

APPENDIX-33

SUPREME COURT OF INDIA

Guidelines to be followed for entertaining letters/petitions received in this Court as Public Interest Litigation.*Notification dated 1.12.1988**

No petition involving individual/personal matter shall be entertained as a PIL matter except as indicated hereinafter.

Letters/Petitions falling under the following categories alone will originally be entertained as Public Interest Litigation :-

1. Bonded Labour matters.
2. Neglected children.
3. Non-payment of minimum wages to workers and exploitation of casual workers and complaints of violation of Labour Laws (except in individual cases).
4. Petitions from Jails complaining of harassment, for premature release and seeking release after having completed 14 years in Jail, death in Jail, release on personal bond, speedy trial as a right.
5. Petitions against police for refusing to register a case, harassment by police and death in police custody.
6. Petitions against atrocities on women, in particular harassment of bride, bride-burning, rape, murder, kidnapping etc.
7. Petitions complaining of harassment or torture of villagers by co-villagers or by police from persons belonging to Scheduled Castes and Scheduled Tribes and economically backward classes.
8. Petitions pertaining to environment pollution, disturbances of ecological balance, drugs and food adulteration, maintenance of heritage and culture, antiques, forest and wild life and other matters of public importance.
9. Petitions from plot-victims.
10. Family pension.

All letters/petitions received in PIL cell will first be screened in the Cell and only such petitions as are covered by the above mentioned categories will be placed before a Judge to be nominated by Hon'ble the Chief Justice of India for directions after which the case will be listed before the Bench concerned. To begin with only one Hon'ble Judge may be assigned this work and the member increased to two or three later depending on the work load.

Cases falling under the following categories will not be entertained as public

*Notified for the purpose of following similar procedure by notice dated 27.11.1998 vide Memo No.HC 42 of 1990 Ref. HC III-33/90.

interest litigation and these may be returned to the petitioners or filed in the PIL Cell. As the case may be :

- 1) Landlord-Tenant matters.
- 2) Service matter and those pertaining to pension and Gratuity.
- 3) Complaints against Central/State Government Deptts. and local Bodies except those relating to item Nos.(1) to (10) above.
- 4) Admission to medical and other educational institution.
- 5) Petitions for early hearing of cases pending in High Courts and Subordinate Courts.

In regard to the petitions concerning maintenance of the wife, children and parents, the petitioner may be asked to file petition under Sec. 125 Cr.P.C or a suit in the Court of competent Jurisdiction and for that purpose to approach the nearest Legal Aid Committee for legal aid and advice.

New Delhi

December 1, 1988

[**Note by Chief Justice** : In the High Court, Registrar (Judl.) may perform the function of the Cell. Nomination of a Judge may or may not be made at the discretion of the Chief Justice.]

Note : Case Law — What is PIL — Petitions in question filed after properly drafting and on payment of Court fee supported by affidavit, neither received by post nor by way of letter in nature of PIL. Rather it was regularly filled in registry and also processed. Placing same before PIL Cell is not proper. Petition directed to be registered and listed for admission ignoring decision of PIL Cell. 1999 (2) GLT 461 : AIR 2000 Gauhati 33 (*Pranatosh Roy Vs. State of Assam*)
