

ITEM NO.22

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

CONMT.PET.(C) No.1246/2023 in W.P.(C) No.1229/2021

HAFIZ NAUSHAD AHMAD AZMI

Petitioner(s)

VERSUS

KATIKITHALA SRINIVAS & ORS.

Respondent(s)

Date : 25-01-2024 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 SATISH CHANDRA SHARMA

For Petitioner(s) Mr. Sanjay Hegde, Sr. Adv.
Mr. Talha Abdul Rahman, AOR
Mr. M. Shaz Khan, Adv.
Mr. Adnan Yousuf, Adv.
Ms. Stuti Srivastava, Adv.
Mr. Tanay Hegde, Adv.
Mr. Shahrukh Ali, Adv.
Mr. Ankit Tiwari, Adv.

For Respondent(s) Mr. K.M. Nataraj, ASG

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

- 1 The present position in regard to the composition of the Central Haj Committee is reflected in the following chart which has been placed on the record by Mr Sanjay Hegde, senior counsel appearing on behalf of the

petitioners:

“TABLE SHOWING VACANCIES IN THE HAJ COMMITTEE OF INDIA IN
CONTRAVENTION OF THE HAJ COMMITTEE ACT, 2002”

S. No.	AS PRESCRIBED IN THE HAJ COMMITTEE ACT, 2002	GAZETTE NOTIFICATION DATED 01.04.2022 (See Pg.32 of the Contempt Petition)
1.	<p>S.4(1): Composition of Committee.- The Committee shall consist of the following members, namely:- (I) three members of Parliament of whom two are to be nominated by the Speaker of the House of the People from among its Muslim members, and one by the Chairman of the Council of States from among its Muslim members:</p> <p>Provided that a member of Parliament shall, upon ceasing to be a member, cease to be a member of the Committee and the Speaker of the House of the People or the Chairman of the Council of States, as the case may be, shall make a fresh nomination upon request by the Central Government;</p>	<p>Nomination under clause (i) of Section 4 of the Act:</p> <p>1. Shri Syed Zafar Islam, Member, Rajya Sabha Member, 215, North Avenue, New Delhi - 110001.</p> <p>2 Yet to be nominated Member</p> <p>3 Yet to be nominated Member</p>
2.	<p>S.4(ii): Nine Muslim members of the Committee shall be elected, three from those States sending largest number of pilgrims during last three years and one each from the zones as specified in the Schedule, in such manner as may be prescribed.</p> <p>Provided that not more than one member shall be elected from a State falling in the zone as specified in the Schedule;</p>	<p>Elected under clause (ii) of Section 4 of the Act:</p> <p>4. Yet to be elected member 5. Yet to be elected member 6. Yet to be elected member 7. Yet to be elected member 8. Yet to be elected member 9. Yet to be elected member 10. Yet to be elected member 11. Yet to be elected member 12. Yet to be elected member</p>
3.	<p>S.4(iii); Four persons not below the rank of Joint Secretary to the Government of India nominated by that Government to represent the Ministries of External Affairs, Home, Finance and Civil Aviation, as ex officio members;</p>	<p>Nomination under clause (iii) of Section 4 of the Act:</p> <p>13 Shri Vipul, Joint Secretary (Gulf) Ex-officio Member, Ministry of External Affairs, New Delhi</p>

		<p>14 Shri Sanjeev Kumar Jindal, Joint Secretary (DM) Ex-officio Member, Ministry of Home Affairs, New Delhi.</p> <p>15 Shri Thanglemalin, Joint Secretary (E-Coord) Ex-officio Member, Ministry of Finance, New Delhi.</p> <p>16 Shri Satyendra Kumar Mishra, Ex-officio Member, Joint Secretary, Air India Division, Ministry of Civil Aviation, New Delhi</p>
4.	S.4(1)(a): Two members who have special knowledge of public administration, finance, education, culture or social work and out of whom one shall be a Shia Muslim;	<p>Nomination under sub-clause (a) of clause (iv) of Section 4 of the Act:</p> <p>17 Shri Aijaz Hussain Rather (Shia) Member, Balhama Srinagar, Union Territory of Jammu & Kashmir.</p> <p>18 Shri Hidayat Khan Dholiya, Member, 147, Banney Vihar, Shiksha Marg, 200 Feet Link Road, Jhotwada, Jaipur, Rajasthan</p>
5.	S.4(1)(b): Two women members, out of them one shall be Shia Muslim;	<p>Nomination under sub-clause (b) of clause (iv) of Section 4 of the Act:</p> <p>19 Ms. S. Munawari Begum (Shia) Member, I/320, PudiyaPanjaliyur, Peddhathalapalli Post, Krishnagiri - 635002, Tamil Nadu</p> <p>20 Ms. Mafuja Khatun, Member, Village - Khashpara, P.O. - Fulbari, P.S. - Gangarampur, District - Dakshin Dinajpur, Pin - 733140, West Bengal</p>
6.	S.4(1)(b): Three members who have special knowledge of Muslim theology and law, out of them one shall be a Shia Muslim.	<p>Nomination under sub-clause (c) of clause (iv) of Section 4 of the Act:</p> <p>21 Shri A P Abdullakutty, Member Rose Pot, Rallikunnu P.O. Kannur, Pin - 670004, Kerala</p>

		22 Shri Zainuddin Mohasinbhai Zaweri (Shia), Member, Alamdaar Bangla, Mount Carmal Convent Samor, Distt. Chandrapur, Pin-442401, Maharashtra 23 Yet to be nominated Member
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- 2 The chart indicates that of the three members who are to be nominated in terms of serial No 1 in the chart, all the three positions are vacant. The term of the nominated member of the Rajya Sabha came to an end. In serial No 2, nine members are to be elected in the manner indicated in Section 4(ii). The elections are still to take place.
- 3 Bearing in mind the above position, we direct the Union Government to take all necessary steps to pursue the completion of the composition of the Central Haj Committee in accordance with law and to apprise this Court on the next date of listing of the progress which has been made.
- 4 List the Contempt Petition on 7 March 2024.

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

(SAROJ KUMARI GAUR)
Assistant Registrar