

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA Nos. 20-38 with IA No.3 in Writ PETITION (CIVIL) NO.310/1996

PRAKASH SINGH AND OTHERS

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(FOR EXTENSION OF TIME AND DIRECTIONS/MODIFICATIONS AND
IMPLEADMENT/DIRECTION AND EXEMPTION FROM FLING O.T. AND SUSPENSION OF
IMPEMENTATIONS OF DIRECTION NOS.1, 4 & 6 OF THE ORDER OF THIS HON.COURT
DT.22.9.96 AND OFFICE REPORT)

WITH

CONMT.PETN. (C)No.92/2007 in W.P. (C)No.310/1996

AND CONT.PET. (C)NO.240/2007 IN W.P. (C)NO.310/2007

(with appln.(s) for exemption from filing O.T.)

Date: 16/05/2008 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE OF INDIA
HON'BLE MR. JUSTICE H.K. SEMA
HON'BLE DR. JUSTICE P.P. NAOLEKARFor Petitioner(s) Mr. Prashant Bhushan, Adv.
Mr. Rohit Kumar Singh, Adv.
Ms. Parul Kaur Majithia, Adv.

In Con.P.240/07 Mr.Ambhoj Kr.Sinha, Adv.

For Respondent(s) UOI

Mr. Raghenth Basant, Adv.
Ms. Sandhya Goswami, Adv.
Mrs. Sushma Suri, Adv.
Mr. P.Parmeswaran, Adv.
Mrs. Anil Katiyar, Adv.Mr. S.Wasim A.Qadri and
Mr. Rajiv Dubey, Adv.
Mr. Kamlendra Mishra

NCT, Delhi

Mr.S.W.A.Qadri, Adv.
Mr.D.S.Mehra, Adv.

For Tamilnadu/
Pondicherry

M/s VG Pragasam, Adv.
Mr. S.J. Aristotle, Adv.
S. Prabu Ramasubramanian, Adv.

Mr. R.K. Adsure, Adv.

Mr. Manjit Singh, Addl. Adv. General
M/s Harikesh Singh, TV George, Adv.

For Mizoram

M/s KN Madhusoodhanan &
R. Sathish, Adv.

for Rajasthan

Mr. Aruneshwar Gupta, Addl. Adv. General
M/s Naveen Kumar Singh, Adv.
Shashwat Gupta, Adv.

Ms. Indu Malhotra, Sr. Adv.
Mrs. Shashi M. Kapila, Adv.
Mr. Gopal Shankaranarayanan, Adv.

Mr. Anis Suhrawardy, Adv.
Mr. S. Mehdi Imam, Adv.
Mr. Aabrez Ahmad, Adv.

for Manipur

Kh. Nobin Singh, Adv.
Mr. David Rao, Adv.
Mr. Tarun Jamwal, Adv.
Mr. Vijay Prakash, Adv.
Mr. S. Biswajeet Mettei, Adv.

For UPSC

Ms Binu Tamta, Adv.

For State of W.B.

Mr. T.C. Sharma,
Ms. Neelam Sharma &

M/s HK Puri, Ujjwal Banerjee
SK Puri, Priya Puri and
VM Chauhan, Adv.

For Bihar

M/s Gopal Singh &
Mr. Ritu Raj Biswas,
Mr. Manish Kumar, Adv.

For Tripura

M/s Gopal Singh &
Rituraj Biswas, Adv.

for Jharkhand

M/s BB Singh & Kumar Rajesh Singh, Adv.

For Arunachal Pradesh Mr. Anil Shrivastava, Adv.
Mr. Ritu Raj, Adv.

Ms. Suparna Srivastava,
Ms. Nidhi Minocha,
Mr. Rajesh Srivastava, Advs.

for Orissa

Mr. U. Hazarika, Mr. Satya Mitra &
Ms. Sumita Hazarika, Advs.

Mr. VN Raghupathy, Adv.

Ms. Kavita Wadia, Adv.

Ms. Vibha Datta Makhija, Adv.

Mr. JS Attri, AAG.

Mr. Ranjan Mukherjee, Adv.

