

ITEM NO.107

COURT NO .1

SECTION PIL

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

W.P.(C)NO.125/1998

A.I.LAWYERS FORUM FOR CIVIL LIBERTS.&ANR

Petitioner(s)

VERSUS

U.O.I. & ORS

Respondent(s)

WITH

W.P.(C)NO.664/2004

Date: 15/04/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE P.SATHASIVAM
HON'BLE MR. JUSTICE J.M. PANCHAL

Mr.G.E.Vahanvati,
Sol.Genl.of India (NP)

For Petitioner(s) Mr. M.A.Chinnasamy,Adv.(NP)

For Respondent(s) Mr.S.K.Dubey, Sr.Adv.
Mrs.Rekha Pandey, Adv.
Mr.Yogesh Tiwari, Adv.
Ms.Sushma Suri, Adv.
Mr.D.S.Mahra, Adv.
Mr.B.K.Prasad, Adv.
For Mr. P. Parmeswaran,Adv.

Mr. Gopal Singh ,Adv(NP)

Ms.Mamta Tushir, Adv.
for Ms. Hemantika Wahi ,Adv

Mr.Tara Chandra Sharma, Adv.

Mr.Shakil Ahmed Syed, Adv.(NP)

M/s.Corporate Law Group, Advs.(NP)

Mr.Anil Shrivastava, Adv. (NP)

Mr.Ranjan Mukherjee, Adv.(NP)

2

Ms.Meenakshi Arora, Adv.(NP)

Mr.C.D.Singh, Adv.(NP)

UPON hearing counsel the Court made the following
ORDER

Petitioner in these Writ Petitions has alleged that large scale illegal
immigrants are coming to India from Bangladesh and the Government of India

is not taking effective steps to prevent this illegal immigration. This Court passed various interim directions and directed the Union of India to do the needful and the Union of India has filed a Status Report along with an affidavit duly sworn to by the Director of Union Ministry of Home Affairs. In the Status Report it is stated that adequate steps have been taken to check the illegal immigration/infiltration from Bangladesh. It is stated that the fencing work had been undertaken under Phase-I and Phase-II projects along with Indo-Bangladesh border. Out of the 857.37 km. length of sanctioned fencing, 854.35 km. of fencing was completed under Phase I project; the remaining only 3.02 km. Border could not be fenced due to un-demarcated international border. Under Phase II project, the Government has sanctioned additional feasible length of 2579.00 km. Of fencing along Indo-Bangladesh Border. Out of the sanctioned fencing under Phase II, 1782.31 km. Of fencing has already been completed and the remaining sanctioned works are in progress. It is also stated that the requisite funds are being sanctioned to the construction agencies after evaluating the progress of completed works and the balance works to be completed by the agencies. It is also stated that 21 Foreigners Tribunals, in addition to the existing eleven Foreigners Tribunals in the State of Assam have

3

been set up in December, 2005 for detection of illegal migrants. It is further stated therein that

4

the round the clock surveillance of the border by the Border Security Force is being done and there is also a proposal for setting up of additional 383 Border Out Posts (BOPs) along Indo-Bangladesh Border to reduce the inter BOP distance for effective border domination and induction of hi-tech surveillance equipment including night vision devices are resorted to. Nationality verification of foreigner nationals/illegal migrants who are detected as illegal migrants/Bangladesh national is regularly taken up with the Government of Bangladesh for their deportation. Further details have also been furnished in the Status Report.

We direct the Union of India to continue to take preventive steps so that illegal migrants shall not come to India from the neighbouring countries. In view of the steps taken by the Union of India, we do not think any further orders are required in these Writ Petitions, except the direction to Union of India to take all

possible steps to prevent illegal immigrants.

The Writ Petitions are disposed of accordingly.

(G.V.Ramana)
Court Master

(Veera Verma)
Court Master