

ITEM NO.1

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).659/2007

THE ENVIRONMENT AND CONSUMER
PROTECTION FOUNDATION ETC.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(WITH APPLICATION FOR DIRECTIONS ON IA 2/2012 and FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 3/2012 AND FOR INTERVENTION and IA No.141898/2017-I/A FOR WAIVER OF COSTS FILED BY THE STATE OF KERALA and IA No.1199/2018-I/A FOR EXEMPTION FROM PAYMENT OF COST FILED BY RES. UNION TERRITORY OF PUDUCHERRY and IA No.13034/2018- for MODIFICATION)

WITH

W.P.(C) No. 168/2012 (PIL-W)

W.P.(C) No. 133/2012 (PIL-W)

(WITH IA No.138841/2017-I/A FOR WAIVER OF COST ON BEHALF OF RESP. NO. 26)

Date : 30-01-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Ravindra Bana, AOR
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 Ms. Joshita Pai, Adv.

**For States of
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Karnataka

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 Mr. Nishant R. Katneswarkar, Adv.

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Chandigarh	Mr. Sudarshan Singh Rawat, AOR

Dr. Aman Hingorani, Adv.
Ms. Priya Hingorani, Adv.

(As per appearance slip)

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

Learned Solicitor General had submitted an Agreed Action Plan which was required to be implemented.

The Ministry of Women and Child Development, Government of India appears to have sent a copy of the Agreed Action Plan and invited information from the State Governments/Union Territories with regard to the implementation of the Agreed Action Plan.

It appears that almost all the States/Union Territories have responded. The affidavit in compliance filed by the Union of India, through the Ministry of Women and Child Development does not appear to be complete inasmuch as applications have been filed by some of the States/Union Territories to the effect that they had given the response to the Ministry of Women and Child Development, but, the response was not included in the affidavit in compliance.

Under the circumstances, we direct the Union of India through the Ministry of Women and Child Development to update its information as far as possible and if there is some deficiency in compliance, the same should be communicated to the State Governments and the Union Territories and they should comply with all the

requirements on or before 28th February, 2018 positively.

Apart from the Agreed Action Plan, a Committee constituted by this Court by the judgment and order dated 11th August, 2017 had put in considerable effort and had prepared a comprehensive report incorporating all the suggestions and information derived from various reports that had been filed in this Court from time to time and also the way forward. Although the Report is dated 27th November, 2017, it was made available to learned counsel for the Union of India, through the Ministry of Women and Child Development, the petitioner, National Commission for Women and NALSA soon after the order dated 6th December, 2017.

Learned counsel for the State Governments were expected to obtain copies of the Report, but it seems that they have not done so. They may now approach the Registry of this Court and obtain copies of this Report on appropriate payment.

The Ministry of Women and Child Development may consider putting up the Report on their website.

We would like the Union of India, through the Ministry of Women and Child Development, to respond to the Report even though we had mentioned in our order dated 6th December, 2017 that the Report should be implemented. The response of the Union of India through the Ministry of Women and Child Development should be given to us within a week so that necessary and

expeditious steps can be taken for implementation of the Report.

Learned counsel appearing on behalf of the National Commission for Women has placed before us information with regard to the constitution of the State Commission for Women. The information appears to be, at least in some cases, outdated. We would like to have updated information in this regard as on 31st January, 2018, including statutory compliance regarding the constitution/composition.

The National Commission for Women should upload a copy of the Report on the website within three days so that all the State Commissions may give their response to the National Commission for Women within one week.

As far as NALSA is concerned, no further directions are required to be given since it is complying with the Agreed Action Plan.

List the matter on 7th February, 2018.

Applications for intervention/impleadment are dismissed.

Application filed by the State of Jammu and Kashmir is allowed.

In view of the fact that there appears to be some lack of communication between the Union of India and the State Governments/Union Territories, costs imposed by our order dated 6th December, 2017 are waived in respect of the States of Uttar Pradesh, Kerala, Bihar. Tripura,

Punjab and U.T. of Puducherry. Accordingly, applications filed by them for waiver of costs are disposed of.

Applications for directions (IA No.2/2012) and for permission to file additional documents (IA No.3/2012) are disposed of as infructuous.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER