

**IN THE SUPREME COURT OF INDIA  
EXTRA ORDINARY ORIGINAL JURISDICTION  
WRIT PETITION (CRIMINAL) NO. 137 OF 2022  
(UNDER ARTICLE 32 OF CONSTITUTION OF INDIA)**

**IN THE MATTER OF:**

**MOST REV. DR. PETER MACHADO AND ORS. ... PETITIONER  
VS.  
UNION OF INDIA AND ORS. ... RESPONDENTS**

**PRELIMINARY OBJECTIONS ON BEHALF OF  
THE RESPONDENT NO. 1**

I, P Venukuttan Nair, [REDACTED]

[REDACTED] presently working as Deputy Secretary, Ministry of Home Affairs, New Delhi, do hereby solemnly affirm and state as follows:

1. That I am working as a Deputy Secretary, Ministry of Home Affairs, New Delhi- Respondent no. 1 in the present petition and as such I am acquainted with the facts of this case. I have perused the record and am competent and authorized to swear this affidavit.
2. I state and submit that I am filing the present affidavit as preliminary objections only. I seek liberty to file a further detailed affidavit, as and when I am so advised or directed by this Hon'ble Court.
3. The present Writ Petition u/A 32 of the Constitution of India has been filed Rev. Dr. Peter Machado of National Solidarity Forum, Rev. Vijayesh Lal of Evangelical Fellowship of India and others, seeking directions to stop the alleged violence against the members of Christian community in the country. The Union of India and all States, including all Union Territories, have been made respondents in the Petition. The relief claimed are quoted as under :

*“28. In view of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to:*

- a) *For a writ, order or direction along the lines of the Supreme Court order dated 17th July 2018 in Tehseen Poonawalla v. Union of India, [(2018) 9 SCC 501] set out at paragraph 23 of this Petition.*
- b) *For a writ, order or direction setting up Special Investigation Teams State wise of officers from outside the States where the incidents set out in this petition are mentioned, to register FIRs, conduct criminal investigations and prosecute the criminal offenders in accordance with law;*
- c) *For an order directing the SITs to file closure reports in accordance with law, where false counter FIRs have been filed by the assailants against the victims;*
- d) *For an order directing each state to provide police protection for prayer meetings;*
- e) *For an order directing the SITs to identify and prosecute such members of the political/social organizations who conspired and instigated the assaults as described in this petition;*
- f) *For an order directing the State Governments to properly assess the damage caused to property and pay compensation accordingly;*
- g) *For an order directing the State Governments to set up a website and make information available on all these trials-state wise relating to instances of communal violence against the Christian community;*
- h) *For an order directing the State Governments to pay compensation to all members of the victim community who were illegally arrested;*
- i) *Prosecute police officials who fail in their constitutionally mandated duty to enforce the law of the land, by being complicit in attacks against religious minorities, and by shielding the attackers or otherwise scuttling due process of law.*
- j) *Pass any further order or orders as this Hon'ble Court may deem fit and proper."*

4. At the outset, it is submitted that the Union of India is committed to ensuring rule of law in the country and ensuring all communities, individuals and groups are provided with equal protection of the laws in the country.

5. Further, it is submitted that it is the requirement of the law that before seeking any writ of this Hon'ble Court, a factual foundation as to the violation of fundamental rights in question ought to be established before the Hon'ble Court. It is submitted that in *Kusum Ingots & Alloys Ltd. v. Union of India*, (2004) 6 SCC 254, this Hon'ble Court has held as under :

*“18. The facts pleaded in the writ petition must have a nexus on the basis whereof a prayer can be granted. **Those facts which have nothing to do with the prayer made therein cannot be said to give rise to a cause of action which would confer jurisdiction on the Court.**”*

6. It is submitted that therefore, in the absence of material particulars or in any case - there exist serious discrepancy in the facts as alleged in a petition, as stated hereunder, this Hon'ble Court may decline to entertain the petition. Further, it is a settled principle of law that this Hon'ble Court in writ jurisdiction is not a forum wherein opposing claims on facts can be established and it does not indulge in a factual enquiry under writ jurisdiction.

7. It is submitted that on a preliminary ascertainment of truthfulness of the assertions as alleged in the petition, on the basis of inputs received, it is found that the Petitioner has resorted to falsehood and some selective self-serving documents. The present affidavit seeks to point out the said inputs to this Hon'ble Court.

8. It is submitted that the petitioners claimed to have based the petition on information gathered through sources like press reports (the Wire, the Scroll, the Hindustan Times, Dainik Bhaskar, etc.), “independent” online databases and from findings of various non-profit organisations. It is

submitted that enquiries reveal that majority of the incidents alleged as Christian persecution in these reports were either false or wrongfully projected. In some cases, incidents of purely criminal nature and arising out of personal issues, have been categorised as violence targeting Christians. It is submitted that several incidents, which were found to be true or exaggerated, were not necessarily related to incidents of violence targeting Christians. For instance, incidents wherein merely complaints/accusations were made against Christians had also been cited as instances of persecution of a particular community in the report.

9. It is submitted that incidents of minor disputes, where no religious/communal angle existed, had also been published in the self serving Reports as instances of violence against Christians. A local dispute between two parties was given a religious colour in the report. For instance, it was mentioned that one Varsha and her family (Christian) were heckled by some people at their home in Shahgarh (district Sagar, Madhya Pradesh) for not celebrating Diwali (November 6, 2021). However, it appears that there was a private dispute between the two parties, which had nothing to do with religious background of the two parties. In the said case, both parties had filed cases and counter cases against each other with the local police.

10. It is submitted that clearly, the reports seem to be based on misleading and self-serving data being compiled by certain organisations. It is submitted that a preliminary factual check and the inputs received thereof further indicates that in any alleged crime, wherein the victim practiced the particular religion, the reports have sought to assume a communal reason behind the same without even ascertainment of basic facts. It is submitted that further, a preliminary factual check and the inputs received thereof reveals that legal actions taken by local administration against illegal constructions were also being projected as instances of religious targeting of places. It is submitted that the said reports, which form the basis of the

present petition, seeks to portray any and all criminal incidents, in case where the victim party was of a particular religion, as incidents of violence against the victim due to religious reasons without there being any factual basis behind such presumption.

11. It is submitted that incidents, wherein the Police had questioned certain persons, based on complaints against them, were being projected as biased police action. It is submitted that the fact that the Police had conducted these enquiries neutrally and there was no harassment or legal action against the purported victims had been conveniently omitted by the Petitioner. It is submitted that further, the petitioners had further alleged that the Police had been negligent and biased in its approach, and its 'complicit' role had strengthened the vigilante groups leading to an atmosphere of intolerance. On the contrary, a preliminary factual check and the inputs received thereof reveals that the Police had taken prompt action in numerous cases and conducted necessary investigation as per rules. It may not be out of place to mention that no affected person has not taken any recourse to law either based upon the grounds as alleged or otherwise.

12. It is submitted that the Petition includes the *Evangelical Fellowship of India-Religious Liberty Commission/EFI-RLC's* self-serving report titled '*Hate and targeted violence against Christians in India, 2021*', highlighting incidents of violence against Christians and their properties. It is submitted that a preliminary factual check of the mentioned incidents and the inputs received thereof revealed that in the said report, about 162 incidents were not truthfully recorded and the remaining 139 were either false or deliberately projected wrongfully as instances of targeted violence against Christians.

13. It is submitted that the preliminary factual check and the inputs received thereof reveals that the EFI/RLC gave an account of instances, which neither occurred nor any Police complaint was lodged in the concerned

Police Stations. It is submitted that in the said report, even family feuds and private land disputes were shown as communal targetting. The EFI-RLC had sourced its data from the Persecution Relief (PR) and the Alliance Defending Freedom, etc. Pertinently, the PR had compiled incidents of alleged violence against persons of a particular religion were based on calls received on its helpline (1800-1234- 461). It is submitted that it appears that the incidents were included without corroborating facts purportedly to increase the number of cases.

14. It is submitted that in reference to Annxure-P15, regarding 'Christians Under Attack in India- a fact finding report' prepared by the Association for Protection of Civil Rights (APCR), the UCF, and United Against Hate (UAH), a preliminary factual check and the inputs received thereof reveals that most of the allegations and observations made in the report were found to be unfounded and the majority of the incidents quoted either were false or deliberately exaggerated, and uncorroborated. The incidents, quoted here, from the UCF, PR and EFI/RLC's reports were based on the alleged calls on their helpline and social media sites and the said organisations have no mechanism to corroborate the incidents reported to them over the helpline or their websites. It is submitted that further, links of reports mentioned in the petition under the head, 'List of Dates and Events' had repetition of incidents, which had also been compiled by the EFI-RLC.

