

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 DIRECTIONS AND IMPLEADMENT AS PARTY RESPONDENT
AND STAY 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 OFFICE REPORT)

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

(WITH APPLN.(S) FOR 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)

Date : 05/11/2015 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

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WP(C) 876/14, 311/15 &
rr in WP(C) 562/12

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WP(C) 274/09

Mr. Arvind Kumar Sharma, AOR

WP(C) 450/15, 449/15

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Mr. Z.H. Isaac Haiding, Adv.

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Mr. Ashok Kumar Singh, Adv.

Mr. Ananga Bhattacharyya, AOR

Mr. Mukund P., Adv.

State of Bihar

Mr. Rudreshwar Singh, Adv.

Mr. Gautam Singh, Adv.

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

We have perused the Supplementary Report dated 4th November, 2015 submitted by Shri Upamanyu Hazarika, learned Senior Advocate, pursuant to the order of this Court dated 14th July, 2015, whom we had appointed as the Court's Commissioner vide order dated 13th May, 2015. We have also perused the affidavit filed on behalf of the Union of India dated 3rd November, 2015 and the additional affidavit filed on behalf of the State of Assam dated 30th October, 2015. After perusing the said Supplementary Report dated 4th November, 2015 and the said two affidavits dated 3rd November, 2015 and 30th October, 2015, we put it to Shri P.S. Patwalia, learned Additional Solicitor General of India appearing for the Union of India and to Shri Jaideep Gupta, learned Senior Advocate appearing for the State of

Assam that in view of the lack of coordination between the Union of India and the State Government it may perhaps be better to have a Committee consisting of personnel from both the Union of India and the State Government which could iron out all differences and move ahead insofar as border infiltration is concerned. After having given our anxious consideration to this, we feel it would be best if the said Committee were to be constituted consisting of the Chief Secretary of the State of Assam and the Secretary (Border Management), Ministry of Home, Government of India. We expect that these two high ranking officers would do the needful by chalking out an action plan with estimated time limit of performance dealing with each of the subject matters mentioned in the Supplementary Report and the affidavit of the Union of India and the State of Assam. We expect that a preliminary meeting should take place as soon as is possible in order to chalk out how exactly the Committee intends to proceed in the matter. We would like to be informed on the next date of hearing which is fixed on 1st December, 2015 by which date we expect that the Committee will have sat at least once and deliberated over how exactly they are going to proceed in the matter.

Insofar as the preparation of NRC is concerned, we

have heard Mr. Prateek Hajela, State Coordinator, NRC, Assam and feel that appropriate directions will be passed on the next date of hearing. In the meanwhile, we expect that the State Government will do everything in its power including the furnishing of necessary man-power in order that the said mammoth task be completed at the earliest.

We are extremely grateful to Shri Upamanyu Hazarika, learned Senior Advocate, who has taken great pains and has apprised us of the situation as it obtains on the ground. We thank him for his efforts and finding that he has completed the task set out for him by this Court, there would not be any further requirement of his services. It is ordered accordingly.

We request the Hon'ble the Chief Justice of India to make available this Bench on 1st December, 2015 for the whole day for hearing of the issues raised before us.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER