

ITEM NO.301

COURT NO.1

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.

Respondent(s)

(I.A.NO.125532/2018-APPROPRIATE ORDERS/DIRECTIONS
IA NO.105327/2018-APPROPRIATE ORDERS/DIRECTIONS
IA NO.86040/2018-CLARIFICATION/DIRECTION
IA NO.86036/2018-CLARIFICATION/DIRECTION
IA NO.125538/2018- EXEMPTION FROM FILING O.T.
IA NO. 105666/2018-EXEMPTION FROM FILING O.T.
IA NO. 103961/2018-INTERVENTION APPLICATION
IA NO. 10/2013-INTERVENTION APPLICATION
IA NO. 121861/2018-INTERVENTION APPLICATION
IA NO. 125524/2018-INTERVENTION/IMPLEADMENT)

WITH

W.P.(C) NO. 562/2012 (X) (301.1)

IA NO.1/2012-STAY APPLICATION

IA NO.24/2017

IA NO.25/2017

IA NO.41036/2017-INTERVENTION/IMPLEADMENT APPLICATION

IA NO.92739/2018-INTERVENTION APPLICATION

W.P.(C) NO.916/2014 (PIL-W) (301.2)

IA 2/2015 FOR [PERMISSION TO FILE ANNEXURES]

IA 3/2015 FOR EXEMPTION FROM FILING O.T. AND

IA NO.119677/2017-IMPLEADING PARTY)

IA NO.1/2014-STAY APPLICATION

W.P.(C) NO.876/2014 (X) (301.3)

[IA NO.1/2014-STAY APPLICATION]

W.P.(C) NO.311/2015 (X)(301.4)

(IA 2/2015

IA NO.1/2015-SEEKING LEAVE TO FILE WRITTEN ARGUMENTS)

W.P.(C) NO.449/2015 (X) (301.5)

(FOR ON IA 1/2015)

W.P.(C) NO.450/2015 (X) (301.6)
(IA 1/2015)

W.P.(C) NO.68/2016 (PIL-W) (301.7)
IA NO.1/2017-INTERVENTION APPLICATION

W.P.(C) NO.470/2018 (X) (301.8)
(FOR ADMISSION AND I.R. AND IA NO.69948/2018-EXEMPTION FROM FILING O.T.)

DIARY NO.20944/2018 (XIV) (301.9)
(FOR ADMISSION AND I.R. AND IA NO.80351/2018-CONDONATION OF DELAY IN FILING AND IA NO.80352/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA NO.80350/2018-PERMISSION TO FILE SLP/TP)

DIARY NO.21214/2018 (XIV) (301.10)
(IA NO.84178/2018-CONDONATION OF DELAY IN FILING)

DIARY NO.21368/2018 (XIV) (301.11)
(FOR ADMISSION AND I.R. AND IA NO.82085/2018-CONDONATION OF DELAY IN FILING AND IA NO.82087/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA NO.82088/2018-INTERVENTION/IMPLEADMENT AND IA NO.82084/2018-PERMISSION TO FILE SLP/TP AND IA NO.82086/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS)

DIARY NO.21377/2018 (XIV) (301.12)
(FOR ADMISSION AND I.R. AND IA NO.92415/2018-CONDONATION OF DELAY IN FILING AND IA NO.92417/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA NO.92411/2018-PERMISSION TO FILE SLP/TP AND IA NO.92419/2018-CONDONATION OF DELAY IN REFILEING)

DIARY NO.21959/2018 (XIV) (301.13)
(FOR ADMISSION AND I.R. AND IA NO.82961/2018-CONDONATION OF DELAY IN FILING AND IA NO.82962/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA NO.82959/2018-PERMISSION TO FILE SLP/TP)

W.P.© NO.1047/2018 (X) (301.14)
(FOR ADMISSION and IA No.125802/2018-EXEMPTION FROM FILING O.T.)

Date : 23-10-2018 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

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

Pursuant to the order of this Court dated 19th September, 2018 Shri Prateek Hajela, learned State Coordinator, NRC, Assam has submitted two reports; one in sealed cover which will not call for any orders for the moment save and except, that the court has noted the contents thereof. The second report dated 4th October, 2018 contains, in detail, the reasons as to why Shri Hajela considers it inexpedient to allow claims for inclusion in the NRC to be filed on the basis of the five (05) documents description of which have been given in the previous order

of this Court dated 19th September, 2018 and the admissibility, etc. of which have been kept open by the aforesaid order dated 19th September, 2018.

At this stage, we are of the view that all the stake holders including the State of Assam and the Union of India should be allowed to file their objections to the stand taken by Shri Hajela in his aforesaid report dated 4th October, 2018, a copy whereof would be furnished by the Registry of this Court to the following stake-holders in the next two days:

1. State of Assam
2. Union of India
3. All Assam Students Union
4. All Assam Minorities Students' Union
5. Jamait Ulama -i-Hind
6. Assam Public Works
7. Assam Sanmilita Mahasangha
8. National Democratic Front of Bodoland
(Progressive)
9. Indigenous Tribal Peoples Federation
10. Joint Action Committee for Bangali
Refugees

The written objections of the aforesaid stakeholders will be brought on record on or before 30th October, 2018. The matter will be heard on 1st November, 2018.

To enable all the stake-holders to respond to the stand taken by Shri Hajela in his report dated 4th October, 2018, which would require a deep insight into the mechanism of the manual family tree as well as the computer family tree which is the basic exercise that was undertaken before preparation of the final draft NRC, we direct Shri Prateek Hajela, learned Coordinator, NRC, Assam to give a power-point presentation of the manner in which he had proceeded in preparation of the manual and the computer family tree for the purposes of deciding on the inclusion of names in the draft NRC. The power-point presentation will be given by Shri Hajela to the officials of the Government of Assam and the Union of India in the presence of Shri Tushar Mehta, learned Solicitor General or his authorized representative(s) as may be and also in the presence of one representative of all the other stake-holders who agree to be represented by Shri Kapil Sibal, learned Senior Counsel of this Court.

Once such written objections are received on or before the date fixed i.e. 30th October, 2018, further orders in the matter will be passed on 1st November, 2018.

Office to list the case accordingly.

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

ASSISTANT REGISTRAR