15. It is submitted that apart from the above, the individual instances mentioned by the Petitioner by placing reliance on reports of news outlets, also shows a deliberate distortion of facts regarding the events that unfolded in the said incidents. It is submitted that the following table, which contains excerpts from the self-serving articles, will further illustrate the obvious lack of particulars in the present petition :

SR.	CLAIMS	PRELIMINARY FACTUAL CHECK ON THE BASIS OF INPUTS
1.	Reported by the Wire on 26.9.2021 'The Wire reported an article titled "XXX threatening to demolish Churches in MP, Bishop Appeals to President to intervene'.	Auxiliary Bishop Paul Muniya had submitted a memorandum on September 17 over the mentioned issue. However, no mention was made about September 26 deadline to demolish churches. The district administration had intervened and pacified both the parties.
2.	Reported by the Wire on 4.10.2021- 'Wire published a report highlighting an incident about members of XXX and other right-wing groups vandalised a Church in Roorkee'.	An incident of attack was reported (October 3) on 8/10 individuals, who had assembled for Sunday prayers at House of Prayer (learnt to be associated with Gospel Fellowship Church, Roorkee, district Haridwar). In January this year, Police had arrested the accused person, Shiv Prasad Tyagi and Sunil Kashyap, in a case (crime No. 643/2022 dated 03/10/2021 u/s 395, 295, 296, 323, 504, 506, 427 IPC) at PS Kotwali Civil lines.
3.	Reported by The Hindustan Times on 22.12.2021- 'Hindustan Times media house reported that a 150-year-old Church was vandalised by unidentified persons in early	A complaint was lodged in the local Police station. The incident was of criminal nature, and the Police intervened and brought the situation under control.

SR.	CLAIMS	PRELIMINARY FACTUAL CHECK ON THE BASIS OF INPUTS
	<p>morning hours. The miscreants vandalised the statue of St. Antony at St. Joseph's church in Susaipalaya area'.</p>	
4.	<p>Reported by the Republic World on 27.12.2021- 'The Republic World published a news item stating on 26.12.2021 a statue of Jesus Christ in a church in Ambala, Haryana was vandalised by a few religious extremist groups.'</p>	<p>The incident was of criminal nature and an FIR No. 654 dated 26.12.2021 u/s 295, 427, 452 of IPC was registered at PS Ambala Cantt. against unknown miscreants and two persons were arrested by the local Police on the next day. It appears that the two accused persons had visited the Church in an inebriated state on the night of incident under the impression that some cultural programme was being held in the Church.</p>
5.	<p>Reported by The Dainik Bhaskar on 27.12.2021- 'Dainik Bhaskar published a news item stating on 27.12.2021 a Church in Daruwa village, Lesliganj PS, Palamu district, Jharkhand was attacked and the prayer meeting was disrupted by members of extremists groups who physically abused and</p>	<p>On December 23, 2021, a programme was organised by Mashih Samaj in the house of one Chhotan Oraon, r/o village Darua (district Palamu) to celebrate Christmas. The villagers (50/60) alleged that Mashih Samaj were gathered for conversion activities and disrupted the function. In this case, the Police immediately</p>



SR.	CLAIMS	PRELIMINARY FACTUAL CHECK ON THE BASIS OF INPUTS
	assaulted the worshipping Christians.	intervened and instructed the villagers to celebrate Christmas peacefully. In this connection, two separate cases were registered in Lesliganj Police Station on December 27, 2021.

16. It is submitted that that a perusal of half-baked and self-serving facts and self-serving articles and reports culminating in to a petition - based upon mere conjectures - clearly appears to be for an oblique purpose. It is a recent trend that certain organisations start planting articles and preparing self-serving reports themselves or through their associates, which eventually become the basis of a writ petition / PIL. This is a hazardous trend and defeats the very object as to why PIL jurisdiction was originated by this Hon'ble Court.

The petitioner, based upon such self-serving articles and reports wishes that this Hon'ble court conducts a fishing enquiry in the entire country without even bothering to inform the court that none of the facts are either verified by the Petitioner or by the so called organisations who have prepared the reports. It is submitted that there appears to be some hidden oblique agenda in filing such deceptive petitions, creating an unrest throughout the country and perhaps for getting assistance from outside the country to meddle with internal affairs of our nation. It is submitted that the issues highlighted can always be taken care of by law enforcing agencies in respective States under the process of law or by the affected parties by approaching the respective High Courts.

