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W.P(C)No. 13029 OF 1985

ITEM No.302 and

ITEM Nos.307 & 308

Court No. 1

SECTION PIL

A/N MATTER

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

Writ Petition(Civil) No.13029/1985

M.C.MEHTA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

FIFTEENTH PROGRESS REPORT OF ENVIRONMENT POLLUTION (PREVENTION AND
CONTROL) AUTHORITY FOR N.C.R.

WITH

W.P.(C) NO. 939/1996 (In re: Delhi Transport Department)

SLP(C) No. 13208/1998 (U.O.I. & Ors. vs. A.I. Fed. of Motor
V.D.T.E. Off. Assocn. & ors.) (with appln.(s) for c/delay in filing
SLP)

W.P.(C) No. 440/1999 (Kirti Mishra vs. U.O.I. & Ors.)

SLP(C)/2000 (CC 6990-6991) (Govt. of N.C.T. of Delhi vs. M/s.
Mahua Roy Chowdhary & ors.) (with appln.(s) for c/delay in filing SLP)

W.P.(C) No. 227/2001 (United Communist Party of India vs. Union of
India & Anr.) (with appln.(s) for permission to place addl. documents
on record)

I.A.No.179 in W.P.(C)NO.13029/1985 - (For directions)

WITH

I.A.No.180 in W.P.(C)NO.13029/1985 - (For directions on behalf of
Govt. of NCT of Delhi)

WITH

I.A.No.181 in W.P.(C)NO.13029/1985 - (For impleadment and direction
on behalf of Indian Foundation and Transport Research and Training)

WITH

I.A.No.182 in W.P.(C)NO.13029/1985 - (For impleadment
on behalf of State of Haryana)

I.A.No.183 in I.A.No. 151 in W.P.(C)NO.13029/1985 - (For directions
on behalf of State of Haryana)

I.A.No.184 in W.P.(C)NO.13029/1985 - (For impleadment and directions
on behalf of Delhi Inter State Truck Operators Association)

I.A.No.185 in W.P.(C)NO.13029/1985 - (For impleadment and directions
on behalf of All India Motor Transport Congress)

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I.A.No.187 in W.P.(C)NO.13029/1985 - (For directions on behalf of Govt. of N.C.T. of Delhi)

I.A.Nos.188-189 in W.P.(C)NO.13029/1985 - (For impleadment and directions on behalf of Delhi Traffic Police)

I.A.No.190 in W.P.(C)NO.13029/1985 - (For c/delay on behalf of Govt. of NCT of Delhi)

I.A. No. 192 in WP(C) No. 13029/1985 (for directions on behalf of CNG Bus Operators Association)

I.A. Nos.194-195 in WP(C) No. 13029/1985
(for direction and impleadment on behalf of Ishwar Nagar (East) Residents Association)

WITH

I.A. No. 201 in W.P.(C) No. 13029/1985 (For directions filed by A.C.)
(For further orders)

I.A. No. 199 in W.P.(C) No. 13029/1985 (for impleadment and directions on behalf of All India Transports Welfare Association)

WITH

I.A. No. 197 in W.P.(C) No. 13029/1985 (for impleadment)
In the matter of M/s. Yamaha Motors (India) Pvt. Ltd.

I.A. No. 203 in W.P.(C) No. 13029/1985 (for directions on behalf of Transport Department, Govt. of NCT of Delhi)

I.A. No. 202 in W.P.(C) No. 13029/1985 (for directions on behalf of Sukh Nandan Sharma)

WITH

W.P.(C) No. 355/2001 (Kamakshi Singh Mehlwal vs. Union of India)

(Letter dated 10.9.2002 and 8.10.2002 filed by Mr. N.K. Aggarwal, Advocate on behalf of Sh. Ishwar Dutt with office report)
in WP(C) No. 13029/1985

T.C.(C) No. 78/2002 (Essar Steel Ltd. vs. Union of India & Ors.)
(with appln.(s) for directions)

T.C.(C) No. 79/2002 (Reliance Industries Ltd. & Anr. vs. Union of India & Ors.)

with

Item No. 307@@
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I.A. No. in I.A. No. 201 in WP(C) No. 13029/1985
[for permission to reconstitute the Environment Pollution
(Prevention and Control) Authority for the National Capital
Region with O/R]

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Item No. 308@@
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WP(C) No. 663/2002 (Parle Biscuits Pvt. Ltd. & Ors. vs. Union of

India & Anr.) (with appln.(s) for interim relief)

with
WP(C) No. 664/2002 (Rathi Super Steel Ltd. and Ors. vs. Union of
India and Anr.) (with appln.(s) for interim relief)

Date : 31/01/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

Amicus Curiae Mr. Harish N. Salve, Sr. Adv.
 Mr. Uday Umesh Lalit, Adv.
 Mr. Siddhartha Chowdhury, Adv.
 Ms. Aparajita Singh, Adv.
 Ms. Gayatri Goswami, Adv.

