
(2014) 10 SC CK 0014

In the Supreme Court Of India

Case No : W.P.(C) Nos. 75/2012 and 906/2014

Bachpan Bachao Andolan

APPELLANT

Vs

Union of India (UOI)

RESPONDENT

Date of Decision : 16-10-2014

Acts Referred:

Citation : 2014 (13) SCALE 81

Hon'ble Judges : H.L. Dattu, C.J.; Madan B. Lokur, J; Arjan Kumar Sikri, J

Bench : Full Bench

Final Decision : Allowed

Judgement

1. Shri H.S. Phoolka, learned senior counsel appearing for the Petitioner has brought to our notice that certain States inspite of our orders and directions, dated 17.01.2013 and 10.05.2013, have not filed their Status/Compliance reports as on 13.10.2014. In the memo filed, he has stated that the States of Jammu and Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Mizoram, Tripura, West Bengal; the Union Territories of Chandigarh and Dadra and Nagar Haveli and the NCT of Delhi have not filed their respective Status/ Compliance Reports. Therefore, in continuation of our earlier orders, we would now examine the case of each State/Union Territory serially and pass necessary directions to ensure compliance of the aforesaid. Insofar as the State of Jammu and Kashmir is concerned, we grant another four weeks" time from today for compliance with our orders and directions, dated 17.01.2013 and 10.05.2013.

2. As regards the State of Karnataka, it has also not filed its affidavit of compliance in accordance with the aforesaid orders. Therefore, we now direct the Chief Secretary of the State to be present before this Court on 25.11.2014 at 10.30 a.m.

3. Insofar as the State of Maharashtra is concerned, since the State administration is engaged in conducting the elections to the Legislative Assembly, we grant them another four weeks" time from today to ensure compliance with

our earlier orders.

4. We are informed by learned Counsel appearing for the State of Manipur that they have already filed their compliance report. Therefore, we request Shri Phoolka to examine the report so filed and render further assistance on the next date of hearing.

5. Insofar as the State of Mizoram is concerned, we grant another two weeks" time from today to file their compliance report.

6. In spite of granting sufficient time, the State of Tripura has not filed its compliance report. Therefore, we direct the Chief Secretary of the State to be present before this Court on 25.11.2014 at 10.30 a.m.

7. We grant another two weeks" time to the learned Counsel appearing for the State of West Bengal to file their compliance report in accordance with our earlier orders.

8. Insofar as the Union Territory of Chandigarh and the Union Territory of Dadra and Nagar Haveli are concerned, we grant another three weeks" time from today to file their compliance reports.

9. We are informed by the learned Counsel appearing for the NCT of Delhi that they have filed their compliance report.

10. The State of Madhya Pradesh is also granted another two weeks" time from today for filing its compliance report.

In re: States of Bihar and Chhattisgarh:

11. In order to determine whether the officers of the States of Bihar and Chhattisgarh have complied with the orders and directions issued by us on 17.01.2013 and 10.05.2013 in Writ Petition (C) No. 75 of 2012, we intend to not only require the learned Counsels for the respective States to be present before us, but also the responsible officers of the State Governments so as to facilitate us to pass appropriate orders. Therefore, we direct the Chief Secretaries and the Director General of Police of the States of Bihar and Chhattisgarh to be present before this Court on 30.10.2014 at 10.30 a.m.

W.P.(C) No. 906/2014:

12. Issue notice, returnable on 30.10.2014.

13. Reply, if any, to be filed by the States of Bihar and Chhattisgarh on or before 30.10.2014. List Writ Petition (C) No. 301 of 2012 along with these matters.