

ITEM NO.302

COURT NO.3

SECTION PIL-W/X/XIV

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 (CIVIL) NO(S). 274/2009

ASSAM PUBLIC WORKS

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.
(AND IA NO.22616/2018-IMPLEADING PARTY)

RESPONDENT(S)

WITH

W.P.(C) NO. 562/2012 (X)
(I.A. 114708/2017 APPLICATION FOR EARLY HEARING IN W.P. (C)
562/2012 MAY BE LISTED)

W.P.(C) NO. 916/2014 (PIL-W)
(FOR STAY APPLICATION ON IA 1/2014 FOR [PERMISSION TO FILE
ANNEXURES] ON IA 2/2015 FOR EXEMPTION FROM FILING O.T. ON IA 3/2015
AND IA NO.119677/2017-IMPLEADING PARTY)

W.P.(C) NO. 876/2014 (X)
(FOR STAY APPLICATION ON IA 1/2014)

W.P.(C) NO. 311/2015 (X)
(FOR SEEKING LEAVE TO FILE WRITTEN ARGUMENTS ON IA 1/2015
FOR ON IA 2/2015)

W.P.(C) NO. 449/2015 (X)
(FOR ON IA 1/2015)

W.P.(C) NO. 450/2015 (X)
(FOR ON IA 1/2015)

W.P.(C) NO. 68/2016 (PIL-W)
(FOR INTERVENTION APPLICATION ON IA 1/2017)

DIARY NO(S). 13544/2017 (XIV)
(IA NO.43274/2017-CONDONATION OF DELAY IN FILING AND IA
NO.43277/2017-EXEMPTION FROM FILING O.T. AND IA NO.43276/2017-
PERMISSION TO FILE ADDITIONAL DOCUMENTS)

Date : 20-02-2018 These cases were called on for hearing today.

CORAM :

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HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

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State of T.N. Mr. M. Yogesh Kanna, AOR
Mrs. Sujatha Bagadhi, Adv.

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

We have heard Shri K.K. Venugopal, learned Attorney General for the Union of India and Shri Tushar Mehta, learned Additional Solicitor General for the State of Assam. We have also interacted with Shri Prateek Hajela, learned State Coordinator, NRC, Assam.

We have perused the report/reports submitted by Shri Prateek Hajela, learned Coordinator. After publication of the draft NRC on 31st December, 2017, further exercise of verification has been carried out and as per the report of the learned Coordinator another about 38.43 lakhs applications have been scrutinized bringing total number of scrutinized applications to about 2.29 crore leaving the balance applications to be scrutinized/verified to about 1 crore. The learned Coordinator has stated that by 31st

May, 2018 the verification of the balance 1 crore applications is expected to be over and thereafter another a month's time will be required for final mop-up operations. In the aforesaid report, the learned Coordinator has further stated that the time frame mentioned above is "based on a rigorous assessment of the numbers of cases that can be disposed of without compromising the quality of disposal". Thus, according to the learned Coordinator, by 30th June, 2018 the entire exercise of publication of complete/final draft NRC will be completed. The learned Coordinator in its report has categorized the one crore pending applications (as on 31-01-2018) in the following manner:

- (a) Family Tree mismatches (48 lakhs)
- (b) Gaon Panchayat Secretary Certificates (29 lakhs)
- (c) Persons for whom results of document verification are awaited (16 lakhs)
- (d) Technical hold cases (16 lakhs).

We have taken note of the aforesaid statements made by the learned Coordinator. At this stage, all that we consider it appropriate to direct is that the work of further verification as stated in the report of the learned Coordinator should continue without any

interference from any quarter(s) and with utmost speed and expedition. The progress on the ground in this regard will be monitored on the expiry of 30 days from today i.e. on 27th March, 2018 at 2.00 p.m.

From the materials on record it appears that the Local Body/Municipal/Panchayat elections in the State of Assam is due some time in March/April, 2018. The said elections will, naturally, have to be held as per the plans and schedule to be drawn up by the State Election Commission. However, we make it clear that the work of holding the Local Body/Municipal/Panchayat elections in the State of Assam will not be at the cost of upgradation/preparation of the final draft NRC and that the said work i.e. preparation/upgradation of the final draft NRC will continue as before with full deployment of manpower as on date. It is up to the State Election Commission and the State Authorities to take necessary action as may be required for holding of the Local Body/Municipal/Panchayat elections in the State of Assam.

It has also come to our notice from the materials on record that there is a proposal to appoint an Additional State Coordinator. We direct the Registrar General of India to desist from any such move

and we make it clear that the State Coordinator Shri Prateek Hajela presently engaged in the work of preparation/upgradation of final draft NRC will continue to carry out the exercise till it reaches its logical end.

No further directions would be required for the present.

The case be listed on 27th March, 2018 at 2.00 p.m. for further monitoring.

SLP(C) NO.....D.NO.13544/2017

De-tagged.

List the matter separately before the appropriate bench.

[VINOD LAKHINA]
AR-cum-PS

[ASHA SONI]
BRANCH OFFICER