

ITEM NO.2

COURT NO.3

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

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

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(1) IN RE: STATUS OF FUNDS WITH REGARD TO NCT OF DELHI

(2) LTR. DATED 17.5.2018 RECD. FROM EPCA

Date : 02-07-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Adv. [A.C.](NP)

Mr. A.D.N. Rao, Advocate [A.C.]

Mr. Siddhartha Chowdhury, Advocate [A.C.]

Ms. Aparajita Singh, Advocate [A.C.](NP)

For Petitioner(s) Petitioner-in-person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG  
Mr. Wasim A. Qadri, Adv.  
Mr. D.L. Chidanand, Adv.  
Mr. Ritesh Kumar, Adv.  
Mr. Amit Sharma, Adv.  
Mr. A.K. Sharma, Adv.  
Mr. Divya Prakash Pande, Adv.  
Mr. G.S. Makker, AOR

Mr. Anil Grover, AAG  
Ms. Noopur Singhal, Adv.  
Mr. Satish Kumar, Adv.  
Dr. Monika Gusain, Adv.  
Mr. Sanjay Kr. Visen, AOR

Mr. Jitendra Kumar Tripathi, Adv.  
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Mr. S.S. Shamsbery, AAG  
Mr. Amit Sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Mr. Ankit Raj, Adv.  
Ms. Nidhi Jaiswal, Adv.  
Ms. Indira Bhakar, Adv.  
Ms. Ruchi Kohli, AOR

Mr. D.N. Goburdhun, Adv.  
Ms. Pallavi Chopra, Adv.

Mr. Chirag M. Shroff, Adv.  
Ms. Neha Sangwan, Adv.  
Ms. Sanjana Nangia, Adv.

Mr. B.V. Balramdas, AOR

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

Report No.86 filed by EPCA regarding Status of Funds

We have gone through the Report No.86 filed by EPCA.

Four issues arise for consideration on which we would like the Government of Delhi to file an affidavit: These issues are:

(i) The time that is likely to be taken for setting up charging stations for electric buses that are proposed to be purchased;

(ii) The nature, quality and description of electric buses that are proposed to be purchased;

(iii) Reasons for non-utilization of the funds that were allocated and mentioned on page 6 of the Report of EPCA and whether those funds are still available for utilization;

(iv) It has been pointed out that there is a possibility of using hydrogen fuel cell buses which are

apparently of a hybrid nature and whether the Government of Delhi would like to consider feasibility of purchasing those buses.

The Government of Delhi should file an affidavit indicating requirement of number of buses in Delhi.

It is pointed out by learned Additional Solicitor General that the requirement, as assessed in 1998, was about 10,000 buses, but the Report of EPCA indicates that there are only 5815 buses available.

The affidavit be filed within a period of two weeks.

EPCA may also look into the issue of hydrogen fuel cell buses.

List the matter on 23<sup>rd</sup> July, 2018.

LETTER DATED 17.5.2018 RECD. FROM EPCA

Learned *amicus curiae* has pointed out that the tenure of EPCA is coming to an end on 4<sup>th</sup> July, 2018.

Learned Additional Solicitor General states that steps are being taken to extend the tenure of EPCA before 4<sup>th</sup> July, 2018.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
COURT MASTER