

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.56 OF 2004

PRAJWALA ... PETITIONER(S)

VS.

UNION OF INDIA & ORS. ... RESPONDENT(S)

J U D G M E N T

ANIL R. DAVE, J.

1. Heard the learned counsel.

2. We have gone through the affidavit dated 16th November, 2015 filed on behalf the Ministry of Women & Child Development, Government of India.

3. It has been submitted in the said affidavit that the Ministry of Home Affairs shall set up the "Organized Crime Investigative Agency" (OCIA). We hope that before 30th September, 2016, OCIA shall be set up and also hope that it is made functional before 1st December, 2016 looking to the importance of the issue before us.

4. We also record the fact, as mentioned in the Office Memorandum dated 16th November, 2015, that the Ministry of Women & Child Development has taken a policy decision to constitute a Committee under chairmanship of the Secretary, Ministry of Women & Child Development, Government of India,

for preparing a comprehensive legislation dealing with the subject of trafficking.

5. The afore-stated Committee is to work on the following terms and reference :

- To study the various Acts/Legislations under the purview of different Ministries/ Departments relating to various aspects of trafficking.
- To consider the gaps in the existing legislation, from the point of view of prevention, pre-rescue, rescue, post-rescue and rehabilitation aspects.
- To strengthen victim protection protocol so as to ensure that victims are treated as victims not as offenders.
- To draft a comprehensive legislative framework covering all aspects of trafficking, as may be considered necessary.
- To provide for adequate shelter homes for the rescued victims.
- To prepare a comprehensive policy for law enforcing agencies, including for lady police officers for handling the victims of trafficking.

6. We are sure that the Committee shall do the needful at an early date so that appropriate law can be enacted on the subject. We hope that the Committee shall prepare and submit its report preferably in six months.

7. In view of the above development in the matter, this

petition does not survive. The writ petition is, accordingly disposed of.

8. We record our appreciation for Prajwala and Dr. Sunitha Krishnan for bringing such an important and humanitarian issue to our notice and for able assistance rendered by learned Senior Counsel Mr. Dushyant Dave and Ms. Indu Malhotra, learned Additional Solicitor General Mr. N.K. Kaul and learned Advocate Ms. Aparna Bhat, National Legal Services Authority and other learned advocates in the process of disposing of this case relating to social problems.

I.A.Nos.3 to 5 of 2015 (For impleadment):

9. A statement has been made on behalf of the Union of India that if any suggestion is made by anybody including the applicants to the Ministry of Home Affairs, the same will be looked into.

11. In view of the above statement made on behalf of the Union of India, I.A.Nos.3 to 5 of 2015 are disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[MADAN B. LOKUR]

.....J.
[KURIAN JOSEPH]

New Delhi;
9th December, 2015.

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 (C) No(s).56/2004

PRAJWALA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for exemption from filing O.T., directions and impleadment and office report)

Date : 09/12/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. F.S. Nariman, Sr. Adv. (A.C.) (Not present)

Ms. Aparna Bhat, Adv.
Ms. Tanima Kishore, Adv.

For Respondent(s) Mr. K. Radhakrishnan, Sr. Adv.
Min. of Home Aff. Mr. R.M. Bajaj, Adv.
& Child Welfare Mr. S.W.A. Qadri, Adv.
& HRD Ms. Sadhana Sandhu, Adv.

Mr. Kumar Parimal, Adv.
Ms. Kiran Bhardwaj, Adv.
Mr. P.K. Dey, Adv.
Ms. Sunita Sharma, Adv.
Mr. M. Kharati, Adv.
Ms. Gunwant Dara, Adv.
Mr. Nitesh Daryrani, Adv.
Mr. Tamim Qadri, Adv.
Mr. Zaid Ali, Adv.
Ms. Sushma Suri, Adv.
Ms. Anil Katiyar, Adv.
Mr. D.S. Mahra, Adv.
Mr. S.N. Terdal, Adv.
Mr. B.V. Balaramdas, Adv.

NALSA Ms. Indu Malhotra, Sr. Adv.
Ms. B. Sunita Rao, Adv.
Mr. Anurag, Adv.

NCT Ms. Kiran Bhardwaj, Adv.
For Mr. D.S. Mahra, Adv.

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State of Mizoram	Mr. K.N. Madhusoodhanan,Adv. Mr. R. Satish,Adv. Mr. P.V. Yogeswaran,Adv.
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State of Orissa	Mr. Sibbo Sankar Mishra,Adv. Mr. Niranjan Sahu,Adv.
State of Punjab	Mr. Jagjit Singh Chhabra,Adv. Mr. Kuldeep Singh,Adv.
State of Raj.	Mr. Amit Sharma,Adv. Mr. Yishu Prayas,Adv. Mr. S. Spanda Reddy,Adv. For Ms. Ruchi Kohli,Adv.
State of Sikkim	Mr. Aruna Mathur,Adv. Mr. Avneesh Arputham,Adv. Ms. Anuradha Arputham,Adv. Mr. Yusuf Khan,Adv. Mr. Shobhit Nanda,Adv. For M/s. Arputham, Aruna & Co.,Advs.
State of Telanga	Mr. S.U.K. Sagar,Adv. Mr. Krishna Kumar Singh,Adv.
State of Tripura	Mr. Gopal Singh,Adv. Mr. Rituraj Biswas,Adv.
State of UP	Mr. V.K. Shukla,Adv. Ms. Pragati Neekhra,Adv.
State of Uttaranchal	Mr. Jatinder Kumar Bhatia,Adv. Mr. Mukesh Verma,Adv. Ms. Rachana Srivastava,Adv.
State of WB	Mr. Soumitra G. Chaudhuri,Adv. Mr. Parijat Sinha,Adv.

Applicants
in IA 3-5

Mr. Anand Grover, Sr. Adv.
Mr. Purushottam Sharma Tripathi, Adv.
Ms. Tripti Tandon, Adv.
Ms. Amritananda Chakravorty, Adv.
Mr. Mukesh Kumar Singh, Adv.
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Mr. Ravi Prakash Mehrotra, Adv.
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Mr. B.S. Banthia, Adv.
Mr. Arun K. Sinha, Adv.
Mr. Rajesh Srivastava, Adv.
Mr. T.V. George, Adv.
Mr. R. Ayyam Perumal, Adv.
Mr. Naresh K. Sharma, Adv.
Ms. Sumita Hazarika, Adv.
Ms. A. Subhashini, Adv.
Mr. Sanjay Jain, Adv.
Ms. Ruby Singh Ahuja, Adv.

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

The writ petition and I.A.Nos.3 to 5 of 2015 are
disposed of in terms of Non-reportable judgment.

(Sarita Purohit)
Court Master

(Sneh Bala Mehra)
Assistant Registrar

(Signed Non-reportable judgment is placed on the file)