17. It is submitted that further, with regard to the implementation of the guidelines in *Tehseen S. Poonawalla Vs. Union of India & Ors.*, (2018) 9 SCC 501, this Hon'ble Court is already seized of the matter in **Writ Petition(s)(Civil) No(s). 943/2021** and by way of the order dated 21.07.2022, ordered the State to report compliance of the orders of this Hon'ble Court. The said order is quoted as under :

*“We have heard learned counsel for the parties. Considering the nature of issues involved and in the backdrop of directions issued by this Court in Shakti Vahini Vs. Union of India & Ors., Tehseen S. Poonawalla Vs. Union of India & Ors. and Kodungallur Film Society and Anr. Vs. Union of India & Ors., we request the Secretary, Home Affairs, Government of India to collate relevant information from the respective States/Union Territories in respect of matters referred in the common chart to be made over by the learned counsel for the petitioners to the learned Additional Solicitor General. The petitioners shall handover the format of the chart to the learned Additional Solicitor General within one week from today.*

*The information essentially should be in respect of matters as to the status of compliance by the respective States/Union Territories in relation to directions/observations in the aforesaid decisions of this Court to provide for preventive, corrective and remedial measures for dealing with the occurrence of untoward situations referred to in the respective writ petitions.*

*The Secretary, Home Affairs may collate necessary information by corresponding directly with the Secretary, Home Department of the respective States/Union Territories within three weeks from today and compile the information in the form of a booklet containing Statewise comments to be presented to this Court within six weeks from today.*

*We request the concerned Secretaries of the respective States/Union Territories to furnish the requisite information upon receipt of communication from the Secretary, Home Affairs, Government of India within two weeks to enable the Secretary, Home Affairs, Government of India to compile the necessary information and present it before this Court within the time specified above.”*

A copy of the order dated 21.07.2022 in Writ Petition(s)(Civil) No(s). 943/2021 is attached herewith and marked as **Annexure R – 1**.

18. Therefore, in view of the aforementioned, it is denied that there is any violation of fundamental rights as enshrined under the Constitution of India, as alleged.

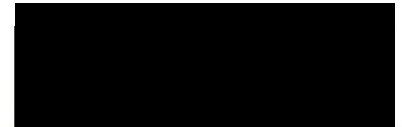
19. That the present affidavit is being filed bonafide and in the interest of justice.



**DEPONENT**

**VERIFICATON**

Verified at New Delhi on this 16<sup>th</sup> day of August, 2022, that the contents of the above affidavit are true and correct to my knowledge and belief derived from the official records. No part of the above affidavit is false and nothing material has been concealed there from.



**DEPONENT**

ITEM NO.18

COURT NO.3

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). 943/2021

ASHWINI KUMAR UPADHYAY

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

([TO BE TAKEN UP AS ITEM NO. 9.] )

WITH

W.P. (C) No. 956/2020 (PIL-W)

IA No. 91135/2020 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 93533/2020 - CLARIFICATION/DIRECTION  
 IA No. 96666/2020 - EARLY HEARING APPLICATION  
 IA No. 91136/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 105261/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 94614/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 91134/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 94600/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 94685/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 98416/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 90944/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 93535/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 94668/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 92913/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 91171/2020 - EXEMPTION FROM FILING AFFIDAVIT  
 IA No. 92885/2020 - INITIATING CONTEMPT PROCEEDINGS  
 IA No. 95675/2020 - INTERVENTION APPLICATION  
 IA No. 95066/2020 - INTERVENTION APPLICATION  
 IA No. 96664/2020 - INTERVENTION APPLICATION  
 IA No. 94643/2020 - INTERVENTION APPLICATION  
 IA No. 96369/2020 - INTERVENTION APPLICATION  
 IA No. 94633/2020 - INTERVENTION APPLICATION  
 IA No. 95678/2020 - INTERVENTION APPLICATION  
 IA No. 108087/2020 - INTERVENTION APPLICATION  
 IA No. 94621/2020 - INTERVENTION/IMPLEADMENT  
 IA No. 94683/2020 - INTERVENTION/IMPLEADMENT  
 IA No. 98414/2020 - INTERVENTION/IMPLEADMENT  
 IA No. 94667/2020 - INTERVENTION/IMPLEADMENT  
 IA No. 105260/2020 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES)

SEP (C) No. 6913/2021 (XII-A)

(FOR ADMISSION and I.R. and IA No.61254/2021-EXEMPTION FROM FILING  
 C/C OF THE IMPUGNED JUDGMENT and IA No.61346/2021-EXEMPTION FROM  
 FILING AFFIDAVIT and IA No.61255/2021-EXEMPTION FROM FILING  
 AFFIDAVIT and IA No.61345/2021-INTERVENTION/IMPLEADMENT and IA

No.61253/2021-PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P. (C) No. 80/2022 (PIL-W)

(FOR ADMISSION and IA No.17397/2022-EXEMPTION FROM FILING O.T.)

