

Order of 14 March 2006 [top]

ITEM NO.1 COURT NO.4

SECTION PIL

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

W R I T P E T I T I O N (C I V I L) N O (s) . 1 9 6 O F 2 0 0 1

PEOPLE'S UNION FOR CIVIL LIBERTIES

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for interim relief and interim directions and extension of time, directions and permission to place additional documents on record and modification of Court's order dated 07.10.2004 and office report)

(For further consideration)

WITH

S.L.P.(C) NO. 17906 of 2003 - (With appln.(s) for c/delay in filing

SLP and permission to place addl. documents on record and exemption from filing O.T. and office report)

Date: 14/02/2006 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner(s) :

In WP(C)196

Mr. Colin Gonsalves, Sr.Adv.
Ms. Aparna Bhat, Adv.
Mr. P. Ramesh Kumar, Adv.
Mr. Anup Kumar Srivastava, Adv.
Ms. Poja Choudhary, Adv.

In SLP(C)17906

Mr. Rajesh Tyagi, Adv.
Dr. Aparana Bhardwaj, Adv.
for Mr. Praveen Jain, Adv.

For Respondent(s)/appearing parties :

For UOI

Mr. Mohan Parasaran, ASG
Ms. Sunita Sharma, Adv.
Ms.Sushma Suri, Adv.
Mr. D.S. Mahra, Adv.
Mr. V.K. Verma, Adv.
Mr. B.V. Balram Das, Adv.
Mr.Gaurav Dhingra, Adv.
Mr. Senthilvelan, Adv.
Mr.Chiddanand D.L., Adv.

For Impleading
parties

Mr. N.M. Varghese, Adv.
Ms. Tessy Paul, Adv.
Mr.K.V. Mohan, Adv.

For NCT of Delhi
M/o Food & Civil
Supplies

Mr. Ashok Bhan, Adv.
Ms. Anil Katiyar, Adv.

For State of
Andhra Pradesh

Mrs. D. Bharathi Reddy, Adv.

For State of
Arunachal Pradesh

Mr. Anil Shrivastava, Adv.
Mr. Saurabh Srivastava, Adv.

For State of Assam

Ms. Krishna Sarma, Adv.

	Mr. V.K. Sidatharan, Adv. Mr. Riku Sarma, Adv. for M/s. Corporate Law Group, Advs. Mr. Gopal Singh, Adv.
For State of Bihar	
For State of Chhatisgarh	Ms. Suparna Srivastava, Adv. Ms. Deepti Singh, Adv. Mr. Rajesh Srivastava, Adv.
For State of Goa	Ms. A. Subhashini, Adv.
For State of Gujarat	Ms. Hemantika Wahi, Adv. Ms. Shivangi, Adv.
For State of Haryana	Mr. Manjeet Singh, Adv. Mr. T.V. George, Adv.
For State of HP	Mr. J.S. Attri, AAG, HP
For State of J&K	Mr. Anis Suhrawardy, Adv.
For State of Jharkhand	Mr. Gopal Prasad, Adv.
For State of Karnataka	Mr. Sanjay R. Hegde, Adv. Mr. Anil K. Mishra, Adv. Mr. A. Rohen Singh, Adv.
For State of Kerala	Mr. Ramesh Babu M.R., Adv.
For State of Maharashtra	Mr. Ravindra K. Adsure, Adv.
For State of Manipur	Mr. KH. Nobin Singh, Adv.
For State of Meghalaya	Mr. Ranjan Mukherjee, Adv.
For State of Nagaland	Mr. U. Hazarika, Adv. Mr. Satya Mitra, Adv. Ms. Sumita Hazarika, Adv.
For State of Pondicherry	Mr. V.G. Pragasam, Adv.

For State of Pb. Mr. Sarup Singh, Sr. AAG, Punjab
Mr. Arun K. Sinha, Adv.

For St. of Mizoram Mr. K.N. Madhusoodhanan, Adv.
Mr. R. Sathish, Adv.

For State of Rajasthan Mr. Aruneshwar Gupta, AAG, Raj.
Mr. Naveen Kumar Singh, Adv.

For State of Sikkim Mr. A. Mariarputham, Adv.
Ms. Aruna Mathur, Adv.
for M/s. Arputham, Aruna & Co., Adv.

For State of Tripura Mr. Gopal Singh, Adv.
Mr. Rituraj Biswas, Adv.

For UT of Chandigarh Ms. Kamini Jaiswal, Adv.
Ms. Shomila Bakshi, Adv.

For State of Uttaranchal Ms. Rachana Srivastava, AAG

For State of WB Mr. Tara Chandra Sharma, adv.
Ms. Neelam Sharma, Adv.
Mr. Rajiv Sharma, Adv.

For State of U.P. Mr. Pahadia, Sr. Adv.
Mr. Ashok Srivastava, Adv.
Mr. Anuvrat Sharma, Adv.
Mr. Prashant Kumar, Adv.
Ms. Indra Sawhney, Adv.

State of M.P. Mr. B.S. Banthia, Adv.

State of TamilNadu Mr. Subramonium Prasad, Adv.
Mr. R.Gopal Krishanan, Adv.
Mr. Jana Kalyan Das, Adv.
Mr. R.K. Maheshwari, Adv.
Mr. S.V. Deshpande, Adv.
Mr. Prakash Shrivastava, Adv.
Mr. Vishwajit Singh, Adv.
Mr. Ashok Mathur, Adv.
Mr. Jitendra Kumar Bhatia, Adv.

In SLP(C)17906 Mr. N.K. Verma, Adv.
Ms. Sarla Chandra, Adv.

For R.No.2

Mr. Amit Pawan, Adv.
Mr. Irshad Ahmad, Adv.

UPON hearing counsel the Court made the following

O R D E R

Counsel for the parties state that a settlement has been arrived at between the petitioner and Ministry of Rural Development and the Ministry of Consumer Affairs, Food and Public Distribution, Government of India.

The terms of which are as follows:

"1.Food grain allocations by the Central Government to beneficiaries under TPDS will be continued to be made at the present to States on the basis of Planning commission estimates of 1993-94 poverty rations, which is at 36% applied to the population projections of the Registrar General of India as on 1.3.2000 or on the basis of families identified and issued ration cards by the State Government whichever is less.

2.The survey methodology for the next BPL census will be designed by the Ministry of Rural Development in consultation with the Supreme Court Commissioners in the right to food matter Case No. 196/2001 along with other sections of the society latest by the beginning of the XI Five Year Plan.

3.Provisions will be made to allow new names to be added and ineligible names deleted from the BPL List 2002 on a continuous basis during the period that the list will be applicable."

In view of the afore-stated settlement arrived at between the parties,counsel for the petitioner states that additional affidavit, as directed by this Court on 15.12.2005 is not required to be filed.

Counsel for the parties further state that I.A. Nos.25, 26, 31, 32, 48 and 53 may be disposed of in terms of the settlement arrived at between the parties. Ordered accordingly.

The stay order dated 5th May 2003 is vacated.

Adjourned by four weeks.

(Parveen Kr. Chawla)
Court Master

(Kanwal Singh)
Court Master