Mr. Sandeep Narain, Adv.
Mr. Shri Narain, Adv.
For M/s Narain & Co., Advs.

Mrs. Hemantika Wahi, Adv.
Ms. Jesal, Adv.
Ms. Pinky, Adv.
Miss Sangeeta Singh, Adv.

Mr. Jana Kalyan Das, Adv.

Mr. R. Ayyam Perumal, Adv.

for J. & K.

Mr. S. R. Singh, Sr. Adv.
Mr. Anis Suhrawardy, Adv.
Mrs. S. Anis, Adv.
Mr. S. Mehdi Imam, Adv.
Mr. Tabrez Ahmed, Adv.

For State of Kerala Mr. P. V. Dinesh, Adv.
Mr. K. B. Sandeep, Adv.

For Assam

Mr. Riku Sarma, Adv.
Mr. Ranjan Majumdar, Adv.
For M/s. Corporate Law Group, Advs.

For UT Chandigarh

Mr. Ashoka Kumar Thakur, Adv.
Mr. M. P. Jha, Adv.

For Goa	Ms.A.Subhashini, Adv.
For Nagaland	Mr.S.Balaji, Adv. Ms.Madhusmita Bora, Adv.
For Chhattisgarh	Mr.Atul Jha, Adv. Mr.D.K.Sinha, Adv.
for UP	Mr.R.G.Padia, Sr. Adv. Mr. G.V.Rao, Adv. Mr. L.Srivastava, Adv. Ms.Vandana Mishra, Adv.
for Punjab	Mr. Ajay Pal, Adv.
for Karnataka	Mr. S.R.Hegde, Adv. Mr. Amit Kumar, Adv. Mr. A.Rohan Singh, Adv.
For Sikkim	Mr.A.Mariarputham, Adv. Mrs.Aruna Mathur, Adv. For M/s.Arputham Aruna & Co., Adv. Mr.Mohan Prasad Meharia, Adv. Mr.Gopal Prasad, Adv. Mr.Ashok Mathur, Adv. Mr.K.K.Rai, Adv. Mr.Anuvrat Sharma, Adv. Mr.Lakshmi Raman Singh, Adv. Ms.Anitha Shenoy, Adv.
for Orissa	Mr.Radha Shyam Jena, Adv. Ms.Rachana Srivastava, Adv.

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


As regards the implementation of the various directions made by this Court in judgment dated 22.9.2006 Justice K.T.Thomas, former retired Judge of this Court is suggested to be as Chairman of the Committee and two other persons, one of the choice of Justice Thomas and the other as recommended by the Ministry of Home Affairs (incorporating various terms and conditions in the Committee) The Committee may file the report by three months.


Terms and conditions which are subject to the variation by the Committee are as under:

- 1.To examine the affidavits filed by the different States and the Union Territories in compliance to the Court's directions with reference to the ground realities.
- 2.Advise the Respondents wherever the implementation is falling short of the Court's orders, after considering the Respondents' stated difficulties in implementation.
- 3.Bring to the notice of the Court any genuine problems the Respondents may be having in view of the specific conditions prevailing in a State or Union Territory.
- 4.Examine the new legislations enacted by different States regarding the police to see whether these are in compliance with the letter and spirit of this Hon'ble Court's directions.
- 5.Apprise the Court about unnecessary objections or delays on the part of any Respondent so that appropriate follow up action could be taken against that Respondent.
- 6.Submit a Status report on compliance to this Hon'ble Court every six months.

The Committee shall be provided necessary infrastructure and required financial assistance by the Government of India [the Ministry of Home Affairs/Bureau of Police Research and Development (BPRD)] to enable it carry on its day to day functions. The Committee may, if necessary, visit a particular State for discussing any matter relating to implementation with the officers of that State. Home Ministry is directed to deposit Rs.10 lakhs with the Secretary General of Supreme Court towards initial expenses of the Committee.

The Committee will function initially for a period of two years only. This Hon'ble Court may, however, extend its life span, if considered necessary.


(Suman Wadhwa)
Court Master


(Veera Verma)
Court Master