

WPC D.22892/2023

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ITEM NO.30

COURT NO.1

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 (CIVIL) Diary No.22892/2023

AGNOSTOS THEOS

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With IA No.144742/2023-EX-PARTE STAY and IA No.144740/2023-
CONDONATION OF DELAY IN REFILEING/CURING THE DEFECTS)

Date : 14-08-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Sureshan P., AOR
Mr. Shivam Yadav, Adv.

For Respondent(s)

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

- 1 Delay condoned.
- 2 The reliefs which have been sought under Article 32 of the Constitution are as under:
 - a) Pass an appropriate writ of mandamus or direction to the respondents to set up national level agency to deal with

organized especially smuggling, crimes operating terrorist, human cybercrimes, beyond state trafficking, borders, narcotics insurgency and large-scale political violence.

- b) Pass a Judicial order to setting up a National Internal Security Coordination Council (NISCC) under the control of a committee constituted by the president of India on the recommendation of the Chief Justice of India.
- c) Pass a Judicial order to constitute a high power committee to formulate guidelines in respect of appointment, transfer and take disciplinary actions against the members of the proposed National Internal Security Coordination Council (NISCC).
- d) Pass a judicial declaration that Once a National Internal Security Coordination Council (NISCC) is constituted then the national and state level investigation agencies across the country will come under the direct control and supervision of the said council and no legislative body or elected government has any control over it other than formulating regulations and providing financial supports.”

3 The directions which have been sought pertain to the legislative and policy domain. Hence, this Court would not be justified in exercising the jurisdiction under Article 32 of the Constitution.

4 The Petition is accordingly dismissed.

5 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar