

**JUDGMENTS STRESSING THE IMPORTANCE OF IMPLEMENTATION OF THE ACT AND DIRECTIONS  
ISSUED BY THE SUPREME COURT AND HIGH COURTS**

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| <p>Writ Petition (Civil) No. 301 of 2000, Decided on May 4, 2001.</p>   | <p>The Judgments and Orders of Supreme Court are binding on all in view of Article 141 of the Constitution of India and the non-obedience and non-compliance with the directions issued by the Supreme Court amounts to contempt of court</p>   |
| <p>In The High Court Of Orissa<br/>Writ Petition (Civil) No. 9596 of 2007, Decided on 14/02/2008</p>                            | <p>High Court rightly rejected the argument that in the State of Orissa the sex ratio is better than in any other part of the Country by observing that this can not be the reason why the provisions of the Act were not implemented. The High Court stressed that it is both the statutory and Constitutional obligation of the State, to implement the provisions of the Act.</p> <p>This judgment is very positive in nature, giving impetus to strict implementation of the provisions of the Act and compelling the State to comply with its duty/obligation of implementing the Act, and clearly depicts that when executive lacks a will to implement the provisions of beneficial legislation, judiciary has to play a proactive role.</p>   |
| <p>In The High Court Of Punjab &amp; Haryana At Chandigarh<br/>Civil Writ Petition No. 15152 of 2007, Decided on 07/07/2009</p> | <p>The statutory notification appointing Civil Surgeon of the district as Appropriate Authority under the Act was not published in Official Gazette on account of official apathy till the lapse of 12 years.</p> <p>The High Court found it regrettable that for a period of over 12 years non publication of the Notification never came to the notice of the concerned authorities and said that it adversely reflected upon the official machinery of the State Government charged with the responsibility of implementing an important legislation like PCPNDT Act.</p> <p>The petition was disposed of with the direction that the proceedings already initiated, or to be initiated shall be expedited by the concerned authorities and appropriate action taken against all those found to be violating provisions of the Act, or derelicting the discharge of their duties for the same.</p> |

