

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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 OF REPORT NO. 87 SUBMITTED BY EPCA

Date : 18-01-2019 This matter was called on for hearing today.

CORAM :

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

For the parties

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

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

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

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Mr. B.V. Balramdas, Advocate

Mr. A.N.S. Nadkarni, ASG

Mr. S.W.A. Qadri, Adv.

Mr. Ritesh Kumar, Adv.

Mr. A.K. Kaul, Adv.

Mr. Raj Bahadur, Adv.

Mr. G.S. Makker, Advocate

Mr. Amit Sharma, Adv.

Ms. S. Sen, Adv.

Mr. D.L. Chidananda, Adv.

Ms. Anil Katiyar, Advocate

Mr. B.K. Prasad, Advocate

Dr. Arun Yadav, Adv.

Ms. Ruchi Kohli, Adv.
Mr. Amit Sharma, Adv.
Ms. Srishti Mishra, Adv.

Ms. Uttara Babbar, Adv.
Ms. Bhawana Duhoon, Adv.

Ms. Aishwarya Bhati, AAG
Vaidruti Mishra, Adv.
Mr. Ashutosh Sharma, Adv.
Mr. Rajeev Dubey, Adv.
Mr. Kamendra K. Mishra, Adv.
Ms. Rachna Gupta, Adv.

Mr. Anil Grover, AAG
Dr. Monika Gusain, Adv.
Mr. Satish Kumar, Adv.
Ms. Noopur Singhal, Adv.
Ms. Sasmita Tripathy, Adv.
Ms. Ritu Rastogi, Adv.
Mr. Navin Gupta, Adv.
Mr. Sanjay Kr. Visen, Advocate

Petitioner-In-Person

Mr. Abhishek, Advocate

M/s. S. Narain and Co., AOR
(Appearance slip not given)

Ms. Kiran Bhardwaj, Advocate

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

In Re: Regional Rapid Transit System (RRTS)

Considered the action taken report with respect to Regional Rapid Transit System (RRTS) mentioned at clause 2.3.18, which is as under:-

Sr. No.	Action Point	Action Taken Report
2.3.18	Regional Rapid	The Delhi-Meerut RRTS corridor is 82.15 kms., long corridor with 24 stations, which will cover

<p>Transit System (RRTS)</p>	<p>the distance from Sarai Kale Khan in Delhi to Modipuram in Meerut in 60 minutes.</p> <p>The total project cost of Delhi-Ghaziabad-Meerut RRTS corridor is estimated to be Rs.31,632 Cr., which is having 60:40 debt to equity ratio. The debt portion is being tied up with Asian Development Bank (ADB) for which due diligence process is in advance stage.</p> <p>Contribution towards project cost by Government of India is estimated to be Rs.5,686 Cr., by Govt. of National Capital Territory of Delhi is estimated to be Rs. 1,138 Cr. and contribution by State Govt. of Uttar Pradesh is estimated to be Rs.5,828 Cr. The estimated contributions by the governments will be required over four financial years. For implementation of the project, Rs.659 Cr. and Rs.250 Cr., have already been allocated in the Union Budget of Government of India 2018-19 and State Budget 2018-19 of Govt. of U.P. respectively.</p> <p>Pre-construction activities for the Delhi-Ghaziabad-Meerut corridor such as road widening, utility diversions, tree-cutting, geo-tech</p>
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	<p>investigation etc., are progressing well in the field. Rs.100 Crores have been given by GOI for such activities.</p> <p>The project was placed before the PIB in its meeting on 11th September, 2018. Approval of the PIB is held up as GNCTD has not committed to its share in the project.</p> <p>Government of Delhi is requested to expedite approval of this project since the matter is delayed and convey the same in six weeks.</p>
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In the affidavit filed on behalf of GNCT of Delhi (Transport Department), in compliance of the order dated 03.12.2018, certain objection have been raised.