For Petitioner(s)/
Applicant(s)

in IA 179 Mr.M.C. Mehta, Petr. in Person (N.P.)

 Mr. Uday Umesh Lalit, Adv.

in IA 180

 Mr. D S Mahra, Adv.

in IA 182 & 183

 Mr. G L Sanghi, Sr. Adv.
 Mr. Neeraj Kumar Jain, Adv.
 Mr. J P Dhanda, Adv.
 Mr. Surya Kant, Adv.
 Ms. Kavita Wadia, Adv.

in IA 184

 Mr. J S Chadha, applicant in person.

in IA 185

 Mr. Abhijit Sen Gupta, Adv.

in IA 188-189, 190,
187

 Mr. D S Mahra, Adv.

in IA 151

 Mr. G K Bansal, Adv.
 Mr. Sanjay Bansal, Adv.

in SLP..CC6990-91/00

 Mr. D.S. Mahra, Adv.

in SLP13208

 Mr. Arvind Kumar Sharma, Adv.

in IA 192

 Mr. R K Kapoor, Adv.
 Mr. B R Kapur, Mr. Sumit Kumar Khatri and
 Mr. C S Ashri, Adv.

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in IA 194 & 195

 Mr. Ranjit Kumar, Sr. Adv.
 Ms. Kirti R. Mishra, Adv.

in IA 181

 Ms. Rani Chhabra, Adv.

in WP 227/01 Ms. Naresh Bakshi, Adv.

in WP 355/01 Mr. Goodwill Indeevar, Adv.

in WP 939/96 Mr. Ranjit Kumar, Sr. Adv. (AC)
Mr. Anis Ahmed Khan, Adv.

in WP 449/99 Ms. Kiran Suri, Adv.

in IA 201 Mr. U U Lalit, Adv.

in IA 199 Mr. Abhijit Sen Gupta, Adv.

in IA 197 Mr. P Narasimhan, Adv.

in IA 203 Mr. D S Mahra, Adv.

in IA 202 Mr. Shibashish Misra, Adv.
Mr. N K Aggarwal, Adv.

in TC 78/02 Dr. A M Singhvi, Sr. Adv.
Mr. Subramonium Prasad, Adv.
Mr. Navin Goel, Adv.
Mr. Abhay Kumar, Adv.
Mr. R Gopal Krishnan, Adv.

in TC 79/02 Mr. Kapil Sibal, Sr. Adv.
Mr. K R Sasiprabhu, Adv.
Mr. Milan Sathe, Adv.
Mr. Ashwin Dave, Adv.

in WP 663/02 & 664/02 Mr. P N Misra, Sr. Adv.
Mr. A K Upadhyay, Adv.
Mr. Naveen Chawla, Adv.
Ms. Manjula Gupta, Adv.
Mr. D K Garg, Adv.

For Respondent (s)
Min. of Env./U.O.I. Mr. Mukul Rohtagi, ASG.
Mr. A.D.N. Rao, Adv.
Mr. Y.P. Mahajan, Adv.
Mr. B.V. Balaram Das, Adv.
Mr. P Parmeswaran, Adv.

For Delhi Police Mr. Mukul Rohtagi, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. D.S. Mahra, Adv.

For NCT Delhi Mr. Mukul Rohtagi, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. D.S. Mahra, Adv.

Mr. K N Nagpal, Adv.
Mr. R N Poddar, Adv.

For Min. of Surface Transport Mr. Mukul Rohtagi, ASG
Ms. Niranjana Singh, Adv.
Mr. Wasim A Qadri, Adv.
Ms. Anil Katiyar, Adv.

For TELCO Mr. F S Nariman, Sr. Adv.
Mr. Percy Gandhi, Adv.
Mr. R.N. Karanjawala, Adv.
Ms. Nandini Gore, Adv.

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Ms. Jasmine Dankewala, Adv.
Ms. Manik Karanjawala, Adv.

For D.T.C. Ms. A. Subhashini, Adv.

For N.C.R.P.B. Ms. Sheil Sethi, Adv.

For C.P.C.B. Mr. Vijay Panjwani, Adv.

