

ITEM NO.301

COURT NO.4

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

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.
[WITH OFFICE REPORT]

RESPONDENT(S)

WITH

W.P. (C) NO. 274/2009

W.P. (C) NO. 916/2014

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

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

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

W.P. (C) NO. 450/2015

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

Date : 13-07-2017 These matters were called on for hearing today.

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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

We have perused the report submitted by Shri Prateek Hajela, learned State Coordinator for National Registration (NRC) and Commissioner & Secretary, Home & Political, Government of Assam dated 12th July, 2017. The learned State Coordinator though had submitted before the Court at one point of time that the date of publication of the draft NRC would be sometime around 31st March, 2018 has now stated in his report to the Court that the draft NRC will be published on 31st December, 2017. We wonder whether the stand taken by the learned State Coordinator is pursuant to the statement made by the Hon'ble Chief Minister of the State of Assam that the draft NRC would be published on or before 31st December, 2017. We do not appreciate why any other authority is intervening in the matter of preparation and publication of the draft NRC when this Court has been in seisin of the matter for a fairly long time and has been monitoring the process.

Be that as it may, on the statement made by the learned State Coordinator, we now understand that the date for publication of the draft NRC is 31st December, 2017. Accordingly, all budgetary revisions as stated

in the report of the learned State Coordinator to be approved and implemented and requisite funds made available so that the process of publication of the draft NRC is completed on or before 31st December, 2017. Any difficulty(ies) that the learned State Coordinator may encounter in the process including intervention(s) by any other authority(ies) will be reported forthwith to this Court for appropriate orders.

In our previous orders dated 8th March, 2017 and 20th April, 2017 we had expressed the hope that the Committee under the Chairmanship of Shri Madhukar Gupta, Ex-Home Secretary which was monitoring the issue of border fencing on the western front could also do so for the Indo-Bangladesh border or at least the remaining unfenced area. We are told by Shri Ranjit Kumar, learned Solicitor General that a communication has been received from Shri Madhukar Gupta that on personal grounds/reasons he is unable to act in the matter, as desired by the Court. In such circumstances, the Court has no alternative but to constitute another Committee for which the learned Solicitor General as well as the learned counsels for all the contesting parties would suggest names within seven days from today. The composition of the

Committee in the light of the suggestions that may be forthcoming will be finalized by the Court sitting in Chambers on 21st July, 2017. Further orders with regard to the role of the Committee will be passed by the Court on the said date.

The matter be listed in open Court after submission of the report of the Committee to be appointed/constituted as per order to be passed in Chambers on 21st July, 2017 after the suggestions, as above, are received or upon receipt of any further report from the learned State Coordinator, as may be.

All applications for impleadment shall be posted before the Constitution Bench.

(VINOD LAKHINA)
AR-cum-PS

(ASHA SONI)
BRANCH OFFICER