In our opinion, approach road is absolutely necessary and there should be no delay on the part of the concerned authorities.

In the circumstances, we request EPCA to convene a general meeting with the concerned stake holders including NCR Transport Corporation, Ministry of Road Transport and Highways, Government of Delhi, Ministry of Environment and Forest. Let a meeting be convened within a week from today and its outcome be reported to this Court on the next date of hearing.

In Re: Parking Policy

Regarding Parking Policy Implementation, let a final decision

be taken by the concerned Ministry, within ten days, from today and its outcome be submitted before this Court on or before 31.01.2019.

In Re: Approved Fuel Implementation

With respect to approved fuels: implementation in Delhi, U.P. and Haryana have issued requisite notification. Let the State of Rajasthan to implement and issue the requisite notification within ten days from today, as it is reported that the remaining States have already issued the notification.

For consideration/compliance of the above issues, list on 01.02.2019.

Disposal of case properties

With respect to the disposal of the case properties which can be disposed of, which are lying in various Police Stations in Delhi as well as in Malkhana of the Courts. With respect to the properties which are disposable and are not required any more, let a comprehensive proposal be submitted by the High Court on the next date of hearing i.e. on 01.02.2019.

The action taken in this regard shall also be indicated. The responsible officer of the Delhi Development Authority shall also inform this Court with respect to the allotment of land and the authorities concerned of the NCT of Delhi shall inform about the steps taken for establishment of Malkhanas.

List on 01.02.2019.

Completion of Tasks in 'A', 'B' and 'C' Categories Corridors

Learned Additional Solicitor General invited the attention of the Court regarding the tasks which have been accomplished and the tasks which remained to be performed. Total number of tasks, which have to be undertaken were 165 in 'B' category and 105 tasks in 'C' category. Similarly, remaining tasks in 'A' Category were to be undertaken. With respect to the remaining tasks, let a proposal be submitted in this Court. How much time would be required and other modalities. Let status report of tasks which had been undertaken be also submitted.

Let the proposal be submitted by 30.01.2019 and list the matter for consideration on 01.02.2019 along with the comprehensive action plan.

In Reference Action plan Point 2.3.1.- Improvement in bus numbers and services in Delhi.

Following is the scheme to augment the City bus fleet, submitted on behalf of the Transport Department of The NCT of Delhi, in compliance of the order dated 03.12.2018 passed by this Court:-

Sl. No.	Cabinet Decision	Type & No. of buses	Expected Roll Out	Current Status
1.	2503 dated 01.09.17	1000 no. of standard floor height Non-AC CNG	May, 2019	The Letter of Acceptance has been issued to the selected bidders of the 4 distinct clusters in November, 2018.

		buses			
2.	2659 dated 22.11.18	1000 Floor height AC buses	Low CNG	July, 2019	Tender for inviting bids has been floated on 19.12.18 and technical bids are scheduled to be opened on 25.01.2019
3.	2597 dated 11.07.18	1000 Floor height Pure Electric buses	Low AC	July, 2019	Electrical buses being a new technology, Transport Department has appointed a Consultant to suggest the appropriate technology. The draft report received from the Consultant on 17.12.18 is being examined. Thereafter, decision will be taken by the Government to issue tenders accordingly.

We order, let the above Scheme be implemented and let an undertaking be filed by the Secretary of the Transport Department of the NCT of Delhi to comply with the aforesaid scheme in a time bound manner, as suggested. Let the undertaking, as above, be filed within ten days from today and action be taken accordingly.

List on 01.02.2019.

Reference Action Point 2.3.3- Reform of DTC and Cluster Bus Operation

A Status Report be submitted by the Secretary, Transport

Department of the NCT of Delhi on or before 22.02.2019.

List on 25.02.2019 for consideration of the report.

As prayed, an affidavit on behalf of the CPCB be filed during the course of the day.

(NARENDRA PRASAD)
COURT MASTER

(JAGDISH CHANDER)
COURT MASTER