For D.D.A. Mr. Vishnu B. Saharya, Adv.
for M/s VB Saharya & Co., Adv.

For SIAM & Ashok
Leyland Mr. Shri Narain, Adv.
Mr. Sandeep Narain, Adv.
Ms. Anjali Jha, Adv.

For STA Operators
Ms. Sudha Pal, Adv.
Mr. Rajeev K. Dubey, Adv.
Ms. Rani Chhabra, Adv.

For I.G.L. Mr. P Chidambaram, Sr. Adv.
Mr. Siddharth Yadav, Adv.
Mr. Vikrant Yadav, Adv.
Mr. Praveen Swarup, Adv.
Mr. Rakesh K Sharma, Adv. (NP)

For I.O.C.L. Mr. H K Puri, Adv.
Mr. S.K. Puri, Adv.
Mr. Ujjwal Banerjee, Adv.
Ms. Anindita Gupta, Adv.

Mr. Rakesh K. Khanna, Adv.
Mr. Reetesh Singh, Adv.
Mr. Surya Kant, Adv.

For B.P.C.L. Mr. Sudhir Chandra, Sr. Adv.
Mr. Parijat Sinha, Adv.

For D.P.C.C. Mr. R.C. Verma, Adv.
Mr. Mukesh Verma, Adv.
Ms. Sangeeta Sharma, Adv.

for GAIL Mr. K N Raval, Solicitor General
Mr. Arvind Nigam, Adv.
Mr. Rakesh Sinha, Adv.
Ms. Suchitra Atul Chitale, Adv.
Ms. Lakshika Joshi, Adv.

Ms. Indira Sawhney, Adv.

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Mr. Ashok Mathur, Adv.

Mr. Hardeep Singh Anand, Adv.

Mr. Sushil Kumar Jain, Adv.

Ms. Binu Tamta, Adv.

Ms. Meenakshi Arora, Adv.

Mr. Umesh Kumar Khaitan, Adv.

Mr. L K Pandey, Adv.

Mr. S B Upadhyay, Adv.
Mr. S R Setia, Adv.
Mr. Sanjay Parikh, Adv.
Mr. Arvind Kumar Sharma, Adv.

States of Gujarat &
Mizoram

Ms. Hemantika Wahni, Adv.
Ms. Sumita Hazarika, Adv.

Mr. Aruneshwar Gupta, Adv.

Govt. of Pondicherry

Mr. V G Pragasam, Adv.

Mr. S K Agnihotri, Adv.

Mr. K K Rai, Adv.

Mr. B B Singh, Adv.

State of W.B.

Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.

Mr. G Prakash, Adv.

Mr. Deepak M Nargolkar, Adv.

Mr. Sanjay R Hegde, Adv.

Mr. G K Bansal, Adv.

Mr. Ajay Kumar Aggarwal, Adv.

State of Haryana

Mr. G L Sanghi, Sr. Adv.
Mr. Neeraj Kumar Jain, Adv.

Mr. S S Shinde, Adv.

Mr. V N Raghupathy, Adv.

State of Manipur

Mr. K H Nobin Singh, Adv.

State of U.P.

Mr. R C Verma, Adv.
Mr. Mukesh Verma, Adv.
Mr. Manish Shanker, Adv.
Ms. Sangita Sharma, Adv.

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Mr. Ajay K Agrawal, Adv.
Ms. Alka Agrawal, Adv.
Mr. C Siddharth, Adv.

State of Arunachal
Pradesh

Mr. Anil Shrivastav, Adv.
Ms. Jyoti Dutt, Adv.

Mr. Prashant Bhushan, Adv.

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

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Shri Rajeev Sharma and Shri P S Bhargava are present in Court. So far as Shri Lobo is concerned, an affidavit has been filed stating that for certain reasons he could not be present in Court today. We find cause shown is sufficient. We, therefore, exempt his personal appearance today. However, he should be present in Court on the next date of hearing.

List these matters on 14.2.2003. In the meantime, the parties may file their affidavits or further affidavits if they so desire.

An application has been filed by Union of India to reconstitute the Environment Pollution (Prevention & Control) Authority for the National Capital Capital Region. Learned Amicus Curiae states that he had a talk with Mrs. Kiran Dhingra and she has agreed to be in that Committee. Learned Solicitor General may also enquire into her willingness. The Committee so constituted shall continue until further orders. List this I.A. also on 14.2.2003.

The Office Report be repeated on the next date of hearing.

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(D.P. WALIA)
Court Master

(S. KRISHNAN)
Court Master