

SUPREME COURT OF INDIA

Peoples Union for Civil Liberties

Versus

State of T.N. and Others

Writ Petitions (C) No. 3922 of 1985 with WP (Crl.) No. 153 of 1982, WP
(C) No. 166 of 1995 and SLP (C) No. 9795 of 1996,
decided on February 13, 1997.

Judges : Mr. J.S. Verma and Mr. B.N. Kirpal

JUDGEMENT

1. We find that several States have not filed their affidavits while some affidavits filed do not appear to contain all the relevant facts. We also get the impression that the requisite seriousness in performance of the exercise which should have been the ordinary function of the State even without this proceeding is not to be found even now. It has, therefore, become necessary to consider issuing appropriate directions to the State Governments for prompt compliance to ensure performance of their legal obligations in this behalf. It is incumbent for each State Government to state clearly on affidavit the action, if any, taken by each of them for the constitution of Vigilance Committees for each district and subdivisions and the nature of their functioning so far. It is made clear that if any State fails to file its affidavit within the further period of the next two weeks, action would be taken on the basis that it has nothing to say in this behalf. It is further made clear that the Chief Secretary of each of the States would be personally responsible to ensure compliance with these orders and the filing of the requisite affidavit by the State Government latest within two weeks from now.

2. The learned amicus curiae is requested to examine all the affidavits and the other material produced by the State Governments and then to make the necessary submissions for this purpose.

3. List on 14-3-1997.

4. Copy be given to counsel for each State for information of the Chief Secretary.

Court Masters

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