

**2023 LiveLaw (SC) 651**

**IN THE SUPREME COURT OF INDIA**  
**DR. D.Y. CHANDRACHUD; CJI., J.B. PARDIWALA; J., MANOJ MISRA; J.**  
**WRIT PETITION (CIVIL) Diary No.22892/2023; 14-08-2023**  
**AGNOSTOS THEOS *versus* UNION OF INDIA & ORS.**

**Public Interest Litigation (PIL) - Setting up of a National Internal Security Council to deal with organised crime in the country such as smuggling, interstate trafficking, cybercrimes and large-scale political violence. The PIL also sought for all national and state level investigation agencies to be brought under the control of such a body. Held, that the reliefs sought for were in the nature of policy and in the domain of the legislature and hence the writ jurisdiction of the court could not be exercised for the same.**

*For Petitioner(s) Mr. Sureshan P., AOR Mr. Shivam Yadav, Adv.*

**ORDER**

- 1** Delay condoned.
- 2** The reliefs which have been sought under Article 32 of the Constitution are as under:
  - a) Pass an appropriate writ of mandamus or direction to the respondents to set up national level agency to deal with organized especially smuggling, crimes operating terrorist, human cybercrimes, beyond state trafficking, borders, narcotics insurgency and large-scale political violence.
  - b) Pass a Judicial order to setting up a National Internal Security Coordination Council (NISCC) under the control of a committee constituted by the president of India on the recommendation of the Chief Justice of India.
  - c) Pass a Judicial order to constitute a high-power committee to formulate guidelines in respect of appointment, transfer and take disciplinary actions against the members of the proposed National Internal Security Coordination Council (NISCC).
  - d) Pass a judicial declaration that Once a National Internal Security Coordination Council (NISCC) is constituted then the national and state level investigation agencies across the country will come under the direct control and supervision of the said council and no legislative body or elected government has any control over it other than formulating regulations and providing financial supports.”
- 3** The directions which have been sought pertain to the legislative and policy domain. Hence, this Court would not be justified in exercising the jurisdiction under Article 32 of the Constitution.
- 4** The Petition is accordingly dismissed.
- 5** Pending applications, if any, stand disposed of.