W.P. (C) No. 477/2020 (PIL-W)

IA No. 48986/2020 - EX-PARTE STAY

IA No. 48987/2020 - EXEMPTION FROM FILING O.T.

IA No. 51005/2020 - INTERVENTION/IMPLEADMENT)

W.P. (C) No. 788/2020 (PIL-W)

IA No. 50785/2020 - INTERVENTION/IMPLEADMENT

IA No. 48329/2020 - INTERVENTION/IMPLEADMENT

IA No. 72236/2020 - STAY APPLICATION)

W.P. (C) No. 789/2020 (PIL-W)

IA No. 50786/2020 - INTERVENTION/IMPLEADMENT

IA No. 48338/2020 - INTERVENTION/IMPLEADMENT

IA No. 72228/2020 - STAY APPLICATION)

W.P. (Crl.) No. 391/2021 (X)

(FOR ADMISSION and IA No.118374/2021-EX-PARTE AD-INTERIM RELIEF and IA No.118376/2021-EXEMPTION FROM FILING O.T. and IA No.118377/2021-EXEMPTION FROM FILING AFFIDAVIT)

W.P. (C) No. 907/2021 (PIL-W)

(FOR ADMISSION and IA No.100429/2021-EXEMPTION FROM FILING AFFIDAVIT

IA No. 100429/2021 - EXEMPTION FROM FILING AFFIDAVIT)

W.P. (C) No. 1265/2021 (X)

(FOR ADMISSION and IA No.150287/2021-EXEMPTION FROM FILING O.T.)

W.P. (C) No. 24/2022 (PIL-W)

IA No. 18251/2022 - APPLICATION FOR TAKING ON RECORD

IA No. 56876/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 64016/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 61197/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 59757/2022 - EXEMPTION FROM FILING O.T.

IA No. 5583/2022 - EXEMPTION FROM FILING O.T.

IA No. 7452/2022 - INTERVENTION APPLICATION

IA No. 5581/2022 - INTERVENTION APPLICATION

IA No. 9313/2022 - INTERVENTION APPLICATION

IA No. 56873/2022 - INTERVENTION/IMPLEADMENT

IA No. 18250/2022 - INTERVENTION/IMPLEADMENT

IA No. 12769/2022 - INTERVENTION/IMPLEADMENT

IA No. 11469/2022 - INTERVENTION/IMPLEADMENT

IA No. 8935/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 64054/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 21-07-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mr. Mrigank Prabhakar, AOR

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Mr. Senthil Jagadeesan, AOR  
Mr. Vinayak Bhandari, Adv.  
Ms. Sonakshi Malhan, Adv.  
Mr. Sajal Jain, Adv.  
Ms. Renya Raj, Adv.

Mr. Nizam Pasha, Adv.  
Mr. Rashmi Singh, Adv.  
Ms. Sumita Hazarika, AOR

Ms. Meenakshi Arora, Sr. Adv.  
Mr. M. R. Shamshad, AOR  
Mr. Arijit Sarkar, Adv.  
Ms. Nabeela Jamil, Adv.  
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Mr. Huzefa A. Ahmadi, Sr. Adv.  
Ms. Shahrukh Alam, Adv.  
Mr. Talha Abdul Rahman, AOR  
Mr. Harsh Vardha Kediya, Adv.  
Mr. Mohd. Shaz Khan, Adv.

Mr. Gopal Sankaranarayan, Adv.  
Mr. Ashwini Kumar Upadhyay, Adv.  
Mr. Ashwani Kumar Dubey, AOR

Mr. Vikas Singh, Sr. Adv.  
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Mr. Ashwani Kumar Dubey, AOR

Mr. V. Elanchezhiyan, AOR

Petitioner-in-person

For Respondent(s)

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Mr. O.P. Shukla, Adv.  
Ms. Sanskriti Pathak, Adv.  
Ms. Kanu Agrawal, Adv.  
Mr. Rajan Kr. Chourasia, adv.  
Mr. Amit Sharma B, Adv.  
Mr. Varun Chugh, Adv  
Mr. S K Tyagi, Adv  
Mr. Udai Khanna, Adv  
Mr. Amrish Kumar, AOR  
Mr. Gurmeet Singh Makker, AOR  
Mr. Arvind Kumar Sharma, AOR

Mr. Jatinder Kumar Sethi, Dy. AG  
Mr. Abhishek Atrey, AOR  
Ms. Ambika Atrey, Adv.  
Mr. Ashutosh Sharma, Adv.  
Mr. Aakash Giri, Adv.

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Md. Apzal Ansari, Adv.

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Ms. Nisha Bhambhani, Adv.  
Mr. Rahul Bhatia, AOR

Mr. Sri Hari Shankar Jain, Adv.  
Mr. Vishnu Shankar Jain, AOR

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Mr. Anas Tanwir, AOR

Mr. Mohammed Sadique T.a., AOR

Mr. Harsh Kaushik, AOR

Mr. Firoz Iqbal, Adv.  
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Ms. Liz Mathew, AOR  
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Mr. Dhruv Bhatnagar, Adv.  
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Ms. Warisha Farasat, Adv.  
Mr. Aman Naqvi, Adv.

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Mr. Thulasi K. Raj, Adv.

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Mr. Mrigank Prabhakar, AOR  
Mr. C. George Thomas, Adv.

Mr. Devendra Singh, AOR

Mr. T. Sai Deepak, Adv.  
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Mr. Aman Khullar, Adv.  
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Mr. Lokendra Malik, Adv.

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Ms. Pratibha Sinha, Adv.  
Mr. Mudit Kaul, Adv.  
Mr. Abhishek, AOR

Mr. Ilinsaraswat, Adv.  
Ms. Swati Jain, Adv.  
Ms. Ilma Saifi, Adv.  
Ms. Rohini Wagh, Adv.  
Mr. Abhishek Yadav, AOR



Ms. Deepti s. Rana, Adv.  
Mr. Hitesh Kumar Sharma, Adv.  
Mr. Akhileswar Jha, Adv.  
Ms. Kavita K. Mare, Adv.  
Mr. Amit Sharma, AOR  
Mr. Dipesh Sinha, Adv.  
Ms. Pallani Barua, Adv.

Mr. B.A. Wadhmare, Adv.  
Mr. Hitesh Kumar sharma, Adv.  
Mr. Akhileshwar Jha, Adv.  
Mr. Subhash S. Kadam, Adv.

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

We have heard learned counsel for the parties.

Considering the nature of issues involved and in the backdrop of directions issued by this Court in *Shakti Vahini Vs. Union of India & Ors.*<sup>1</sup>, *Tehseen S. Poonawalla Vs. Union of India & Ors.*<sup>2</sup> and *Kodungallur Film Society and Anr. Vs. Union of India & Ors.*<sup>3</sup>, we request the Secretary, Home Affairs, Government of India to collate relevant information from the respective States/Union Territories in respect of matters referred in the common chart to be made over by the learned counsel for the petitioners to the learned Additional Solicitor General. The petitioners shall handover the format of the chart to the learned Additional Solicitor General within one week from today.

<sup>1</sup> (2018) 7 SCC 192 (paragraph 55)

<sup>2</sup> (2018) 9 SCC 501 (paragraphs 40 and 41)

<sup>3</sup> (2018) 10 SCC 713 (Paragraphs 20 and 21)

The information essentially should be in respect of matters as to the status of compliance by the respective States/Union Territories in relation to directions/observations in the aforesaid decisions of this Court to provide for preventive, corrective and remedial measures for dealing with the occurrence of untoward situations referred to in the respective writ petitions.

The Secretary, Home Affairs may collate necessary information by corresponding directly with the Secretary, Home Department of the respective States/Union Territories within three weeks from today and compile the information in the form of a booklet containing State-wise comments to be presented to this Court within six weeks from today.

We request the concerned Secretaries of the respective States/Union Territories to furnish the requisite information upon receipt of communication from the Secretary, Home Affairs, Government of India within two weeks to enable the Secretary, Home Affairs, Government of India to compile the necessary information and present it before this Court within the time specified above.

In the meantime, the respondents-Union of India/States/Union Territories/Election Commission of India to file response in the respective writ petitions within three weeks from today.

The petitioners are free to file rejoinder thereto within one week thereafter.

List these matters on 14.09.2022 (NMD).

(DEEPAK SINGH)  
COURT MASTER (SH)

(VIDYA NEGI)  
ASSISTANT REGISTRAR