

Supreme Court Legal Services Committee Vs. U.O.i. and ors.

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Court : Supreme Court of India

Decided On : Feb-10-1998

Reported in : AIR1998SC2940; 1999(1)Crimes1(SC); JT1998(4)SC320; 1998(2)SCALE81

Judge : K. Venkataswami and; S.P. Kurdukar, JJ.

Appeal No. : W.P. (Cri.) No. 312/94 with W.P. (C) No. 637/97

Appellant : Supreme Court Legal Services Committee

Respondent : U.O.i. and ors.

Judgement :

ORDER

1. In our order dated 25.11.97 we were constrained to point out that in spite of lapse of two years nothing has been done and therefore we were required to direct all the States to comply with the directions in all respects by February 3, 1998. Except the State of Orissa, none of the States have complied with the directions given in full. In fact this Court in the said order observed as follows:

'It is made clear that in the event of failure to comply with these directions, contempt proceedings will have to be initiated against the Chief Secretary of the State Government/Union Territory Administration concerned. An affidavit about compliance of these directions shall be filed on behalf of the State Governments/Union Territories by February 3, 1998.'

2. As pointed out, except State of Orissa, no other State/Union Territory has complied with our directions in full. Some excuses are sought to be given before us but we do not find any justification for accepting such lame excuses.

3. Therefore, we direct the Registry to issue notices for contempt, except to State of Orissa, as directed in the order dated 25.11.97 returnable by 5.5.1998.

4. We give, in the meanwhile, time till 30-4-1998, to all the defaulting States/Union Territory Administration to comply with in full the directions given by this Court on 25-11-97 and file an affidavit to that effect one week before 30th April, 1998. If by that time the directions in full and in all respects are complied with, the notices now issued for contempt may be treated as withdrawn otherwise the concerned Chief Secretaries of State Government/Union Territory Administration shall have to appear before this Court in-person on May 5, 1998 and answer the notice for contempt.

5. The contempt notices be issued to all the Chief Secretaries of States/Union Territory Administration concerned except the State of Orissa.

W.P.(C) No. 637/97: Adjourned to May 5, 1998.

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