

i.e. CWP No.23426 of 2014 (O&M), CRM-M-26374 of 2008 (O&M), CRM-M-26375 of 2008 (O&M), CRM-M-26376 of 2008 and CRM-M-31995 of 2008

COURT ON ITS OWN MOTION VS STATE OF PUNJAB

Present: Mr. Shashi Kant, IPS (Retd.),  
former Director General of Police, Punjab.  
Mr. Navkiran Singh, Advocate,  
Mr. Sukhdeep Singh Sandhu, Advocate,

Dr. Aditya Avnash Kaushik, and  
Mr. Raj Kumar Gupta, Advocate,  
Amicus Curiae(s).

Mr. B.R. Mahajan, Advocate General, Haryana,  
with Ms. Kirti Singh, DAG, Haryana.

Ms. Reeta Kohli, Addl. A.G. Punjab, with  
Mr. Hanspal Virk, AAG, Punjab.

Mr. Chetan Mittal, Senior Advocate-and  
Asstt. Solicitor General of India, with  
Mr. Alok Kumar Jain, Sr. Panel Counsel, for UOI.  
for respondent Nos. 2 and 4.

Mr. Anupam Gupta, Senior Advocate, with  
Mr. Siddharth Sharma, Advocate,  
(in CWP-20359-2013)  
for Mr. Niranjana Singh, Asstt. Director, Directorate of  
Enforcement, Jalandhar.

Mr. Sukant Gupta, Addl. PP, for UT, Chandigarh  
(in CRM-M-26374, 26375, 26376 and 31995 of 2008)

Ms. Deepali, Puri, Advocate,  
(in CWP-20359-2013)  
for respondent-UT Chandigarh Admn.

Mr. Atul Kaushik, Advocate,  
(in CRM-M-26374-2008)  
for Pb. Health System Corp.

Mr. Brijeshwar Singh Kanwar, Standing Counsel  
(in CRM-M-26374 of 2008)  
for Union of India-respondent No. 2

Mr. Mahabir Singh Sindhu, Advocate  
(in CRM-M-26374-76 of 208 and CRM-M-31995-2008)  
for District Red Cross Society, Faridabad and Jind.

Mr. Anshuman Chopra, Advocate,  
(in CWP-20359 of 2013)  
for respondent-CBEC

[1] Principal Secretaries of School Education and Higher Education Departments, Punjab, namely, Mr. G. Vajralingam and Dr. Roshan Sunkaria are present in Court. They assure that the work done by earlier expert committee for preparation of the curriculum module, shall be got updated and put up for consideration of this Court at the earliest.

[2] A separate affidavit by Joint Commissioner (Drugs), Food and Drugs Administration, Punjab, has been filed, which is taken on record and copies given to the opposite parties.

[3] Since the related issue is coming up for consideration of this Court on 3.8.2016, it appears expedient to list this case also on 3.8.2016.

[4] Learned Assistant Solicitor General of India, states that he will file the compliance report in the Registry with advance copy to the Amicus Curiae and Mr. Shashi Kant, IPS (Retd.).

[5] Mr. Ishwar Singh, Inspector General of Police-cum-Director, Punjab State Narcotics Control Bureau, has also filed a status report regarding efforts made to curb the drug menace. A copy thereof has been given to the Amicus Curiae and Mr. Shashi Kant, IPS (Retd.).

[6] From Haryana side also, two affidavits have been filed by Mr. Jagjit Singh, Inspector General, Prisons, and by Dr. Aditya Avnash Kaushik, Deputy Director, Social Justice and Empowerment Department, Haryana, which are taken on record.

[7] Another affidavit on behalf of Union Territory, Chandigarh, recommending for setting up 'Drug De-addiction Centre' in the Model Jail, Burail, has also been filed, which too is taken on record and copies given to learned Amicus Curiae and Mr. Shashi Kant, IPS (Retd.).

[8] Though vide para 23 of the order dated 4.5.2016, the Director General of Police, Punjab, was categorically directed to ensure that no harm is caused to Shri Shashi Kant and his family but it appears that adequate security has not been provided to him. We are not at all satisfied with the contents of letter dated 11.7.2016, addressed by Additional Director General of Police, Security, Punjab, which is nothing but an eye-wash to suggest the purported compliance of the previous order passed by this Court.

[9] We direct in no uncertain terms - (i) the Chief Secretary and (ii) Director General of Police, Punjab to provide adequate security, mobile and at the residence of Shri Shashi Kant, within 24 hours, and submit a compliance report through some responsible senior officer of Police Department, to the Registrar General of this Court. There shall be a direction to the Inspector General of Police, U.T. Chandigarh, and Senior Superintendent of Police, Chandigarh, as

well to fully secure the residence of Shri Shashi Kant in Union Territory, Chandigarh. Let, however, the security arrangements be made by the Punjab Government and U.T. Administration, Chandigarh, in coordination and in consultation with each other to avoid any over-lapping.

[10] Mr. Navkiran Singh, has referred to a news-item in Print Media, according to which the State run De-addiction Centre at Nawanshahr, has been shut down due to non-availability of a Psychiatrist. A copy of the news-item has been handed over to Ms. Rita Kohli, Additional Advocate General, Punjab. It is directed as an interim measure, that in case the said De-addiction Centre has been closed for non-availability of Psychiatrist, let the State Government, Red Cross Society or any other State agency running that Centre, ensure the posting (may be on rotational basis) of a Psychiatrist within one week and file compliance affidavit regarding functional status of the said De-addiction Centre. If there is any deficiency in the cadre of Psychiatrists, the State Government or the concerned agencies may advertise the posts as per need base and finalize the selection process at the earliest.

[11] Mr. Shashi Kant, IPS (Retd.), has placed on record four affidavits, giving his view points with reference to (i) the stand taken by the BSF authorities; (ii) suggestions for drug de-addiction; (iii) resettlement; and (iv) to deal with the problems of addicts etc., which are taken on record and copies whereof given to Amicus Curiae and

respective learned State counsel, who seek time to go through the same.

[12] Mr. Raj Kumar Gupta, Advocate, has agreed to provide facts and figures of persons treated in the Drug De-addiction Centres, suggestions for their rehabilitation and the nature of treatment to be given to addicts.

[13] Dr. Aditya Avnash Kaushik, Amicus Curiae, in the connected cases, has also filed his affidavit-cum-report, which is taken on record.

CRM-M-26374-76-2008 and CRM-M-31995-2008

[14] On the joint request made by counsel for the parties, these matters are ordered to be segregated from this bunch of cases and let the same be listed for hearing on 10.8.2016.

[15] A copy of this order duly attested by Bench Secretary be given to learned counsel for the State of Punjab and U.T. Chandigarh for information and necessary action.

[16] Photocopy of this order be also placed on the files of connected cases.

**(SURYA KANT)**  
**JUDGE**

**(DARSHAN SINGH)**  
**JUDGE**

**July 13, 2016**  
Pkapoor