

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

Writ Petition(s)(Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

((1) IA NO. 34/1999 (APPLN. FOR DIRECTIONS ON B/O GAUTAM NAGAR WELFARE ASSOCIATION FILED BY A.C.)

(2) IN RE: ISSUE OF COMPREHENSIVE PLAN FOR AIR POLLUTION CONTROL (REPORT NO. 87, 93 , 94 AND 96 SUBMITTED BY EPCA) - IN REF. ACTION PLAN POINT 2.3.1 - IMPROVEMENT IN BUS NUMBERS AND SERVICES IN DELHI AND CONSIDERATION OF REPORT, REFORMS OF DTC AND CLUSTER BUS OPERATION, REGIONAL RAPID TRANSPORT SYSTEM AND PARKING POLICY)

(3) IA NO. 74132/2019 (APPLN. FOR DIRECTIONS ON BEHALF OF INDIAN OIL CORPORATION LTD.)

(4) IN RE: ISSUE OF ON BOARD DIAGNOSTIC

(5) REPORT NO. 97 SUBMITTED BY EPCA AND

(1) IA NO. 176097/2018 (APPLN. FOR CLARIFICATION ON B/O BAJAJ AUTO LTD. ALONGWITH REPORT NO. 95 SUBMITTED BY EPCA)

(2) IA NO. 39622/2019 (APPLN. FOR INTERVENTION IN IA NO.

176097/2018 ON B/O PIAGGIO VEHICLES PVT. LTD.)IN RE: PET COKE

(3) IA NOS. 100194, 102169 AND 108253/2018 (APPLNS. FOR INTERVENTION, PERMISSION/DIRECTIONS AND CLARIFICATION OF ORDER DT. 26.7.2018 ON BEHALF OF INDIAN STEEL ASSOCIATION)

(4) IA NOS. 77903 AND 77914/2019 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O RAIN CII CARBON (VIZAG) LTD.)

(5) IA NOS. 90305 AND 90306/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O GUWAHATI CARBON LTD. AND ORS.)

(6) IA NOS. 73242/2019 (APPLNS. FOR DIRECTIONS ON B/O SANVIRA INDUSTRIES LTD.)"ONLY" IN W.P.(C) NO. 13029/1985 ARE LISTED WITH

W.P.(C) No. 297/2018 (X)

(IA No. 49977/2018 - STAY APPLICATION)

Date : 08-07-2019 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE DEEPAK GUPTA**

Counsel for parties

Mr. Harish N. Salve, Sr. Advocate (A.C.) (N.P.)

Ms. Aparajita Singh, Sr. Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Mr. A.N.S. Nadkarni, ASG

Mr. D.L. Chidananda, Adv.

Ms. Suhasini Sen, Adv.

Ms. Archana Pathak Dave, Adv.

Mr. Raj Bahadur, Adv.

Mr. S.S. Rebello, Adv.

Mr. Rajesh K. Singh, Adv.

Ms. Anil Katiyar, Adv.

Mr. Pradeep Chandra Sati, Adv.

Mr. G.S. Makker, Advocate

Mr. Sanjay Jain, ASG

Mr. S. Wasim A. Qadri, Sr. Adv.

Mrs. Snidha Mehra, Adv.

Mr. B.V. Balramdas, Adv.

Mr. Shyam Divan, Sr. Adv.

Mr. Nawneet Vibhaw, Adv.

Mr. Sanjeev K. Kapoor, Adv.

For M/S Khaitan and Co.

Mr. K.V. Vishwanathan, Sr. Adv.

Mr. Ravi Raghunath, Adv.

Mr. Raun Srikumar, Adv.

Ms. Nanju Binrajka, Adv.

Ms. Pritha Srikumar Iyer, Advocate

Mr. Dhruv Mehta, Sr. Adv.

Mr. Chirag M. Shroff, Adv.

Ms. Sanjana Nangia, Adv.

Ms. Natasha Vij, Adv.

Mr. Mukul Rohatgi, Sr. Adv.

Mr. Ashish Prasad, Adv.

Ms. Mukta Dutta, Adv.

Mr. Avinash Tripathi, Adv.

Mr. Rohan Roy, Adv.

Mr. M.P. Devnath, Adv.

Mr. Sanjeev Sen, Sr. Adv.

Mr. Praveen Swarup, Advocate

Mr. Soumo Palit, Adv.

Mr. C.A. Sundaram, Sr. Adv.

Mr. Syed Jafar Alam, Advocate

Mr. Pravan Jain, Adv.

Mr. Raju Ramachandran, Sr. Adv.

Ms. Vibha Datta Makhija, Sr. Adv.

Mr. Shariq Ahmed, Adv.

Mr. Tariq Ahmed, Adv.

Mr. D.K. Thakur, Adv.

Mr. Sunil Kr. Verma, Advocate

Dr. Manish Singhvi, Sr. Adv.

Mr. Satyendra Kumar, Adv.

Mr. Shailja Nanda Mishra, Adv.

Mr. Milind Kumar, Adv.

Mr. S. Wasim A. Qadri, Sr. Adv.

Mr. Ajay Bansal, Adv.

Mr. Praveen Swarup, Adv.

Ms. Suchitra Pandey, Adv.

Mr. Kamendra Pratap Singh, Adv.

.

Ms. Minakshi Arora, Sr. Adv.

Ms. Kiran Bhardwaj, Advocate

Mr. Nikhil Nayyar, Sr. Adv.

Mr. Divyanshu Rai, Adv.

Mr. Ani Grover, Adv.

Dr. Monika Gusain, Adv.

Petitioner-In-Person

Mr. B.K. Prasad, Advocate

Mr. Sanjay Kr. Visen, Advocate

Mr. Abhishek, Advocate

Ms. Ruchi Kohli, Advocate

Mr. S. Narain, Adv.

For M/S. S Narain and Co.

Ms. Garima Prashad, Advocate

Mr. G.S. Oberoi, Adv.

Mr. Mohit Kumar Bansal, Adv.

Mr. Rajesh Katyal, Adv.

Mr. Kuldip Singh, Advocate

Mr. Rahul Narayan, Advocate

Ms. Mala Narayan, Adv.

Mr. Shashwat Goel, Adv.

Mr. Rohit K. Singh, Advocate

Mr. Alok Shukla, Advocate

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

INTERLOCUTORY APPLICATION NO. 176097/2018 (APPLN. FOR CLARIFICATION ON B/O BAJAJ AUTO LTD. ALONGWITH REPORT NO. 95 SUBMITTED BY EPCA) & I.A. NO.39622/2019 (APPLN. FOR INTERVENTION IN IA NO. 176097/2018 ON B/O PIAGGIO VEHICLES PVT. LTD.) IN RE: PET COKE

Fifteen days' time is granted to the Transport Department of the Delhi Government to file its response in I.A. No.176097/2018.

List after fifteen days.

INTERLOCUTORY APPLICATION NOS. 100194, 102169 AND 108253/2018 (APPLNS. FOR INTERVENTION, PERMISSION/DIRECTIONS AND CLARIFICATION OF ORDER DT. 26.7.2018 ON BEHALF OF INDIAN STEEL ASSOCIATION)

Six weeks' time is granted, as prayed by Mr. A.N.S. Nadkarni, learned Additional Solicitor General of India, to discuss the

matter and take a final call on it.

List after six weeks.

INTERLOCUTORY APPLICATION NOS. 77903 AND 77914/2019 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O RAIN CII CARBON (VIZAG) LTD.)

Let reply be filed by the non-applicant(s) as well as EPCA with respect to IA. NO.77914/2019, within four weeks.

List after four weeks.

INTERLOCUTORY APPLICATION NOS. 90305 AND 90306/2019 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O GUWAHATI CARBON LTD. AND ORS.)

Liberty is given to the applicant(s), as prayed, to apply to EPCA.

In view of the aforesaid, these applications are dismissed as withdrawn at this stage.

INTERLOCUTORY APPLICATION NO. 73242/2019 (APPLNS. FOR DIRECTIONS ON B/O SANVIRA INDUSTRIES LTD.)

Our order is clear. No further clarification is required.

This application is disposed of.

INTERLOCUTORY APPLICATION NO. 34/1999 (APPLN. FOR DIRECTIONS ON B/O GAUTAM NAGAR WELFARE ASSOCIATION FILED BY A.C.)

Let a competent Officer from the DDA (Revenue Department), NCT of Delhi and the Delhi Police sit together and take a call with respect to the question of allotment of the land for the purpose of Malkhana and take a decision in the matter and place it before this Court, within three weeks.

List thereafter.

ISSUE OF COMPREHENSIVE PLAN FOR AIR POLLUTION CONTROL -REPORT NOS. 87, 93, 94 AND 96 SUBMITTED BY EPCA & REFORMS OF DTC AND CLUSTER BUS OPERATION

Let a further progress Report be submitted on behalf of NCT of Delhi, within seven days.

List thereafter.

REGIONAL RAPID TRANSPORT SYSTEM

Delhi-Alwar Regional Rapid Transport System

It is submitted that the file is lying before the Cabinet of Govt. of NCT of Delhi for approval for Delhi-Alwar Regional Rapid Transport System.

Government of Rajasthan has also granted the approval.

Needful be done by the Government of NCT of Delhi, within two weeks.

List on 29.07.2019.

Delhi-Panipat Regional Rapid Transport System

NCRTC to finalize a proposal within three months.

Three months' time is granted to prepare the DPR and submit a Report to the Government of India for its consideration.

Parking Policy

Let EPCA submit its opinion/proposal/report, within two weeks.

A copy of the opinion/proposal/report be furnished to the counsel for the respective corporations, DDA, Government of Delhi, Delhi Cantonment Board and Delhi Traffic Police.

Let objections, if any, with respect to the opinion/proposal/report be submitted.

List on 22.07.2019.

INTERLOCUTORY APPLICATION NO. 74132/2019 (APPLN. FOR DIRECTIONS ON BEHALF OF INDIAN OIL CORPORATION LTD.)

This application has been rendered infructuous, as stated by the learned counsel appearing for the applicant(s).

The application is dismissed as infructuous.

ISSUE OF ON BOARD DIAGNOSTICS AND REPORT NO. 97 SUBMITTED BY EPCA

With respect to Remote Sensing Technology a report has been filed by International Centre for Automotive Technology (ICAT).

It is pointed out by the learned Amicus Curiae that remote sensing technology has been found to be helpful in reducing the pollution level and it is a finding of the ICAT that it is effective method to check the pollution.

It was also pointed out that the technology is found to be working well in Kolkata also.

As to put it into operation, time is prayed on behalf of the EPCA to consider and submit a Report.

As the matter is urgent and is in connection with the reduction of pollution, we grant only fifteen days' time to the EPCA to submit a proposal after consulting the various stake holders.

List on 29.07.2019 for consideration and orders.

Phase IV of Delhi Metro

Learned counsel appearing for the Government of India and NCT of Delhi are granted time to find out that in the past phases what was the share of ratio borne by the Government of India as well as the NCT of Delhi with respect to item No.4 pointed out at page Nos.9 and 10 of the Report No.97.

List on 12.07.2019.

No further time will be granted.

W.P.(C) No. 297/2018

Learned counsel for the petitioner(s) seeks leave to withdraw this petition.

As payed, the writ petition is dismissed as withdrawn.

(NARENDRA PRASAD)
COURT MASTER

(JAGDISH CHANDER)
COURT MASTER