

REVISED

ITEM NO.8 Virtual Court 1 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 & ORS.

Respondent(s)

((1) IA NO. 142872/2019 (APPLN. FOR MODIFICATION OF ORDERS DT. 16.12.2015 AND 31.03.2016 ON B/O DY. COMMISSIONER OF POLICE)(2) IN RE: REGISTRATION OF BS IV VEHICLES (3) IA D. NO. 48238 OF 2020 (APPLN. FOR IMPLEADMENT ON BEHALF OF BIRD AUTOMATIVE PVT. LTD.)(4) IN RE: REPORT NOS. 81 AND 84 SUBMITTED BY EPCA(IMPLEMENTATION OF THE DECEMBER, 2015 STANDARDS FOR THERMAL POWER PLANTS WHICH WERE TO BE IMPLEMENTED BY DECEMBER, 2017)(5)I.A. NOS. 53959 AND 53962/2020 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O NTPC)(6)I.A. NOS. 52536, 52538 AND 53358/2020 (APPLNS. FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM NOTARIZATION ON B/O ARAVALI POWER CO. LTD.) (7)I.A. NOS. 55630 AND 55631/2020 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O ANAND SINGHVI)(8)I.A. NO. 44408/2020 (APPLN. FOR DIRECTIONS ON B/O ASSN. OF POWER PRODUCERS PVT. LTD.)(9)I.A. NO. 12493/2020 (APPLN. FOR MODIFICATION OF ORDER DT. 5.8.2019 ON B/O MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE)"ONLY" IN W.P. (C) NO. 13029/1985 ARE LISTED."ONLY" NAME OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST:MR. HARISH N. SALVE, SR. ADVOCATE (A.C.)MS. APARAJITA SINGH, SR. ADVOCATE (A.C.)MR. A.D.N. RAO, ADVOCATE (A.C.)MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.)PETITIONER-IN-PERSONMR. G.S. MAKKER, ADVOCATEMR. B.K. PRASAD, ADVOCATEMR. SANJAY KR. VISEN, ADVOCATEMR. KAMLENDRA MISHRA, MR. SANDEEP KR. JHA,MS. UTTARA BABBARMR. CHANDRA PRAKASH,MS. SHAGUN MATTA, ADVOCATESMR. ABHISHEK, ADVOCATEMS. RUCHI KOHLI, ADVOCATEMR. B.V. BALRAMDAS, ADVOCATE.MR. CHIRAG M. SHROFF, ADVOCATEMS. ANIL KATIYAR, ADVOCATEM/S S NARAIN AND CO. , ADVOCATESMS. GARIMA PRASHAD, ADVOCATEMR. PRAVEEN SWARUP, ADVOCATEMR. KULDIP SINGH, ADVOCATEMR. RAHUL NARAYAN, ADVOCATEMR. ROHIT K. SINGH, ADVOCATEMR. RITWIK DUTTA, ADVOCATEMR. ARVIND KUMAR SHARMA, ADVOCATEMR. E.C. AGRAWALA, ADVOCATEMR. TALHA ABDUL RAHMAN, ADVOCATEMS. NISHTHA KUMAR, ADVOCATEMS. SAKYA SINGH CHAUDHURI, ADVOCATEMS. SURUCHI AGGARWAL, ADVOCATEMR. PRESHIT SURSHE, ADVOCATEMR.RAJIV YADAV, ADVOCATEMR. B. VINODH KHANNA, ADVOCATEMR. GUNTUR PRABHAKAR, ADVOCATEMR. PRADEEP MISRA, ADVOCATEMR. GAURAV SHRIVASTAVA, ADVOCATEMR. RAM SANKAR)

Date : 19-06-2020 This petition was called on for hearing today.

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HON'BLE MR. JUSTICE S. ABDUL NAZEER**

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Petitioner-in-person

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

I.A.No. 142872 of 2019

Considered the list of 96 vehicles contained in Para 8 of the application. A scanned copy of the table is annexed with this Record of Proceeding as per Annexure 'A'.

It is submitted that their other variants in petrol and CNG are not available and except the bus/mini bus which are to be purchased, all vehicles are BS-VI compliant, as a special case, we permit the purchase of 14 buses/minibuses mentioned at Item No. 5 of the affidavit of the Deputy Commissioner of Police (Prov.& Logistics), however, soon after the purchase, engine and chassis numbers of all the vehicles, which are permitted to be purchased, shall be furnished to this Court, on affidavit, within seven days of the purchase.

Permission for registration of one minibus (diesel vehicle) which is BS-IV model, is declined. No registration of the said BS-IV vehicle can be made. It is open to the Police Department to purchase the BS-VI compliant vehicle.

In view of the above, I.A.No. 142872 of 2019 is hereby disposed of. It is made clear that the order shall not be treated as a precedent.

IN RE : REGISTRATION OF BS-IV VEHICLES & I.A.D. NO. 48238 OF 2020
(Application for impleadment on behalf of Bird Automative Pvt. Ltd)

Let a better affidavit be filed giving details of all the vehicles category wise, including the sales date wise, which were made in the last 15 days of March, 2020. Date wise sale data be given on affidavit. Whether they are on E-vahan portal or not be also specified.

It is stated in the affidavit filed on behalf of the Transport Ministry that the States of Andhra Pradesh, Madhya Pradesh, Telangana and Union Territories of Lakshadweep, Andaman and Nicobar Islands and few RTOs of Arunanchal Pradesh are maintaining their separate portal.

Let the data be collected and placed before this Court within 15 days. Unto date entire data with reference to stand off dealers be verified and affidavit of position after 15th March, 2020 till date throughout India be filed in detail.

List the matter on 08.07.2020.

I.A. No. 53959 and 53962/2020 [Impleadment and Directions on b/s NTPC]

and

I.A.Nos. 52536, 52538 and 53358/2020 [Aravali Power Co. Ltd.]

Issue notice in the applications.

Recovery so far as regards to NTPC Ltd. and to remain stayed till the next date of hearing.

List in the last week of July, 2020.

I.A.No. 44408 of 2020

We are not inclined to allow the prayer made in the application. The learned counsel seeks leave to withdraw this application. The application is, accordingly, dismissed as withdrawn.

I.A.No. 12493 of 2020

List on 08.07.2020.

I.A. Nos. 56155 of 2020

(appln. for intervention on behalf of Manasi Priyadarshini Rout & Ors]

We are not inclined to entertain this application. The application is dismissed.

I.A.No. 55630 & 55631/2020

[Appln for intervention and directions on behalf of Anand Singhvi]

Let it be specified whether the vehicle is on E-Vahan Portal of the Government of India.

List on 08.07.2020.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
ASSISTANT REGISTRAR