh, AOR
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State of Goa Mr. Nirnimesh Dubey, AOR
Mr. Rudreshwar Singh, Adv.
Mr. Samir Ali Khan, AOR

State of Sikkim For M/s Arputham Aruna & Co., AOR

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Mr. Mohan Pandey, AOR

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Mrs. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. Ranjan Mukherjee, AOR

State of Jharkhand Mr. Tapesk Kumar Singh, AOR
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Mr. Ananga Bhattacharyya, AOR
Mr. Mukund P., Adv.

State of Bihar

Mr. Rudreshwar Singh, Adv.
Mr. Gautam Singh, Adv.

WP 867/15

Dr. Sumant Bharadwaj, Adv.
Mr. Aviral Saxena, Adv.
Mr. I.P. Singh, Adv.
Ms. Mridula Ray Bharadwaj, Adv.

Mr. Ashim Chamuah, Adv.
Mr. Chandan Kumar, Adv.

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

W.P. (C) NO.867 OF 2015

The present writ petition No.867 of 2015 is de-tagged/released from the present group.

W.P. (C) NO.562/2012

Having heard Shri Ashok Desai, learned Senior Counsel appearing for the Election Commission and Shri Raju Ramchandran, learned Senior Counsel appearing for the State of Assam we reiterate our previous order which is to the effect that the preparation/upgradation of the work of NRC would be of top most priority and the officials and employees of the State Government currently engaged in the preparation of the NRC would be primarily and principally engaged with the said work. However, without affecting the

primacy and priority to the upgradation work of the NRC such officers would also attend to other duties as prayed for by the State of Assam and to election duties as prayed for by the Election Commission. We also make it clear that in the event the Deputy Commissioners of the Districts feel the necessity it will be open for them to assign the other duties of the office as well as the work in connection with the forthcoming elections to the State Assembly to one or more of his Additional Deputy Commissioners as may be deemed necessary. Beyond the above, we do not consider it necessary to modify our previous order dated 1st December, 2015.

I.A. Nos. 22 and 23 are disposed of accordingly.

We have interacted with Shri Prateek Hajela, State Coordinator for the preparation of NRC, who has apprised the Court of the stage of the on-going process and the difficulties that are being faced by him. Specifically, Shri Hajela has drawn the attention of the Court to the fact that the authorities engaged in preparation/upgradation of the NRC work are required to verify a large number of PAN cards, Electoral Rolls, Passport, etc. Shri Hajela has submitted if the requisite data base is provided by the concerned Authorities it will expedite the process. We, accordingly, direct the

concerned Authorities in the Finance and Home Ministries of the Government of India as also the Ministry of External Affairs to provide the requisite data base to the State Coordinator forthwith so that the process of verification can be carried out without any impediment. Shri Hajela has also drawn the attention of the Court to the fact that a large number of documents have been sent to all the States, particularly, the States of Nagaland, Arunachal Pradesh, Meghalaya, Tripura, West Bengal, Maharashtra, Uttar Pradesh and Rajasthan for verification and the response of all the States are awaited. We direct all the States in the Union, particularly, the States mentioned above, to expedite the process of sending response to the State Coordinator immediately. The State Coordinator is permitted to interact with the Chief Secretary of each of the States to which the documents have been sent for effective response thereto.

List all these cases again on 17th February, 2016 at 3.00 p.m. on which date we request the State Coordinator to be present in person.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER