

ITEM NO.301

COURT NO.7

SECTION X/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 S

Writ Petition(s) (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,
directions, early hearing, permission and office report)

WITH

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, 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. 876/2014

(With appln.(s) for stay and Office Report)

W.P. (C) No. 68/2016

(With Office Report)

Date : 17/02/2016 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For the Parties :

Mr. Manish Goswami, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

Mr. Arvind Kumar Sharma, Adv.

Mr. Somiran Sharma, Adv.

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

Ms. Meenakshi Arora, Sr. Adv.
Mr. S.K. Mehndiratta, Adv.
Ms. Mohit D. Ram, Adv.
Mr. Neeraj Kumar, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Ms. Krishna Sarma, AAG
Mr. Avijit Roy, Adv.
Mr. Navnit Kumar, Adv.
Mr. Pradeep Kumar, Adv.
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Mr. Parijat Sinha, Adv.
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Mr. Shibashish Mishra, Adv.
Ms. Minati Rani Mohapatra, Adv.

Mr. Chandan Kumar, Adv.

Mr. Kuldip Singh, Adv.

Mr. Sapam Biswajit Meitei, Adv.
Ms. Lingthoingambi Thongam, Adv.
Ms. B. Khushbansi, Adv.
Mr. Ashok Kumar Singh, Adv.
Mr. Vijayananda Sharma, Adv.

Mr. B. Krishna Prasad, Adv.

Mr. Syed Mehdi Imam, Adv.

Mr. T. Mahipal, Adv.

Mr. Somiran Sharma, Adv.

Mr. Shibashish Misra, Adv.

Mr. Fuzail Ahmad Ayyubi, Adv.

Mr. Mohan Pandey, Adv.

Mr. Shakil Ahmed Syed, Adv.

Mr. Shadan Farasat, Adv.

Mr. Abhinav Kumar Malik, Adv.

Mr. Vibhu Tiwari, Adv.

Mr. Ravi Prakash Mehrotra, Adv.

Mr. Ashutosh Kumar Sharma, Adv.

Ms. Rachna Srivastava, Adv.

Mr. K.V. Jagdishvaran, Adv.

Ms. G. Indira, Adv.

Mr. Anurag Kashyap, Adv.

Mr. Prateek Jalan, Adv.

Ms. Malvika Trivedi, Adv.

Mr. Rahul Kriplani, Adv.

Mr. Ankit Yadav, Adv.

Mr. Siddhartha Bhatnagar, Adv.

Mr. Nirnimesh Dubey, Adv.

Mr. Gopal Singh, Adv.

Mr. Shreekant N. Terdal, Adv.

Mr. P.S. Patwalia, ASG

Mr. Tushar Bakshi, Adv.

Mr. R.M. Bajaj, Adv.

Ms. Rashmi Malhotra, Adv.

Mr. Ritesh Kumar, Adv.

Ms. Sushma Suri, Adv.

Mr. S.S. Shamsbery, AAG

Mr. Amit Sharma, Adv.

Mr. Ishu Prayas, Adv.

Ms. Ruchi Kohli, Adv.

Mr. Manish Goswami, Adv.

Mr. C.M. Angadi, Adv.

Ms. Varsha Rana, Adv.

Mr. R.P. Goyal, Adv.

Mr. Anjani Kumar Mishra, Adv.

Mr. Avijit Bhattacharjee, Adv.

Ms. Sneha Kalita, Adv.

Mr. Ananga Bhattacharyya, Adv.

Mr. Anip Sachthey, Adv.

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

Heard Ms. Meenakshi Arora, learned senior counsel appearing on behalf of the Election Commission of India.

In the event the Election Commission wants the Court to relax the rigours of the order dated 13.01.2016 with regard to transfers, it will be open for the Election Commission to file, in a sealed cover, the cases of individual officers, who according to it need to be transferred in view of the impending Elections along with the reasons therefor.

List the matter no sooner the application is filed on behalf of the Election Commission.

We have also perused the report submitted by Shri Prateek Hazela, State Co-ordinator and have heard him in-person. He has certain suggestions to offer with regard to smooth execution of the work of upgrading the NRC. The said suggestions would involve taking of certain administrative decisions and passing certain administrative orders.

Considering the nature of the orders that may be required to be passed we are of the view that the State Co-ordinator may approach the

Registrar General of India, in writing, offering his suggestions and seeking appropriate orders from the said authority. Once the said representation is filed, which we direct should be done within seven days from today, the RGI will address the issue and pass appropriate orders.

Writ Petition No.68 of 2016 be listed along with such application that may be filed by the Election Commission as indicated in our order passed in W.P.(C) No.562 of 2012 and connected matters.

(Neetu Khajuria)
Sr.P.A.

(Asha Soni)
Court Master