

ITEM NO.103

COURT NO.4

SECTION 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). 527/1998

ACTION COMMITTEE FOR THE IMPLEMENTATION OF SRI KRISHNA  
REPORT & ORS. Petitioner(s)

VERSUS

U.O.I. & ORS. Respondent(s)

( [ TO GO BE FORE THREE HONBLE JUDGES] )

WITH

W.P.(C) No. 542/1998 (PIL-W)

W.P.(C) No. 40/1999 (PIL-W)

W.P.(C) No. 164/1999 (PIL-W)

W.P.(C) No. 182/2001 (PIL-W)

Date : 11-02-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT  
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Parties:

Mr. Colin Gonsalves, Sr. Adv.  
Olivia Bang, Adv.  
Ms. Pragya Ganjoo, Adv.  
Mr. Shakil Ahmed Syed, AOR  
Mohd. Parvez Dabas, Adv.  
Usmi Jameel Husain, Adv.

Mr. Rahul Chitnis, Adv.  
Mr. Aaditya A. Pande, Adv.  
Mr. Sachin Patel, AOR

Dr. Nafis A. Siddiqui, AOR

Mr. Ejaz Maqbool, AOR  
Mr. Muhammad Isa M. Hakim, Adv.  
Ms. Aishwarya Sarkar, Adv.

Mr. Colin Gonsalves, Sr. Adv.  
Mr. Gunjan Singh, Adv.  
Ms. Jyoti Mendiratta, AOR

Ms. Pragya Ganjoo, Adv.

Ms. Binu Tamta, AOR

Mr. Nachiketa Joshi, Adv.  
Swarupama Chaturvedi, Adv.  
Mr. Raj Bahadur, AOR  
Mr. B. Krishna Prasad, AOR

Mr. Shivaji M. Jadhav, AOR  
Mr. P. Parmeswaran, AOR

Mr. V. N. Raghupathy, AOR

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

We have heard Mr. Colin Gonsalves, learned Senior Counsel for the petitioners for some time. He has pointed out that despite the fact that the Srikrishna Commission Report was dated 16.02.1998, 22 years ago, yet the State Government has continuously dragged its feet and done precious little to implement the findings of the Report, after stating that so far as the Police Officers are concerned, the State has no quarrel with the Report.

He has also pointed out a Chart of Police Officers against whom little or no action has been taken, which chart is divided into 3 sub-categories. (i) Police Officers against whom, FIR has been lodged but no arrest, suspension or dismissal has taken place; (ii) Police Officers against whom a departmental inquiry is completed but minor or no action is taken (iii) Police Officers who have been exonerated altogether, some of whom have been promoted. This Chart appears from Page Nos. 89-99 in W.P. (C) No. 182/2001.

Despite the fact that this Court has called upon the State to file a detailed affidavit, regarding the action taken against the Police Officers, way back in December, 2018 and reiterated

thereafter nothing has been done so far.

We direct the Secretary (Home) of the State of Maharashtra to file a detailed response/status report in respect of each and every such officer mentioned in these Charts which would include a response as to criminal action taken and its culmination (including appeals, revisions filed and the orders therein); departmental action taken and its culmination; as also as to whether the said police officers continue in service or have since retired. The Affidavit must also indicate (i) the number of victims identified in the report or otherwise (ii) the numbers of persons who went missing (iii) the compensation, if any, paid by the State (iv) the victims to whom compensation was paid and the quantum thereof. A separate Chart in this behalf must be annexed to the affidavit.

Considering that this Court's orders have not been obeyed either in letter or in spirit, we direct that the Secretary (Home) of the State of Maharashtra, after gathering the necessary facts, file an affidavit/status report within a period of four weeks from today without any further delay.

List on Tuesday, the 17<sup>th</sup> March, 2020.

(R. NATARAJAN)  
AR CUM PS

(NISHA TRIPATHI)  
BRANCH OFFICER